



Government of Montenegro
Prime Minister's Office
European Integration Office

Montenegro's Programme of Accession to the European Union 2022 – 2023

Content

1. Free movement of goods	7
INTRODUCTION	7
1. PLANS AND NEEDS	8
2. ADMINISTRATIVE FRAMEWORK	23
2. Freedom of Movement for Workers	28
INTRODUCTION	28
1. PLANS AND NEEDS	29
2. ADMINISTRATIVE FRAMEWORK	30
3. Right of establishment and freedom to provide services	31
INTRODUCTION	31
1. PLANS AND NEEDS	33
2. ADMINISTRATIVE FRAMEWORK	35
4. Free Movement of Capital	36
INTRODUCTION	36
1. PLANS AND NEEDS	38
5. Public Procurement	40
INTRODUCTION	40
1. PLANS AND NEEDS	41
6. Company law	42

INTRODUCTION	42
1. PLANS AND NEEDS	43
7. Intellectual property rights	44
INTRODUCTION	44
1. PLANS AND NEEDS	45
2. ADMINISTRATIVE FRAMEWORK	45
8. Competition policy	47
INTRODUCTION	47
1. PLANS AND NEEDS	48
2. ADMINISTRATIVE FRAMEWORK	48
9. Financial services	50
INTRODUCTION	50
1. PLANS AND NEEDS	51
10. INFORMATION SOCIETY AND MEDIA	54
INTRODUCTION	54
1. PLANS AND NEEDS	55
2. ADMINISTRATIVE FRAMEWORK	56
11. Agriculture and Rural Development	57
INTRODUCTION	57
1. PLANS AND NEEDS	58
2. ADMINISTRATIVE FRAMEWORK	62
12. Food safety, veterinary and phytosanitary affairs	65
INTRODUCTION	65
1. PLANS AND NEEDS	67
2. ADMINISTRATIVE FRAMEWORK	82
13. Fisheries	84

INTRODUCTION	84
1. PLANS AND NEEDS	86
2. ADMINISTRATIVE FRAMEWORK	88
14. Transport Policy	91
INTRODUCTION	91
1. PLANS AND NEEDS	93
2. ADMINISTRATIVE FRAMEWORK	98
15. Energy	102
INTRODUCTION	102
1. PLANS AND NEEDS	104
2. ADMINISTRATIVE FRAMEWORK	107
16. Taxation.....	113
INTRODUCTION	113
1. PLANS AND NEEDS	114
2. ADMINISTRATIVE FRAMEWORK	115
17. Economic and monetary union	116
INTRODUCTION	116
1. PLANS AND NEEDS	117
18. Statistics.....	119
INTRODUCTION	119
1. PLANS AND NEEDS	121
2. ADMINISTRATIVE FRAMEWORK	137
19. SOCIAL POLICY AND EMPLOYMENT	139
INTRODUCTION	139
1. PLANS AND NEEDS	140
2. ADMINISTRATIVE FRAMEWORK	143

20. Enterprise and Industrial Policy	145
INTRODUCTION	145
1. PLANS AND NEEDS	146
21. Trans-European Networks	148
INTRODUCTION	148
1. PLANS AND NEEDS	150
2. ADMINISTRATIVE FRAMEWORK	151
22. Regional policy and coordination of structural instruments	153
INTRODUCTION	153
1. PLANS AND NEEDS	155
23. Judiciary and Fundamental Rights	156
INTRODUCTION	156
1. PLANS AND NEEDS	158
2. ADMINISTRATIVE FRAMEWORK	160
24. Justice, Freedom and Security	166
INTRODUCTION	166
1. PLANS AND NEEDS	167
2. ADMINISTRATIVE FRAMEWORK	170
25. Science and research	174
INTRODUCTION	174
1. PLANS AND NEEDS	175
2. ADMINISTRATIVE FRAMEWORK	175
26: Education and culture	177
INTRODUCTION	177
1. PLANS AND NEEDS	179

27. Environment and Climate Change	182
INTRODUCTION	182
1. PLANS AND NEEDS	186
2. ADMINISTRATIVE FRAMEWORK	193
28. Consumer and health protection.....	195
INTRODUCTION	195
1. PLANS AND NEEDS	197
2. ADMINISTRATIVE FRAMEWORK	200
29. Customs Union	202
INTRODUCTION	202
1. PLANS AND NEEDS	204
2. ADMINISTRATIVE FRAMEWORK	207
30. External Relations	209
INTRODUCTION	209
1. PLANS AND NEEDS	210
31. Foreign, Security and Defence policy	214
INTRODUCTION	214
1. PLANS AND NEEDS	215
32. Financial Control	218
INTRODUCTION	218
1. PLANS AND NEEDS	219
2. ADMINISTRATIVE FRAMEWORK	220
33. Financial and Budgetary Provisions	221
INTRODUCTION	221
1. PLANS AND NEEDS	223

1. Free movement of goods

INTRODUCTION

Free movement of goods is one of the four fundamental freedoms at the EU single market. Free movement of goods implies the removal of all technical barriers in the trade between the EU Member States. In that regard Montenegro, as a candidate country aiming to become a full-fledged EU Member State, has to remove all obstacles which might disturb its full integration into a single market, while ensuring a high level of protection of human safety, life and health, as well as protection of animals and plants, environment and consumers. The establishment of quality infrastructure system in accordance with the best European practice and harmonisation of the Montenegrin technical legislation with EU requirements represent the most important tasks of Montenegro under Chapter 1 – Free Movement of Goods.

Chapter 1 is divided into 4 subchapters:

1. General Principles,
2. Horizontal Measures (Conformity Assessment, Standardisation, Metrology, Accreditation, Market Surveillance),
3. Vertical Measures (New Approach, Old Approach) and
4. Procedural Measures.

Institutions dealing with free movement of goods in Montenegro are: the Ministry of Economic Development, European Integration Office, Ministry of Capital Investments, Ministry of Health, Ministry of Interior, Ministry of Agriculture, Forestry and Water Management, Ministry of Ecology, Spatial Planning and Urbanism, Administration for Inspection Affairs, Revenue and Customs Administration, Bureau of Metrology, Accreditation Body of Montenegro, Institute for Standardisation of Montenegro, Administration for Food Safety, Veterinary and Phytosanitary Affairs, Institute for Pharmaceuticals and Medical Devices, Environmental Protection Agency, Faculty of Mechanical Engineering and Chamber of Commerce of Montenegro.

Chapter 1 – Free Movement of Goods was opened on 20 June 2017 at the Intergovernmental Conference in Luxembourg.

1. PLANS AND NEEDS						
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Horizontal measures						
1.	MED	Law on Amendments to the Law on Technical Requirements for Products and Conformity Assessment	2022/I	2022/II	32008D0768 [F]	
2.	MED	Law on Amendments to the Law on Market Surveillance of Products	2022/I	2022/II	32019R1020 [F]	
3.	MED	Law on Time Calculation	2022/III	2022/IV	32000L0084 [F]	
A.1) New approach						
4.	MCI	Rulebook on energy efficiency labelling of light sources	2022/I	2022/I	32019R2015 [F]	
5.	MCI	Rulebook on eco-design technical requirements for light sources	2022/I	2022/I	32019R2020 [F]	
6.	MCI	Rulebook on energy efficiency labelling of local space heaters	2022/II	2022/II	32015R1186 [F]	
7.	MCI	Rulebook on energy efficiency labelling of solid fuel boilers and supplementary heaters, temperature controls and solar devices	2022/II	2022/II	32015R1187 [F]	
8.	MCI	Rulebook on energy efficiency labelling of professional refrigerating cabinets	2022/II	2022/II	32015R1094 [F]	
9.	MCI	Rulebook amending the Rulebook on minimum energy efficiency requirements for buildings	2022/II	2022/II	32010L0031 [F] 32018L0844 [F]	
10.	MCI	Rulebook amending the Rulebook on certification of energy performance of buildings	2022/II	2022/II	32010L0031 [F] 32018L0844 [F]	
11.	MCI	Rulebook on energy efficiency labelling of household washing machines and household washer-dryers	2022/III	2022/III	32019R2014 [F]	
12.	MCI	Rulebook on energy efficiency labelling of refrigerating appliances	2022/III	2022/III	32019R2016 [F]	
13.	MCI	Rulebook on energy efficiency labelling of households' dishwashers	2022/III	2022/III	32019R2017 [F]	
14.	MCI	Rulebook on eco-design technical requirements of households washing machines and household washer-dryers	2022/III	2022/III	32019R2023 [F]	
15.	MCI	Rulebook on eco-design technical requirements of refrigerating appliances	2022/III	2022/III	32019R2019 [F]	
16.	MCI	Rulebook on eco-design technical requirements of household dishwasher	2022/III	2022/III	32019R2022 [F]	
17.	MCI	Rulebook on energy efficiency labelling for tyres and other parameters	2022/IV	2022/IV	32020R0740 [F]	
18.	MCI	Rulebook amending the Rulebook on eco-design technical requirements of servers and data storage products, electric motors and variable speed drives, refrigerating appliances, light	2022/IV	2022/IV	32021R0341 [F]	

		sources and special ballasts, electric displays, household dishwashers, washing machines and washing machines with dryers and refrigerating appliances with direct sales function				
19.	MCI	Rulebook amending the Rulebook on energy efficiency labelling of electric displays, washing machines and washing machines with dryers, light sources, refrigerating appliances, household dishwashers and refrigerating appliances with direct sales function	2022/IV	2022/IV	32021R0340 [F]	
20.	MCI	Rulebook on energy efficiency labelling of electronic displays	2023/II	2023/II	32019R2013 [F]	
21.	MCI	Rulebook on eco-design technical requirements of electronic displays	2023/II	2023/II	32019R2021 [F]	
22.	MCI	Rulebook on energy efficiency labelling of refrigerating appliances with direct sales function	2023/II	2023/II	32019R2018 [F]	
23.	MCI	Rulebook amending the Rulebook on eco-design technical requirements for electrical transformers	2023/II	2023/II	32019R1783 [F]	
24.	MCI	Rulebook on eco-design technical requirements of electric motors	2023/II	2023/II	32019R1781 [F]	
25.	MCI	Law Amending the Law on Efficient Use of Energy	2023/III	2023/III	32018R1999 [F] 32018L2002 [F]	
26.	MCI	Rulebook on eco-design technical requirements of external power supplies	2023/IV	2023/IV	32019R1782 [F]	
27.	MCI	Rulebook on eco-design technical requirements of welding equipment	2023/IV	2023/IV	32019R1784 [F]	
28.	MH	Rulebook amending the Rulebook on safety of toys	2023/I	2023/IV	32009L0048 [F] 32015L2115 [F] 32015L2116 [F] 32015L2117 [F] 32017L0738 [F] 32017L0774 [F] 32019L1922 [F] 32019L1929 [F] 32020L2088 [F] 32020L2089 [F] 32021D0867 [F] 32021L0903 [F]	
29.	MESPU	Law on amendments to the Law on Construction Products	2023/IV	2024/I	32011R0305 [F]	
30.	MI	Law on Explosive Substances	2023/IV	2023/IV	32013L0029 [F]	
31.	AFSVPA	Rulebook amending the Rulebook on types of minerals fertilizers	2022/IV	2022/IV	32021R0862 [F] 32020R1666 [F]	
A.2) Old approach						
32.	MESPU	Rulebook amending the Rulebook on the content of the safety data sheet on chemicals	2022/II	2022/II	32020R0878 [F]	
33.	MESPU	Rulebook amending the Rulebook on the list of substances of very high concern	2022/II	2022/II	32020R2160 [P]	

34.	MESPU	Rulebook amending the Rulebook on the list of dangerous chemicals and products whose export is prohibited	2022/III	2022/III	32020R1068 [F]	
35.	MESPU	Rulebook amending the Rulebook on the content of dossier and register of chemicals	2022/III	2022/III	32021R0979 [F]	
36.	MESPU	Decree amending the Decree on prohibited or permitted uses, production and placing on the market of chemicals that pose an unacceptable risk to human health and the environment	2022/IV	2023/I	32020R1203 [F] 32020R1204 [F] 32020R1149 [F] 32020R0784 [F] 32020R2081 [F] 32020R2096 [F] 32021R0057 [F] 32021R1297 [F] 32021R1199 [F] 32020R2081 [F] 32021R0277 [F] 32021R0115 [F]	
37.	MESPU	Rulebook amending the Rulebook on the list of substances that are not entered in the register of chemicals and are not subject to expert assessment	2023/I	2023/II	32019R1691 [F]	
38.	MESPU	Rulebook amending the Rulebook on methods for testing the hazardous properties of chemicals	2023/II	2023/III	32019R1390 [F]	
39.	MESPU	Rulebook amending the Rulebook on the detailed content of prior notification for export of chemicals	2023/III	2023/III	32020R1068 [F]	
40.	MESPU	Rulebook amending the List of classified substances	2023/III	2023/III	32021R0849 [F]	
41.	MESPU	Rulebook amending the Rulebook on the manner of classification, packaging and labelling of chemicals in accordance with the UN Globally Harmonized System	2023/IV	2023/IV	32020R1413 [F] 32021R0797 [F] 32021R0643 [F]	
42.	MESPU	Rulebook amending the Rulebook on lists of active substances authorized for use in biocidal products and low-risk biocidal products	2023/IV	2023/IV	32019D1950 [F] 32019D1973 [F] 32019D1969 [F] 32019D1951 [F] 32019R1819 [F] 32019R1821 [F] 32019R1823 [F] 32019R1824 [F] 32019R1820 [F] 32019D1030 [F] 32019D0994 [F]	

					32019R1822 [F] 32019R1825 [F] 32020D0027 [F] 32020R1086 [F] 32020D1037 [F] 32021D1288 [F] 32021D1287 [F] 32021D1299 [F] 32021D1284 [F] 32021D0333 [F] 32021D0098 [F] 32021D0327 [F] 32021D0713 [F] 32021D0807 [F] 32021D1290 [F] 32021D1286 [F] 32021D1285 [F] 32021D1289 [F] 32021D0354 [F] 32021R0345 [F] 32021R0348 [F] 32021R0525 [F] 32021R0364 [F] 32021R0365 [F] 32021R1288 [F] 32021R0347 [F] 32021R0806 [F] 32021R1290 [F] 32021R1045 [F] 32020R1771 [F] 32020R1063 [F] 32020R1763 [F] 32021R0103 [F] 32021R0407 [F]	
43.	MH	Law on the Control of Production and Trade in Substances that can be used in Production of Narcotic Drugs and Psychotropic Substances	2022/III	2023/IV	32004R0273 [F] 32005R0111 [F]	

					32009R0219 [F] 32013R1258 [F] 32013R1259 [F] 32015R1011 [F] 32015R1013 [F] 32016R1443 [F] 32020R1737 [F]	
44.	MCI	Law on homologation of motor vehicles	2023/III	2023/IV	32018R0858 [P] 32007L0046 [P] 32013R0168 [P] 32013R0167 [P] 32016R1628 [P]	
45.	MCI	Rulebook on homologation of motor vehicles and trailers	2023/IV	2023/IV	32018R0858 [P]	
46.	MCI	Rulebook on homologation of two or three-wheeled motor vehicles	2023/IV	2023/IV	32013R0168 [P]	
47.	MCI	Rulebook on homologation of tractors	2023/IV	2023/IV	32013R0167 [P]	
48.	MCI	Rulebook on emissions from non-road mobile machinery	2023/IV	2023/IV	32016R1628 [P]	
49.	MCI	Technical book on homologation of motor vehicles and trailers, two or three-wheeled motor vehicles, tractors and non-road mobile machinery	2023/IV	2023/IV	31970L0157 [F] 31970L0220 [F] 31970L0221 [F] 31970L0311 [F] 31970L0387 [F] 31970L0388 [F] 31971L0320 [F] 31972L0245 [F] 31972L0306 [F] 31973L0350 [F] 31974L0060 [F] 31974L0061 [F] 31974L0297 [F] 31974L0408 [F] 31974L0483 [F] 31975L0443 [F] 31976L0114 [F]	

						31976L0115 [F] 31976L0756 [F] 31976L0757 [F] 31976L0758 [F] 31976L0759 [F] 31976L0760 [F] 31976L0761 [F] 31976L0762 [F] 31977L0389 [F] 31977L0538 [F] 31977L0539 [F] 31977L0540 [F] 31977L0541 [F] 31978L0316 [F] 31978L0318 [F] 31978L0507 [F] 31978L0549 [F] 31978L0632 [F] 31978L0932 [F] 31979L0488 [F] 31980L1268 [F] 31980L1269 [F] 31982L0318 [F] 31988L0077 [F] 31988L0195 [F] 31989L0227 [F] 31989L0491 [F] 31989L0516 [F] 31989L0517 [F] 31989L0518 [F] 31990L0628 [F]	
--	--	--	--	--	--	--	--

						31990L0629 [F] 31991L0226 [F] 31991L0422 [F] 31991L0441 [F] 31991L0542 [F] 31991L0662 [F] 31991L0663 [F] 31991L0671 [F] 31992L0021 [F] 31992L0022 [F] 31992L0023 [F] 31992L0024 [F] 31992L0062 [F] 31992L0097 [F] 31992L0114 [F] 31993L0030 [F] 31993L0059 [F] 31993L0091 [F] 31993L0093 [F] 31993L0116 [F] 31994L0012 [F] 31994L0020 [F] 31994L0053 [F] 31994L0068 [F] 31994L0078 [F] 31995L0048 [F] 31995L0054 [F] 31995L0056 [F] 31996L0001 [F] 31996L0020 [F] 31996L0027 [F]	
--	--	--	--	--	--	--	--

						31996L0036 [F] 31996L0037 [F] 31996L0038 [F] 31996L0044 [F] 31996L0064 [F] 31996L0069 [F] 31996L0079 [F] 31997L0019 [F] 31997L0020 [F] 31997L0021 [F] 31997L0027 [F] 31997L0028 [F] 31997L0029 [F] 31997L0030 [F] 31997L0031 [F] 31997L0032 [F] 31997L0039 [F] 31997L0068 [F] 31998L0012 [F] 31998L0069 [F] 31998L0077 [F] 31998L0090 [F] 31998L0091 [F] 31999L0007 [F] 31999L0014 [F] 31999L0015 [F] 31999L0016 [F] 31999L0017 [F] 31999L0018 [F] 31999L0096 [F] 31999L0098 [F]	
--	--	--	--	--	--	--	--

						31999L0099 [F] 31999L0100 [F] 31999L0101 [F] 31999L0102 [F] 32000L0003 [F] 32000L0004 [F] 32000L0008 [F] 32000L0025 [F] 32000L0040 [F] 32001L0001 [F] 32001L0027 [F] 32001L0031 [F] 32001L0043 [F] 32001L0063 [F] 32001L0085 [F] 32001L0092 [F] 32001L0100 [F] 32002L0078 [F] 32002L0080 [F] 32002L0088 [F] 32003L0019 [F] 32003L0097 [F] 32004L0011 [F] 32004L0026 [F] 32004L0086 [F] 32004L0104 [F] 32005L0011 [F] 32005L0027 [F] 32005L0039 [F] 32005L0049 [F] 32005L0055 [F]	
--	--	--	--	--	--	--	--

						32005L0064 [F] 32005L0078 [F] 32005L0083 [F] 32006L0020 [F] 32006L0028 [F] 32006L0040 [F] 32006L0051 [F] 32007L0015 [F] 32007L0034 [F] 32007L0035 [F] 32007L0046 [F] 32007R0706 [F] 32007R0715 [F] 32008L0002 [F] 32008L0074 [F] 32008L0089 [F] 32008R0692 [F] 32008R1060 [F] 32009L0001 [F] 32009L0019 [F] 32009L0059 [F] 32009L0062 [F] 32009L0063 [F] 32009L0064 [F] 32009L0066 [F] 32009L0067 [F] 32009R0078 [F] 32009R0079 [F] 32009L0080 [F] 32009L0139 [F] 32009L0144 [F]	
--	--	--	--	--	--	--	--

						32009R0385 [F] 32009R0595 [F] 32009R0631 [F] 32009R0661 [F] 32010L0019 [F] 32010L0026 [F] 32010R0371 [F] 32011L0088 [F] 32011R0183 [F] 32011R0459 [F] 32011R0510 [F] 32011R0566 [F] 32011R0582 [F] 32011R0678 [F] 32012L0046 [F] 32012R0064 [F] 32012R0065 [F] 32012R0459 [F] 32012R1229 [F] 32012R1230 [F] 32013R0143 [F] 32013R0167 [F] 32013R0168 [F] 32013R0171 [F] 32013R0195 [F] 32013R0519 [F] 32014L0037 [F] 32014L0043 [F] 32014R0133 [F] 32014R0136 [F] 32014R0214 [F]	
--	--	--	--	--	--	--	--

					32014R0404 [F] 32014R0540 [F] 32014R1171 [F] 32015R0045 [F] 32015R0166 [F] 42015X0618(01) [F] 32015R0758 [F] 32016R1628 [F] 32017R1151 [F] 32017R1154 [F] 32017R1347 [F] 32017R2400 [F] 32018R0858 [F] 32018R1832 [F] 32020R0683 [F]	
B) Procedural measures						
50.	MH	Rulebook on manner and conditions of advertising of medicines	2023/II	2023/II	32004L0027 [F] 32001L0083 [F]	
51.	MH	Rulebook on conditions for issuance of marketing authorisation, variations, renewal and transfer of the authorization, as well as on content of the marketing authorization	2023/III	2023/III	32009L0120 [F] 32008R1234 [F] 32003L0063 [F] 32001L0082 [F] 32004R0726 [F] 32001L0083 [F] 32021R0756 [F] 52021XC0607(02) [F] 32021R0805 [F] 32021R0017 [F]	
52.	MH	Rulebook on conditions and manner of determining fulfilment of conditions for manufacture of medicines and content of manufacturing authorization	2022/IV	2022/IV	32001L0083 [F] 31991L0412 [F] 32003L0094 [F]	
53.	MH	Rulebook on conditions, application content and documentation required for conduct of clinical trials of medicine for human medicines	2023/III	2023/III	32005L0028 [F] 32001L0020 [F]	

54.	MH	Rulebook on conditions and content of the license for the production and import of medicine which is subject to clinical trial	2023/III	2023/III	32005L0028 [F] 32003L0094 [F] 32001L0020 [F]	
55.	MH	Guidelines on collecting, assessing and reporting on adverse reactions/events in conducting clinical trials of medicines for human use	2023/III	2023/III	52011XC0611 [01] [F]	
56.	MH	Rulebook on the labelling the outer and immediate packaging of a medicine and content of the package leaflet for human medicines	2023/IV	2023/IV	32013R0198 [F] 32001L0083 [F]	
57.	MH	Rulebook on the manner of collecting of data, reporting and monitoring adverse reactions to medicines for human use	2023/IV	2023/IV	32012R1027 [P] 32012L0026 [F] 32010R1235 [F] 32010L0084 [F] 32001L0083 [F]	
58.	MH	Rulebook on conditions for issuance of authorisation, preparation and use of advanced therapy medicines, which are prepared on a non-routine basis	2023/IV	2023/IV	32007R1394 [P]	
59.	MH	Rulebook on conditions for import of active substances	2023/IV	2023/IV	32001L0083 [F] 32003L0094 [F] 32021R1280 [P]	
60.	AFSVPA	Rulebook on the form and content of a prescription, criteria for classification of veterinary medicines, as well as the manner of prescribing and dispensing of veterinary medicines	2022/IV	2023/I	32019R0006 [F] 32004L0028 [F] 32009L0009 [F]	
61.	AFSVPA	Rulebook on pharmacological-toxicological testing of veterinary medicines and documentation for performing proceeding on pharmacological-toxicological testing of veterinary medicines	2023/I	2023/II	32019R0006 [F] 32004L0028 [F] 32009L0009 [F]	
62.	AFSVPA	Rulebook on conditions, application content and documentation required for conduct of clinical trials of medicines for veterinary use	2023/I	2023/II	32019R0006 [F] 32004L0028 [F] 32009L0009 [F]	
63.	AFSVPA	Rulebook on the labelling the outer and immediate packaging of a veterinary medicine and content of the package leaflet, as well as the type of veterinary medicine that must contain a safety label	2022/IV	2022/IV	32019R0006 [F] 32004L0028 [F] 32009L0009 [F]	
64.	AFSVPA	Rulebook on the manner of collecting of data, reporting and monitoring adverse reactions to medicines for veterinary use	2022/IV	2023/I	32019R0006 [F] 32004L0028 [F] 32009L0009 [F] 32021R1281 [P]	
65.	AFSVPA	Rulebook on conditions and manner of determining fulfilment of conditions for performing wholesale of medicines and content of wholesale authorization for veterinary medicines	2023/IV	2023/IV	32019R0006 [F] 32004L0028 [F] 32009L0009 [F]	

20/222

66.	AFSVPA	Rulebook on conditions regarding premises, equipment and personnel for retail of veterinary medicines	2023/II	2023/IV	32019R0006 [F] 32004L0028 [F] 32009L0009 [F]	
67.	MH	Rulebook on the detailed content of basic as well as special requirements for medical devices	2023/I	2023/I	32017R0745 [P] 32017R0746 [P]	
68.	MH	Rulebook on the detailed manner and procedure of monitoring medical devices and vigilance systems on the market	2023/II	2023/II	32017R0745 [P] 32017R0746 [P]	
69.	MH	Rulebook on detailed conditions and manner of medical devices advertising	2023/II	2023/II	32017R0745 [P] 32017R0746 [P]	
70.	MH	Rulebook on the detailed content and manner of marking of the medical device and the content of the instruction for use of the medical device	2023/II	2023/II	32017R0745 [P] 32017R0746 [P]	
72.	MH	Rulebook on the detailed content of application, documentation required for conducting a clinical trial, recording of a non-interventional trial, and basic requirements for a clinical evaluation	2022/IV	2022/IV	32017R0745 [P] 32017R0746 [P]	
73.	MH	Rulebook on detailed content and manner of keeping registers of medical devices, manufacturers with based in Montenegro, i.e. residence or domicile in Montenegro and manufacturers of medical devices with registered office, i.e. residency or domicile outside of Montenegro, wholesalers, specialized retail facilities and importers	2023/I	2023/I	32017R0745 [P] 32017R0746 [P]	
74.	MH	Rulebook on detailed conditions, manner of determining the fulfilment of conditions for the manufacture of medical devices, content of the decision on the registration of manufacturer, as well as for the manufacture of custom-made medical devices for a particular patient	2023/IV	2023/IV	32017R0745 [P] 32017R0746 [P]	
75.	MH	Rulebook on labelling and contents of the data that are required to be indicated on packed cosmetic products, on cosmetic products packed at the point of sale on a buyer's request or those repacked for direct sale	2022/III	2022/IV	32009R1223 [F]	
76.	MH	Rulebook on verifying the safety and compliance, sampling, method, type, scope and methods of safety analyses and contents of the cosmetic products, as well as the contents of the safety and compliance of cosmetic products assessment report	2022/III	2022/IV	32009R1223 [P] 31980L1335 [F] 31982L0434 [F] 31983L0514 [F] 31985L0490 [F] 31993L0073 [F] 31995L0032 [F] 31996L0045 [F] 32019R0831 [F] 32019R0681 [F] 32019R0680 [F] 32019R0698 [F]	

					32019R1858 [F] 32019R1857 [F] 32019R1966 [F] 32020R1682 [F] 32020R1683 [F] 32020R1684 [F] 32021R0850 [F] 32021R1099 [F]	
77.	MED	Decree on notification of technical regulations, standards, regulations on information society services and conformity assessment procedure	2022/IV	2022/IV	32015L1535 [F]	

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Inst.	Title of the act	Description	Qualification	RIOS	2022	2023
Ministry of Economic Development – Directorate for internal market and competition/Department for protection of competition, internal trade and quality Infrastructure	Law on Market Surveillance of Products	Contact point for products	High education carrying 240 ECTS - Faculty of Economy	NO	1	
Ministry of Economic Development – Directorate for internal market and competition/Department for protection of competition, internal trade and quality Infrastructure	Work related to the legal framework (laws and by-laws)	Legal framework and assessment of the need for notification of technical regulations	High education carrying 240 ECTS - Faculty of Law	NO	1	
	Professional with the expertise in the field of the conformity assessment	Assessment of the effects of authorization and appointment on the Montenegrin market and notification of conformity assessment procedures	High education carrying 240 ECTS - Faculty of Economy			1
Ministry of Capital Investments – Directorate for road traffic	Law on Road Transport Safety and Rulebook on technical requirements for imported vehicles or those that are placed at the Montenegrin market for the very first time	Transposition and implementation of regulations in the field of homologation Market surveillance of the vehicles on the market, as well as inspection surveillance of the vehicles in use	Administration/Inspector	NO		1
Ministry of Ecology, Spatial planning and Urbanism	Law on construction products	Inspection surveillance on the use of the construction products	High education carrying 240 ECTS – Faculty of construction (engineer)	NO	1	2
Administration for Inspection Affairs	Law on Technical Requirements for Products and Conformity Assessment and related by-laws;	Market Inspector	High education (level VII1) – Faculty of			

23/222

	Law on Construction Products		technical and technological sciences, electro-technical engineering/electronics (2), mechanical engineering (1), construction (1)	YES	2	2
Administration for Inspection Affairs	Law on Energy	Thermo-energetic inspector	High education (level VII1) – Faculty of technical and technological sciences - mechanical engineering	YES	1	
Administration for Inspection Affairs	Law on Medicines	Health inspector	High education (level VII1)– Faculty of Medicine, Faculty of Pharmacy	YES	1	
Administration for Inspection Affairs	Law on Cosmetic Products, Rulebook on Toys Safety	Sanitary Inspector	High education (level VII1) – Faculty in the area of natural sciences	YES	1	1
Institute for Medicines and Medical Devices of Montenegro (CALIMS)	Law on Medicines; Law on Medical Devices and regulations for its implementation, Law on Prevention of Drug Abuse, Law on the Control of Production and Trade in Substances that can be used in Production of Narcotic Drugs and Psychotropic Substances and related by-laws	Activities related to the implementation of laws and by-laws in the field of medicines and medical devices, in the field of drug authorization, register of medical devices, vigilance of medicines and medical devices, clinical trials, inspections, etc.	High education (level VII1) - Faculty of Medicine, Faculty of Pharmacy, Faculty of Dental Medicine, Faculty of Biology, Faculty of	YES	5	5

			Chemistry, Faculty of Veterinary Medicine, Faculty of Technologies			
Accreditation Body of Montenegro	Law on Accreditation	Advisor in Department for accreditation of certified bodies - Reviews the received accreditation applications in terms of orderliness, timeliness and completeness; prepares notices and acts related to the accreditation process, issuance, extension, suspension and termination of accreditation; maintains and updates TOU registers; participates in the preparation of regulations in the areas of accreditation; prepares analytical, informative and other materials within the prescribed methodology; prepares the necessary acts for the work of the Department, the Accreditation Service and the competent commissions / committees.	High education carrying 240 ECTS (level VII1) - in the field of technical-technological sciences/ Expertise, skills and experience in the area of accreditation of certified bodies or related field, required knowledge of English and computes skills	YES	1	
Accreditation Body of Montenegro		Advisor in Department for accreditation of certified bodies - Receives and keeps records of received applications for accreditation; Receives and keeps records of received applications of candidates for assessors and their success in the process of further candidacy; Maintains and updates individual registers of Certification Bodies; Participates in the drafting of internal acts in the area of accreditation; prepares analytical, informative and other materials within the prescribed	High education carrying 240 ECTS (level VII1) - in the field of technical-technological sciences/social-humanistic sciences/biomedical sciences and health care/biomedicine sciences and	YES		1

		methodology; prepares the necessary acts for the work of the Department, the Accreditation Service and the competent commissions / committees.	medicine/natural sciences and biotechnical sciences; Expertise, skills and experience in the area of accreditation of certified bodies or related field, required knowledge of English and computer skills			
Institute for Standardisation of Montenegro (ISME)	Law on Standardisation	Direct payments	High education carrying 240 ECTS (level VII1) – electro-technical engineering/electronics	YES	2	
Bureau of Metrology	Law on Metrology	Application of SI measuring units, measurements and measuring methods, conformity assessment of measuring instruments	High education carrying 240 ECTS (level VII1) – natural sciences/physics	YES	1	2
			High education carrying 240 ECTS, Technical - technological/natural sciences - physics		1	

			High education carrying 240 ECTS, Social Sciences – Law		1	/
			High education carrying 240 ECTS, Technical - technological/natural sciences - physics	NO	/	2

2.2. STRENGTHENING OF INFRASTRUCTURE

Inst.	Title of the act	Description of infrastructure/ technical support	2022	2023
ISME	Law on Standardisation	Ensure the establishment of business premises *** In order to organise the work of competent bodies of ISME in a more efficient manner, it is necessary to provide adequate business premises and financial resources for operative work of ISME, with an aim to successfully implement the Law on Standardisation.	X	
AIA	Law on Market Surveillance of Products (new)	Liaison Office (AIA): - Preparatory activities for the establishment of the Liaison Office (including Central Information System for Protection of Consumers; - Establishment of the Liaison Office.		X

2. Freedom of Movement for Workers

INTRODUCTION

Freedom of movement for workers, as one of the fundamental principles of the European Union and one of the four freedoms in the internal market, covers the issues related to access to labour market, EURES, coordination of the social security system and the European Health Insurance Card. According to the EU *acquis*, a worker who moves to another EU Member State has certain rights, such as the right to work without work permit (except for workers from new Member States that are covered by transitional period), right of migrant workers to be equally treated as the nationals of the state where they are employed, right of migrant workers to have equal social security as the nationals of the state where they are employed, right of family members to join the worker and receive family benefit, complete coordination of the social security system (right to pension and contributions for social security), and mutual recognition of qualifications. The goal of the aforementioned rights is to encourage mobility of labour force between the EU Member States, which represents an important factor for the internal market.

Negotiating chapter 2 – Freedom of Movement for Workers includes the following subfields: access to labour market, EURES, coordination of the social security systems and European Health Insurance Card.

Institutions that coordinate the activities under this chapter are the Ministry of Economic Development and the Ministry of Finance and Social Welfare, while the following institutions are also involved: Ministry of Health, Ministry of Interior, Ministry of Education, Science, Culture and Sport, Ministry of Public Administration, Digital Society and Media, European Integration Office, General Secretariat of the Government, Employment Office of Montenegro, Police Administration, Health Insurance Fund, Pension and Disability Insurance Fund, Administration for Statistics, Capital Market Commission, Trade Union Association, Free Trade Union Association, Chamber of Commerce, Union of Employers, Montenegro Business Alliance, and Administration for Inspection Affairs.

Chapter 2 – Freedom of Movement for Workers was opened at the Intergovernmental Conference in Brussels on 11 December 2017.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) ACCESS TO LABOUR MARKET						
1.	MED	Action Plan for Employment for 2023	2022/IV	2023		
2.	MED	Action Plan for Employment for 2024	2023/IV	2024		
3.	MI	Action plan for implementation of the Strategy on migrations and reintegration of returnees in Montenegro for 2023-2024, with the report on implementation of the Action plan for implementation of the Strategy on migrations and reintegration of returnees in Montenegro for 2022	2023/I	2023-2024		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Access to labour market						
1.	MED	Law amending the Law on employment brokerage and unemployment-based rights	2022/IV	2023/I		
2.	MI	Law amending the Law on Foreigners	2022/IV	2023/I	31996L0071 [F] 32018L0957 [F] 32014L0067 [F]	
3.	MED	Decision determining the annual number of temporary residence and work permits for foreigners for 2023.	2022/IV	2023		
B) Coordination of Social Security System						
4.	MFSW	Law on Confirmation of the Agreement on Social Security between Montenegro and Romania	2023/III	2024/IV		
C) European Health Insurance Card						
5.	MH	Rulebook on closer conditions and manner and procedure for achieving	2023/IV	2023/IV	32011L0024 [F]	

29/222

	cross-border health care			32019D1765 [F]	
--	--------------------------	--	--	----------------	--

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Inst.	Title of the act	Description	Qualifications	RIOS	2022	2023
EO	Law on employment brokerage and unemployment-based rights	Coordination of Social Security System	Advisor III social sciences faculty – law, at least one year of experience, professional exam for work in state administration, computer knowledge	YES		1
MFSW	Law on Pension and Disability Insurance	Coordination of Social Security System	Bachelor of Laws	NO		1
HIF	Law on Compulsory Health Insurance	European Health Insurance Card	Bachelor of Laws	YES	3	2
MFSW	Law on Pension and Disability Insurance	Coordination of Social Security System	Bachelor of Laws	NO		1

3. Right of establishment and freedom to provide services

INTRODUCTION

Freedom to provide services is one of four freedoms that enable functioning of the single EU market, along with freedom of movement of goods, people and capital. Under this negotiating chapter, legislative framework that allows the freedom to provide services and right of establishment is considered. This chapter covers three subfields:

- Right of establishment and freedom to provide cross-border services;
- Mutual recognition of professional qualifications and
- Postal services.

In the area of freedom to provide services the Law on Services has been adopted ("Official Gazette of Montenegro", No. 71/17). Alignment of sectoral legislation with Directive 2006/123/EC on services in the internal market is done in the manner planned by the Action Plan for the transposition of the Directive on services in the internal market for the period 2015-2018. Regarding the harmonization of future legislation, the conclusion of the Government no. 022-27 / 2018-1 of 21 June 2018 and the conclusion of the Government no. 04-699 / 2 of 25 February 2021, the competent institutions are obliged to take into account the obligations arising from the Services Directive when adopting regulations governing service activities and to report to the Ministry of Economic Development, which has prepared and submitted guidelines on this issue July 19 2018. In order to fully harmonize with the Services Directive, it is necessary to adopt the Regulation on the Single Contact Point for Services in the IV quarter of 2023, while the Law on Services contains a legal basis for adopting bylaws that will define cooperation and exchange of information with EEA countries, in particular cooperation in connection with the supervision of the provision of services, taking of warning measures and manner of work of the Ministry when it comes to the IMI system. It is envisaged that the legal act for the IMI system will be adopted within the project that will be implemented through IPA 2020.

In accordance with the requirements of Directive 2005/36/EC and Directive 2013/55/EU amending Directive 2005/36 / EC on the recognition of professional qualifications, the Law on the Recognition of Professional Qualifications for Regulated Professions ("Official Gazette of Montenegro", no. 56/18) and Decision on determining the List of regulated professions ("Official Gazette of Montenegro", No. 80/18) were adopted as well as harmonized all study programs (doctor of medicine, doctor of dentistry, doctor of pharmacy, nurse for general health care and architect), upon completion of qualifications for performing a regulated profession in Montenegro are obtained, for which automatic recognition is performed on the basis of minimum training conditions.

In order to fully harmonize legislation with Directive 2005/36 EC on the recognition of professional qualifications and Directive 2013/55/EU amending Directive 2005/36/EC on the recognition of professional qualifications, Montenegro is obliged to harmonize sectoral and all other regulations with Directive 2005/36/EC and Directive 2013/55/EU and to establish the Chamber of Nurses, Midwives and Technicians. In this regard, Montenegro, in order to improve the conditions for practicing these professions, protect their professional interests, improve professional health ethics and participate in improving the quality of health care, the provisions of the Law on Health Protection ("Official Gazette of Montenegro", No. 3/16, 39/16, 2/17, 44/18 and 24/19) planned for the establishment of the Medical Chamber of Montenegro, the Dental Chamber of Montenegro, the Pharmaceutical Chamber of Montenegro, and in accordance with Article 120 of this Law, the Chamber of Physiotherapists was established. The establishment of the Chamber of Nurses, Midwives and Technicians is defined by Article 20 of the Law on Health Care of Patients ("Official Gazette of Montenegro", No. 25/10).

In the area of postal services, the regulatory framework is almost in line with the EU acquis, given that alignment with Regulation (EU) 2018/644 on cross-border parcel delivery is pending. The European Commission aims to create a common market for postal services and ensure the quality of services provided, gradually opening up the sector to market competition.

Institutional framework: Ministry of Justice, Human and Minority Rights, Ministry of Interior, Ministry of Finance and Social Welfare, Ministry of Education, Science, Culture and Sports, Ministry of Economic Development, Ministry of Capital Investments, Ministry of Agriculture, Forestry and Water Management, Ministry of Health, Ministry of Public Administration, Digital Society and Media, Ministry of Ecology, Spatial Planning and Urbanism, Office for European Integration, Chamber of Commerce of Montenegro, Chamber of Engineers of Montenegro, Lawyer Association of Montenegro, Medical Chamber of Montenegro, Agency for Inspection Affairs, Agency for Nature and Environment Protection, the Agency for Electronic Communications and Postal Services and the Energy and Water Regulatory Agency of Montenegro.

The negotiating chapter was opened on 11 December 2017, at the Intergovernmental Conference in Brussels.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Adoption	Period of validity	Acquis	
					Celex No	Other
A) Postal services						
1.	MED	Action plan for the implementation of the Strategy for the Development of Postal Services in Montenegro for the period 2019-2023 for 2023	2023/I	2023		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title of the legal act	Adoption	Application	Acquis	
					Celex No	Other
A) Right of Establishment and Freedom to Provide Services						
1.	MESPU	Law on Waste Management	2022/III	2022/III	32006L0123 [F]	
2.	MED	Law on Amendments to the Law on Craftmanship	2022/IV	2022/IV	32006L0123 [F]	
3.	MED	Law on Amendments to the Law on Internal Trade	2022/IV	2022/IV	32006L0123 [F]	
4.	MAFWM	Law on Marine Fisheries and Mariculture	2022/IV	2023/I	32006L0123 [F]	
5.	MED	Decision on determining crafts, activities similar to crafts and a list of simple and complex crafts	2023/III	2023/III	32006L0123 [F]	
6.	MED	Rulebook on the content of the trade application and the register for keeping records	2023/I	2023/I	32006L0123 [F]	
7.	MED	Rulebook on minimum technical conditions for performing trade of goods and performing services in trade of goods	2023/I	2023/I	32006L0123 [F]	
8.	MED	Rulebook on Amendments to the Rulebook on the manner of keeping and contents of the register of persons engaged in activities of craftsmen	2023/II	2023/II	32006L0123 [F]	
9.	MED	Decree on a point of single contact for services	2023/IV	2023/IV	32006L0123 [F]	

10.	MESCS	Rulebook on Amendments to the Rulebook on detailed conditions and manner of issuance, termination of validity and revocation of research license as well as the content and manner of keeping the register of issued research licenses	2023/IV	2023/IV	32006L0123 [F]	
B) Mutual recognition of professional qualifications						
11.	MED	Law on Amendments to the Law on Tourism and Hospitality	2022/IV	On the day of accession	32005L0036 [F] 32013L0055 [F]	
12.	MED	Law on Amendments to the Law on Mountain Trails	2022/IV	On the day of accession	32005L0036 [F] 32013L0055 [F]	
13.	MED	Law on Amendments to the Law on Rafting	2022/IV	On the day of accession	32005L0036 [F] 32013L0055 [F]	
14.	MED	Law on Amendments to the Law on Ski Resorts	2022/IV	On the day of accession	32005L0036 [F] 32013L0055 [F]	
15.	MCI	Law on Amendments to the Law on Energy	2023/II	2023/IV	32005L0036 [F] 32013L0055 [F]	
16.	MH	Law on Amendments to the Law on Health Protection	2023/III	2023/III	32005L0036 [F] 32013L0055 [F] 32020D0548 [F]	
17.	MH	Law on Amendments to the Law on Patient Health Care	2023/III	On the day of accession	32005L0036 [F] 32013L0055 [F]	
18.	MED	Law on Amendments to the Law on Efficient Use of Energy	2023/III	On the day of accession	32005L0036 [F] 32013L0055 [F]	

19.	MESPU	Law on Spatial Planning and Construction of Facilities	2023/IV	On the day of accession	32005L0036 [F] 32013L0055 [F]	
20.	AFSVPA	Law on Veterinary	2023/IV	On the day of accession	32005L0036 [F] 32013L0055 [F]	
C) Postal services						
21.	AECPA	Rulebook on amendments to the Rulebook on the type and manner of submitting data of postal operators	2022/IV	2022/IV	32018R0644 [F]	

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Institution	Title of the act	Description	Qualification	RIOS	2022	2023
MED	Decree on a point of single contact for services	Operational monitoring of the functioning of the Single Contact Point and other issues related to services	VII1 level of qualification of education, faculty in the field of social - economics or law or technical-technological sciences - electrical engineering or electronics	NO		1
MED	Law on Recognition of Professional Qualifications for Performing Regulated Professions	Work of providing information, the Centre for Assistance on Procedures for the Recognition of Professional Qualifications, on domestic regulations governing professions and their performance and, if necessary, on ethical rules. The National Coordinator provides information between EU Member States.	Higher education in the amount of 240 (CSPK) credits - VII-1 level of education qualification - Social sciences - Law or Economics, knowledge of English	NO		1

4. Free Movement of Capital

INTRODUCTION

Free movement of capital represents one of the basic principles of the single EU market, and it is the only one of four freedoms that exceeds the borders of the European Union. Basic principles of the single market are the principle of non-discrimination and the principle of mutual recognition. Principle of non-discrimination derives from Chapter II Article 18 of the Treaty on the Functioning of the European Union (TFEU), which prohibits any discrimination based on citizenship, i.e. different treatment in equal circumstances. Grounds of internal market are laid down by provisions of Article 26 Chapter III Title 1 of the Treaty on the Functioning of the European Union, which defines the single EU market as “the space without internal borders with free trade of goods, as well as free movement of persons, services and capital”.

Free movement of capital enables the flow of capital within the EU, facilitates cross-border trade, contributes to the mobility of workers, and facilitates the collection of capital required for launching business and growth of businesses, as well as the functioning of an integrated, open and efficient internal market, which is in the best interest of all EU citizens.

This negotiating chapter lays down the rules of free movement of capital between the Union Member States. These rules include prohibition of all restrictions on capital movement and payments, both within the EU Member States and between Member States and third countries. There are, however, certain exceptions that are primarily related to taxes, prevention of money-laundering, financing of terrorism, etc. This chapter of the acquis also contains the rules for cross-border investment into financial services sector and ownership rights over the real estate outside the national frameworks and within the EU.

Free movement of capital includes three fundamental areas:

- free movement of capital and payment,
- payment operations services and
- prevention of money laundering and financing of terrorism.

Institutional framework: Ministry of Finance and Social Welfare, Central Bank of Montenegro, Police Administration, Capital Market Commission, Insurance Supervision Agency and European Integration Office.

36/222

This chapter was opened at the Intergovernmental Conference on 24 June 2014.

1. PLANS AND NEEDS						
1.1. LEGAL FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) General principles						
1.	MFSW	Insurance Law	2022/IV	Date of accession	32009L0138 [F] 32016L0097 [F] 32011L0089 [P] ¹ 32014L0051 [P] 32018L0843 [P] 32019R1935 [F] 32019L2177 [P]	
B) Horizontal measures						
2.	CB	Decision on security requirements to be met by payment service providers to ensure reliable client authentication and common and secure open communication standards	2023/I	2023/I	32018R0389 [F]	
3.	CB	Decision on amendments to the Decision on the structure of closer conditions and manner of opening and closing transaction accounts	2023/IV	Date of accession	32009R0924 [F] 32012R0260 [F] 32014R0248 [F] 32019R0518 [F] 32021R1230 [F]	
4.	MFSW	Modification of the Application Form on the physical entry or taking out of payment means	2022/IV	2023/I	32021R0776 [F]	
C) Prevention of money laundering and financing of terrorism						
5.	MI	Law on Prevention of Money Laundering and Financing of Terrorism	2022/III	2022/IV	32015L0849 [F] 32015R0847 [F] 32018L0843 [F] 32019L1153 [F]	

¹ The adoption of the new Insurance Law achieves full compliance with the acquis in this area. However, directives rated P, in addition to insurance, also apply to other areas, so the adoption of the Insurance Law will achieve only partial compliance with these directives (complete only in the provisions relating to insurance).

6.	MI	Rulebook on indicators for the identification of suspicious clients and transactions	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
7.	MI	Rulebook on submitting data on cash, suspicious and other transactions to the financial intelligence unit	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
8.	MI	Guidelines for the preparation of risk analysis and risk factors for the prevention of money laundering and terrorism financing	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
9.	MI	Rulebook on the manner of keeping the register of beneficial owners, collecting, entering and deadlines for entering and updating the data kept in the register and manner of accessing of that data	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
10.	MI	Rulebook on electronic identification of clients when opening bank accounts	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
11.	MI	Guidelines for the preparation of risk analysis for the prevention of money laundering and terrorism financing	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
12.	CB	Guidelines for the preparation of risk analysis and risk factors for the prevention of money laundering and terrorism financing among taxpayers supervised by the Central Bank of Montenegro	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
13.	CMC	Guidelines for the preparation of risk analysis and risk factors to prevent money laundering and terrorism financing of taxpayers supervised by the Capital Market Commission	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
14.	ISA	Guidelines for the preparation of risk analysis and risk factors to prevent money laundering and terrorism financing among taxpayers supervised by the Insurance Supervision Agency	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
15.	AECPA	Guidelines for risk analysis and risk factors to prevent money laundering and terrorism financing among postal market participants	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
16.	RCA	Guidelines for risk analysis and risk factors to prevent money laundering and terrorism financing by organizers of lottery and special games of chance and games of chance via the Internet or other telecommunications means	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
17.	MJHMR	Guidelines for risk analysis and risk factors to prevent money laundering and terrorism financing among lawyers and notaries	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	

5. Public Procurement

INTRODUCTION

Public procurement in the European Union includes a set of activities of contracting authorities from EU Member States for the purpose of acquisition of goods, provision of services or execution of works. Contracting authority implies public authorities such as public institutions, cities, municipalities and sectoral contracting authorities dealing with water supply, energy supply, provision of transport and postal services.

The goal of European legislation in this field is to provide the possibility for service providers, suppliers of goods and contractors to compete in public tenders in the EU Member States. The goal, on the one hand, is to strengthen economic development and efficiency, but also to give full meaning to the EU single market. The institutions established for this purpose should secure adherence to the legislative framework at all levels and ensure an efficient system of legal protection in public procurement procedures, which is, inter alia, based on the right to file an appeal. The contracting authorities are obliged to conduct public procurement procedure with full respect for the principle of transparency. Public private partnership projects are the projects implemented with the aim of satisfying a certain public need, i.e. projects aimed at provision of a public service under the competence of the public authority.

Legislative framework governs the following: principles of public procurement; procurement procedures operating in the water, energy, transport and postal sectors; coordination of procedures for the award of public procurement contracts, public supply contracts and public service contracts; rights protection procedure in the public procurement procedure, "concessions and public-private partnership", electronic public procurement; a single public procurement dictionary (CPV); sustainable public procurement and procurement procedures in the field of defence and security.

Institutional framework: Ministry of Finance and Social Welfare, Ministry of Economic Development, Ministry of Public Administration, Digital Society and Media, Commission for the Protection of Rights in Public Procurement Procedures and Administration for Inspection Affairs.

The chapter was opened at the Intergovernmental Conference on 18 December 2013.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Horizontal measures						
1.	MFSW	Law on Amendments to the Law on Public Procurement	2022/II	2022/III		

6. Company law

INTRODUCTION

Company law refers to the establishment, functioning and control of financial operations of companies in the EU Member States. It is composed of two parts: company law in a narrow sense and accounting and auditing.

Company law acquis includes regulations on establishment, registration, division of joint stock companies, national and cross-border mergers, takeover of joint stock companies, shareholder's rights, capital requirements, transparency requests, recommendations on the compensation policy for directors of listed stock companies, recommendations on the role of non-executive directors and members of the supervisory board of listed companies, as well as commission boards of these companies. Company law, in a narrow sense, also includes rules incorporated in the Regulation on the Statute for a European Company (SE) and Regulation on the European Economic Interest Grouping (EEIG).

The field of accounting and auditing includes the establishment of the system for quality control of the auditing profession and an effective system of public supervision of its work in general, the system for publishing annual financial reports, as well as the establishment and consistent implementation of international financial reporting standards. This segment will also have direct impact on the structure of certain bodies of capital companies in Montenegro, through the obligation of introducing an auditing committee in charge of conducting internal control of financial operations.

Institutions dealing with the adoption and implementation of legislation in this field are the following: Ministry of Economic Development, Ministry of Finance and Social Affairs, Capital Market Authority, Revenue and Customs Administration, Secretariat General of the Government, Chamber of Commerce of Montenegro, Faculty of Economics of the University of Montenegro and Faculty of Law of the University of Montenegro and the Institute of Accountants and Auditors of Montenegro,

Chapter 6 – Company Law was opened on 18 December 2013 at the Intergovernmental Conference, which took place in Brussels.

1. PLANS AND NEEDS						
1.1 LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Accounting						
1.	MFSW	Rulebook on content and form of forms of financial statements for companies and other legal entities	2022/II	2022/II	32013L0034 [F]	
B) Company law						
2.	MED	Law on amendments to the Law on Business Organisations	2022/IV	2023/I	32017L0828 [F] 32019L1151 [F] 32019L2121 [F]	

7. Intellectual property rights

INTRODUCTION

EU acquis in the field of intellectual property law includes the issue of copyright and related rights, industrial property rights and provisions concerning their enforcement. The key challenges in the forthcoming period refer to the adoption of strategic and legislative documents, including the National Intellectual Property Strategy for the period 2022-2025, Law Amending the Law on Copyright and Related Rights, Law on Trade Secrets, Law Amending the Law on Trademarks as well as the Law Amending the Law on Patents.

Copyright and related rights protect works of literature, science and art, while the industrial property law includes the right to a patent, trademark, and industrial design, geographical indications and topographies of semiconductors.

Protection of intellectual property rights includes: administrative protection; civil law protection; criminal law protection and misdemeanour protection.

Institutions in charge of activities carried out under this chapter are the following: Ministry of Economic Development; Police Administration; Revenue and Customs Administration; Administration for Food Safety, Veterinary and Phytosanitary Affairs; Administration for Inspection Affairs; judicial authorities and the State prosecutor's office. Montenegro has set up its legal framework for the enforcement of intellectual property rights in specific laws governing the field of intellectual property.

Montenegro opened Chapter 7 – Intellectual Property Law on 31 March 2014, at the Intergovernmental Conference in Brussels.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period validity		EU Acquis	
					Celex No	Other
A) Horizontal measures						
1.	MED	Strategy for Intellectual Property of Montenegro for the period 2022-2025	2022/II	2022-2025	/	
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	EU Acquis	
					Celex No	Other
A) General regulations						
1.	MED	Law Amending the Law on Patents	2022/II	2022/IV	32019R0933 [F]	
2.	MED	Law Amending the Law on Trademark	2022/III	2023/I	32015L2436 [F]	
3.	MED	Law Amending the Law on Copyright and Related Rights	2022/III	2023/I	32017L1564 [F]	
4.	MED	Law Amending the Law on Copyright and Related Rights	2023/IV	2024/II	32019L0789 [F] 32019L0790 [F]	

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Institution	Name	Description	Qualification	RIOS	2022	2023

MED	Law on Copyright and Related Rights /Law on State Administration	Drafting legislation	Law graduate	YES	1	
MED	Law on Patents	Registration of industrial property rights-patents	Faculty of Technical, Technological or Social Sciences - Law	YES	1	
				NO		1
MED	Law on Trademark	Registration of industrial property rights-trademarks	Faculty of Social Sciences - Law	YES	1	
				NO		1
MED	Law on Legal Protection of Industrial Design	Registration of industrial property rights-industrial design	Faculty of Social Sciences - Law	NO		1
MED	Laws in field of intellectual property	Jobs related to the registration of industrial property rights (transfer, registration of changes, renewal and termination, entry of data in registers, issuance of documents and patent files)	Faculty in the field of technical-technological or social sciences	YES	1	
				NO		1
MED	Laws in field of intellectual property	IT area	Faculty of Natural Sciences - Mathematics and Computer Science	YES	1	
				NO		1

8. Competition policy

INTRODUCTION

Rules related to the protection of competition represent the basis for establishment of a country's market economy. Within the EU accession process, competition policy is one of the most important elements, since its efficient implementation contributes to improvement of economy, development and increase in the number of companies, improvement of investments in research and development of new products, as well as attracting new investments and increased production and exports.

The competition acquis is divided into competition policy and state aid. This includes rules and procedures for suppression of anti-competitive behaviour of market participants (restrictive agreements between undertakings, abuse of dominant position and monitoring of the concentration of market participants), as well as procedure of awarding and control of dedicated use of the state aid, for the purpose of protecting the competition.

In the forthcoming period, particular attention will be dedicated to the strengthening of administrative capacities of the institution competent for competition policy and state aid control – Agency for Protection of Competition, in order to provide the appropriate track record and completely ensure equal and fair conditions for all participants in the Montenegrin market.

Besides the Agency for Protection of Competition, the competent institutions in this field are: Ministry of Economic Development, Ministry of Finance and Social Welfare, competent courts, Public Prosecution Office, as well as all providers of the state aid and the State Audit Institution.

Montenegro opened Negotiating Chapter 8 at the Intergovernmental Conference in Brussels on 30 June 2020.

1. PLANS AND NEEDS						
1.1. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Competition policy						
1.	MED	Law on Compensation Procedures for Market Competition Injuries	2022/IV	2023/I	32014L0104 [F]	
B) State aid						
2.	MFSW	Rulebook on the method of keeping the State Aid records	2022/II	2022/II		
3.	MFSW	Rulebook on the method and calculation of the reference and discount rates	2022/II	2022/II		
4.	MFSW	Rulebook on annual reporting on state aid	2022/III	2022/III		

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Institution	Title of the act	Description	Qualification	RIOS	2022	2023
MED	Law on Competition Protection	Performs tasks related to: continuous monitoring of case law and cases of the European Court of Justice, Montenegrin legal system, providing advice on the proper application of EU rules on competition and state aid control; preparation of reports on provided state aid within the competence of the Ministry of Economic Development; providing expert support in the preparation of draft laws and other regulations in the field of competition protection; providing expert opinions on regulations in the field of competition protection.	Independent advisor I	NO	1	

APC	<p>Law on Competition Protection</p> <p>Law on State Aid control</p>	<p>Activities related to continuous work on competition protection, which includes control of concentrations and individual exemptions of agreements from prohibition, determination of prohibited agreements and abuse of dominant position, as well as activities in the field of state aid related to ex-ante and ex-post control state aid.</p>	<p>Tasks related to continuous monitoring of case law and cases of the European Court of Justice, Montenegrin legal system, providing advice on the proper application of EU rules on competition and state aid control; preparation of reports on provided state aid within the competence of the Ministry of Economic Development; providing expert support in the preparation of draft laws and other regulations in the field of competition protection; providing expert opinions on regulations in the field of competition protection</p>	YES	2+7 ²	5+5 ³
-----	--	---	--	-----	------------------	------------------

² The plan includes the employment of two (2) officials in the field of state aid control and seven (7) officials in the field of competition protection and general service affairs.

³ The proposal is to increase the number of systematized jobs in 2023, compared to the existing one by at least ten (10) jobs (as stated in the Roadmap), of which five (5) jobs would be for the field of competition, and the remaining five (5) for the area of state aid.

9. Financial services

INTRODUCTION

Chapter Financial Services is related to the alignment of regulations in the field of banking, insurance and reinsurance, pension funds covered by employers, capital markets and financial market infrastructure with the acquis, as well as its efficient implementation by the competent supervisory institutions, with the ultimate goal to encourage and maintain financial stability.

This chapter covers four subchapters:

1. banking and financial conglomerates,
2. insurance and pension insurance covered by employer,
3. securities markets and investment services, and
4. financial market infrastructure.

Institutions responsible for the implementation of the acquis in this field are: the Ministry of Finance and Social Welfare, Central Bank of Montenegro – CBM, Capital Market Commission, Insurance Supervision Agency and the Deposit Insurance Fund.

Montenegro will continue with further alignment and implementation of the EU acquis in the field of financial services in order to achieve an advanced level of compliance and demonstrate the rigor and independence of regulatory and supervisory institutions with adequate administrative capacity for its implementation and enforcement.

The chapter was opened on 22 February 2015.

1. PLANS AND NEEDS						
1.1. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Banking and financial conglomerates						
1.	MFSW	Law on Additional Control of Financial Conglomerates	2023/III	2024/II	32011L0089 [F] 32002L0087 [F] 32014R0342 [F]	
2.	MFSW	Law Amending the Law on Credit Institutions	2023/III	2024/II	32019L0878 [P] 32021R0539 [P] 32021R1018 [P] 32021R0923 [P] 32021R1118 [P]	
3.	CBM	Decision amending the Decision on capital adequacy of credit institutions	2023/IV	2024/I	32020R0866 [P] 32020R0125 [P] 32021R1043 [P] 32021R0598 [P] 32021R0931 [P] 32021R1383 [P] 32021R0453 [P] 32021R0451 [P] 32021R0424 [P] 32021R0637 [P] 32021R0930 [P] 32021Y0723(01) [P] 32021R0249 [P] 32020R1228 [P] 32020R1230 [P] 32020R1224 [P] 32020R1225 [P] 32020R1229 [P]	

					32020R1226 [P]	
4.	CBM	Decision amending the Decision on reports submitted to the Central Bank of Montenegro	2023/IV	2024/I	32020R0429 [P] 32021R0763 [P] 32020R1227 [P]	
5.	MFSW	Law Amending the Law on Resolution of Credit Institutions ⁴	2023/III	2024/II	32019L0879 [P] 52020XC0929(01) [P] 52020XC1202(01) [P] 32019R0348 [P]	
B) Insurance and occupational pensions						
6.	MFSW	Law on Pension Funds	2023/III	Upon the accession	32003L0041 [P] 32013L0014 [F] 32016L2341 [F]	
7.	MFSW	Insurance Law	2022/IV	Upon the accession	32009L0138 [F] 32016L0097 [F] 32011L0089 [P] 32014L0051 [P] 32018L0843 [P] 32019R1935 [F] 32019L2177 [P]	
C) Securities markets and investments services						
8.	MFSW	Law Amending the Law on Capital Market	2023/III	2024/I	32004L0109 [F] 32017R1129 [P] 32020R0447 [F] 32020R0448 [F] 32020R1212 [P] 32020R1272 [F] 32020R1273 [F]	

⁴ Until Montenegro becomes a full member, there can be no full alignment. Directives and regulations contain articles that are applicable only to the competent authorities / regulators of the Member States. However, all material provisions have already been transposed into laws and by-laws.

					32020R1989 [P] 32020L1504 [F] 32021R1253 [F] 32021R1254 [F] 32021R0528 [F] 32021R0527 [P] 32021L0338 [F] 32021L1269 [P]	
9.	MFSW	Law on Open-End Investment Funds with Public Offering	2023/III	2024/I	32009L0065 [P] 32011L0061 [P] 32013L0014 [P] 32014L0091 [F] 32019R1156 [P] 32019L1160 [P] 32021L1270 [P] 32021R0955 [P]	
10.	MFSW	Law on Alternative Investment Funds	2023/III	2024/I	32011L0061 [F] 32018R1618 [F] 32019R1156 [P] 32019L1160 [P] 32021R1255 [F]	

10. INFORMATION SOCIETY AND MEDIA

INTRODUCTION

Chapter Information Society and Media consists of three fields: electronic communications, information society services and audio-visual policy. Key issues within the field of electronic communications are: broadband internet access, standardization, interconnection, market and market analysis, universal service and users' rights, privacy issues, digitalization and radio spectrum policy. Key issues within the field of information society services are: e-government, information security, e-health, e-signature, public sector, and e-commerce. Key issues within the field of audio-visual policy are: audio-visual media services, public radio broadcasting services of Montenegro, protection of minors, cinematographic heritage, and cultural diversity.

Institutions responsible for work in this chapter are: Ministry of Public Administration, Digital Society and Media, Ministry of Economic Development, Ministry of Education, Science, Culture and Sports, Ministry of Interior, Health Insurance Fund, Agency for Electronic Communications and Postal Services, Agency for Electronic Media, Agency for the Protection of Personal Data and Free Access to Information, Administration for Inspection Affairs, Radio and Television of Montenegro, Chamber of Commerce, Employers Union, NGO "35mm" and NGO "Multimedial Montenegro".

The chapter was opened on 31 March 2014.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
B) Electronic Communications						
1.	MED	Strategy for deployment of 5G mobile communication networks in Montenegro	2022/IV	2023-2027		
2.	MED	National broadband development plan of next generation	2022/IV	2023-2027		
C) Audio-visual policy						
3.	MPADSM	Media Strategy 2022-2026	2022/II	2022-2026		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Information society services						
1.	MPADSM	Law Amending the Law on Information Security	2022/IV	2023	32016L1148 [P]	
B) Electronic communications						
2.	MED	Law on Electronic Communications	2022/IV	2023/I	32018L1972 [F] 32014L0061 [F] 32019R2243 [F] 32020H2245 [F] 32020R0911 [P] ⁵ 32020R1070 [P] ⁶ 32020H1307 [P] ⁷	
3.	MED	Rulebook amending the Rulebook on radio-frequencies and conditions according to which radio-frequencies can be used without approval	2022/III	2022/IV	32020D0167 [F] 32021D1196 [F]	

⁵ The acquis should be implemented through relevant rulebook of the Ministry for Economic Development with legal basis anticipated in the new Law on Electronic Communications in accordance with EECC (32018L1972)

⁶ The acquis should be implemented through relevant rulebook of the Ministry for Economic Development with legal basis anticipated in the new Law on Electronic Communications in accordance with EECC (32018L1972)

⁷ The acquis should be broadly implemented through laws and bylaws

					32021D1067 [F] 32020D1426 [F]	
4.	MED	Rulebook on determination of list of standards in the field of radio equipment and telecommunication terminal equipment	2023/IV	2023/IV	32020D0553 [F] 32020D1562 [F]	
C) Audio-visual policy						
5.	MPADSM	Law on Audio-Visual Media Services	2022/II	2023/I	32018L1808 [F] 52020XG1207(01)[F]	
6.	MPADSM	Law Amending the Law on National Broadcaster Radio Television of Montenegro	2022/II	2023/I	52020XG1207(01)[F]	
7.	MPADSM	Law Amending the Law on Media	2022/II	2023/I	52020XG1207(01)[F]	
2. ADMINISTRATIVE FRAMEWORK						
2.1 ADMINISTRATIVE CAPACITIES						
Inst.	Title	Description	Qualifications	RIOS	2022	2023
AIA	Law on Electronic Communications	Inspection supervision Inspector I	Electrical Engineer or Bachelor of Laws	YES	1	/
MPADSM	Law on Media Law on electronic media Law on cross border television Law on national broadcaster Radio Television of Montenegro Media Strategy	Advisor I media legislation	Bachelor of Laws	YES	1	/
MPADSM	Law on Media Law on electronic media Law on cross border television Law on national broadcaster Radio Television of Montenegro Media Strategy	Advisor III	VII 1 level of education; social sciences faculty or humanities	YES	1	/

11. Agriculture and Rural Development

INTRODUCTION

The acquis under Chapter 11 – Agriculture and Rural Development includes a large number of binding rules, many of which are directly applicable. Their proper application and effective enforcement by an efficient administration are essential for the functioning of the Common Agricultural Policy (CAP).

CAP is divided into two pillars: direct payment and market measures (first pillar) and rural development (second pillar). The basis of the first pillar consists of various measures of support, which directly or indirectly influence the farmers' income. Rural development policy aims to improve quality of life from both economic and social aspect through support to various economic activities in rural areas. First pillar measures are integrally financed from the common EU budget, while the principle of co-financing from the national budget is applied for the second pillar. One of the main characteristics of the CAP is financing in a seven-year period, with precisely determined amounts of subsidies for possible beneficiaries.

A Member State must be ready to apply the acquis for direct payment schemes and to implement the policy of the common organization of the market, as well as to implement the rural development measures.

Chapter 11 –Agriculture and Rural Development is divided into the following sub-chapters: direct payments, common market organization, State aid, rural development, quality policy and organic production.

As of the date of accession to the EU, Montenegro will be applying the Common Agricultural Policy, which implies establishment of an administrative and institutional framework for its implementation. Proper implementation of the Common Agricultural Policy requires that Montenegro strengthen the existing and establish new appropriate administrative structures, such as: Payment Agency, managerial body, as well as certain systems such as Integrated Administration and Control System (IACS) and Farm Accountancy Data Network (FADN).

The institution in charge of policies belonging to this negotiating chapter is the Ministry of Agriculture, Forestry and Water management.

Negotiating Chapter 11 – Agriculture and rural development was opened at Intergovernmental conference held on 13 December 2016.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Horizontal part						
1.	MAFW	Strategy for development of agriculture and rural areas 2022-2028	2022/III	2022-2028		
2.	MAFW	Action Plan for harmonization with the EU acquis	2022/III	2022-2028		
3.	MAFW	Action plan for establishing IACS and Payment Agency	2023/I	2023/II – until EU accession		
B) IPARD Programme						
4.	MAFW	Programme for development of agriculture and rural development IPARD III 2022-2027	2022/II	2022-2027		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) General legislation						
1.	MAFW	Law Amending the Law on Agriculture and Rural Development	2022/II	2022/III	32011R0543 [P] 32013R1305 [P] 32013R1306 [P] 32013R1307 [P] 32013R1308 [P] 32014R0640 [P] 32014D0825 [P] 32014R0807 [P] 32014R0447 [P] 32014R0907 [P] 32014R0251 [P] 32015R1366 [P] 32016R0232 [P] 32018R1046 [P]	

					32020R0198 [P]	
2.	MAFW	Rulebook on implementation of direct payments and IACS rural development measures	2022/III	2022/IV	32013R1306 [P] 32013R1307 [P] 32014R0639 [P] 32014R0640 [P] 32014R0641 [P] 32019R1804 [P] 32014R0809 [P] 32014R0907 [P] 32018R0746 [P] 32020R2086 [P] 32021R1418 [P] 32021R0540 [P] 32021R0841 [P] 32021R0540 [P]	
3.	MAFW	Rulebook on the methodology of data collection for the farm accounting system	2022/III	2022/IV	32009R1217 [P] 32013R1318 [P] 32016R2129 [P] 32019R1975 [P] 32020R1652 [P]	
4.	MAFW	Rulebook amending the Rulebook on the form and manner of keeping a register of entities and a register of agricultural holdings	2022/II	2022/IV	32013R1306 [P] 32013R1307 [P]	
5.	MAFW	Rulebook amending the Rulebook on the detailed content and method of establishing records of agricultural parcels	2022/II	2022/IV	32013R1306 [P] 32013R1307 [P]	
B) Horizontal issues						
6.	MAFW	Law Amending the Law on Olive Growing and Olive Oil	2022/II	2022/III	31991R2568 [F] 32003R1989 [F] 32005D0800 [F] 32007R0702 [F] 32011R0061 [F] 32012R0029 [F]	

					32013R1308 [F] 32019R1604 [F] 32019D1987 [F]	
7.	MAFW	Rulebook on the implementation of the Food Availability Improvement Program - fruits, vegetables, milk and milk products for schools	2022/I	2022/II	32013R1308 [P] 32016R0791 [P] 32018R0891 [P] 32018R0892 [P] 32017R0040 [P]	
8.	MAFW	National apiculture programme	2023/IV	2024/I	32013R1308 [F]	
9.	MAFW	Law Amending the Law on the Regulation of the Agricultural Products Market	2023/III	2023/IV	32012R0880 [P] 32012R0511 [P] 32013R1308 [P] 32014R0499 [P] 32015R1366 [P] 32016R1237 [P] 32016R0791 [P] 32016R1238 [P] 32017R1182 [P] 32017R1185 [P] 32018R0891 [P] 32018R0892 [P] 32020R0760 [P] 32020R0761 [P]	
10.	MAFW	Law Amending the Law on Wine	2023/III	2023/IV	32013R1308 [P] 32018R0273 [P] 32018R0274 [P] 32019R0934 [P] 32019R0033 [P] 32019R0034 [P] 52019XC1205(01) [P] 32020R0531 [P]	

					32020R0565 [P] 32020R0975 [P] 32021R2117 [P] 32021R1375 [P]	
11.	MAFW	Law on Establishing a Paying Agency in Agriculture, Rural Development and Fisheries	2023/III	2023/IV	32014R0908 [P]	
12.	MAFW	Rulebook amending the Rulebook on general and specific standards for the putting on market of fruit and vegetables	2023/IV	2023/IV	32019R0428 [F]	
13.	MAFW	Rulebook amending the Rulebook on reporting prices of certain agricultural products	2022/IV	2022/IV	32017R1185 [P]	
14.	MAFW	Rulebook on aromatized wine products	2022/III	2022/IV	32014R0251 [P] 32020R0198 [P]	
B.1) Spirit drinks						
15.	MAFW	Law on Spirit Drinks	2022/I	2022/II	32019R0787 [P] 32021R1335 [F] 32021R1096 [F] 32021R1236 [P] 32021R1334 [F] 32021R1465 [F]	
16.	MAFW	Rulebook on aging procedures for strong spirit drinks	2023/III	2023/IV	32021R0723 [F] 32021R0724 [F]	
17.	MAFW	Rulebook on geographical indications of strong spirit drinks	2023/III	2023/IV	32021R1236 [F]	
C) Organic production						
18.	MAFW	Law on Organic Production	2022/IV	2023/I	32018R0848 [F] 32020R0427 [F] 32020R2042 [F] 32020R1794 [F] 32021R1165 [F] 32021R1691 [F] 32021R0642 [F] 32021R0771 [F] 32021R0715 [F]	

					32021R0279 [F]	
19.	MAFW	Rulebook on detailed conditions for plant and livestock organic production	2023/II	2023/III	32019R2164 [F] 32020R0464 [F] 32021R1165 [F] 32021R1189 [F] 32021R0642 [F] 32021R0716 [F] 32020R1794 [F]	
20.	MAFW	Rulebook on the manner of performing control and certification by authorized bodies in organic production	2023/III	2023/IV	32021R1006 [F] 32021R0771 [F] 32021R0279 [F]	
21.	MAFW	Rulebook on detailed content, manner of keeping the Register of Entities in Organic Production	2023/II	2023/II	32021R1691 [F]	
22.	MAFW	Rulebook on detailed conditions and rules for processing, packaging, transport and storage of organic products	2023/III	2023/IV	32021R1165 [F]	
23.	MAFW	Rulebook on detailed rules and conditions for organic production of animals, aquaculture and seaweed	2023/IV	2023/IV	32021R0716 [F]	
24.	MAFW	List of permitted products in organic production	2023/II	2023/II	32021R1165 [F]	

2. ADMINISTRATIVE FRAMEWORK

BENCHMARK: YES

Document that emphasize the needs of administrative capacity and building a system for the implementation of the EU Common Agricultural Policy: A detailed implementation plan for the establishment of an Integrated Administrative and Control System (IACS), which will be operational by the date of accession.

2.1. NEW INSTITUTIONS

Payment Agency–Montenegro will gradually establish the Payment Agency from the Payment Directorate prior to accession to the EU; All new employees in the Payment Directorate will be transferred to the Payment Agency.

2.2. ADMINISTRATIVE CAPACITIES

Inst.	Title of the act	Description	Qualifications	RIOS	2022	2023
MAFW	Law on Agriculture and Rural Development	Creates a direct payment policy	Agricultural engineers Economists	YES	1	1

62/222

MAFW	Law on the Regulation of the Agricultural Products Market	CMO specific standards related to the production and placing on the market of certain products	Agricultural engineers Economists	YES	1	1
MAFW	Law on Organic Production	Creates and implements policies in the field of organic production	Agricultural engineers	YES	1	1
MAFW	Law on Agriculture and Rural Development	Payment Agency Internal Audit Department Sector for General and Legal Affairs Department for Information Technology Department for the database Sector for direct support Department for structural support Department of CMO measures The Department for field control Financial sector Regional centres	Agricultural engineers Economists Lawyers Information technology engineers	YES	14	10
MAFW	Law on Agriculture and Rural Development	Farm Accountancy Data Network (FADN)	Economists Information technology engineers	YES	1	
MAFW	Law on the Regulation of the Agricultural Products Market	ISAMM and trade mechanisms	Economists Information technology engineers	NO	1	
2.3. REQUIRED INFRASTRUCTURAL STRENGTHENING						
Inst.	Title of the act	Description of infrastructure/technical needs			2022	2023
MAFW	Law on Agriculture and Rural Development	Establishment of LPIS structure - defining regulations LPIS			X	X
		Establishing a system for identification of land parcels (LPIS)			X	X
		Computer database			X	X

63/222

		Establishing a Geospatial Filing System	X	X
MAFW	Law on the Regulation of the Agricultural Products Market	Establishing the fully operational reporting system		X
MAFW	Law on the Regulation of the Agricultural Products Market / Law on wine	Establishing a system for implementation of certain policies in the field of agricultural market development and construction of IT infrastructure for its implementation.		X ⁸
MAFW	Law on the Regulation of the Agricultural Products Market	Establishing a fully functional FADN information system for collecting and processing data, reporting and communication with the EC in accordance with the EU acquis, as well as training of employees in the MARD and informing agricultural producers	X	
MPŠV	Law on the Regulation of the Agricultural Products Market	Training of employees in the MPRR and inspection services for the implementation of the provisions related to the implementation of the policy related to the regulation of the market	X	X

⁸ The year of the beginning of the establishment of the system, which will be fully established by the day of joining the EU.

12. Food safety, veterinary and phytosanitary affairs

INTRODUCTION

The European approach in the field of food safety, veterinary and phytosanitary control includes the implementation of integrated "farm-to-fork" principle, which covers all segments of food production chain: primary production, processing, storage, transport and trade.

The acquis for this chapter consists of three mutually complementing parts:

1. Food safety contains the following: rules for production and marketing of food, feed and animal by-products (hygiene rules, specific rules for animal products, declaration and advertising, rules for additives, enzymes, supplements and colors, as well as materials intended to come into contact with food), rules for official controls and mechanisms for provision of food safety, with strict rules for food of animal origin.
2. Veterinary policy contains the following: rules for internal trade of animals and animal products, control and health requirements for import of animals, products of animal origin and by-products, identification and registration of animals and monitoring their movement, control and eradication of animal diseases and zoonoses, trade in live animals, semen, egg cells and embryos, control of residues and other substances, zootechnics, as well as requirements for animal welfare.
3. Phytosanitary policy contains the following: rules for control of harmful plant organisms, plant products and supervised facilities, rules for plant protection products, quality and marketing of seeds and planting material and protection of new plant varieties.

Furthermore, this chapter contains the rules for GMOs (genetically modified organisms).

Institutions dealing with issues of food safety, veterinary and phytosanitary control in Montenegro are the Ministry of Forestry and Water management and Administration for Food Safety, Veterinary and Phytosanitary Affairs.

Based on the fact that the European Union sets strict rules in these fields that have to be completely met on the path of accession, it is important, inter alia, to meet the following preconditions: adopt appropriate regulations (laws and bylaws), ensure the implementation of stipulated norms by animal and plant keepers, as well as food business operators, employ professional staff, provide adequate budget, necessary technical equipment and assets for work, laboratories, inspections and adequate administrative capacities.

Through alignment of legislation with the acquis, all products on the market will have to meet equal requirements. That will raise the general level of food safety, as well as trust of citizens in products they buy.

Negotiating Chapter 12 was opened at the Intergovernmental Conference, which was held on 30 June 2016.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Horizontal measures						
1.	AFSVPA	Innovated Strategy of Montenegro for the transposition and implementation of the acquis in Chapter 12 – Food Safety, Veterinary and Phytosanitary Policy, with the General Action Plan and the Special Action Plan for suppression and eradication of African swine fever	2022/IV	2023-2028		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Food safety						
A.1) General part						
1.	AFSVPA	Law amending the Law on Food Safety	2023/IV	2023/IV	32017R0625 [F]	
2.	AFSVPA	Order on measures for the import of food and feed originating in Japan	2022/I	2022/I	32019R1787 [F] 32021R1533 [F]	
A.2) Placing on the market of food, feed and animal by-products						
A.2.1) Hygiene rules						
3.	AFSVPA	Rulebook as regards the model health certificate for movements of consignments of animal by-products from restricted zones established for the prevention and control of certain listed diseases	2023/IV	2024/I	32021R1699 [F]	
A.2.2) Special control rules for products of animal origin						
4.	AFSVPA	Decree amending the Decree on the hygiene of food	2022/II	2022/III	32021R0382 [F]	
5.	AFSVPA	Decree amending the Decree on the specific hygiene requirements for food of animal origin	2022/IV	2023/I	32021R1374 [F]	
6.	AFSVPA	Decree amending the Decree on measures for the prevention of Trichinella in humans	2023/III	2023/IV	32020R1478 [F]	
7.	AFSVPA	Rulebook amending the Rulebook on maximum permitted residue levels of pharmacologically active ingredients in veterinary medicines in animal products	2022/II	2022/II	32020R1685 [F] 32020R1712 [F] 32021R0621 [F]	

67/222

A.2.3) Control rules						
8.	AFSVPA	Rulebook amending the Rulebook on methods for sampling and laboratory analysis of feed	2022/II	2022/III	32020R1560 [F] 32021R1353 [F]	
A.2.4) Control rules for products of animal origin						
9.	AFSVPA	Rulebook amending the Rulebook on classification and handling of animal by-products, hygienic and veterinary-health conditions for by-products	2022/III	2022/IV	32020R0205 [F]	
10.	AFSVPA	Rulebook amending the Rulebook on hygiene, veterinary health and other requirements for by-products and facilities for processing or destruction of animal by-products	2022/III	2022/IV	32020R0757 [F] 32020R0762 [F] 32020R0797 [F] 32020R1720 [F] 32021R0899 [F] 32021R0405 [F]	
A.3) Food Safety Rules						
A.3.1) Labelling presentation and advertising of foodstuffs including nutrition and health claims and nutritional labelling						
11.	AFSVPA	Decree amending the Decree on the use of health and nutrition claims in marking, advertising and presentation of food	2023/II	2023/III	32021R0686 [F] 32021R0050 [F]	
12.	AFSVPA	Decree amending the Decree on the manner and conditions of placing food on the market for special nutritional needs	2023/IV	2024/I	32021R1040 [F] 32021R1041 [F] 32021R0571 [F] 32021R0077 [F]	
A.3.2) Additives						
13.	AFSVPA	Decree amending the Decree on additives allowed for use in food	2022/II	2022/III	32020R0268 [F] 32020R0279 [F] 32020R0351 [F] 32020R0355 [F] 32020R0356 [F] 32020R0771 [F] 32020R1819 [F] 32020R1419 [F] 32020R1823 [F] 52020IP0255 [F]	

					32021R1156 [F] 32021R1175 [F]	
A.3.3) Aromas						
14.	AFSVPA	Decree amending Decree on food aromas allowed for use in food	2022/II	2022/III	32021R1532 [F] 32020R1681 [F]	
A.3.4) Food Additives						
15.	AFSVPA	Decree on types of vitamins and minerals that may be used in production of supplements	2022/II	2022/III	32021R0418 [F]	
16.	AFSVPA	Decree amending the Decree on vitamins, minerals and other substances that may be added to food	2022/III	2022/III	32021R0468 [F]	
17.	AFSVPA	Guidelines for placing supplements on the market	2022/II	2022/III	52021AE0521 [F]	
A.3.5) Contaminants						
18.	AFSVPA	Decree amending the Decree on maximum permitted levels of contaminants in food	2022/II	2022/III	52020IP0256 [F] 32020R1322 [F] 32020R2040 [F] 32020R1255 [F] 32021R1317 [F] 32021R1408 [F] 32021R1399 [F] 32021R1323 [F]	
19.	AFSVPA	Rulebook amending Rulebook on the method of taking food samples and methods of laboratory testing of contaminants in food	2022/II	2022/III	32021R0705 [F]	
20.	AFSVPA	Rulebook amending Rulebook on the method of taking food samples and methods of laboratory testing of contaminants in food	2022/III	2022/IV	32019R2093 [F]	
A.3.6) Materials that come into contact with food						
21.	AFSVPA	Rulebook amending the Rulebook on conditions for plastic materials and objects coming into contact with food	2022/III	2022/IV	32020R1245 [F]	
A.3.7) Novel food						
22.	AFSVPA	Decree amending Decree on novel food that can be used and put on the market	2023/I	2023/II	32020R1821 [F] 32020R1772 [F] 32020R1993 [F]	

						32020R1822 [F] 32020R1820 [F] 32020R1559 [F] 32020R1634 [F] 32020R1824 [F] 32021R0882 [F] 32021R0912 [F] 32021R1319 [F] 32021R1318 [F] 32021R0120 [F] 32021R0670 [F] 32021R0668 [F] 32021R0051 [F] 32021R0082 [F] 32021R1377 [F] 32021R0900 [F] 32021R0096 [F] 32021R1326 [F]	
A.3.8) Ionising radiation							
23.	AFSVPA	Rulebook on the conditions for import of food and feed, monitoring of radioactivity levels and certificate forms and conditions for issuing certificates	2022/I	2022/I	32020R1158 [F]		
A.4) Specific Rules for Feed							
A.4.1) Feed Additives							
24.	AFSVPA	Decree amending the Decree on additives in feed and pre-mixtures that can be placed on the market	2022/I	2022/II	32019R1964 [F] 32019R1965 [F] 32019R1977 [F] 32019R1976 [F] 32020R0106 [F] 32020R0107 [F] 32020R0146 [F] 32020R0147 [F]		

						32020R0148 [F] 32020R0149 [F] 32020R0150 [F] 32020R0151 [F] 32020R0157 [F] 32020R0159 [F] 32020R0160 [F] 32020R0161 [F] 32020R0162 [F] 32020R0163 [F] 32020R0164 [F] 32020R0165 [F] 32020R0166 [F] 32020R0167 [F] 32020R0172 [F] 32020R0173 [F] 32020R0180 [F] 32020R0196 [F] 32020R0197 [F] 32020R0207 [F] 32020R0228 [F] 32020R0229 [F] 32020R0238 [F] 32020R0354 [F] 32020R0376 [F] 32020R0377 [F] 32020R0378 [F] 32020R0763 [F] 32020R0992 [F] 32020R0994 [F] 32020R0995 [F]	
--	--	--	--	--	--	--	--

						32020R0996 [F] 32020R0997 [F] 32020R1018 [F] 32020R1031 [F] 32020R1032 [F] 32020R1033 [F] 32020R1034 [F] 32020R1090 [F] 32020R1091 [F] 32020R1092 [F] 32020R1094 [F] 32020R1096 [F] 32020R1097 [F] 32020R1098 [F] 32020R1175 [F] 32021R0426 [F] 32020R1761 [F] 32020R2119 [F] 32020R1773 [F] 32020R1762 [F] 32020R1377 [F] 32020R1497 [F] 32020R1374 [F] 32020R1373 [F] 32020R2120 [F] 32020R2117 [F] 32020R1800 [F] 32020R1797 [F] 32020R1795 [F] 32020R1764 [F] 32020R1796 [F]	
--	--	--	--	--	--	--	--

						32020R1399 [F] 32020R1395 [F] 32020R1418 [F] 32020R1400 [F] 32020R1372 [F] 32020R1378 [F] 32020R1760 [F] 32020R1379 [F] 32020R1371 [F] 32020R1798 [F] 32020R1398 [F] 32020R2116 [F] 32020R1376 [F] 32020R1363 [F] 32020R1396 [F] 32020R1510 [F] 32020R1375 [F] 32020R1397 [F] 32020R1799 [F] 32020R1370 [F] 32020R2121 [F] 32020R1755 [F] 32020R2118 [F] 32021R0506 [F] 32020R0998 [F] 32021R0412 [F] 32021R0981 [F] 32021R0485 [F] 32021R0758 [F] 32021R0719 [F] 32021R0718 [F]	
--	--	--	--	--	--	--	--

						32021R0967 [F] 32021R1412 [F] 32021R1426 [F] 32021R1409 [F] 32021R0932 [F] 32021R0982 [F] 32021R1413 [F] 32021R1414 [F] 32021R1410 [F] 32021R1425 [F] 32021R0422 [F] 32021R0507 [F] 32021R0344 [F] 32021R0367 [F] 32021R0330 [F] 32021R0421 [F] 32021R0508 [F] 32021R0363 [F] 32021R0969 [F] 32021R0343 [F] 32021R0551 [F] 32021R0346 [F] 32021R0329 [F] 32021R0669 [F] 32021R0733 [F] 32021R0505 [F] 32021R0658 [F] 32021R1411 [F] 32021R1424 [F] 32021R1431 [F] 32021R0709 [F]	
--	--	--	--	--	--	--	--

					32021R0968 [F] 32021R0420 [F] 32021R1414 [F]	
B) Veterinary						
25.	AFSVPA	Law on veterinary	2023/IV	2023/IV	32020R2154 [F] 32017R0625 [F]	
B.1) Import control system						
26.	AFSVPA	Order on the conditions for entry into Montenegro of consignments of salamanders in relation to infection with <i>Batrachochytrium salamandrivorans</i>	2022/IV	2023/I	32021D0361 [F]	
B.2) Identification and registration of animals						
27.	AFSVPA	Rulebook amending the Rulebook on the identification and registration of equidae	2023/IV	2023/IV	32021R0963 [F] 32021R0577 [F]	
28.	AFSVPA	Rulebook amending the Rulebook on identification and registration of pigs	2023/I	2023/II	32021R0520 [F]	
29.	AFSVPA	Rulebook amending the Rulebook on method of identification and registration of cattle and keeping registry and electronic data base	2023/II	2023/II	32020R1625 [F]	
B.3) Control measures for animal diseases						
30.	AFSVPA	Rulebook on surveillance programs, eradication programs and disease-free status for certain listed diseases and emergent diseases	2023/III	2023/IV	32020R0689 [F] 32020R0690 [F] 32020R0687 [F] 32021R0881 [F]	
31.	AFSVPA	Rulebook on the list of animals and animal products subject to veterinary checks	2022/I	2022/II	32021R0632 [F] 32021R0573 [F] 32021R0630 [F]	
32.	AFSVPA	Rulebook amending the Rulebook on classification of infectious animal diseases, the manner of reporting the outbreak and or suspicion and deregistering infectious animal diseases	2023/IV	2023/IV	32020R2002 [F]	
33.	AFSVPA	Rulebook amending Rulebook on measures to prevent, detect, control and eradicate transmissible spongiform encephalopathies	2022/I	2022/I	32019R1091 [F] 32019R0319 [F] 32020R1593 [F] 32020R0772 [F] 32021R1176 [F]	

34.	AFSVPA	SARS-CoV-2 infection monitoring program in specific animals	2022/IV	2022/IV	32021D0788 [F]	
B.3.1) Foot and mouth diseases						
35.	AFSVPA	Order on measures for prevention of the entry of foot-and-mouth disease	2022/II	2022/II	32019D0242 [F]	
B.3.2) Zoonoses						
36.	AFSVPA	Rulebook amending the Rulebook on the method and control measures of Salmonella in poultry and other specific foodborne zoonotic agents	2022/I	2022/I	32019R0268 [F]	
37.	AFSVPA	Rulebook amending the Rulebook on method of monitoring of zoonoses and zoonotic agents	2022/II	2022/III	32020D1729 [F]	
B.4) Semen, ova and embryos						
38.	AFSVPA	Rulebook on establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs	2023/IV	2024/I	32019R2035 [F]	
39.	AFSVPA	Rulebook on animal health requirements for movement of terrestrial animals and hatching eggs	2023/IV	2023/IV	32021R1706 [F]	
40.	AFSVPA	Rulebook on conditions for reproductive material	2023/II	2023/III	32021R0880 [F]	
41.	AFSVPA	Rulebook on the approval of facilities for reproductive material and requirements regarding the traceability and health of animals for the movement of embryos of certain breeding terrestrial animals	2023/IV	2023/IV	32020R0686 [F] 32020R0688 [F] 32020R0999 [F]	
42.	AFSVPA	Rulebook on import conditions of semen, ova and embryos related to the health of dogs, cats and ferrets	2022/I	2022/I	32019D1206 [F] 32019D0294 [F] 32019R1293 [F]	
B.5) Import requirements for live animals and animal products						
43.	AFSVPA	Rulebook amending the Rulebook on requirements for import and transits of equidae	2022/II	2022/III	32020R2235 [F] 32020R0692 [F]	
44.	AFSVPA	Rulebook on the conditions for the import of equidae, semen and embryos	2022/II	2022/III	32019R2147 [F] 32020R0485 [F] 32020R0581 [F]	
45.	AFSVPA	Rulebook on veterinary-health and other conditions for the import of certain animals, reproductive material and products of animal origin from certain countries	2022/III	2022/IV	32020R0692 [F] 32020R2235 [F] 32021R0405 [F] 32021R1327 [F] 32021R0404 [F]	

					32021R1471 [F] 32021R1703 [F] 32021R1705 [F] 32021R1070 [F] 32021R1727 [F]	
46.	AFSVPA	Order amending the Order prohibiting the import and transit in consignments of poultry, birds and poultry and birds products in order to prevent the introduction of highly pathogenic Avian Influenza	2022/II	2022/II	32021D0335 [F]	
47.	AFSVPA	Rulebook on detailed conditions for the entry of consignments of products of animal origin and pet food entered by travellers as a personal consignment	2022/I	2022/I	32020R0178 [F]	
48.	AFSVPA	Rulebook on animal health certificates for the import and movement of consignments of aquatic animals and of certain products of animal origin from aquatic animals	2023/IV	2023/IV	32020R2236 [F]	
49.	AFSVPA	Order on conditions for import of live, chilled, frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods for human consumption from the United States of America	2023/III	2023/IV	32020R1641 [F]	
50.	AFSVPA	Rulebook for aquaculture facilities and transporters of aquatic animals	2023/IV	2023/IV	32020R0691 [F] 32020R0990 [F]	
51.	AFSVPA	Rulebook on the use of meat and bone meal as fuel in combustion plants	2023/IV	2023/IV	32020R0735 [F]	
B.6) Residue control						
52.	AFSVPA	Rulebook amending the Rulebook on methods of residue control in animals and products of animal origin	2022/IV	2023/I	32021R0808 [F]	
B.7) Animal welfare						
53.	AFSVPA	Law amending Law on Animal Welfare Protection	2023/IV	2024/I	32019R0268 [F]	
B.8) Zootechnics						
54.	AFSVPA	Instructions for publishing information on zootechnics on the website	2022/I	2022/II	32020D0388 [F]	
55.	AFSVPA	Instructions amending the Instructions on the content and form of the register for operators performing activities in the field of veterinary medicine and animal husbandry, which are published on the website	2022/II	2022/III	32020D0397 [F]	
56.	AFSVPA	Models of zootechnical certificate forms for breeding animals and their embryos	2022/III	2022/IV	32020R0602 [F]	
C) Phytosanitary policy						
C.1) Plant health - Harmful Organisms						

57.	AFSVPA	Law on Plant Health Protection	2023/IV	2024/I	32016R2031 [F] 32017R0625 [F]	
58.	AFSVPA	Rulebook amending the Rulebook on the manner of conducting phytosanitary checks and requirements for issuing plant passports	2022/II	2022/II	32020R1770 [F]	
59.	AFSVPA	Order on measures to prevent the introduction of harmful organisms on plants, plant products and controlled objects that are transferred by wood packaging material originating in China, Belarus and India	2022/I	2022/II	32021R0127 [F]	
60.	AFSVPA	Rulebook amending the Rulebook on phytosanitary measures to prevent the introduction and spread of Tomato brown rugose fruit virus (ToBRFV)	2022/II	2022/III	32021R0074 [F]	
61.	AFSVPA	Rulebook amending the Rulebook on phytosanitary measures to prevent the introduction and spread of the harmful organism Spodoptera frugiperda (SMITH)	2022/III	2022/IV	32021D0869 [F]	
62.	AFSVPA	Rulebook amending the Rulebook on phytosanitary measures to prevent the introduction, spreading and control of harmful organisms and lists of harmful organisms of plants, plant products and objects under supervision	2022/III	2022/IV	32020R1292 [F] 32020R1361 [F] 32020R1825 [F] 32020R2210 [F] 32021R0419 [F] 32021R0759 [F]	
63.	AFSVPA	Rulebook on preventing the introduction and spread of certain plants for planting Acer japonicum Thunberg, Acer palmatum Thunberg and Acer shirasawanum Koidzumi, originating in New Zealand	2022/IV	2023/I	32020R1362 [F]	
64.	AFSVPA	Guidelines on the format of the annual report on the results of supervision and the format of multi-annual supervision programs	2022/II	2022/III	32020R1231 [F]	
C.2) Plant health - plant protection products						
65.	AFSVPA	Law amending the Law on Plant Protection Products	2023/IV	2023/IV	32017R0625 [F]	
66.	AFSVPA	Guidelines for labelling plant nutrition products	2022/III	2022/III	52021XC0407(04) [F]	
C.2.1) Placing on the market						
67.	AFSVPA	List of active substances permitted for use in plant protection products for 2022	2022/I	2022/II	32021R0566 [F] 32021R0795 [F] 32021R0843 [F] 32021R0824 [F] 32021D1102 [F]	

					32021R1379 [F] 32021R1450 [F] 32021R0917 [F] 32021R1449 [F] 32021R0081 [F] 32021R1451 [F] 32021R1455 [F] 32021R1446 [F] 32021R0080 [F] 32021R0464 [F] 32021R0052 [F] 32021R0129 [F] 32021R0574 [F] 32021R0745 [F] 32021R1177 [F] 32021R1452 [F] 32021R0809 [F] 32021R1448 [F] 32021R0726 [F] 32021R0427 [F] 32021R0134 [F] 32021R0413 [F] 32020R1263 [F] 32021R0383 [F]	
C.2.2) Pesticide residues						
68.	AFSVPA	Rulebook amending the Rulebook on maximum permitted residue levels for the protection of plants on or in plants, plant products, food or feed	2022/I	2022/II	32020R1566 [F] 32020R1565 [F] 32020R1633 [F] 32021R1864 [F] 32021R0567 [F] 32021R0556 [F]	

					32021R1191 [F] 32021R0459 [F] 32021R0853 [F] 32021R0155 [F] 32021R0644 [F] 32021R0976 [F] 32021R1881 [F] 32021R1110 [F] 32021R0590 [F] 32021R0663 [F] 32021R1098 [F] 32021R1247 [F] 32021R1531 [F] 32021R0616 [F] 32021R0618 [F] 32021R1355 [F] 32021R0601 [F]	
C.3) Quality of Seeds and Propagating Material						
69.	AFSVPA	Rulebook amending the Rulebook on production and marketing vegetable seed material	2022/I	2021/II	32019L0990 [F] 32020L0177 [F] 32020L0432 [F] 32020D1106 [F]	
70.	AFSVPA	Rulebook amending the Rulebook on the conditions for the production and marketing of the fruit planting material	2022/I	2022/II	32019L1813 [F]	
71.	AFSVPA	Rulebook amending the Rulebook on production and marketing of cereal seed material	2022/II	2022/III	32021L0415 [F]	
72.	AFSVPA	Rulebook on the production and marketing of beet seed material	2022/II	2022/III	32021L0971 [F]	
73.	AFSVPA	Order on prohibiting the marketing of the hemp variety Finola	2022/IV	2023/I	32021D1214 [F]	
74.	AFSVPA	Rulebook amending the Rulebook on methods for testing the diversity, uniformity and stability of a new plant variety	2022/IV	2023/I	32021L0746 [F]	
D) Official controls						

75.	AFSVPA	Rulebook amending the Rulebook on the manner of sample handling, keeping records of samples, storage and submission of data on performed analyses	2022/I	2022/II	32021R1353 [F]	
76.	AFSVPA	Rulebook amending the Rulebook on the manner of performing official control of food of non-animal origin and animal feed of non-animal origin	2022/IV	2023/I	32019R1602 [F] 32020R1540 [F] 32021R0608 [F]	
77.	AFSVPA	Rulebook on official controls of wood packaging material	2023/IV	2024/I	32019R2125 [F]	
78.	AFSVPA	Rulebook amending the Rulebook on the manner of performing official controls on products of animal origin intended for human consumption	2023/IV	2024/I	32021R1709 [F] 32021R1422 [F]	
79.	AFSVPA	Rulebook on the manner of performing official control of food and certain goods	2023/IV	2024/I	32019R1666 [F] 32019R1793 [F] 32019R2090 [F]	
80.	AFSVPA	Rulebook on the manner of performing official control of animals, products of animal origin, embryos, by-products of animal origin and obtained products as well as hay and straw	2023/IV	2024/I	32019R2007 [F] 32019R2074 [F] 32019R2122 [F] 32019R2130 [F] 32019R2129 [F] 32019R2126 [F]	
81.	AFSVPA	Rulebook on official controls of consignments of animals and goods in transit, transshipment and onward transportation	2023/IV	2024/I	32019R2124 [F]	
82.	AFSVPA	Rulebook for determining in which cases and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts	2023/IV	2024/I	32019R2123 [F]	
83.	AFSVPA	Rulebook on official controls and other official activities by specifically authorized natural persons, the performance of analyses, testing or diagnoses and the period of application of temporary measures	2023/IV	2024/I	32020R1087 [F]	
84.	AFSVPA	Guidelines and form for reporting on implemented official control plans	2023/IV	2024/I	52021XC0301(01) [F]	
E) Genetically Modified Organisms						
85.	AFSVPA	Law amending the Law on Genetically Modified Organisms	2023/IV	2023/IV	32017R0625 [F]	

2. ADMINISTRATIVE FRAMEWORK

BENCHMARK: YES, the two remaining closing benchmarks require strengthening administrative capacity.

Documents that emphasize the needs of the administrative capacity: The strategy for the transposition and implementation of the acquis (based on the Montenegro's Plan of Accession) Negotiating position; Screening report, EC report 2011 - 2021.

2.1. ADMINISTRATIVE CAPACITY

Staff required for the implementation of the acquis

Inst.	Title of the act	Description	Qualification	RIOS	2022	2023
AFSVPA	Law on Food Safety Law on Genetically Modified Organisms	Expert tasks Non-animal food Animal food Feed	Doctors of veterinary medicine, food technologists; agricultural engineers, doctors, sanitary engineers	YES	2	2
		Food safety inspection			3	4
AFSVPA	Law on Veterinary Medicine, Law on Animal Welfare, Law on Animal Identification and Registration, Law on Genetically Modified Organisms	Expert tasks Health and welfare of animals, R&D of animals, by-products of animal origin	Doctor of veterinary medicine, Agricultural engineers – livestock farming	YES	3	3
		Veterinary inspection			4	4
AFSVPA	Law on Plant Health Protection; Law on Plant Protection Products, Law on Planting Material, Law on Agricultural Plant Seeds, Law on Protection of Plant Varieties, Law on Genetically Modified Organisms	Expert tasks	Plant protection engineers; Agricultural engineers for plant production plant health engineers; agricultural engineers - plant production	YES	3	3
		Phytosanitary inspection			4	4

2.2 REQUIRED INFRASTRUCTURAL STRENGTHENING

Inst.	Title of the act	Description of infrastructural / technical support	2022	2023
-------	------------------	--	------	------

82/222

AFSVPA	Law on Food Safety Law on Genetically Modified Organisms, Law on Veterinary Medicine, Law on Animal Welfare, Law on Animal Identification and Registration, Law on Plant Health Protection; Law on Plant Protection Products, Law on Planting Material, Law on Agricultural Plant Seeds, Law on Protection of Plant Varieties	TRACES information system (Shipment control system across border control points)	X	X
		EUROPHYT	X	X
		BIP (Border inspection posts for the flow of goods of plant and animal origin)	X	X
		By-product management plant	X	X
		Quarantine unit	X	X

13. Fisheries

INTRODUCTION

In Montenegro, fisheries represent a centuries-old economic branch, represented both in the territorial sea of Montenegro and on Skadar Lake. Apart from the economic one, it also has an important sociological and cultural role. From a historic point of view, a fishery is a long present activity in EU countries. Rational exploitation of renewable fishery resources, issues of regulation of the market of fishery and aquaculture products, structural policy, monitoring and control and international cooperation in fisheries are regulated by the EU Common Fisheries Policy. By establishing the Common Fisheries Policy, the following objectives were defined: increasing productivity, improvement of living standard of employees in the fisheries sector, stabilization of the market, more efficient supply and provision of food supplies at affordable prices.

Negotiating Chapter 13 is divided into six subchapters: resource and fleet management, inspection and control, structural measures, State aid control, market policy and international agreements.

Since the establishment of the Directorate for fisheries, continuous steps have been taken in Montenegro to strengthen the administrative capacity, particularly in the field of inspection and control, provision of the necessary infrastructure, and their adjustment to the needs and size of the fisheries sector of Montenegro.

In order to align with the EU acquis, as well as to provide conditions for the full implementation of the EU Common Fisheries Policy, the adoption of the Law on Structural Measures and State Aid in Fisheries and Aquaculture and the Law on Marine Fisheries and Mariculture has been planned during 2022, after which a set of bylaws to the mentioned laws will be adopted.

In the forthcoming period, in addition to alignment with the acquis, it is necessary to make efforts to further strengthen administrative capacity, as well as to modernize the fisheries sector through the renewal of the fishing fleet, procurement of navigation equipment and improvement of safety on vessels, construction, reconstruction and equipping of ports, construction of the first landing points, reconstruction of the existing fish markets, improvement of catch statistics, etc.

The institution that coordinates the work under this negotiating chapter is the Ministry of Agriculture, Forestry and Water Management while the following institutions are also involved: Institute of Marine Biology, Specialist Veterinary Laboratory, Ecotoxicological Examination Centre and the Public Health Institute of Montenegro.

Negotiating Chapter 13 was opened at the Intergovernmental Conference, which was held on 30 June 2016.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) General provisions						
1.	MAFW	Strategy of Fisheries of Montenegro 2022-2027 with an Action Plan for the transposition, implementation and enforcement of the acquis	2022/IV	2023-2028	32006L0123 [P] 32006R1967 [P] 32008R1005 [P] 32009R1224 [P] 32011R0404 [P] 32013R1380 [P] 32017R0218 [P] 32017R1130 [P] 32018D1283 [P] 32019D0909 [P] 32019R0982 [P] 32019R1241 [P]	
B) Regulating the market						
2.	MAFW	Analysis of the current state of market in fisheries	2023/I	2023	32013R1379 [P] 32013R1419 [P] 32013R1418 [P]	
C) Resources and fleet management						
3.	MAFW	National plan for fishing gear management	2023/IV	2024-2029	32006R1967 [P] 32013R1380 [P] 32019R1241 [P]	
4.	MAFW	National plan of management for certain economically important species	2023/IV	2024-2029	32006R1967 [P] 32013R1380 [P] 32019R1241 [P]	
D) Aquaculture						
5.	MAFW	Multi-annual national strategic plan for aquaculture	2023/IV	2024-2027	32013R1380 [P]	

E) Control system in fisheries						
6.	MAFW	Standard operating procedures for inspection	2023/IV	2024-2027	32019R1241 [P]	
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) General provisions						
1.	MAFW	Law on Marine Fisheries and Mariculture	2022/IV	2023/I	32006L0123 [P] 32006R1967 [P] 32008R1005 [P] 32009R1224 [P] 32011R0404 [P] 32011R1343 [P] 32013R1380 [P] 32017R1130 [P] 32018D1283 [P] 32019D0909 [P] 32019R0982 [P] 32019R1241 [P] 32020R0004 [P] 32020R0038 [P] 32020R0423 [P] 32020R0967 [P] 32020R0030 [P]	EU-99 [F]
2.	MAFW	Rulebook on the electronic catch logbook	2023/III	2023/IV	32009R1224 [P] 32011R0404 [P]	
3.	MAFW	Rulebook on the manner and place of marking of fishing gear and equipment	2023/III	2023/IV	32006R1967 [P] 32009R1224 [P]	
4.	MAFW	Rulebook on the control and validation of engine power	2023/III	2023/IV	32009R1224 [P]	
5.	MAFW	Rulebook on technical requirements and the point of first sale, conditions and method of sale at the point of first sale	2023/III	2023/IV	32006R1967 [P] 32009R1224 [P]	

87/222

					32011R0404 [P]	
6.	MAFW	Rulebook on technical conditions and location for unloading and transshipment	2023/IV	2023/IV	32008R1005 [P] 32009R1224 [P] 32011R0404 [P]	
7.	MAFW	Rulebook on the method of keeping a Register of fish wholesalers, form and content of application, list of fish wholesalers	2023/IV	2023/IV	32006R1967 [P] 32009R1224 [P] 32011R0404 [P]	
8.	MAFW	Rulebook on the basic constructive and technical characteristics, method of use, time, purpose, amount and type of fishing gear and equipment that may be used in large and small-scale commercial fishing	2023/IV	2023/IV	31984R3440 [P] 32003R1984 [P] 32006R1967 [P] 32007R0520 [P] 32007R1100 [P] 32009R1224 [P] 32010R0640 [P] 32011R0404 [P] 32019R1241 [P]	
B) Market organisation in fisheries and aquaculture						
9.	MAFW	Law on Structural Measures, Market Organisation and State Aid in Fisheries and Aquaculture	2022/I	2025/III	32014R0508 [P] 32014R0717 [P]	
10.	MAFW	Rulebook on the recognition of producer organizations in the fisheries sector	2023/II	2023/III	32013R1419 [P] 32013R1420 [P]	
11.	MAFW	Rulebook on market names for fishery products	2023/II	2023/III	32013R1418 [P] 32013R1420 [P]	
12.	MAFW	Rulebook on the labelling of fishery products	2023/II	2023/III	32013R1418 [P] 32013R1420 [P]	
13.	MAFW	Rulebook on market standards for certain fishery and aquaculture products	2023/II	2023/III	31996R2406 [P]	
2. ADMINISTRATIVE FRAMEWORK						
BENCHMARK: YES						
Documents that emphasize the needs of administrative capacities: Action plan for harmonization with the EU acquis, which is the subject of opening benchmark and the following closing benchmark: Montenegro substantially strengthens the administrative, inspection and control capacity required by the Common Fisheries Policy and ensures that EU requirements will be fully met at the date of accession, in particular as regards inspection and control.						

2.1. ADMINISTRATIVE CAPACITIES

Staff required for the implementation of the Acquis

Inst.	Title of the act	Description of required staff	Qualification	RIOS	2022	2023
MAFW	Law on Marine Fisheries and Mariculture	Fisheries Directorate Department of fleet management and resources	Natural, economic, social or humanistic science	YES	1	
MAFW	Law on Marine Fisheries and Mariculture	Fisheries Directorate, Section for Inspection Control	Agricultural, natural, social science, law or Faculty of Maritime Studies	YES		1
MAFW	Law on Market Organisation in Fisheries and Aquaculture	Fisheries Directorate, Division for structural measures, market and state aid	Social, natural or agricultural science	YES	1	

2.2 REQUIRED INFRASTRUCTURAL STRENGTHENING

Inst.	Title of act	Description of infrastructure/technical needs	2022	2023
MAFW	Law on Marine Fisheries and Mariculture	System of electronic recording and reporting		X
MAFW	Law on Marine Fisheries and Mariculture	Establishing protected database		X
MAFW	Law on Market Organisation in Fisheries and Aquaculture	Forming producer organisations		X
MAFW /local government	Law on Marine Fisheries and Mariculture	Determination of the location of the first unloading and the place of first sale		X

MAFW /local government	Law on Fisheries and Mariculture	Construction of facilities for storage, keeping and packaging of fish and provision of required infrastructure (electricity, water, ice, internet etc.)		X
MAFW /local government	Law on Fisheries and Mariculture	Construction and furnishing of a facility for disposal of discarded catches		X

14. Transport Policy

INTRODUCTION

Transport policy is aimed at improving the functioning of the internal market of the European Union by ensuring safety, effectiveness, accessibility and quality of transport services, as well as protection of interests of users of these services and environmental protection.

Chapter Transport policy covers:

- road transport,
- rail transport,
- satellite navigation,
- road infrastructure,
- combined transport,
- air transport,
- maritime transport and
- inland navigation.

Chapter 14 - Transport Policy is part of the Cluster - Green agenda and sustainable connectivity.

The challenge in this field that Montenegro is facing is the issue of inland waterways and transposition of the *acquis* on technical conditions for boats and issuing inland navigation certificates to captains. In this respect, it is necessary, in accordance with Directive 2006/87/EC, to classify inland waterways in one of the four zones of waters which are defined by this Directive. Furthermore, it is necessary to ensure independence of regulatory body in railway transport in accordance with the EU *acquis*, even though a certain degree of independence from the Ministry of Capital Investments has been achieved thus far. Furthermore, it is necessary to work on strengthening of administrative capacities of the regulatory body and body in charge of railway transport safety, so that they could truly perform their functions in full capacity, in order to completely implement regulations that are aligned with EU regulations and raise the level of railway transport safety and quality of railway transport services. In addition, the major challenge is to strengthen capacities of the railway accident investigation body, which was formed in 2014, both in administrative and technical terms.

Furthermore, challenges lie both in terms of harmonization in the field of intelligent transport systems (ITS) and in terms of their implementation, given that this is a very expensive technology that is only partially applied in the region. It should be in mind that Montenegro lacks experience and appropriate structures in the field of ITS to coordinate and manage the introduction of ITS, especially in the sectors of road and rail transport.

The institutions in charge of work under this chapter are: the Ministry of Capital Investments, Ministry of Interior, Ministry of Ecology, Spatial Planning and Urbanism, Administration for Maritime Safety and Port Management, Police Administration, Transport Administration, Railway Administration, Harbour Master's Office of Kotor, Harbour Master's Office of Bar, Railway Infrastructure of Montenegro JSC, Railway Transport of Montenegro JSC, Maintenance of Railway Rolling Stock JSC, Civil Aviation Agency, Airports of Montenegro JSC, Airport Podgorica JSC, Port of Bar JSC.

The chapter was opened at the Intergovernmental Conference in Brussels on 21 December 2015.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Road transport						
1.	MCI	Update of the Transport Development Strategy 2019-2035 in accordance with the Strategy for Sustainable and Smart Mobility for the Western Balkans	2023/IV	24-2035		
B) Road infrastructure						
2.	MCI	Program for construction, reconstruction, maintenance and protection of main and regional roads for 2022 with the Report on the implementation of the Program for 2021	2022/I	2022		
3.	MCI	Program for construction, reconstruction, maintenance and protection of main and regional roads for 2023 with the Report on the implementation of the Program for 2022	2023/I	2023		
4.	MCI	Medium-term Program of construction, reconstruction, maintenance and protection of public roads	2022/IV	2023-2026		
C) Air transport						
5.	MCI	Programme Amending the National Programme on civil air traffic security	2022/II	2022/II	32021R0255[F]	
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Implementation	Acquis	
					Celex No	Other
A) Road transport						
1.	MCI	Law on working hours and breaks during working hours and devices for recording in road traffic	2023/IV	2024/I	32006R0561[F] 32002L0015 [F] 32014R0165[F] 32006L0022 [F] 32020R1054 [F]	
2.	MCI	Rulebook on technical and performance requirements for tachographs, record sheets and memory cards	2023/IV	2023/IV	32014R0165 [F] 32014R1161[F]	

93/222

					32016R0130 [F] 32016R0799 [F] 32021R1228[F]	
3.	MCI	Rulebook on conditions in terms of space, equipment and tools of the tachograph workshops	2023/III	2023/III	32017R0548 [F]	
4.	MCI	Law Amending the Law on contracts for road transport	2023/II	2023/III	32011R0181 [F]	
5.	MCI	Law Amending the Law on Road transport	2023/IV	2024/I	32020R1055 [F]	
B) Railway transport						
6.	MCI	Law on Safety and Interoperability in Railway Transport	2022/IV	2023/II	32016L0797 [F] 32016L0798 [F] 32007L0059 [F] 32016R0424 [P] 32009L0149 [P] 32008L0057 [F] 32018R0762 [P]	
7.	MCI	Rulebook on transport	2022/II	2022/II	32004L0049 [F]	
8.	MCI	Rulebook on professional qualifications of railway workers	2022/II	2022/II	32004L0049 [F]	
9.	MCI	Rulebook on conditions to be fulfilled by training organizers for train drivers	2022/II	2022/II	32004L0049 [F]	
10.	MCI	Rulebook on the manner and keeping of machine licenses register	2022/II	2022/II	32004L0049 [F]	
11.	MCI	Law on Railways	2022/II	2022/IV	32012L0034 [P] 32007R1370 [F] 32007R1371 [F] 32010R0913[P] ⁹	
12.	MCI	Rulebook on approved type of vehicle	2023/IV	2023/IV	32021D0701 [F]	
13.	MCI	Rulebook Amending the Rulebook on TSI locomotives and coaches	2023/IV	2023/IV	32021R0541 [F]	

⁹ The act cannot be completely transposed because these are EU Freight Corridors and we can only transpose part of it, as much as is allowed for the country of the Western Balkans. The conditions for these crossroads are very strict and through this law, we only open the possibility for registering our railways as freight corridors.

14.	MCI	Rulebook on structure of the report in the case of investigations of railway accidents and incidents	2023/IV	2023/IV	32020R0572 [F]	
15.	MCI	Rulebook Amending the Rulebook on conditions for cableway for carrying persons	2023/IV	2023/IV	32019D1923[F]	
C) Road infrastructure						
16.	MCI	Decision determining the amount of annual fee for usage of roads when registering motor road vehicles, tractors and trailers	2023/IV	2023/IV	31999L0062 [F]	
17.	MCI	Rulebook on road toll	2022/I	2022/I	31999L0062 [F] 32006L0038 [F] 32011L0076 [F]	
18.	MCI	Rulebook on technical conditions for the design and construction of bus stops	2022/II	2022/II	32008L0096 [F] 32019L1936 [F]	
19.	MCI	Rulebook on the manner of traffic regulation in the road works zone	2022/III	2022/III	32008L0096 [F] 32019L1936 [F]	
20.	MCI	Rulebook on conditions that must be met by roads from the aspect of traffic safety	2022/IV	2022/IV	32008L0096 [F] 32019L1936 [F]	
21.	MCI	Rulebook on establishment and marking of school zones and measures to improve the safety of children in school zones	2022/IV	2022/IV	32008L0096 [F] 32019L1936 [F]	
D) Air transport						
22.	MCI	Law Amending the Law on Air Transport	2022/IV	2023/I	32018R1139 [F]	
23.	ACA	Rulebook Amending the Rulebook on improving the safety, investigation and prevention of accidents and incidents in civil aviation	2022/II	2022/II	32018R1139 [F]	
24.	ACA	Rulebook Amending the Rulebook on technical requirements and procedures for conducting air operations	2022/II	2022/II	32021R1296[F] 32020R2036 [F]	
25.	ACA	Rulebook on airworthiness certification and environmental certification of aircraft and aeronautical products, parts and appliances and for certification of design and production organizations	2022/III	2022/III	32021R1088[F] 32021R0699[F]	
26.	ACA	Rulebook Amending the Rulebook on additional airworthiness specifications for a specific type of operation	2022/III	2022/III	32021R0097 [F]	

27.	ACA	Rulebook Amending the Rulebook on common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight	2022/III	2022/III	32020R0469 [F] 32020R1177 [F]	
28.	ACA	Rulebook on common rules of the European Union in the field of civil aviation and competences of the European Union Aviation Safety Agency	2022/IV	2022/IV	32018R1139 [F] 32021R1087 [F]	
29.	ACA	Rulebook on joint projects and the establishment of the First Joint Project for the implementation of the European ATM Master Plan	2022/IV	2022/IV	32021R0116[F]	
30.	ACA	Rulebook on the conditions for the use of unmanned aerial vehicle systems and aircraft models	2022/IV	2022/IV	32019R0947 [F] 32020R0639 [F] 32020R0746 [F]	
31.	MCI	Rulebook on prescribing detailed rules on fines and periodic penalties	2022/IV	2022/IV	32012R0646 [F]	
32.	ACA	Rulebook on establishing technical requirements and administrative procedures relating to the flight operations of third country operators	2022/IV	2022/IV	32014R0452 [F] 32016R1158 [F]	
33.	ACA	Rulebook Amending the Rulebook on continuous airworthiness of aircraft and aeronautical products, parts and appliances, and the approval of organizations and persons conducting these operations	2022/IV	2022/IV	32021R0700[F]	
34.	ACA	Rulebook Amending the Rulebook on the fees and charges levied by the European Union Aviation Safety Agency	2022/IV	2022/IV	32019R2153[F]	
35.	MCI	Rulebook on technical requirements for an unmanned aircraft vehicles system	2022/IV	2022/IV	32019R0945 [F] 32020R1058 [F]	
36.	ACA	Rulebook Amending the Rulebook on notification, analysis and follow-up of events in civil aviation	2022/IV	2022/IV	32020R2034[F]	
37.	ACA	Rulebook amending the Rulebook on requirements and administrative procedures related to the aerodromes	2022/IV	2022/IV	32020R2148 [F]	
38.	ACA	Rulebook on common requirements for flexible use of airspace	2023/III	2023/III	32005R2150 [F]	
39.	ACA	Rulebook on common rules for the operation of air services in the Community	2023/IV	2023/IV	32008R1008[F] 32019R0002 [F]	
40.	MCI	Rulebook on criteria and methodology for determining the amount of airport charges	2023/IV	2023/IV	32009L0012 [F]	

41.	ACA	Rulebook on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier	2023/IV	2023/IV	32005R2111 [F] 32018R1139 [F]	
42.	ACA	Rulebook on laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community	2023/IV	2023/IV	32006R0473 [F]	
43.	ACA	Rulebook on establishing the Community list of air carriers which are subject to an operating ban within the Community	2023/IV	2023/IV	32006R0474 [F] 32018R1866 [F]	
44.	ACA	Rulebook on determining the efficiency program for the provision of air navigation services and network functions and the common method of calculating fees for air navigation services	2023/IV	2023/IV	32019R0317 [F]	
45.	MCI	Rulebook on the regulation of the operation of aeroplanes	2023/IV	2023/IV	32006L0093 [F] 31989L0629 [F]	
46.	ACA	Rulebook Amending the Rulebook on common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight	2023/IV	2023/IV	32021R1338[F] 32021R0665[F]	
47.	ACA	Rulebook Amending the Rulebook on the manner, rules and procedures of aircraft flying and operational services in air traffic	2023/IV	2023/IV	32021R0666[F]	
48.	ACA	Rulebook on a regulatory framework for airspace for unmanned aircraft vehicles	2023/IV	2023/IV	32021R0664[F]	
49.	MCI	Rulebook on a code of conduct for computerized reservation systems	2023/IV	2023/IV	32009R0080[F]	
E) Maritime transport						
50.	MCI	Rulebook on implementation VTMIS and NMSW	2023/IV	2023/IV	32002L0059 [F] 32019R1239[F] 32009L0017 [F]	
51.	MCI	Regulation on closer procedures and manner of investigation of maritime accidents	2023/III	2023/III	32009L0018 [F] 32011R1286 [F]	
52.	MCI	Rulebook on common rules and norms for organizations performing inspection and supervision of ships	2023/IV	2023/IV	32009L0015 [F] 32014L0111 [F] 32014R1355 [F] 32009R0391[F]	

53.	MCI	Law on ports	2022/IV	2023/I	32001L0096 [P] 32019L0883 [P] 32017R0352[F]	
54.	MCI	Rulebook on ship wastes	2023/IV	2023/IV	32019L0883 [F]	
55.	MCI	Rulebook Amending the Rulebook on detailed conditions regarding stocks of medicines and medical devices for providing medical assistance on ships	2023/IV	2023/IV	32019L1834 [F]	
56.	MCI	Rulebook on the manner and conditions for the safe loading and unloading of bulk carriers	2023/IV	2023/IV	32001L0096 [F]	
57.	MCI	Law on the Protection of the Sea from Pollution of Maritime Facilities	2023/II	2023/III	32005L0035 [F] 32013R1257 [P] 32003R0782 [P] 32012R0530 [F] 32009L0020 [F]	
58.	MCI	Rulebook on the control of harmful substances against fouling on ships	2023/IV	2023/IV	32003R0782 [F]	
59.	MCI	Rulebook on the control of dangerous materials installed on ships and the ship recycling	2023/IV	2023/IV	32013R1257 [F]	
F) Inland navigation						
60.	MCI	Law on Inland Navigation	2023/II	2023/III	32017L2397 [F] 32016L1629 [F]	

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Inst.	Title of the act	Description	Qualification	RIOS	2022	2023
MCI	Law on Road Transport	Carrying out licensing of carriers in accordance with Regulation (EU) 2020/1055 MCI/Department for road transport	Lawyer / Engineer of transport	YES	1	
MCI		Supervision in accordance with Directive 2006/22	Engineer of transport(inspector)	YES		1

98/222

	Law on Working Hours, Mandatory Rest Periods of Mobile Workers and Recording Equipment in Road Transport	MCI/ Department for inspection supervision in road transport				
Railway Authority	Law on Railways, Law on Safety, Organization and Efficiency of Railway Transport	Strengthening administrative capacities in the railway transport.	Engineer of transport	YES	1	
			Economist		1	
MCI, Harbour branch office for Bar and Kotor	Law Amending the Law on Maritime Navigation Safety	Strengthening administrative capacities in the maritime transport	<p>VII1 qualification level of education, Faculty of Technical and Marine Sciences or a Faculty in the field of social marine science-management,</p> <p>Following conditions need to be fulfilled:</p> <p>1) to have a certificate on qualifications for the profession Master on a ship of at least 3000 GT or certificate of qualifications for the title of on board manager of machinery of 3000 kW propulsion power or more;</p> <p>2) to have at least five year sailing experience as an deck officer or machinery officer;</p> <p>3) to have at least one year work experience in inspection supervision of foreign</p>	NO	2 PSC inspectors	

			<p>ships in the ports and anchorages of Montenegro, or to have at least two years of experience as an auxiliary PSC inspector</p> <p>4) to have the ability to speak and write in English language and adequate knowledge of the provisions of international conventions and essential Port State control procedures</p> <p>5) to have good knowledge in maritime safety and experience in the application of safety measures on ships and in ports, knowledge of security techniques and technologies, knowledge of principles, procedures, technique and security operations over which the inspection is performed, if the PSC is at the same time the a maritime security inspector</p> <p>6) to have successfully completed training for performing inspection supervision in accordance with the plan adopted by the Inspection Committee of the Paris Memorandum of</p>			
--	--	--	--	--	--	--

			Understanding on Port State Control			
			VII1 level of qualification education, faculty in the field of technical-technological sciences-maritime sciences or a faculty in the field of social marine science-management, at least three years of work experience, professional exam for work in public authorities, computer skills; at least 12 months of work experience in performing inspection of vessels.		3 Officials in the transport of the Port Authorities	3 Officials in the transport of the Port Authorities
Administration for Maritime Safety and Port Management	Law on ports	Strengthening of administrative capacities in the maritime transport	VII1 qualification level of education, Faculty of social sciences or Faculty in the field of technical and technological science or Faculty of Natural sciences	NO	2	2

15. Energy

INTRODUCTION

Energy is one of the most important fields of activity of the European Union. Energy sector management represents a particularly important field of activity of the European Union institutions. The energy sector is divided into the following subfields: electricity, gas, hydrocarbons, renewable energy sources, energy efficiency and nuclear safety and protection against radiation.

Chapter 15 - Energy is part of the Cluster - Green agenda and sustainable connectivity.

Within the energy sector of Montenegro, the most developed is the electricity sector. Montenegrin Electricity Production Company (EPCG), is a company involved in electricity generation and supply. Montenegrin Electricity Transmission System (JSC CGES) is the operator of the electricity transmission system, Montenegrin Electricity Distribution System (L.L.C. CEDIS) is the operator of the electricity distribution system, and the Montenegrin Electricity Market Operator (L.L.C. COTEE) is the market operator. In order to further develop the electricity market, it was established the Montenegrin Power Exchange (BELEN). The Coal Mine Pljevlja JSC (RUP) is a large company operating in the mining sector which has been owned by EPCG since July 2019.

Montenegro does not have access to natural gas sources or infrastructure to support its use.

In the oil and gas sector, where petroleum products and liquefied petroleum gas (LPG) are fully imported in Montenegro, the main energy undertakings include: JSC Jugopetrol Podgorica (joint-stock company for research, production and trade in oil and oil products, which is 54.5% owned by a Greek company Hellenic Petroleum International AG),L.L.C. Montenegro Bonus Cetinje (a public company dealing with wholesale trade in oil products, trading and supply of electricity), Petrol MNE, INA Montenegro, Lukoil Montenegro and a number of other companies that are licensed to import and distribute oil products in Montenegro.

The level of alignment of Montenegro with the acquis in this field is supported by Montenegro's membership and active participation in the Energy Community, which seeks to expand the internal energy market of the European Union to the neighbouring countries.

The screening has shown that the Montenegrin legislation is largely aligned with the acquis in this field. However, during negotiations, special attention will be paid to Directive 2009/119/EC, which imposes an obligation to the member states to maintain minimal reserves of crude oil and/or petroleum products.

102/222

Relevant institutions for the first five subareas in this chapter are: Ministry of Capital Investments, Administration for Inspection Affairs and the Energy and Water Regulatory Agency of Montenegro, while radiation and nuclear safety, as well as security and protection against ionizing radiation are the responsibility of the Ministry of Ecology, Spatial planning and Urbanism, Ministry of Interior, Environmental Protection Agency and the Administration for Inspection Affairs.

This negotiating chapter was opened on 21 December 2015 at the Intergovernmental Conference in Brussels.

1. PLANS AND NEEDS						
1.1. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Electricity						
1.	MCI	Law Amending the Law on Energy	2023/II	2023/IV	32015L1513 [F] 32014L0094 [F] 32019L0944 [F] 32019R0941 [F] 32019L0692 [F] 32019R0826 [F] 32019R1745 [F] 32021R1444 [F]	
2.	MCI	Law Amending the Law on Transboundary Exchange of Electricity and Natural Gas	2023/III	2023/IV	32019R0943 [F]	
3.	MCI	Decree on guidelines for the allocation of cross-border electricity transmission capacities and congestion management	2022/III	2022/III	32015R1222 [F] 32021R0280 [F]	
4.	MCI	Decree on guidelines for the long-term allocation of cross-border electricity transmission capacities	2023/II	2023/II	32016R1719 [F] 32021R0280 [F]	
B) Hydrocarbons						
5.	MCI	Law on the Supply of Petroleum Products in the Event of Disruptions in Supply	2022/II	2022/III	32009L0119 [P] 32018L1581 [P]	
6.	MCI	Rulebook on the methodology for calculating the average daily net import and average daily consumption of petroleum products and the amount of formed strategic reserves of petroleum products	2022/IV	2022/IV	32009L0119 [F] 32018L1581 [F]	
7.	MCI	Rulebook on the methodology for collecting and processing data on imports, exports, consumption and reserves of petroleum products	2022/IV	2022/IV	32009L0119 [F] 32018L1581 [F]	
8.	MCI	Decree on storage conditions, technical and technological conditions of the location of storage facilities, the quality requirements of strategic reserves, deadlines, manner and conditions of	2022/IV	2022/IV	32009L0119 [F] 32018L1581 [F]	

		quality and quantity of stored strategic reserves and requirements for accredited person for quality control				
9.	MCI	Rulebook on more detailed content of plans and documentation for the safety of hydrocarbon operation	2022/IV	2022/IV	32013L0030 [F]	
C) Gas						
10.	MCI	Decree establishing network rules for interoperability and data exchange in gas transmission systems	2023/IV	2023/IV	32015R0703 [F]	
11.	MCI	Decree on guidelines for the allocation of cross-border gas transmission capacities and congestion management	2023/IV	2023/IV	32009R0715 [F]	
D) Renewable energy sources						
12.	MCI	Law on the Use of Renewable Energy Sources	2022/IV	2023/I	32018L2001 [F] 32020R1294 [F] 32019R0807[F]	
E) Energy efficiency						
13.	MCI	Law Amending the Law on Energy Efficiency	2023/III	2023/IV	32018R1999 [F] 32018L2002 [F]	
14.	MCI	Rulebook Amending the Rulebook on conditions for conducting training, acquiring authorization and the manner of keeping the register for performing energy audits	2022/I	2022/I	32010L0031 [F]	
15.	MCI	Rulebook on the labelling energy efficiency of electrical light bulbs	2022/I	2022/I	32019R2015 [F]	
16.	MCI	Rulebook on technical requirements of the eco-design for the light bulbs	2022/I	2022/I	32019R2020 [F]	
17.	MCI	Rulebook on the labelling energy efficiency of local space heaters	2022/II	2022/II	32015R1186 [F]	
18.	MCI	Rulebook on the labelling energy efficiency of solid fuels boilers and kits which including additional heaters, temperature controllers and solar devices	2022/II	2022/II	32015R1187 [F]	
19.	MCI	Rulebook on energy labelling of professional refrigerated storage cabinets	2022/II	2022/II	32015R1094 [F]	
20.	MCI	Rulebook Amending the Rulebook on minimum energy efficiency requirements in buildings	2022/II	2022/II	32010L0031 [F] 32018L0844 [F]	
21.	MCI	Rulebook Amending the Rulebook on energy performance certification of buildings	2022/II	2022/II	32010L0031 [F] 32018L0844 [F]	
22.	MCI	Rulebook on energy labelling of household washing machines and household washer-dryers	2022/III	2022/III	32019R2014 [F]	

23.	MCI	Rulebook on the labelling of energy efficiency of cooling devices	2022/III	2022/III	32019R2016 [F]	
24.	MCI	Rulebook on the labelling of energy efficiency of dishwashers	2022/III	2022/III	32019R2017 [F]	
25.	MCI	Rulebook on requirements for eco design of the washing machines and tumble dryers	2022/III	2022/III	32019R2023 [F]	
26.	MCI	Rulebook on requirements for eco design of the cooling devices	2022/III	2022/III	32019R2019 [F]	
27.	MCI	Rulebook on requirements for eco design of dishwashers	2022/III	2022/III	32019R2022 [F]	
28.	MCI	Rulebook on the labelling energy efficiency of the vehicle tires and other parameters	2022/IV	2022/IV	32020R0740 [F]	
29.	MCI	Rulebook Amending the Rulebook on to eco-design requirements for servers and data storage products, electric motors and variable speed drives, refrigerating appliances, light sources and separate control gears, electronic displays, household dishwashers, household washing machines and household washer-dryers and refrigerating appliances with a direct sales function	2022/IV	2022/IV	32021R0341[F]	
30.	MCI	Rulebook Amending the Rulebook on to energy labelling requirements for electronic displays, household washing machines and household washer-dryers, light sources, refrigerating appliances, household dishwashers, and refrigerating appliances with a direct sales function	2022/IV	2022/IV	32021R0340[F]	
31.	MCI	Rulebook on the labelling energy efficiency of electronic displays	2023/II	2023/II	32019R2013 [F]	
32.	MCI	Rulebook on technical requirements for eco design of the electronic displays	2023/II	2023/II	32019R2021 [F]	
33.	MCI	Rulebook on the labelling energy efficiency of the cooling devices with direct sales function	2023/II	2023/II	32019R2018 [F]	
34.	MCI	Rulebook on technical requirements for eco- design of the cooling devices with direct sales function	2023/II	2023/II	32019R2024 [F]	
35.	MCI	Rulebook amending the Rulebook on technical requirements for eco design for electrical transformers	2023/II	2023/II	32019R1783 [F]	
36.	MCI	Rulebook on technical requirements for eco design of electrical motors	2023/II	2023/II	32019R1781 [F]	
37.	MCI	Rulebook on technical requirements for eco design for external power supply devices	2023/IV	2023/IV	32019R1782 [F]	
38.	MCI	Rulebook on technical requirements for eco design of the welding equipment	2023/IV	2023/IV	32019R1784 [F]	
G) Nuclear safety and protection against radiation						
39.	MESPU	Law on the Protection against Ionizing Radiation, Nuclear and Radiation Safety	2022/IV	2024/IV	32013L0059 [P] ¹⁰	

¹⁰Full compliance of the Draft Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security with the presented acquis communautaire in this area will be achieved by adopting bylaws, strategic, program and planning documents, for which 112 legal bases are given within the Draft Law. , which, according to the agreement, will be considered by the European Commission only after its adoption.

						32013L0051 [P] 32011L0070 [P] 32009L0071 [P] 32014L0087 [P] 32006L0117 [P] 32005R0302 [P] 32008D0312 [P] 31989L0391 [P] 31992L0058 [P] 31989L0654 [P] 31989L0656 [P] 32009L0104 [P]	
--	--	--	--	--	--	--	--

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Institution	Title of the act	Description	Qualification	RIOS	2022	2023
MCI	Law Amending the Law on Energy	Participation in drafting regulations and creating conditions for the implementation of projects for the establishment of infrastructure for alternative fuels	VII1 level of education qualification, Faculty of technical, natural or social sciences	NO	1	
AIA	Law on Energy	Electrical Inspector	Graduate Engineer technical and technological science - energy	YES		1

MHA	Law on the Supply of Petroleum Products in the Event of Disruptions in Supply	Managing and control of the manner of securing strategic reserves of petroleum products	VII1 level of education qualification, Faculty of technical, natural or social sciences	YES	2	2
MCI	Law on the Use of Renewable Energy Sources	Participation in drafting regulations and improving conditions for the implementation of energy production projects for own needs and greater use of energy from renewable sources in the transport sector	VII1 level of education qualification, Faculty of technical, natural or social sciences	NO	1	
MESPU	Law on the Protection against Ionizing Radiation, Nuclear and Radiation Safety	Participation in drafting regulations in the field of protection against ionizing radiation, nuclear and radiation safety, monitoring international obligations, participating in monitoring the negotiation process, drafting projects and participating in projects, preparing information, reports, interpreting regulations, etc.	VII1 level of education qualification, Faculty of Mathematics and Natural Sciences - Physics (graduate physicist)	NO	1	
		Participation in drafting regulations in the field of protection against non-ionizing radiation, monitoring international obligations, participation in monitoring the negotiation process, drafting projects, etc.	VII1 level of education qualification Faculty of Electrical Engineering or Faculty of Technical - Technological Sciences	NO		1

EPA	Law on the Protection against Ionizing Radiation, Nuclear and Radiation Safety	Radioactivity monitoring, development of radioactivity monitoring program, development of information on the state of the environment from the aspect of radioactivity, management of the network of stations for measuring the ambient equivalent of gamma radiation in the air (GDR stations), data exchange through EURDEP platform, ECURIE, USIE, ITDB, JRODOS, monitoring of international obligations, participation in the development of professional bases for regulations, participation in the monitoring of the negotiation process, development of projects, participation in exercises organized by the IAEA and the EC, etc.	VII 1 education qualifications. Faculty of Mathematics and Natural Sciences - Physics (graduate physicist)	NO	1	
		Issuance of permits (notifications, registration, licenses) in the field of ionizing radiation protection, keeping records of issued permits, participation in the development of expert bases for regulations in the field of ionizing radiation protection, radiation and nuclear safety and security	VII 1 education qualifications. Faculty of Mathematics and Natural Sciences - Physics (graduate physicist)	NO		1
		Issuance of permits in the field of non-ionizing radiation protection, development of non-ionizing radiation monitoring programs, development of information based on the implemented non-ionizing radiation monitoring program, preparation of professional bases for drafting regulations in the field of non-ionizing radiation protection	VII 1 education qualifications Faculty of Electrical Engineering or Faculty of Technical Sciences - technical technological	NO	1	

		Issuance of permits in the field of non-ionizing radiation protection, development of non-ionizing radiation monitoring programs, development of information based on the implemented non-ionizing radiation monitoring program, preparation of professional bases for drafting regulations in the field of non-ionizing radiation protection	VII 1 education qualifications Faculty of Electrical Engineering or Faculty of Technical Sciences - technical technological	YES		1
		Database management, data exchange with the International Atomic Energy Agency and the European Commission, maintenance of systems and databases in the field of ionizing radiation, RAIS, EURDEP, ITDB, radon, JRODOS, USIE, ECURIE radioactivity monitoring data, non-ionizing radiation source database, database of issued permits, maintaining a database of occupationally exposed persons in the field of protection against ionizing and non-ionizing radiation, maintaining a database of persons responsible for radiation and / or nuclear safety, maintaining a database of persons responsible for protection against ionizing radiation, maintaining a database and dr.	VII 1 education qualifications Faculty of Mathematics and Natural Sciences)- Informatics Faculty of Electrical Engineering – informatics	NO	1	
AIA	Law on the Protection against Ionizing Radiation, Nuclear and Radiation Safety	Environmental inspector	Graduate engineer physics, electrical engineering, electronics	YES	1	

				YES		1
		Environmental inspector	Graduate engineer Electrical Engineering or Technical –technological sciences	NO		1
MI	Law on the Protection against Ionizing Radiation, Nuclear and Radiation Safety	Participation in drafting regulations in the field of ionizing radiation protection, radiation and nuclear safety and security, drafting approvals for the transport of radioactive materials and sources, radioactive waste and nuclear materials, approval of undertaken plans for practices and / or activities in the field of protection from ionizing radiation, radiation and nuclear safety and security, participation in the development of a national protection	VII 1 education qualifications. Faculty of Mathematics and Natural Sciences - Physics	NO	1	

		and rescue plan in case of radiological and nuclear accidents, participation in the JRODOS platform, USIE, ECURIE, INES, participation in exercises organized by the International Atomic Energy Agency and the European Commission preparation of instructions, information, etc.				
--	--	--	--	--	--	--

16. Taxation

INTRODUCTION

Each EU member state is responsible for managing its own tax policy, which is a fundamental feature of national sovereignty. In the area of taxation, consensual decision-making between Member States continues to apply. However, there are some common rules that, in the spirit of not distorting market competition, prescribe minimum tax rates. Differences in the tax systems of the member states, as well as in the national tax policies they lead, cause discrimination in terms of investments between member states, so a certain tax harmonization has become a necessary condition for the functioning of the EU single market.

Tax policy of Montenegro relies on comprehensiveness of taxpayers (legal and natural persons), low and competitive tax rates and highly selective tax reliefs. The taxation system of Montenegro consists of several types of taxes and other tax levies.

Direct taxes, which are charged and which directly affect the taxpayer's economic performance, wealth or income are: corporate profit tax, personal income tax, real estate taxes, tax on motor vehicles, vessels and aircraft; premium insurance tax, contributions, charges, concessions and fees.

Indirect taxes, which are charged in connection with the activities of production, consumption or trade in goods, are divided as follows: value added tax, excise tax, customs duty, capital transfer tax, sales tax on used motor vehicles, vessels and aircraft.

The structure of tax revenue is dominated by indirect tax, which are value added tax and excise duties, followed by personal income tax and profit tax.

State revenues which belong entirely to the state are: the value added tax, excise duty and income tax.

The tax on personal income and concessions are joint incomes which belong to the state budget (77%) and municipal budgets (23%).

The Ministry of Finance and Social Welfare is responsible for conducting taxation policy, and the responsible department within the Ministry, the Directorate for Tax and Customs System, i.e. the Sub-directorate for Tax System and Tax Policy. The Revenue and Customs Administration, which is part of the Ministry of Finance and Social Welfare, is in charge of implementing the tax policy.

The chapter was opened on 30 March 2015.

1. PLANS AND NEEDS						
1.1. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Direct taxation						
1.	MFSW	Rulebook on the manner of issuance and closer content of the certificate issued by the tax authority to the recipient of interest and royalties	2022/IV	Upon the accession	32003L0049 [F]	
2.	MFSW	Law Amending the Law on Corporate Profit Tax	2023/III	Upon the accession	32009L0133 [F]	
B) Indirect taxation						
3.	MFSW	Law on Excise Duties	2023/IV	Upon the accession	32003L0096 [F] 32008L0118 [F] 31992L0083 [F] 32020L0262 [F] 32020L1151 [F] 32019R2222 [F] 32020D0263 [P]	
4.	MFSW	Law Amending the Law on Value Added Tax	2022/III	2022/IV	32006L0112 [P] 32020D0491 [F]	
5.	MFSW	Law Amending the Law on Value Added Tax	2023/III	Upon the accession	32006L0112 [F] 32020D0491 [F]	
C) Administrative cooperation and mutual assistance						
6.	MFSW	Rulebook on the detailed method of reporting on the accounts of residents of EU Member States, other countries or territories of countries	2022/III	2023/IV	32014L0107 [F]	
7.	MFSW	Rulebook on the method of exchanging information with the competent authorities of the EU Member States, other countries or territories of countries	2022/III	2023/IV	32011L0016 [F]	
8.	MFSW	Rulebook on the detailed method of reporting on the operations of associated enterprises	2022/III	2023/IV	32016L0881 [F]	
9.	MFSW	Law Amending the Law on Tax Administration	2023/III	2023/IV	32010L0024 [F]	

10.	MFSW	Law on Ratification of the Multilateral Agreement of Competent Authorities on Automatic Exchange of Information on Financial Accounts	2022/III	2023/IV	32014L0107 [F]	
2. ADMINISTRATIVE FRAMEWORK						
2.1. NEW INSTITUTIONS / ORGANIZATIONAL UNITS						
2.2. ADMINISTRATIVE CAPACITIES						
Institution	Title of the act	Description	Qualification	RIOS	2022	2023
RCA	Law Amending the Law on Tax Administration	Implementation of competencies defined by the Law within the Central Liaison Office	Lawyer / economist	YES		1
2.3 REQUIRED INFRASTRUCTURE STRENGTHENING						
Institution	Title of the act	Description of infrastructure / technical support	2022	2024 ¹¹		
RCA	Law on Value Added Tax Law on Tax Administration (in the part concerning the exchange of information)	VIES system for VAT data exchange Software procurement			x	

¹¹ The implementation of the integrated IT system will establish an appropriate infrastructure for the application of the EU IT system for the exchange of VAT-related information through the VIES system..

17. Economic and monetary union

INTRODUCTION

The acquis consists of the Treaty on the Functioning of the EU, Protocol no. 4 on the Statute of the European System of Central Banks and the European Central Bank, as well as a number of regulations and decisions. In addition, the provisions of the Stability and Growth Pact, as well as the rules on fiscal control, need to be complied with.

Chapter Economic and Monetary union is divided into two subsections:

1. Monetary policy covers the acquis in the area of central bank independence, prohibition of the public sector financing by the central bank, prohibition of privileged access of the public sector to financial institutions and standards for the use of the euro;
2. Economic policy covers the legal framework in the area of fiscal policy and fiscal control.

Montenegrin legal framework for monetary policy is largely aligned with principles and legislation of the EU relating to independence of the Central bank, prohibition of the public sector financing by the Central bank, prohibition of privileged access of the public sector to financial institutions and standards for the use of the euro, while the legal framework in the area of fiscal policy and control is largely aligned with the relevant EU Directive.

Responsible institutions for the implementation of the EU acquis in this chapter are as follows: Central Bank of Montenegro is responsible for monetary policy, the area of central bank independence, financing of the public sector by the central bank, privileged access of the public sector to financial institutions (partly in the jurisdiction of the Insurance Supervision Agency and the Capital Market Commission) and the standards for the use of the euro; Ministry of Finance and Social Welfare is responsible for economic policy, fiscal policy and control.

This Chapter was opened at the Intergovernmental Conference on 25 June 2018.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Policies						
1.	MFSW	Guidelines for macroeconomic and fiscal policy 2022 – 2025	2022/II	2022-2025	32011L0085 [P] ¹²	
2.	MFSW	Guidelines for macroeconomic and fiscal policy 2023 – 2026	2023/II	2023-2026	32011L0085 [P]	
3.	MFSW	Public Debt Management Strategy 2022-2024	2022/I	2022-2024	32011L0085 [P]	
B) Programmes						
4.	MFSW	Economic Reform Programme 2022 - 2024	2022/I	2022-2024	32011L0085 [P]	
5.	MFSW	Economic Reform Programme 2023-2025	2023/I	2023-2025	32011L0085 [P]	
6.	MFSW	Public Financial Management Reform Program 2022-2026	2022/I	2022-2026	32011L0085 [P]	
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Monetary policy						
1.	MFSW	Law Amending the Law on the Central Bank of Montenegro	2023/I	2023/IV	12012E130 [F] 12012E/PRO/04 [F]	
B) Economic policy						
2.	MFSW	Law Amending the Law on Budget and Fiscal Responsibility	2022/II	2022/III	32011L0085 [P]	
3.	MFSW	Law on Amendments to the Law on Official Statistics and the System of Official Statistics	2022/II	2022/III	32009R0223 [F]	
4.	MFSW	Insurance Law	2022/IV	Date of accession	32009L0138 [F] 32016L0097 [F]	

¹² As these are procedures (Excessive Deficit Procedure and others) within macro-fiscal strategies and plans, this Directive can be applied to Montenegro only on the day of Montenegro's accession to the European Union. In addition, the mentioned EU procedures are applied continuously annually for all member states, when developing macro-fiscal frameworks.

					32011L0089 [P] ¹³ 32014L0051 [P] 32018L0843 [P] 32019R1935 [F] 32019L2177 [P]	
--	--	--	--	--	--	--

¹³ The adoption of the new Insurance Law achieves full compliance with the acquis in this area. However, directives rated P, in addition to insurance, also apply to other areas, so the adoption of the Insurance Law will achieve only partial compliance with these directives (complete only in the provisions relating to insurance).

18. Statistics

INTRODUCTION

The aim of official statistics is to provide quantitative and representative information on the economic, demographic, social and environmental situation in Montenegro, to all users according to an internationally defined methodology and the highest professional standards.

Negotiations under Chapter 18 - Statistics, include the harmonization of Montenegrin legislation with the EU acquis in the field of official statistics, which consists of approximately 350 regulations, directives and recommendations. This area is considered particularly important because the positive changes that will result from a successful negotiation process will result in better quality, availability and credibility of statistics, as a basis for policy making, which will create better conditions for more dynamic social and economic development of Montenegro.

The area of official statistics is represented in the negotiation process as a separate negotiating chapter, but it is also of great importance for other chapters, given the connection with many areas in the negotiations. On the basis of data produced by official statistics, progress in all areas will be measured, and our country's financial obligations to the EU, as well as the EU's financial obligations to us, will be determined.

The area of official statistics is divided into five domains, as follows:

- Demographic and social statistics;
- Macroeconomic statistics, national accounts and structural business statistics;
- Business statistics and prices;
- Statistics on agriculture, forestry, fisheries, environment, registers and classifications;
- Coordination of the statistical system, in accordance with the international methodology and principles of the European Code of Practice.

The main coordinator of the statistical system of Montenegro is the Statistical Office of Montenegro, while the Ministry of Finance and Social Welfare in the field of public debt and deficit statistics and the Central Bank of Montenegro in the field of financial and monetary statistics play a significant role in the process of harmonization with the acquis. In addition to these institutions, other producers of official statistics, which are recognized through the Annual Plan of Official Statistics as well as the five - year Program of Official Statistics, significantly contribute to the harmonization of the acquis in Chapter 18.

Bearing in mind the new Enlargement Methodology, the statistics are in a cluster that brings together the most important, as well as, most challenging chapters in the context of the necessary reforms and implementation of EU standards. According to the new methodology, these chapters will be opened first, but also closed last. Progress in all other clusters will be conditioned by progress in the fundamental cluster in which the Statistics are located. Depending on the priorities greater means of support have been announced, so the position of Statistics as one of the fundamental chapters will contribute to greater support for the further development of this chapter. The fact that Statistics is classified as a fundamental chapter within the most important, but also the most challenging chapters, indicates the need to address key preconditions for further development, which are also challenges for closing the chapter.

Negotiating Chapter 18 was opened on 16 December 2014 at the Intergovernmental Conference in Brussels.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Horizontal measures						
1.	MFSW	Development Strategy of official statistics for the period 2024-2028, with Action Plan	2023/IV	2024 – 2028	32009R0223 [F]	
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) General regulations						
1.	MFSW	Report on the execution of the Annual Plan of Official Statistics for 2021	2022/I	2022/I		
2.	MFSW	Law Amending the Law on Official Statistics and the System of Official Statistics	2022/II	2022/III	32009R0223 [F]	
3.	MFSW	Decree on defining the reference moment of the census and the period of collecting census data	2022/II	2022/II	32017R0712 [F]	
4.	MFSW	Decree on payment to Census participants	2022/II	2022/II		
5.	MFSW	Annual plan of official statistics for 2023.	2022/IV	2023/I	32019R0505 [P] 32019R0516 [P] 32019R0803 [P] 32019R0280 [P] 32017R0881 [P] 31995Y1207(01)[P] 32005R1552 [P] 32006R0198 [P] 32008R0452 [P] 32010R0822 [P] 22008A1119(02)[P] 31998D2179 [P] 32002R2150 [P]	

					32004R0574 [P] 32005R0782 [P] 32005R1445 [P] 32007L0030 [P] 32009R0221 [P] 32009R1185 [P] 32010R0849 [P] 32016R0172 [P] 31991H0141 [P] 31993D0704 [P] 31994Y1230(02) [P] 31996R2223 [P] 31996S2390 [P] 31998R0448 [P] 32000R1897 [P] 32002R1889 [P] 32003L0107 [P] 32003R1059 [P] 32006R0851 [P] 32007R0105 [P] 32007R0833 [P] 32007R1304 [P] 32007R1392 [P] 32008R0011 [P] 32008R0377 [P] 32009L0042 [P] 32009R0400 [P] 32009R0543 [P] 32009R1022 [P] 32009R1200 [P] 32010D0216 [P]	
--	--	--	--	--	--	--

					32010R0202 [P] 32010R0220 [P] 32010R0715 [P] 32011R0031 [P] 32012R1046 [P] 32015R1391 [P] 32015R1557 [P] 32016R2066 [P] 32008R1099 [P] 32013R0147 [P] 32014R1113 [P] 32015D1773 [P] 32016R1952 [P] 31994D0168 [P] 31998D0527 [P] 31998D0715 [P] 31998R0448 [P] 31998R1165 [P] 32000R1500 [P] 32000R2516 [P] 32001R0586 [P] 32001R0995 [P] 32001R2558 [P] 32002D0990 [P] 32002R0113 [P] 32002R1889 [P] 32003R1267 [P] 32005H0881 [P] 32005R0184 [P] 32005R1158 [P] 32005R1161 [P]	
--	--	--	--	--	--	--

					32006R0317 [P] 32006R1503 [P] 32007R0294 [P] 32007R0656 [P] 32007R0657 [P] 32007R1165 [P] 32008R0472 [P] 32008R1178 [P] 32009R0036 [P] 32009R0329 [P] 32009R0707 [P] 32010D0196 [P] 32010R0163 [P] 32010R0860 [P] 32012R0461 [P] 32012R0555 [P] 32016R1013 [P] 31993D0704 [P] 32001D0423 [P] 32001R2163 [P] 32003R0006 [P] 32003R0437 [P] 32003R1358 [P] 32004R0642 [P] 32005R0546 [P] 32007R0158 [P] 32007R0332 [P] 32007R0833 [P] 32007R1304 [P] 32009L0042 [P] 32010D0216 [P]	
--	--	--	--	--	--	--

					32010R0202 [P] 32012D0186 [P] 32012R0070 [P] 32010R0821 [P] 32011R0937 [P] 32012R1083 [P] 32015R2003 [P] 32016R2015 [P] 31999R0530 [P] 31999R1726 [P] 32000R1897 [P] 32000R1916 [P] 32003R0450 [P] 32003R1216 [P] 32003R1980 [P] 32003R1981 [P] 32003R1982 [P] 32003R1983 [P] 32004R0028 [P] 32005R1737 [P] 32006R0676 [P] 32006R0698 [P] 32007R0224 [P] 32008R0377 [P] 32009R1022 [P] 32010R0220 [P] 32012R0062 [P] 32013D0097 [P] 32013R0112 [P] 32013R0141 [P] 32014R1153 [P]	
--	--	--	--	--	--	--

					32015R0245 [P] 32006R1921 [P] 32008R0762 [P] 32009R0216 [P] 32009R0217 [P] 32009R0218 [P] 32010D0076 [P] 32011D0626 [P] 31996L0016 [P] 31997D0080 [P] 31998D0582 [P] 31998R0494 [P] 31999D0799 [P] 32000D2298 [P] 32000R1760 [P] 32000R1825 [P] 32002D1919 [P] 32002R0178 [P] 32003L0107 [P] 32003R1082 [P] 32004R0138 [P] 32005D0288 [P] 32005R0306 [P] 32006D0717 [P] 32006R0909 [P] 32006R1505 [P] 32007R0275 [P] 32007R0333 [P] 32008R1165 [P] 32009R0543 [P] 32009R1200 [P]	
--	--	--	--	--	--	--

					32010R0178 [P] 32010R1033 [P] 32010R1034 [P] 32010R1053 [P] 32010R1099 [P] 32011D0142 [P] 32011R1337 [P] 32014R0887 [P] 32015R1391 [P] 32015R1557 [P] 32017R0949 [P] 31987R2658 [P] 32009R0707 [P] 32011R0312 [P] 32011R0313 [P] 32011R0314 [P] 32011R0315 [P] 32011R0316 [P] 32011R0428 [P] 32011R0447 [P] 32016R1013 [P] 32016R1253 [P] 31993R0696 [P] 32001R0045 [P] 32001R1049 [P] 32002R0204 [P] 32002R0831 [P] 32004D0452 [P] 32006R1104 [P] 32007D1578 [P] 32007R1000 [P]	
--	--	--	--	--	--	--

					32008D0876 [P] 32008R0451 [P] 32008R0763 [P] 32009D0411 [P] 32009R1201 [P] 32010D0373 [P] 32010R0519 [P] 32011R0428 [P] 32017R0543 [P] 32017R0712 [P] 32017R0881 [P] 32015R1330 [P] 32015R1390 [P] 32015R1473 [P] 32015R1517 [P] 32015R1740 [P] 32015R1815 [P] 32016D1711 [P] 32020R0256 [P] 32020R0258 [P] 32020R0405 [P] 32020R0257 [P] 32019R2180 [P] 32019R1700 [P] 32019R2146 [P] 32019R2181 [P] 32019R2241 [P] 32019R2242 [P] 32019R1776 [P] 32019R2240 [P] 32019R0280 [P]	
--	--	--	--	--	--	--

					22020D0345 [P] 22020D0344 [P] 32019R0516 [P] 32019R1681 [P] 32019R1933 [P] 32019R2152 [P] 32020R1197 [P] 32020R1546 [P] 32021R0466 [P] 32020R1642 [P] 32020R2175 [P] 32020R1721 [P] 32020R1640 [P] 32020R0851 [P]	
6.	MFSW	Report on the execution of the Annual Plan of Official Statistics for 2022	2023/I	2023/I		
7.	MFSW	Law on the Census of Agriculture	2023/II	2023/III	32018R1091 [F]	
8.	MFSW	Official Statistics Program for the period 2024-2028	2023/IV	2024/I	32009R0223 [F] 32021R0690 [F]	
9.	MFSW	Annual plan of official statistics for 2024.	2023/IV	2024/I	32009R0223 [F] 32019R0505 [P] 32019R0516 [P] 32019R0803 [P] 32019R0280 [P] 32017R0881 [P] 31995Y1207(01)[P] 32005R1552 [P] 32006R0198 [P] 32008R0452 [P] 32010R0822 [P]	

					22008A1119(02)[P] 31998D2179 [P] 32002R2150 [P] 32004R0574 [P] 32005R0782 [P] 32005R1445 [P] 32007L0030 [P] 32009R0221 [P] 32009R1185 [P] 32010R0849 [P] 32016R0172 [P] 31991H0141 [P] 31993D0704 [P] 31994Y1230(02)[P] 31996R2223 [P] 31996S2390 [P] 31998R0448 [P] 32000R1897 [P] 32002R1889 [P] 32003L0107 [P] 32003R1059 [P] 32006R0851 [P] 32007R0105 [P] 32007R0833 [P] 32007R1304 [P] 32007R1392 [P] 32008R0011 [P] 32008R0377 [P] 32009L0042 [P] 32009R0400 [P] 32009R0543 [P]	
--	--	--	--	--	--	--

					32009R1022 [P] 32009R1200 [P] 32010D0216 [P] 32010R0202 [P] 32010R0220 [P] 32010R0715 [P] 32011R0031 [P] 32012R1046 [P] 32015R1391 [P] 32015R1557 [P] 32016R2066 [P] 32008R1099 [P] 32013R0147 [P] 32014R1113 [P] 32015D1773 [P] 32016R1952 [P] 31994D0168 [P] 31998D0527 [P] 31998D0715 [P] 31998R0448 [P] 31998R1165 [P] 32000R1500 [P] 32000R2516 [P] 32001R0586 [P] 32001R0995 [P] 32001R2558 [P] 32002D0990 [P] 32002R0113 [P] 32002R1889 [P] 32003R1267 [P] 32005H0881 [P]	
--	--	--	--	--	--	--

					32005R0184 [P] 32005R1158 [P] 32005R1161 [P] 32006R0317 [P] 32006R1503 [P] 32007R0294 [P] 32007R0656 [P] 32007R0657 [P] 32007R1165 [P] 32008R0472 [P] 32008R1178 [P] 32009R0036 [P] 32009R0329 [P] 32009R0707 [P] 32010D0196 [P] 32010R0163 [P] 32010R0860 [P] 32012R0461 [P] 32012R0555 [P] 32016R1013 [P] 31993D0704 [P] 32001D0423 [P] 32001R2163 [P] 32003R0006 [P] 32003R0437 [P] 32003R1358 [P] 32004R0642 [P] 32005R0546 [P] 32007R0158 [P] 32007R0332 [P] 32007R0833 [P]	
--	--	--	--	--	--	--

					32007R1304 [P] 32009L0042 [P] 32010D0216 [P] 32010R0202 [P] 32012D0186 [P] 32012R0070 [P] 32010R0821 [P] 32011R0937 [P] 32012R1083 [P] 32015R2003 [P] 32016R2015 [P] 31999R0530 [P] 31999R1726 [P] 32000R1897 [P] 32000R1916 [P] 32003R0450 [P] 32003R1216 [P] 32003R1980 [P] 32003R1981 [P] 32003R1982 [P] 32003R1983 [P] 32004R0028 [P] 32005R1737 [P] 32006R0676 [P] 32006R0698 [P] 32007R0224 [P] 32008R0377 [P] 32009R1022 [P] 32010R0220 [P] 32012R0062 [P] 32013D0097 [P]	
--	--	--	--	--	--	--

					32013R0112 [P] 32013R0141 [P] 32014R1153 [P] 32015R0245 [P] 32006R1921 [P] 32008R0762 [P] 32009R0216 [P] 32009R0217 [P] 32009R0218 [P] 32010D0076 [P] 32011D0626 [P] 31996L0016 [P] 31997D0080 [P] 31998D0582 [P] 31998R0494 [P] 31999D0799 [P] 32000D2298 [P] 32000R1760 [P] 32000R1825 [P] 32002D1919 [P] 32002R0178 [P] 32003L0107 [P] 32003R1082 [P] 32004R0138 [P] 32005D0288 [P] 32005R0306 [P] 32006D0717 [P] 32006R0909 [P] 32006R1505 [P] 32007R0275 [P] 32007R0333 [P]	
--	--	--	--	--	--	--

					32008R1165 [P] 32009R0543 [P] 32009R1200 [P] 32010R0178 [P] 32010R1033 [P] 32010R1034 [P] 32010R1053 [P] 32010R1099 [P] 32011D0142 [P] 32011R1337 [P] 32014R0887 [P] 32015R1391 [P] 32015R1557 [P] 32017R0949 [P] 31987R2658 [P] 32009R0707 [P] 32011R0312 [P] 32011R0313 [P] 32011R0314 [P] 32011R0315 [P] 32011R0316 [P] 32011R0428 [P] 32011R0447 [P] 32016R1013 [P] 32016R1253 [P] 31993R0696 [P] 32001R0045 [P] 32001R1049 [P] 32002R0204 [P] 32002R0831 [P] 32004D0452 [P]	
--	--	--	--	--	--	--

					32006R1104 [P] 32007D1578 [P] 32007R1000 [P] 32008D0876 [P] 32008R0451 [P] 32008R0763 [P] 32009D0411 [P] 32009R1201 [P] 32010D0373 [P] 32010R0519 [P] 32011R0428 [P] 32017R0543 [P] 32017R0712 [P] 32017R0881 [P] 32015R1330 [P] 32015R1390 [P] 32015R1473 [P] 32015R1517 [P] 32015R1740 [P] 32015R1815 [P] 32016D1711 [P] 32020R0256 [P] 32020R0258 [P] 32020R0405 [P] 32020R0257 [P] 32019R2180 [P] 32019R1700 [P] 32019R2146 [P] 32019R2181 [P] 32019R2241 [P] 32019R2242 [P]	
--	--	--	--	--	--	--

					32019R1776 [P] 32019R2240 [P] 32019R0280 [P] 22020D0345 [P] 22020D0344 [P] 32019R0516 [P] 32019R1681 [P] 32019R1933 [P] 32019R2152 [P] 32020R1197 [P] 32020R1546 [P] 32021R0466 [P] 32020R1642 [P] 32020R2175 [P] 32020R1721 [P] 32020R1640 [P] 32020R0851 [P]	
--	--	--	--	--	--	--

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Institution	Title of the act	Description	Qualification	RIOS	2022	2023
MONSTAT	Annual plan of official statistics for 2022.	Work on the collection, processing and dissemination of internationally comparable, reliable and timely data in accordance with the needs of users at the national and international level.	Faculty of Technological Sciences and Technologies	YES	3	
	Annual plan of official statistics for 2023.		Faculty of Social Sciences	YES	3	5
			Faculty of Natural Sciences	YES		3

	Development Strategy of official statistics for the period 2019-2023. Official Statistics Program 2019 – 2023.		Faculty of Agricultural Sciences			2
--	---	--	----------------------------------	--	--	---

2.2 REQUIRED INFRASTRUCTURE STRENGTHENING				
Institution	Title of the act	Description of infrastructure / technical support	2022	2023
MONSTAT	Development Strategy of official statistics for the period 2019-2023. Official Statistics Program 2019 – 2023.	Providing new business premises that meet technical and security standards for the production of official statistics, as well as the preparation and implementation of the Census of Households and Dwellings	X	
		Modernization of IT equipment and IT infrastructure (computers, servers and related hardware, installation and configuration of equipment, software, installation of software and necessary services, modernization of local computer network)	X	
		Improving existing data collection methods and developing new ones in accordance with technical and spatial possibilities, including administrative sources		X
		Creating preconditions for future modernization of the official website of the Statistical Office - improving the dissemination database and creating an application for database administration within MONSTAT	X	
		Considering the possibility of introducing an intranet - collecting requests and considering the needs of the Statistical Office		X

19. SOCIAL POLICY AND EMPLOYMENT

INTRODUCTION

The EU *acquis* in the field of social policy and employment concerns the areas of labour law, health and safety at work, equal treatment of men and women in terms of employment, social protection, social inclusion, employment policies and social dialogue. In addition, there are special rules binding for all Member States of the European Union regarding prohibition of discrimination based on racial and ethnic origin, religion and belief, disability, age and sexual orientation. The most important objectives of the social policy of the European Union are achieving unique and equitable access to basic social services, improving the social security system, high educational level of the labour force, high employment rate with special attention to groups that are underrepresented in the labour market, achieving secure and sustainable income, as well as decent working conditions for women and men.

Chapter 19 includes the following subareas: 1) Labour legislation, 2) Health and safety at work; 3) Social dialogue, 4) Employment policy, 5) European Social Fund, 6) Social inclusion and protection, 7) De-institutionalization, 8) Prohibition of discrimination in employment and social policy and 9) Equality between women and men in employment and social policy.

Coordinator for this chapter is the Ministry of Economic Development, while the following institutions are involved in activities conducted under this chapter: Ministry of Health, Ministry of Justice, Human and Minority Rights, Ministry of Interior, Ministry of Capital Investments, Ministry of Ecology, Spatial Planning and Urbanism, Ministry of Education, Science, Culture and Sport, European Integration Office, General Secretariat of the Government, Administration for Inspection Affairs, Employment Office, Statistical Administration of Montenegro, Agency for Amicable Settlement of Labor Disputes, Labour Fund, Pension and Disability Insurance Fund, Chamber of Commerce, Union of Employers, Trade Unions, Union of Free Trade Unions, NGO Roditelji, NGO Centre for Civic Education, NGO Association for safety at work, NGO Sociological centre of Montenegro SOCEN, NGO Juventas and NGO Association for Democratic Prosperity – Zid.

By developing the Action Plan for gradual alignment of legislation and building of capacities required for implementation and enforcement of the *acquis*, Montenegro fulfilled the condition required for opening this chapter, which was done at the Intergovernmental Conference on **13 December 2016**.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent	Title	Validity period		Acquis	
					Celex (no)	Other
A) Health and Safety at Work						
1.	MED	Strategy for improvement of safety and health at work in Montenegro 2022-2027 with the Action Plan for the Implementation of the Strategy for 2022	2022/II	2022-2027		
2.	MED	Action Plan for the Implementation of the Strategy for improvement of safety and health at work in Montenegro 2022-2027, for 2023	2022/II	2023		
B) Employment Policy						
3.	MED	Plan for Implementation of Youth Guarantee Program	2022/II	2022-2024	32020H1104(01) [P] ¹⁴	
4.	MED	Action plan for Employment for 2023	2022/IV	2023		
5.	MED	Action plan for Employment for 2024	2023/IV	2024		
C) Social Inclusion						
6.	MFSW	Strategy for development of social protection system for the elderly for the period 2022-2026, with Report on the implementation of the Action Plan for the implementation of the Strategy for 2022	2022/II	2022-2026		
7.	MFSW	Strategy for development of social and child protection system for the period 2022 - 2026	2022/II	2022-2026		
8.	MFSW	Strategy for deinstitutionalization 2022-2026 with the Action plan for the implementation of the Strategy for 2023	2022/IV	2022-2026		
D) Anti-discrimination and equal opportunities						
9.	MJHMR	Action Plan for the Implementation of the National Strategy for Gender Equality for the period 2023-2024	2023/I	2023-2024		
10.	MJHMR	Strategy for protection of the disabled persons from discrimination and promotion of equality 2022-2027	2022/II	2022-2027		
11.	MJHMR	Action plan for the implementation of the Strategy for social inclusion of Roma and Egyptians in Montenegro 2021-2025 for the 2022-2023	2022/I	2022-2023	52021AE1689 [F] 32021H0319(01) [F]	EU Roma strategic

¹⁴ Assessment on the need for further alignment of the related regulations will be prepared according to the Plan for Implementation of the Youth Guarantee

					52020IP0229 [F] 52020IR5625 [F] 52020IE1950 [F]	framework 2020 – 2030.
12.	MJHMR	Action Plan for the Implementation of the Strategy for protection of the disabled persons from discrimination and promotion of equality for 2022-2023	2022/II	2022-2023		
13.	MJHMR	Action Plan for the Implementation of the Strategy for improvement of the quality of life of LGBTI persons in Montenegro for the period 2019-2023, for 2022, with the Report on the implementation of the Action Plan for 2021	2022/I	2022		
14.	MJHMR	Action Plan for the Implementation of the Strategy for Improvement of the quality of life of LGBTI persons in Montenegro for the period 2019-2023, for 2023, with the Report on the implementation of the Action Plan for 2022	2023/I	2023		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Labour Law						
1.	MED	Law Amending the Labour Law	2022/III	2022/IV	32019L1158 [F] 32019L1152 [F]	
B) Health and Safety at Work						
2.	MESPU	Law on Protection Against Ionizing Radiation, Radiation and Nuclear Safety and Security	2022/IV	2024/IV	32013L0059 [P] 32013L0051 [P] 32011L0070 [P] 32009L0071 [P] 32014L0087 [P] 32006L0117 [P] 32005R0302 [P] 32008D0312 [P] 31989L0391 [P] 31992L0058 [P] 31989L0654 [P] 31989L0656 [P]	

					32009L0104 [P] ¹⁵	
C) Employment policy						
3.	MED	Law amending the Law on employment brokerage and unemployment-based rights	2022/IV	2023/I		
D) Social Inclusion						
4.	MED	Law on Professional Rehabilitation and Employment of Persons with Disabilities	2022/III	2023/I	32000L0078 [F]	
5.	MFSW	Law on social and child protection	2022/IV	2023/I		
6.	MFSW	Law on single body for disability assessment	2022/II	2023/III		
7.	MFSW	Law on privileged travel of persons with disabilities	2022/IV	2023/I		
E) Anti-discrimination and Equal Opportunities						
8.	MJHMR	Law on Prohibition of Discrimination	2022/II	2022/IV	32004L0113 [F] 32000L0078 [F] 32000L0043 [F] 31979L0007 [F] 32006L0054 [F]	
9.	MJHMR	Law on legal recognition of the gender based upon self-determination	2023/IV	N/A		

¹⁵ Full alignment of the Law on Protection Against Ionizing Radiation, Radiation and Nuclear Safety and Security with listed EU acquis in this field will be achieved by adoption of bylaws, strategic and plan documents, for which 112 legal bases have been defined within the Proposal of the Law. As agreed, this document will be considered by the European Commission.

2. ADMINISTRATIVE FRAMEWORK

OPENING BENCHMARK: Action plan for gradual alignment with the EU acquis and establishment of necessary capacities for implementation of the EU acquis. Documents which define the need for strengthening of the capacities: Action plan, Progress Reports 2011 – 2015, Screening Report

CLOSING BENCHMARKS:

Montenegro amends the Law on Labour and the Law on Safety and Health at Work in order to align its legislation in the fields of labour law and health and safety at work with the acquis, and demonstrates that adequate administrative structures and enforcement capacity will be in place by the time of accession to implement correctly the acquis on labour law and health and safety at work, particularly through strengthening of the labour inspection system

Montenegro amends the laws on non-discrimination and equality between women and men in employment and social policy in order to align its legislation in these fields with the acquis, and demonstrates that adequate administrative structures, particularly the required equality body, the Ombudsman, administrative and enforcement capacities will be in place by the time of accession.

Montenegro strengthens administrative capacities to ensure effective implementation and effective enforcement of all legislation and policy frameworks in the areas of employment and social policies, including planning and operational capacities, to ensure the effective dialogue between social partner organisations as well as to ensure future management of the ESF.

2.1. ADMINISTRATIVE CAPACITIES

Inst.	Title of act	Description	Qualifications	RIOS	2022	2023
MER	Labour Law	Labour and Employment Directorate - Department for Work Relations	VII 1 level of education – Law faculty	YES	1	
AIA	Law on Protection and Safety at Work	Labour Inspection Department, labour inspector for safety and health at work	VII1 qualification level of education – technic – technology sciences, natural sciences – physics, chemistry; Medical Faculty, at least two years of experience, professional exam for the work in state administration, computer skills.	YES	2	3
AIA	Labour Law	Labour Inspection Department, labour inspector for work relations and employment	VII1 qualification level of education - social sciences, law, at least two years of experience, professional exam for the work in state administration, computer skills.	YES	2	3
AIA	Law on social and child protection	Inspector for social and child protection	social sciences faculty	YES		1

143/222

EO	Law on Employment and Exercise of Rights Pertaining to Unemployment Insurance	Employment Office of Montenegro	social sciences, natural or technic - technology faculty, VI or VII1 level of education IV1 qualification level of education	YES	30	28
MFSW	Law on social and child protection	Directorate for Social and Child Protection	social sciences faculty	YES	19	
ZSDZ	Law on social and child protection	Development and professional support department	Graduate sociologist, psychologist or social worker, or defectologist, pedagogue (with experience in research affairs)	NO	4	2

20. Enterprise and Industrial Policy

INTRODUCTION

The European Union emphasises entrepreneurship and industrial policy as one of priorities for the future of European economy and sets out three main policies defining this chapter: entrepreneurial policy, industrial policy and sectoral policies that aim to increase market competitiveness. The main objective of this chapter is the promotion of entrepreneurial spirit of the companies, competitiveness of the Montenegrin industry, as well as capacities and competitiveness of business entities at the market, while ensuring market, technological-technical, financial, administrative and organisational adjustments along with overall adaptation to structural changes, along with creating of favourable business environment within the EU. According to guidelines of the Europe 2020 strategy for growth and employment, the aforementioned principles aim to create better business environment, increase national and foreign investments, improve small and medium sized enterprises (SMEs), increase industrial production and strengthen competitiveness. European Union, through numerous programmes on financial assistance aimed at boosting entrepreneurship, innovation and industry, promotes programmes which can facilitate the process of starting business, improving the business of the existing ones as well as possibility for creating new jobs.

Chapter 20 is divided into several sub-areas, namely: industrial policy, small and medium sized enterprises, innovation policy, improvement of business environment, Directive on combating late payment in commercial transactions, tourism, construction and air and maritime industry.

The following institutions are involved in the Working group for chapter 20: Ministry of Economic Development, European Integration Office, Ministry of Education, Science, Culture and Sport, Ministry of Ecology, Spatial Planning and Urbanism, Ministry of Finance and Social Welfare, Ministry of Agriculture, Ministry of Defence, Ministry of Capital Investments, Ministry of Public Administration, Digital Society and Media, Central Bank of Montenegro, Forestry and Water Management, Ministry of Health, Parliament of Montenegro, Investment and Development Fund of Montenegro, Institute for Entrepreneurship and Economic Development, Statistical Office of Montenegro, Craft Chamber of Montenegro, Union of Municipalities of Montenegro, Faculty of Economics of the University of Montenegro, Montenegrin Employers Union and Montenegro Business Alliance.

Chapter 20 – Enterprise and Industrial Policy was opened on 18 December 2013, at the Intergovernmental Conference which took place in Brussels.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Industrial policy						
1.	MED	Action Plan for the implementation of Industrial Policy of Montenegro 2019-2023, for 2023	2023/II	2023		
B) Small and medium-sized enterprises						
2.	MED	Strategy for development of micro, small and medium sized enterprises 2023-2027	2023/II	2023-2027		
3.	MED	Action plan for implementation of the Strategy for development of micro, small and medium sized enterprises 2023-2027, for 2023-2024	2023/II	2023-2024		
4.	MED	Action Plan for the implementation of the Strategy for Lifelong Entrepreneurial Learning for 2022-2023	2023/II	2023-2024		
5.	MED	Action plan for Strategy for development of Women Entrepreneurship 2021-2024, for 2023-2024	2023/II	2023-2024		
C) Innovation policy						
6.	MED	Action plan for implementation of the Operational Programme for the implementation of the Smart Specialisation Strategy 2021-2024, for 2023-2024	2023/II	2023-2024		EU-40 [F]
7.	MESCS	Road Map for research infrastructure (2022-2025)	2022/I	2022-2025		EU-30 [F]
D) Tourism						
8.	MED	Tourism Development Strategy of Montenegro 2022-2026, with Action plan	2022/I	2022-2026		
9.	MED	Nautical Tourism Development Programme of Montenegro 2023-2025, with Action plan	2022/IV	2023-2025		
10.	MED	Sport Tourism Development Programme of Montenegro 2023-2025, with Action plan	2022/IV	2023-2025		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Tourism						
1.	MED	Law on Tourism and Hospitality	2022/I	2022/II	32015L2302[F]	
B) Construction						
2.	MESPU	Law on Amendments to the Law on Construction Products	2023/IV	2024/I	32011R0305[F]	

C) Directive on combating late payments in commercial transactions						
3.	MFSW	Law on Amendments to the Law on Deadlines for the Settlement of Financial Liabilities	2021/IV	2022/I	32011L0007 P]	

21. Trans-European Networks

INTRODUCTION

Through the implementation of the acquis in chapter Trans-European Networks, the European Union provides financial assistance in construction of Trans-European transport, energy and telecommunication networks, by ensuring that certain funds are provided through cohesion funds and other financial instruments. The aim of establishing and developing Trans-European networks and improvement of a proper interconnection and interoperability between national networks is to take full advantage of the internal market and to contribute to economic growth and creation of new jobs in the European Union.

Chapter 21 - Trans-European Networks is part of the Cluster - Green Agenda and sustainable connectivity.

Trans-European networks include:

- Trans-European transport network (TEN-T), which covers road and intermodal transport, waterways and sea ports, air transport, as well as the network of European high-speed railways;
- Trans-European energy network (TEN-E), which covers the sector of electricity and gas, and
- Trans-European telecommunication network (e-TEN), covering telecommunication network set up as services.

The Trans-European energy network (TEN-E) is a network of energy systems in the European Union, with the aim of ensuring a secure supply of energy and energy products and expanding the energy market. TEN-E covers the electricity and gas sector. Montenegro is a member of the Energy Community - an organization established by the Treaty on the Establishment of the Energy Community, which has been in force since July 2006.

The Energy Community is an international organisation, which brings together the European Union and its neighbours to create an integrated pan-European energy market.

The key objective of the Energy Community is to extend the EU internal energy market rules and principles to countries in South East Europe, the Black Sea region and beyond through a legally binding framework.

In accordance with the relevant EU regulations, the Energy Community adopts lists of projects of interest to the Energy Community (PECI) and lists of projects of mutual interest between the Contracting Parties of the Energy Community and the Member States of the European Union (PMI).

Montenegro is a member of the International Telecommunication Union (ITU) and respects all its directives and standards. Also, Montenegro is a member of the European Conference of Postal and Telecommunications Administrations (CEPT), the Body of European Regulators for Electronic Communications (BEREC) and the European Telecommunications Standards Institute (ETSI).

In accordance with the strategic goals, activities are being carried out to improve electronic communications networks and services, continuous development of broadband Internet access, adoption of new regulations in line with EU directives, implementation of broadcasting policy and digital integration of the Western Balkans.

The current priority is to improve the roads and rail links included in the SEETO and to improve the energy transmission system. The challenges in harmonization have been identified in the part of intelligent transport systems (ITS), as well as in terms of their implementation, bearing in mind that this is a very expensive technology that is only partially applied in the region. Also, it should be kept in mind that Montenegro lacks experience and appropriate structures in the field of ITS to coordinate and manage the introduction of ITS, especially in the sectors of road and rail transport. When it comes to Trans-European energy networks, challenges have been identified in the part of transposition of the Regulation 347/2013, for the transposition and implementation of which expert support is needed.

Institutions in charge of work in this chapter are Ministry of Capital Investments, Montenegrin Electricity Transmission System JSC, Energy and Water Regulatory Agency, the Ministry of Economic Development is responsible for the telecommunications sector, and the independent regulatory body is the Agency for Electronic Communications and Postal Services.

The chapter was opened on 22 June 2015, at the Intergovernmental Conference in Luxembourg.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Trans-European transport network						
1.	MCI	Update of the Transport Development Strategy 2019-2035 in accordance with the Strategy for Sustainable and Smart Mobility for the Western Balkans	2023/IV	2024-2035		
2.	MCI	Program for construction, reconstruction, maintenance and protection of main and regional roads for 2022 with the Report on the implementation of the Program for 2021	2022/I	2022		
3.	MCI	Program for construction, reconstruction, maintenance and protection of main and regional roads for 2023 with the Report on the implementation of the Program for 2022	2023/I	2023		
4.	MCI	Medium-term Program of construction, reconstruction, maintenance and protection of public roads	2022/IV	2023-2026		
B) Trans-European telecommunication network						
5.	MED	The National Plan for the Development of Next Generation Networks	2022/IV	2023-2027		
6.	MED	Strategy for the introduction of 5G mobile communication networks in Montenegro	2022/IV	2023-2027		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Trans-European transport network						
1.	MCI	Decision determining amount of annual fee for use of roads when registering motor road vehicles, tractors and trailers	2023/IV	2023/IV	31999L0062 [F]	
2.	MCI	Rulebook on road toll	2022/I	2022/I	31999L0062 [F] 32006L0038 [F] 32011L0076 [F]	
3.	MCI	Law on Railways	2022/II	2022/IV	32012L0034 [P] 32007R1370 [F] 32007R1371 [F]	

					32010R0913[P] ¹⁶	
4.	MCI	Rulebook on authorised types of vehicles	2023/IV	2023/IV	32021D0701[F]	
5.	MCI	Rulebook Amending the Rulebook on TSI locomotives and coaches	2023/IV	2023/IV	32021R0541[F]	
6.	MCI	Rulebook on TSI TAF	2023/IV	2023/IV	32020R0387[F]	
B) Trans-European energy network						
7.	MCI	Law on Cross-Border Energy Infrastructural Projects	2022/II	2022/III	32013R0347 [F] 32020R0389 [F]	
C) Trans-European telecommunication network						
8.	MED	Law on Electronic Communications	2022/IV	2023/I	32018L1972 [F] 32014L0061 [F] 32019R2243 [F] 32020H2245 [F] 32020R0911[P] ¹⁷ 32020R1070[P] ¹⁸ 32020H1307[P] ¹⁹	

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Institution	Title of the act	Description	Qualification	RIOS	2022	2023
MCI	Law on cross-border energy infrastructural projects	Realization of obligations in the part of Trans-European Energy Networks (TEN-E) and the Connecting Europe Facility (CEF) in the field of energy and energy efficiency	VII1 level of education qualification, Faculty of Technical and Technological Sciences - Electrical Engineering, electronics	YES	1	

¹⁶ The act can't be completely transposed because these are EU Freight Corridors and we can only transpose as much as is allowed for the country of the Western Balkans. The conditions for these crossroads are very strict and the requirements through the law we only open the possibility for our railways to run for freight corridors.

¹⁷ See chapter 10 – Information society and media

¹⁸ See chapter 10 – Information society and media

¹⁹ See chapter 10 – Information society and media

Institution	Title of the act	Implementation	RIOS		2022	2023
		Name of the new organizational unit	Qualification	Defined by Rulebook		
MED	Law on Electronic Communications	The Broadband Office informs citizens and enterprises on the development and implementation of broadband access in the country. BCO also provides technical support regarding the setup of broadband networks, which includes ways to invest effectively in broadband projects with the support of European funds in combination with financial instruments where possible, including information on rules and state aid procedures.		YES	x	

22. Regional policy and coordination of structural instruments

INTRODUCTION

Regional policy and coordination of structural instruments is a part of EU policy related to issues of financial support to countries and regions of the European Union. The goal of this policy is aimed at ensuring adequate financial support for financing projects for development of infrastructure, providing incentives for industry and employment, all with a view to further economic developing of underdeveloped regions in the EU, equalising regional development and strengthening regional competitiveness. Regional policy programmes are financed from the European Structural and Investment Funds (ESI funds), namely the European Regional Development Fund and European Social Fund and (for some Member States) from the Cohesion fund. European Regional Development Fund (ERDF) is the main instrument of the EU for the implementation of regional policy measures. Funds from the ERDF are aimed at financing projects in order to bridge the gap between the EU regions and strengthen economic and social cohesion. The European Social Fund (ESF) is the instrument for the implementation of EU policy in the area of employment and human resources development. Cohesion Fund provides financial support for the implementation of projects in the area of environmental protection and projects which will help development of Trans-European Network for transport and energy.

EU acquis and practice in implementation of Chapter 22 define six basic areas: (1) Legislative framework; (2) Institutional framework; (3) Administrative capacity; (4) Programming; (5) Monitoring and Evaluation and 6) Financial Control and Management. The EU acquis that refers to this chapter consists of framework and implementing regulations, which do not require transposition into the national legislation.

Legislative framework defines the necessity for multi-annual programming at the national and local level, multi-annual budget, as well as creating the preconditions that will enable co-financing at the national and local level. The use of ESI funds requires the establishment of an appropriate institutional framework, with a clear definition of responsibilities and relations of all elements of the structure at the national and local level. Important precondition for effective use of ESI funds requires the existence and continued development of administrative capacity that must be present in all relevant structures. Programming process includes the preparation of strategic documents (Partnership Agreement in the area of ESI funds and Operational Programmes), including ex-ante evaluations. Efficient functioning of the entire system involves the establishment of an appropriate system for monitoring and evaluating, which requires the establishment of structures and procedures for the evaluation in various institutions/bodies, as well as development of a comprehensive and computerized Management Information System (MIS). Also, it is necessary to establish a special framework for financial management and control, including audit.

Negotiating Chapter 22 - Regional policy and Coordination of Structural Instruments was officially opened on 20 June 2017.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Programming						
1.	MED	Regional Development Strategy of Montenegro 2022-2027	2022/II	2022-2027		
2.	MED	Action plan for the implementation of the Regional Development Strategy of Montenegro 2022-2027 for 2023	2023/I	2023		
3.	MFSW	Development directions of Montenegro 2022 - 2025	2022/III	2022-2025		

23. Judiciary and Fundamental Rights

INTRODUCTION

Negotiating chapter 23 is dedicated to judiciary and fundamental rights. Regulations and standards related to this chapter refer to strengthening independence, impartiality and professionalism in the judiciary, fight against corruption, as well as protection and strengthening of fundamental rights. In accordance with this division of standards, division into sub-areas has been made as well. Thus, the negotiating chapter 23 is divided into the following sub-areas: judiciary, fight against corruption (prevention and repression) and fundamental rights.

In accordance with the new approach in negotiations with the EU, the development of Action Plan was set as the first opening benchmark in this chapter for Montenegro. The Government of Montenegro adopted the Action Plan on 27 June 2013 and adapted it subsequently on 19 February 2015. The Action Plan was prepared in accordance with recommendations from the Screening Report, in such a way that recommendations are set as objectives, which will be achieved through implementation of specific measures. The Action Plan and its structure follow the above division of chapter by sub-areas. As annex to the adapted Action Plan for Chapter 23, the Operational Document for Preventing Corruption in Special Risk Areas was adopted in July 2016. Most of the measures in the Action Plan and the accompanying annex relate to establishment of legislative and institutional framework and have been largely implemented to date.

When it comes to judiciary, the following institutions are relevant for the implementation of measures from the Action plan: Ministry of Justice, Human and Minority Rights, State Prosecutor's Office, courts, Judicial Council, Prosecutorial Council, Parliament, Bar Association, Centre for Training in Judiciary and State Prosecution. In the area of anti-corruption, the key institutions and bodies in addition to the State Prosecutor's Office and courts are: Agency for Prevention of Corruption, Ministry of Interior, Ministry of Finance and Social Welfare, Ministry of Education, Science, Culture and Sport, Ministry of Health, Ministry of Public Administration, Digital Society and Media, State Property Administration, State Audit Institution, Privatisation Council. When it comes to fundamental rights, the key institutions are: Protector of Human Rights and Freedoms (Ombudsman), Ministry of Justice, Human and Minority Rights, Ministry of Education, Science, Culture and Sports, Agency for Personal Data Protection and Free Access to Information, and Commission to monitor the actions of competent authorities in investigating cases of threats of violence against journalists, murders of journalists and attacks on media assets. Support for all these sub-areas of Chapter 23 is provided by eight NGO sector representatives in the Working Group for Chapter 23.

Chapter 23 - Judiciary and Fundamental Rights was officially opened on 18 December 2013, at the Intergovernmental Conference in Brussels.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
No.	Competent Authority	Title	Period of Validity		EU Acquis	
					Celex No.	Other
A) Fight against corruption						
1.	ACA	Strategic Plan of the Agency for the Prevention of Corruption 2022-2024	2022/II	2022-2024.		
B) Fundamental rights						
2.	MFSW	National Document for the Implementation of the Council of Europe Convention on Combating Violence against Women and Domestic Violence (Istanbul Convention)	2022/I	2021-2025		
3.	MJHMR	Action plan for the implementation of the National Strategy for Gender Equality 2021-2025, for the period 2023-2024	2023/I	2023-2024		
4.	MJHMR	Strategy for Execution of Criminal Sanctions 2022-2026 and the Action Plan for the Implementation of the Strategy for the Execution of Criminal Sanctions for 2022-2023	2022/III	2022-2026		
5.	MJHMR	Action plan for the implementation of the Minority Policy Strategy 2019-2023 for 2023	2023/I	2023		
6.	MJHMR	Action plan for the implementation of the Strategy for Social Inclusion of Roma and Egyptians 2021-2025, for the period 2022-2023	2022/I	2022-2023	52021AE1689 [F] 32021H0319(01)[F] 52020IP0229 [F] 52020IR5625 [F] 52020IE1950 [F]	EU Roma Strategic Framework 2020-2030
7.	MJHMR	Strategy for the Protection of Persons with Disabilities from Discrimination and the Promotion of Equality 2022-2027	2022/II	2022-2027		
8.	MJHMR	Action Plan for 2022-2023 Strategies for the Protection of Persons with Disabilities from Discrimination and the Promotion of Equality 2022-2027	2022/I	2022-2023		
9.	MJHMR	Action Plan for the implementation of the Strategy for Improving the Quality of Life of LGBTI Persons in Montenegro for the period 2019-2023, for 2022, with the Report on the Implementation of the Action Plan for 2021	2022/I	2022		
10.	MJHMR	Action Plan for the implementation of the Strategy for Improving the Quality of Life of LGBTI Persons in Montenegro for the period 2019-2023, for 2023, with the Report on the implementation of the Action Plan for 2022	2023/I	2023		
11.	MPADSM	Media Strategy 2021-2025, with Action Plan for 2021-2022	2022/II	2021-2025		
C) Cooperation with NGOs						

158/222

12.	MPADSM	Strategy of cooperation between state administration bodies and non-governmental organizations with the Action Plan for the period 2022-2026	2022/II	2022-2026		
1.2. LEGISLATIVE FRAMEWORK						
No.	Competent Authority	Title	Period of Validity	Implementation	EU Acquis	
					Celex No.	Other
A) Judiciary						
1.	MJHMR	Law on Amendments to the Criminal Procedure Code	2022/II	2022/III	32016L0343 [F]	
2.	MJHMR	Law on Amendments to the Law on the Judicial Council and Judges	2022/III	2022/IV		
3.	MJHMR	Law on Amendments to the Law on the State Prosecutor's Office	2022/IV	2022/IV		
B) Fight against corruption						
4.	MJHMR	Law on the Origin of Property	2022/I	2022/II	32014L0042 [F] 32005F0212 [F] 32007D0845 [F]	
5.	MJHMR	Law on Lustration	2022/IV	2023/I		
6.	MJHMR	Law on Lobbying	2022/I	2022/II		
C) Fundamental rights						
7.	MJHMR	Law on Prohibition of Discrimination	2022/II	2022/IV	32004L0113 [F] 32000L0078 [F] 32000L0043 [F] 31979L0007 [F] 32006L0054 [F]	
8.	MJHMR	Law on Legal Recognition of Gender Based on Self-Determination	2023/IV	2024/IV		
9.	MJHMR	Law on Amendments to the Law on Free Legal Aid	2022/IV	2022/IV		
10.	MJHMR	Law on Amendments to the Law on Protection from Domestic Violence	2022/IV	2023/I		Council of Europe Convention on Combating Violence against Women and

159/222

						Domestic Violence (Istanbul Convention)
11.	MI	Law on Personal Data Protection	2022/IV	6 months from the date of entry into force	32016R0679 [F]	
12.	MI	Law on Personal Data Protection for Bodies Dealing with Prevention, Investigation and Prosecution of Perpetrators of Criminal Offenses and Execution of Criminal Sanctions	2022/IV	6 months from the date of entry into force	32016L0680 [F]	
13.	MPADSM	Law on Audio-Visual Media Services	2022/II	2023/I	32018L1808 [F] 52020XG1207(01)[F]	
14.	MPADSM	Law on Amendments to the Law on Media	2022/II	2023/I	52020XG1207(01)[F]	
15.	MPADSM	Law on Amendments to the Law on National Public Broadcaster Radio and Television of Montenegro	2022/II	2023/I	52020XG1207(01)[F]	
16.	MED	Law on Professional Rehabilitation and Employment of Persons with Disabilities	2022/III	2023/I	32000L0078 [P]	
D) Cooperation with NGOs						
17.	MPADSM	Law on Amendments to the Law on Non-Governmental Organizations	2022/III	8 days from the date of publication in the Official Gazette		

2. ADMINISTRATIVE FRAMEWORK

INTERIM BENCHMARK:

7) Strengthen administrative capacity of the Judicial and Prosecutorial Council allowing their professional, accountable, transparent and impartial functioning.

26) Montenegro amends its current legislation regulating the financing of political parties, provides that it is fully in line with the GRECO recommendations and strengthens administrative capacity and independence of the supervisory authorities. Montenegro provides an initial track record on the correct implementation of the law, including application of deterrent sanctions where required.

Documents emphasizing the needs for strengthening administrative capacity: Action Plan for Chapter 23.

2.1 INSTITUTIONS

Not planned.						
Inst.	Title of the act	Description	Qualification	RIOS	2022	2023
2.2 ADMINISTRATIVE CAPACITIES						
ACA	Strategic Plan of the Agency for the Prevention of Corruption 2022-2024	Implementation of the activities of the Strategic Plan of the Agency for the Prevention of Corruption 2022-2024	HE VII-1	YES	21	/
PC	Law on the State Prosecutor's Office	Professional support to the work of the Prosecutorial Council	HE VII-1	YES	1	/
			SE IV-1	YES	1	/
			HE VII-1	YES	/	1
			HE VII-1	YES	/	1
MI	Law on Personal Data Protection	For the purpose of the new authorities that the Agency for Personal Data Protection and Free Access to Information received by adopting new laws.	Graduate Information Engineer	NO	/	5
			Law graduate		/	10
MJHMR	Gender Equality Strategy 2021-2025 with the Action Plan 2021-2022	Directorate for Gender Equality	VII-1 level of qualification of education - faculty in the field of social sciences	YES	5	/
	Monitoring the implementation of the Law on Gender Equality in the implementation of gender equality policy - Integrating the gender perspective into public policies	Directorate for Gender Equality	VII-1 level of qualification of education - faculty in the field of social sciences	NO	1	/

MJHMR	Strategy for improving the quality of life of LGBTI people for the period 2019-2023 with the 2022 Action Plan	Directorate for Anti-Discrimination Policies	VII-1 level of qualification of education - faculty in the field of social sciences	YES	4	
	Drafting a new Draft Law on Prohibition of Discrimination and monitoring implementation			NO	2	
MJHMR	Drafting of a new Law on Legal Gender Recognition for Transgender Persons on the Basis of Self-Determination					
MJHMR	Law on Minority Rights and Freedoms	Directorate for National and Ethnic Minorities	VII-1 level of qualification of education - faculty in the field of social sciences	NO	1	0

			VII-1 level of qualification of education - faculty in the field of social sciences		0	1
MJHMR	Strategy for the Protection of Persons with Disabilities from Discrimination and the Promotion of Equality 2022-2027	Directorate for Protection and Equality of Persons with Disabilities	VII-1 level of qualification of education - faculty in the field of social sciences	YES	5	
MJHMR	Law on the Origin of Property Law on Lustration Law on Lobbying Code of Criminal Procedure Law on Amendments to the Law on Protection from Domestic Violence	Directorate for Criminal Legislation	VII-1 level of qualification of education	YES	2	
MJHMR	Action plan for the implementation of the Strategy for Social Inclusion of Roma and Egyptians 2021-2025, for the period 2022-2023	Monitoring and implementation of the Action Plan for the implementation of the Strategy for Social Inclusion of Roma and Egyptians 2021-2025, for the period 2022-2023	VII-1 level of qualification of education - faculty in the field of social sciences IV-1 level of qualification of education	YES	2	/
MJHMR	Law on Courts Law on the Judicial Council and Judges Law on the State Prosecutor's Office Law on Free Legal Aid Law on Trainees in Courts and the State Prosecutor's Office and the Bar Exam Law on Notaries	Development and monitoring of the implementation of strategic documents in the field of justice. Monitoring the process of harmonization of regulations with UN, CoE and EU standards and regulations in the field of justice.	Head – VII-1 level of education qualification (Faculty of Law)	YES	/	1
			Independent advisor I – VII-1 level of education qualification (Faculty of Law)	YES	2	/

	Law on Public Executors Law on Court Experts Law on Interpreters	<p>Drafting of laws and bylaws in the field of organization of justice and professions in the function of justice.</p> <p>Analysis of the effects of the application of laws and bylaws.</p> <p>Inspection supervision in relation to administrative affairs in courts and the State Prosecutor's Office.</p> <p>Supervision over the legality of performing the duties of notaries and public executors.</p> <p>Administrative supervision over the work of interpreters.</p> <p>Tasks related to the preparation and conduct of negotiations on Montenegro 's accession to the EU for the purposes of the negotiation chapter 23.</p>	<p>Independent Advisor III – VII-1 level of education qualification (Faculty of Law)</p> <p>Judicial Inspector – VII-1 level of education qualification (Faculty of Law)</p>	<p>YES</p> <p>YES</p>	<p>1</p> <p>1</p>	<p>/</p> <p>1</p>
MJHMR	Strategy for the Execution of Criminal Sanctions 2022-2026 and the Action Plan for the Implementation of the Strategy for the Execution of Criminal Sanctions for 2022-2023	In order to implement the activities and measures from the strategic document	VII-1 level of qualification of education - faculty in the field of social sciences	YES	4	4

DECS	Strategy for the Execution of Criminal Sanctions 2022-2026 and the Action Plan for the Implementation of the Strategy for the Execution of Criminal Sanctions for 2022-2023	In order to implement the activities and measures from the strategic document	III, IV, V, VI, VII level of qualification of education	YES	80 (based on work contract) 27 (permanent employment)	53 (based on work contract) 20 (permanent employment)
------	---	---	---	-----	--	---

24. Justice, Freedom and Security

INTRODUCTION

The main objective of implementation of activities identified under Chapter 24 – Justice, Freedom and Security is to facilitate the free movement of people, while guaranteeing their safety. Such a wide framework includes a large number of issues, which are divided into the following sub-areas: migration, asylum, visa policy, external borders and Schengen, judicial cooperation in civil and criminal matters, police cooperation and fight against organised crime, fight against terrorism, cooperation in the field of drugs, customs cooperation and counterfeiting of the euro.

In accordance with the new approach in the negotiations on accession to the EU, which implies that negotiating chapters 23 and 24 are among the first ones to be opened and the last ones to be closed, Montenegro was assigned with drafting the Action Plan as the opening benchmark in Chapter 24. The Government of Montenegro adopted the Action Plan on 27 June 2013 and later adjusted it on 19 February 2015. The Action Plan was drafted in line with the recommendations from the Screening Report, in the way that the recommendations were used as objectives, to be realized by setting specific measures. The Action Plan and its structure follows the abovementioned division of chapters in areas.

The following institutions are holders of activities in Chapter 24: the Ministry of Interior, Ministry of Justice, Human and Minority Rights, Ministry of Foreign Affairs, Ministry of Health, Ministry of Finance and Social Welfare, Ministry of Economic Development, Ministry of Ecology, Spatial Planning and Urbanism, Environmental Protection Agency, Administration for Inspection Affairs, Cadastre and State Property Administration, Revenue and Customs Administration, Supreme Court of Montenegro and the State Prosecution. Support in all listed sub-areas of Chapter 24 is also given by four representatives of the civil sector in the Working Group for Chapter 24.

Chapter 24 – Justice, Freedom and Security was officially opened at the Inter-Governmental Conference in Brussels on 18 December 2013.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No (link)	Other
A) Migration						
1.	MI	2023-2024 Action Plan for the Implementation of the Strategy on Migration and Reintegration of Returnees in Montenegro, with the Report on the Implementation of the 2022 Action Plan for the Implementation of the Strategy on Migration and Reintegration of Returnees in Montenegro	2023/I	2023-2024	32020D2165 [F] 52020XC1001(01) [F] 32020H1366 [F]	
B) External Borders and Schengen						
2.	MI	2022 Action Plan for the Implementation of the Integrated Border Management Strategy, with the Report on the Implementation of the 2021 Action Plan for the Implementation of the Integrated Border Management Strategy	2022/I	2022	32020D2165 [F]	
3.	MI	2022 Action Plan for the Implementation of the Schengen Action Plan, with the Report on the Implementation of the 2021 Action Plan for the Implementation of the Schengen Action Plan	2022/I	2022	32020D2165 [F]	
C) Police Cooperation and Fight against Organized Crime						
4.	MI	2022 Action Plan for the Implementation of the 2019-2024 Strategy for Combating Trafficking in Human Beings, with the Report on the Implementation of the 2021 Action Plan for the Implementation of the 2019-2024 Strategy for Combating Trafficking in Human Beings	2022/I	2022		
5.	MI	2022-2025 National Strategy for Fight against Transnational Organized Crime, with the 2022-2023 Action Plan	2022/II	2022-2025		
D) Fight against Terrorism						
6.	MI	2022 Action Plan for the Implementation of the 2020-2024 Strategy for the Prevention and Suppression of Radicalization and Violent Extremism	2022/II	2022		
E) Cooperation in the Field of Drugs						
7.	MH	2022-2025 Strategy for the Prevention of Drug Abuse, with the 2022-2025 Action Plan	2022/I	2022-2025	52021XG0324(01) [F] 52021XG0708(01) [F]	
F) General Principles						
8.	MI	2022-2025 Police Directorate Development Strategy	2022/I	2022-2025		
1.2. LEGISLATIVE FRAMEWORK						
Mark		Title	Adoption	Application	Acquis	

167/222

	Competent institution				Celex No	Other
A) Migration						
1.	MI	Law amending the Law on Foreigners	2022/IV	2023/I	31996L0071 [F] 32018L0957 [F] 32014L0067 [F]	
B) Judicial Cooperation in Civil and Criminal Matter						
2.	MJHMR	Law amending the Law on Treatment of Juveniles in Criminal Proceedings	2022/II	2022/III	32016L0800 [F]	
3.	MJHMR	Law amending the Criminal Code of Montenegro	2022/II	2022/III	32002F0584 [F]	
4.	MJHMR	Law amending the Law on Enforcement and Security Interest	2022/II	Upon accession to the EU	32014R0655 [F]	
5.	MJHMR	Law amending the Law on Civil Procedure	2023/IV	Upon accession to the EU	32020R1783 [F] 32020R1784 [F]	
6.	MJHMR	Law amending the Law on Judicial Cooperation in Criminal Matters with EU Member States	2022/III	Upon accession to the EU	32018R1727 [F] 32017R1939 [F] 32002F0465 [F] 32009F0315 [F] 32009D0316 [F] 32019L0884 [F] 32018R1726 [F] 32019R0816 [F] 32018R1805 [F]	
C) Police Cooperation and Fight against Organized Crime						
7.	MI	Law on Prevention of Money Laundering and Terrorism Financing	2022/III	2022/IV	32015L0849 [F] 32015R0847 [F] 32018L0843 [F] 32019L1153 [F]	
8.	MFSW	Law on Games of Chance	2022/I	2022/IV		

9.	MI	Rulebook on Delivering Data on Cash, Suspicious and other Transactions to the Financial Intelligence Unit	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
10.	MI	Rulebook on Guidelines for Drafting the Analysis and Risk Factors with the Aim of Prevention of Money Laundering and Terrorism Financing	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
11.	MI	Rulebook on the Manner of Record Keeping of Actual Owners, Gathering, Entering and Deadlines for Entering and Updating Data from the Record and Manner of Accessing this Data	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
12.	MI	Rulebook on Electronic Identification of Clients during the Opening of Bank Accounts	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
13.	MI	Guidelines on Drafting the Risk Analysis with the Aim of Prevention of Money Laundering and Terrorism Financing	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
14.	CBM	Guidelines for Drafting the Analysis and Risk Factors with the Aim of Prevention of Money Laundering and Terrorism Financing for Obligors Monitored by the Central Bank of Montenegro	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
15.	CMA	Guidelines for Drafting the Analysis and Risk Factors with the Aim of Prevention of Money Laundering and Terrorism Financing for Obligors Monitored by the Capital Market Authority	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
16.	ISA	Guidelines for Drafting the Analysis and Risk Factors with the Aim of Prevention of Money Laundering and Terrorism Financing for Obligors Monitored by the Insurance Supervision Agency	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
17.	AECPS	Guidelines for Drafting the Analysis and Risk Factors with the Aim of Prevention of Money Laundering and Terrorism Financing for Post Service Market Agencies	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
18.	RCA	Guidelines for Drafting the Analysis and Risk Factors with the Aim of Prevention of Money Laundering and Terrorism Financing for Obligors Monitored by the Organizers of Lottery and Special Games of Chance and Games of Chance Organized Online or Using Other Telecommunication Devices	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
19.	MJHMR	Guidelines for Drafting the Analysis and Risk Factors with the Aim of Prevention of Money Laundering and Terrorism Financing for Lawyers and Notaries	2022/IV	2022/IV	32015L0849 [F] 32018L0843 [F]	
20.	MFA	Law amending the Law on International Restrictive Measures	2022/II	2022/III		
D) Fight against Terrorism						
21.	MESPU	Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security	2022/IV	2024/IV	32013L0059 [P] 32013L0051 [P] 32011L0070 [P] 32009L0071 [P]	

						32014L0087 [P] 32006L0117 [P] 32005R0302 [P] 32008D0312 [P] 31989L0391 [P] 31992L0058 [P] 31989L0654 [P] 31989L0656 [P] 32009L0104 [P]	
E) Cooperation in the Field of Drugs							
22.	MH	Law on the Control of Manufacture and Marketing of Substances that can be used in the Manufacture of Narcotic Drugs and Psychotropic Substances	2022/III	2022/IV	32004R0273 [F] 32005R0111 [F] 32009R0219 [F] 32013R1258 [F] 32013R1259 [F] 32015R1011 [F] 32015R1013 [F] 32016R1443 [F] 32020R1737 [F]		
23.	MH	Rulebook on Determining the List of Drugs, Psychotropic Substances and Plants that can be used in the Manufacture of Drugs	2023/IV	2023/IV	32021L0802 [F] 32020L1687 [F]		
2. ADMINISTRATIVE FRAMEWORK							
2.1. ADMINISTRATIVE CAPACITIES							
Inst.	Title of the act	Description	Qualification		RIOS	2022	2023
MH	2022-2025 Strategy for the Prevention of Drug Abuse, with the 2022-2025 Action Plan	Department for Membership in International Bodies for Drug Abuse Prevention Policies: Jobs from the whole range of monitoring in the area of drugs, in line with EU standards and the expertise from the EU Drug Monitoring Agency – EMCDDA domain; prescribed standardized jobs of the EMCDDA Contact Unit as part of the EU Reitox network; jobs from the integral range of relevant international bodies for drug abuse policies (UNODC, Council of Europe; Pompidou Group; EMCDDA)	VII-1 education qualification level: Faculty from the area of social sciences – Psychology and Law or medical sciences – Medicine, Dentistry or Pharmacy		YES	3	

170/222

	2021-2025 Strategy on Migration and Reintegration of Returnees in Montenegro	Department for the Reception of Foreigners Seeking International Protection – Spuž	Medical technician	YES	2	
			Social worker	YES	2	
		Department for the Reception of Foreigners Seeking International Protection – Božaj	Doctor of medicine	YES	1	
			Medical technician	YES	1	
			Social worker	YES	1	
	2021-2022 Action Plan for the Implementation of the 2021-2025 Strategy on Migration and Reintegration of Returnees in Montenegro	Directorate for the Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission	Psychologist	NO	1	
	Schengen Action Plan; 2022-2025 Police Directorate Development Strategy	Border Police Sector	Police officer – V education qualification level	YES	90	83
			First-class senior police inspector / chief police inspector – VII-1 education qualification level, faculty of social or technical-technological sciences, police or military academy	YES	3	
			Junior police inspector / police inspector – VI or VII-1 education qualification level, faculty of social sciences – faculty of law	YES	1	
Independent police advisor / senior police advisor – VII-1 education qualification level, faculty of technical-technological sciences – electrical engineering, electronics			YES	1		
Police inspector / first-class police inspector – VI or VII-1 education qualification level, faculty			YES	1		

171/222

MI ²⁰			of technical-technological sciences – electrical engineering, electronics			
	Law on Internal Affairs	Sector for the Fight against Crime – Special Police Unit	Independent police advisor / senior police advisor – social sciences / police or military academy	YES		1
			Senior police advisor / first-class senior police advisor; area of corruption; social sciences / police or military academy	YES	6	
		Sector for the Fight against Crime – Special Investigative Measures Department	Senior police advisor / first-class senior police advisor; social and natural sciences	YES	1	
		Sector for the Fight against Crime – Conduct of financial investigations	Police advisor / independent police advisor; social sciences	YES	2	1
			Junior police inspector; social sciences	YES	2	1
		Sector for the Fight against Crime – Suppression of serious criminal offences of economic crime / corruption	Police advisor / independent police advisor; social sciences	YES	3	1
			Junior police inspector; social sciences	YES	3	4
		Sector for the Fight against Crime – Suppression of high-tech crime	Independent police advisor / senior police advisor; natural sciences	YES	2	2
			Junior police inspector; social sciences	YES	2	2
		Sector for the Fight against Crime – Fight against arms smuggling	Police advisor; social and natural sciences	YES	1	

²⁰ The MI bases its projections on a new rulebook that has been drafted and delivered for official opinions, but it is not known when it is going to be adopted. The projections that are being entered in the Programme of Accession of Montenegro to the EU are based on a detailed analysis of Chapter 24 needs, that was taken into consideration during the drafting of the Rulebook as well as the Dynamic Plans and other documents/action plans/roadmaps which were created in the previous period.

			Junior police inspector; social sciences	YES	2	
		Sector for the Fight against Crime – Fight against trafficking in human beings	Junior police inspector; social sciences / police academy	YES	1	
		Sector for the Fight against Crime – PNR	Junior police inspector; natural sciences	YES	4	
		Sector for the Fight against Crime – Criminal information jobs	First-class senior police advisor / chief police advisor; social sciences / police or military academy	YES	1	
			First-class senior police advisor / chief police advisor; natural sciences	YES	1	
			Independent police advisor / senior police advisor; natural sciences	YES	1	2
			Police advisor / independent police advisor; psychology	YES	1	1
		Sector for the Fight against Crime – Division for International Operative Police Cooperation INTERPOL-EUROPOL-SIRENE	Police advisor / independent police advisor; interpreter	YES	1	1
MJHMR	Law amending the Law on Judicial Cooperation in Criminal Matters with EU Member States	Directorate for International Cooperation – Department for International Legal Assistance	VII-1 education qualification level – faculty of law	YES	1	
		Directorate for International Cooperation – Department for Judicial Cooperation	VII-1 education qualification level – faculty from the area of social sciences	YES	2	

173/222

25. Science and research

INTRODUCTION

In the area of science and research, Montenegro aligned the legal system with the Lisbon Treaty and accepted goals, guidelines and priorities of the European Union in this field. Montenegro's priority activity in this area refers to positioning of the Montenegrin research community under the European Research Area – ERA, opening of opportunities for access to modern technologies and large international infrastructures, as well as further involvement in international science programmes.

Institutional framework and scientific-research community enable the implementation of research policy in Montenegro.

Institutions responsible for the adoption and implementation of legislation from this area are: Ministry of education, science, culture and sport, Ministry of economic development, Council for Scientific Research Activity, Council for innovation and smart specialisation, Innovation fund of Montenegro, scientific research community and innovative organisations (Montenegrin Academy of Sciences and Arts, three Centres of Excellence, Innovation and Entrepreneurship Centre “Tehnopolis” and 57 licensed scientific research institutions, as well as 35 innovative organisations that are registered in the Register of the Ministry of education, science, culture and sport and Ministry of economic development – universities, institutes, faculties and enterprises, natural and legal persons who perform and promote innovation activity, but also who invest in this activity).

The achieved level of development of scientific-research activity in Montenegro allowed establishing new instruments within the scientific and innovation system of Montenegro: three Centres of Excellence, Innovation and entrepreneurship Centre “Tehnopolis” and Science and Technology Park, which will particularly encourage scientific excellence and innovation in the economy sector. A special segment is the Innovation Fund of Montenegro, which enables the implementation of innovation policy through the provision and implementation of funds to stimulate innovation.

This chapter was opened and provisionally closed on 18 December 2012 at the Intergovernmental Conference in Brussels

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period validity		EU Acquis	
					Celex No	Other
A) Horizontal measures						
1.	MESCS	Road map for the research infrastructure (2022-2025)	2022/I	2022-2025		
2.	MED	Action plan for the implementation of the Operational Program for the implementation of the Smart Specialization Strategy 2021-2024 for the period 2023-2024	2023/II	2023-2024		EU-40[P]
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	EU Acquis	
					Celex No	Other
A) General regulations						
1.	MESCS	Framework Programme for Cooperation of Montenegro with the International Atomic Energy Agency - IAEA (2021-2027)	2022/I	2022/I		
2.	MED	Law Amending the Law on Innovation Activity	2022/IV	2023/I		
3.	MED	Law Amending the Law on Incentives for Research and Innovation Development	2022/IV	2023/I		

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Inst.	Name	Description	Qualification	RIOS	2022	2023
MED	Organizational unit for S3	The competence of this organizational unit, in addition to providing administrative and professional support to the Council, is to play a key role in coordinating all relevant target groups in the process, daily monitoring of S3 implementation, preparation of S3 reports, S3	They will be determined by the Rulebook on internal organization and systematization of jobs.	NO	1	1

175/222

		platform coordination and preparation of various analyses, studies and other materials. evidence based policy making. Coordinates the work of innovation working groups.				
--	--	--	--	--	--	--

2.2 INFRASTRUCTURE STRENGTHENING NEEDED				
Inst.	Name	Description of infrastructure / technical support	2022	2023
Science and Technology Park of Montenegro	CONTRACT ABOUT THE ESTABLISHMENT "SCIENTIFIC AND TECHNOLOGICAL PARK OF MONTENEGRO" LIMITED LIABILITY COMPANY between the Government of Montenegro and the University of Montenegro no. 07-87 / 2 of 28 January 2019.	<ul style="list-style-type: none"> • Strengthening the capacity of the newly established Science and Technology Park of Montenegro to provide high quality services for tenants • Development of a new Strategic Plan of the Science and Technology Park with an Action Plan • Preparatory activities to establish framework conditions for future tenants • Trainings for NTP employees, including knowledge transfer • Feasibility study for the establishment and operation of the NTP Laboratory Centre 	x	X
Innovation Fund of Montenegro	Decision on the Establishment of the Limited Liability Company "Innovation Fund of Montenegro" ("Official Gazette of Montenegro", No. 64/21)	<ul style="list-style-type: none"> • Strengthening the institutional framework for the innovation ecosystem through improved management and administrative capacity of the Innovation Fund • Improved administrative capacity of staff in the Innovation Fund • Strengthening the capacity of the Board of Directors of the Innovation Fund • Innovation Fund program design • Development of documentation required for the functioning of the Fund 	x	x
National Technology Transfer Office	It will be determined	Creating preconditions for the establishment of the National Office for Technology Transfer and capacity building and awareness for employees in the Office.	x	x

26: Education and culture

INTRODUCTION

The fields of education and culture are the responsibility of the member states. With the available mechanisms, the European Union contributes to the development of education and mobility, takes the necessary measures to make education part of the employment strategy and to make the European Union a world centre of knowledge.

Education policies in Montenegro are a contribution to positive social change that aims to provide opportunities for lifelong learning to all individuals in accordance with their potential, raising the quality and efficiency of education and improving student achievement and their competencies. The Strategic Framework for European Cooperation in Education and Training leading to the European Education Area and beyond (2021-2030) provides a clear vision and objectives and is used as a basis for defining a strategic framework based on five goals defined at European Union level and priority areas for European education cooperation in education and training. The establishment of the European Area of Education is in line with the European Skills Agenda, a renewed vocational education and training policy, so that knowledge becomes the foundation for Europe's recovery and prosperity, while respecting the common principles of inclusion, mobility and innovation. The principle of lifelong learning and mobility remains one of the priorities and will continue to be promoted through the new perspective of the Erasmus + 2021-2027 program. The Erasmus + program will continue to promote the international dimension of activities, multilingualism, equality and inclusive access to education, so in the end the participation of our institutions will contribute innovatively to greater employability, inclusiveness, personal development of all individuals involved, and education relevant to individuals, labour market and society.

The European Union promotes the preservation of cultural goods with European values, encourages work in the field of culture in EU member states and persons engaged in cultural activities outside their home country, as well as free circulation of cultural works throughout the European Union and dialogue between different cultures. The European Union seeks to ensure a level playing field for the acquisition of knowledge necessary for social inclusion, while respecting national, regional, cultural and linguistic diversity, the sovereignty of Member States' education policies, and fostering cooperation between Member States.

The areas covered in this chapter are:

177/222

- education and training,
- youth and sports,
- culture,
- access to education,
- programs and other EU instruments.

Institutions responsible for this chapter are: the Ministry of Education, Science, Culture and Sports, the Administration for Sports and Youth, the Institute for Education, the Centre for Vocational Education, the Examination Centre, the Institute for Textbooks and Teaching Aids, syndicate unions as well as national and local public cultural institutions.

The chapter was opened and temporarily closed on 15 April 2013 at the Intergovernmental Conference in Brussels.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK			Adoption	Application	EU Acquis	
Mark	Competent institution	Title	Period validity		Celex No	Other
					A) Education, training, youth and sports	
1.	MESCS	Strategy for development of high education in Montenegro 2022-2026, with Action Plan	2022/I	2021-2025	52010DC2020 [F] 52003AE0406 [F] 2021XG0610(01) [P] 32021G0226(01) [P]	
2.	MESCS	General Secondary Education Development Program in Montenegro (2022-2024), with Action Plan	2022/II	2022-2024	52003AE0406 [F]	
3.	MESCS	Youth Strategy	2022/III	2022-2026		
4.	MESCS	Sports development strategy	2022/III	2022-2025		
5.	MESCS	Program for the improvement of the European Youth Card in Montenegro for the period 2022-2024	2022/II	2022-2024	41989X1031(03) [F] 42005X0610(03) [F]	
B) Culture						
6.	MESCS	Program for the protection and preservation of cultural property for 2022	2022/II	2022/III	32006D0515 [F] 32007G1129(01) [F] 52014XG1223(02) [F] 52018DC0267 [P]	
7.	MESCS	Development Culture Program 2022-2026, with the Action Plan for 2023	2022/II	2022-2026	32006D0515 [F] 52021AG0014(01) [F] 52021AG0014(02) [F] 32007G1129(01) [F] 52014XG1223(02) [F] 52018DC0267 [F] 32021R0818 [F]	

8.	MESCS	Program for the protection and preservation of cultural property for 2023	2023/IV	2024/I	32006D0515 [F] 32007G1129(01) [F] 52014XG1223(02) [F] 52018DC0267 [P]	
9.	MESCS	Action Plan for the implementation of the Cultural Development Programme 2022-2026 for 2024 with the report for 2023.	2023/IV	2024/I	32006D0515 [F] 52021AG0014(01) [F] 52021AG0014(02) [F] 32007G1129(01) [F] 52014XG1223(02) [F] 32021R0818 [F] 52018DC0267 [P]	
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	EU Acquis	
					Celex No	Other
A) Education, training, youth and sports						
1.	MESCS	Law Amending the Law on National Qualifications Framework	2022/II	2022/II	32008H0506(01) [F] 42005X1124(02) [F] 32020H1202(01) [P]	
2.	MESCS	Law on High Education	2022/I	2022/II	32004L0114 [F] 32008D1298 [F] 32006D1720 [F] 32006H0962 [F] 32008H0506(1) [F] 31998H0561 [F] 52021XG0610(01)[P] 32020H1202(01) [P]	
3.	MESCS	Law Amending the Law on Recognition of Foreign Educational Documents and Equalization of Qualifications	2022/II	2022/II		
4.	MESCS	Law on Amendments to the General Law on Education and Upbringing	2022/II	2022/II		

5.	MESCS	Law on Amendments to the Law on Gymnasium	2022/II	2022/II		
6.	MESCS	Law on Amendments to the Law on Vocational Education	2022/II	2022/II	32020H1202(01) [P]	
7.	MESCS	Law on Amendments to the Law on National Professional Qualifications	2022/III	2022/III	32020H1202(01) [P]	
8.	MESCS	Law on Amendments to the Law on Adult Education	2022/III	2022/III	32020H1202(01) [P]	
9.	MESCS	Law on Amendments to the Law on Youth	2022/IV	2023/I	42011Y0609(01) [P] 31995Y0812(02) [P] 42005X0610(03) [P]	
10.	MESCS	Law on Amendments to the Law on Sports	2022/IV	2023/I	52007DC0391 [F] 42003X0607(01) [F]	
B) Culture						
11.	MESCS	Law Amending the Law on Culture	2022/IV	2023/I	32007G1129(01) [F] 32006D0515 [F]	
12.	MESCS	Law on Amendments to the Law on Protection of Cultural Heritage	2022/IV	2023/I	32007G1129(01) [F] 32006D0515 [F]	
13.	MESCS	Law on Amendments to the Law on Library Activity	2022/III	2022/IV	32007G1129(01) [F] 32006D0515 [F]	
14.	MESCS	Law on Amendments to the Law on Museum Activity	2022/III	2022/IV	32007G1129(01) [F] 32006D0515 [F]	

27. Environment and Climate Change

INTRODUCTION

The government has adopted the National Strategy with the Action Plan for Transposition, Implementation and Enforcement of the EU Acquis on Environment and Climate Change for the period 2016-2020 on 28 July 2016, which represents overall strategical framework for Chapter 27 – Environment and Climate Change, as well as opening benchmark for negotiations with the European commission. In line with the dynamics of accession negotiations, after adoption of the Negotiating Position for Chapter 27, the Action plan of the Strategy has been revised so the Action plan of the National Strategy with the Action Plan for Transposition, Implementation and Enforcement of the EU Acquis on environment and climate change for the period 2016-2020 has been adopted on 21 June 2018, keeping the implementation deadlines fully in line with the Negotiating position and adapted to the current state and progress achieved in the field of environment and climate change.

The Action Plan for fulfilment of the closing benchmark in Chapter 27, previously agreed with all relevant EC comments and was adopted by the Government on 18 February 2021. The Action Plan is the most important document in this area, given that the implementation of its activities will meet all defined requirements by the EU, both through the final benchmarks and the Common Position for Chapter 27. The Action Plan also defines the activities to be carried out in order to implement the remaining obligations of the National Strategy with the Action Plan, as well as the obligations arising from the Negotiating Position that the Government adopted in February 2018. The Action Plan defines 251 activities in 10 subchapters within Chapter 27.

Law on Environment (Official Gazette of Montenegro 52/16) is the umbrella law in the area of environment and it lays down the principles of environmental protection and sustainable development, entities, environmental protection instruments and measures, access to information, public participation, and access to justice in environmental matters, environmental financing and other issues relevant for the environment. Beside this Law, there is a large number of other laws and implementing acts regulating specific environmental issues. A large number of sectoral strategies that regulate specific areas in detail, regarding the Chapter 27, have also been adopted.

Montenegro has established basic institutional structures for implementation of requirements in the area of environment and climate change. A complex institutional system has been put in place with a clear division of competences between institutions involved in creation and implementation of environment and climate change policy (there are 33 institutions with different types of competences).

As far as the environment and climate change policy making is concerned, including approximation of the EU acquis, the greatest part of competences was delegated to the Ministry of Ecology, Spatial Planning and Urbanism (MESPU). Beside concrete competences in the majority of sectors (horizontal legislation, air quality, waste management, waste waters, marine environment protection and planning and integrated marine area management, nature protection, industrial pollution, chemicals, noise and climate change), MESPU is the pillar institution in the process of EU integration, that is, it coordinates the activities of other institutions that participate in accession process in the area of environment. MESPU is also the first competent authority for implementation of obligations ensuing from the majority of international agreements in the area of environment, for monitoring investments in the area of environment and for cooperation with international financial institutions and EU funds in implementation of projects in the area of environment and utility services. European Integration Office is in charge of coordination of the process of accession to the European union.

On the other hand, other ministries have more specific obligations within the scope of their respective competences in the area of environment and climate change: Ministry of Agriculture, Forestry and Water Management (water quality, forestry, hunting, fishery, phytosanitary area, veterinary), Ministry of Capital Investments (marine fuel oils, CO₂ emissions from vehicles, use of ODS and F gases in vehicle air conditioning systems), Ministry of Health (medical waste, drinking water), Ministry of Finance and Social Welfare (financing policy, cadastral data and customs affairs), Ministry of Interior–MI (civil protection, vehicle registration and border crossing control), Ministry of Justice, Human and Minority Rights (legal protection of the environment), Ministry of Economic Development (quality control of fuel and biofuel, energy, energy efficiency and mining) and Ministry of Education, Science, Culture and Sports (scientific and research activities).

Environmental Protection Agency has prevailing competences in the area of implementation of legislation, including monitoring and establishment of reporting system, issue of permits and approvals, keeping the registry and inventory and data exchange with international institutions. The Institute of Hydrometeorology and Seismology plays an important role in the area of monitoring and assessment of climate, analysis of extreme weather and climate conditions, including air quality monitoring within the EMEP Program, as well as the monitoring of quality and quantity of surface and ground waters, flood forecast and monitoring of hydrological conditions. The Water Administration is competent for the issue of water use permits, development of plans, programs and balances in the area of water management, establishment of sanitary protection zones, etc. The Forest Administration is competent for issues related to forest management and protection. The Administration for Food Safety, Veterinary and Phytosanitary Affairs is responsible, inter alia, for implementation of legislation related to animal welfare protection. The Public Health Institute conducts physical and chemical analyses of water and microbiological tests of drinking water and monitors the impact of air quality on human health. The Real Estate Administration is competent for cadastral affairs, whereas the Maritime Safety Department is competent for establishing mechanisms for control of marine fuels. The

Customs Administration monitors the control of import and export, whereas the Police Department controls border crossings. The Administration for Statistics is competent for collection of statistical data in accordance with EUROSTAT methodologies, including environmental statistics.

An important role in implementation is played by the following public enterprises and business companies established by the state: Public Enterprise National Parks of Montenegro, competent for management, exploitation, protection, development and upgrading of national parks, Public Enterprise for Coastal Zone Management of Montenegro, competent for management of natural protected areas within the marine domain, „Project-Consulting” Ltd, competent for strategic and financial planning of water supply, waste and waste water management projects financed from loans of international financial institutions and coordination of their implementation, Public Enterprise „Regional Water Company of the Coastal Area”, competent for ensuring a continuous water supply to water supply systems in municipalities in the Coastal Area of Montenegro and „Vodacom“ Ltd, competent for water supply and waste water disposal in the Coastal Area and the Old Royal Capital Cetinje and provision of professional assistance in project implementation in the area of utility services. On its session from 22 November 2018 Government has adopted the Decision on establishment of Eco fund (Official Gazette of Montenegro 81/18), the establishment of which is foreseen by the Law on Environment, and the work on creating the conditions for its operational functioning are ongoing.

Laboratory tests and other technical activities are performed by the Centre for Eco-Toxicological Research of Montenegro Ltd and the Public Health Institute as accredited laboratories. Technical and research activities are carried out by the University of Montenegro, more specifically by the Marine Biology Institute as its organizational unit in the area of marine biodiversity as well as Natural History Museum.

Inspection supervision is carried out by a unique inspection body – Administration for Inspection Affairs. Environmental inspection, as the most relevant in this area is competent for the following controls: implementation of environmental monitoring and reporting, air pollution protection, implementation of established technologies and monitoring of technological requirements (ex. discharge of technological waste waters), implementation of waste management legislation, trade and use of ozone depleting substances, implementation of nature protection measures, implementation of noise protection legislation, implementation of chemicals management legislation, industrial pollution, etc. Beside the environmental inspection, the following inspections are relevant: water management, veterinary, phytosanitary, sanitary, forestry and hunting, market and mining. Also, the Port Authority is competent for monitoring pollution of sea from vessels (inspection for navigation safety and security of Harbour master's offices Bar and Kotor).

In accordance with vertical division of competences, local self-government units (LSUs) are also competent for the implementation of environment and climate change legislation. Inspection supervision within LSUs in the area of management of municipal and other non-hazardous waste is carried out

by communal inspection and communal police. Communal inspection and communal police are responsible for the area of environmental noise for those projects that are implemented at the local level.

The Chapter 27 was opened at the Intergovernmental Conference held on 10 December 2018 in Brussels.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent inst.	Title	Period of validity		Acquis	
					Celex No (link)	Other
A) Air quality						
1.	MESPU	Strategy on Air Quality Management for the period 2024-2029	2023/IV	2024-2029		
B) Waste management						
2.	MESPU	National Waste Management Plan of Montenegro for the period 2023-2028	2022/IV	2023-2028		
C) Nature protection						
3.	MESPU	National Strategy of Biodiversity with and Action plan 2022-2026	2022/IV	2022-2026	31993D0626 [F] 32014R0511 [F] ²¹	
4.	MESPU	National action plan for combating desertification	2022/IV	2022-2030	21998A0319 (01) [F] 31998D0216 [F]	
5.	MAFW	Strategy on forestry development 2022-2027	2022/IV	2022-2027		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent inst.	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Horizontal legislation						
1.	MESPU	Law Amending the Law on Spatial Data Infrastructure	2022/IV	2022/IV	32019D1372 [F]	
2.	MESPU	Rulebook on reporting and monitoring	2023/IV	2023/IV	32019D1372 [F]	
B) Waste management						
3.	MESPU	Law on waste management ²²	2022/III	2022/III	31994L0062 [F] 32006R1013 [F] 32010L0075 [F] 31987L0217 [F]	

²¹ The strategy cannot be adopted sooner because it is awaiting the COP 15 Convention on Biological Diversity (CBD), which has been postponed several times due to COVID, and is currently planned for spring 2022, and is important for aligning our national strategy with future global goals that will be adopted at the COP for the period until 2030.

²² Having in mind that the adoption of the Law is planned for the third quarter of 2022, and that it is expected to pass the parliamentary procedure and become valid from the end of 2022, it is not possible to plan the adoption of all bylaws during 2023. One part will be adopted in the period after 2023.

					31999L0031 [F] 31996L0059 [F] 32006L0066 [F] 32012L0019 [F] 32000L0053 [F] 32008L0098 [F] 32019R1021 [P] 32006L0123 [P] 32019L0904 [P]	
4.	MESPU	Decree on the manner and the procedure for establishing the system of acceptance, collection and treatment of waste batteries and accumulators, detail content of the data kept in the register of producers of batteries and accumulators and the manner of keeping the register, detail content of requests for registration of organized systems of acceptance, collecting and treatment waste batteries and accumulators and the operation of that system, annual quantities of waste batteries and accumulators that must be accepted for treatment, treatment and recycling and manner of calculation of the average weight of accepted waste batteries and accumulators	2023/II	2024/III	32006L0066 [F]	
5.	MESPU	Decree on the manner and the procedure for establishing the system of acceptance, collection and treatment of waste electrical and electronic equipment, detail content of the data kept in register of producers of the electric and electronic equipment and the manner of keeping the register, detail content of requests for registration of organised systems of acceptance, collection and treatment of waste electric and electronic equipment and the operation of the system, annual quantities of waste electric and electronic equipment that must be treated and recycled, including the waste of electric and electronic equipment that is delivered from other countries via internet sale	2023/I	2023/III	32012L0019 [F] 32017R0699 [F] 32019R0290 [P]	
6.	MESPU	Decree on the manner and the procedure for establishing the system of acceptance, collection and treatment of waste tires and detail content of requests for registration in registry of organised systems of acceptance, collection and treatment of waste tires and operation of that system, including the obligation of the annual quantities of waste tires that must be accepted, treated and recycled	2022/IV	2023/III	32008L0098 [F]	

7.	MESPU	Decree on the manner and procedure of establishing a system for acceptance, collection and treatment of waste vehicles and detailed content of requests for entry in the register of organized systems for acceptance, collection and treatment of waste vehicles and operation of that system and annual quantities of waste vehicles that must be treated, processed or recycled	2023/III	2024/III	32020L0363 [F] 32020L0362 [F]	
8.	MESPU	Rulebook on the manner of keeping records on the quantities of manufactured or imported products, ie equipment in which these products are installed, the manner of providing information on recycling and labelling, as well as the manner of introducing the register of organized waste collection, collection and treatment systems	2023/I	2023/II	32020D0248 [F]	
9.	MESPU	Decree on detailed conditions for the implementation of extended producer responsibility programs, which include the content of the contract, the method of collecting data on participants in the organized system and data on products placed on the market and the method of reporting on waste collection and treatment, the minimum standard of self-control mechanism. information, manner of keeping records, methodology for determining the financial contribution, including the methodology for determining the costs of municipal waste collection, collection and sorting services provided to the organized system by companies or entrepreneurs registered in the register of municipal waste collectors	2023/I	2023/II	32019L0178 [F] 32019L0169 [F] 32019L0177 [F] 32019L0171 [F] 32019L0174 [F] 32019L0175 [F] 32019L0170 [F] 32019L0173 [F] 32019L0176 [F] 32019L0172 [F]	
10.	MESPU	Decree on detailed conditions for the implementation of the extended producer responsibility program, which includes more detailed content of the plan for collection, collection and treatment of waste, methodology for calculating the guarantee for financing services, content of contracts with producers participating in the organized system and reporting	2023/I	2023/II		
11.	MESPU	Rulebook on detailed conditions and manner of managing the information system and manner of sending data, manner of determining and publishing the share of financial and organizational obligations for each organized system of waste collection, collection and treatment.	2023/I	2023/II		
C) Water quality						
12.	MESPU	Law amending the Law on communal wastewater management	2023/II	2023/II	31991L0271 (D)	
D) Nature protection						
13.	MPŠV	Law Amending the Law on Forests	2023/IV	2023/IV	32010R0995 [P]	

14.	MESPU	Law Amending the Law on Nature Protection	2022/III	2022/IV	32014R0511 [F]	
15.	MPŠV	Law Amending the Law on Game and Hunting	2022/IV	2023/I	31991R3254 [F] 32009L0147 [P] 31992L0043 [F]	
16.	MESPU	Rulebook on the list of permitted alien species and the manner of updating the list and the manner of preparing the risk assessment	2022/III	2022/IV	32014R1143 [F]	
17.	MESPU	Rulebook on the list of invasive alien species of concern in Montenegro and/or the European Union and the method of updating the list	2022/III	2022/IV	32014R1143 [F] 32017R1263 [F] 32019R1262 [F]	
18.	MESPU	Rulebook on the list of habitat types and species including bird species, priority habitat types and species for which ecological network sites should be determined	2023/IV	2023/IV	31992L0043 [P] 32009L0147 [P]	
19.	MESPU	Rulebook on the list of wild bird species that may be offered for sale alive or dead, transported and kept for sale and offered for sale and sell any of their identifiable parts or derivatives if they were killed, captured or obtained in accordance with the Law on Nature Protection and the Law on Game and Hunting	2023/IV	2023/IV	32009L0147 [P]	
20.	MPŠV	Rulebook amending the Rulebook on hunting seasons	2023/IV	2023/IV	31991R3254 [F] 32009L0147 [P]	
E) Control of industrial pollution						
21.	MESPU	Guidance on the use of best available techniques conclusions for surface treatment using organic solvents, including the protection of wood and wood products with chemicals	2022/III	2022/IV	32010L0075 [P] 32020D2009 [F]	
22.	MESPU	Rulebook on detailed conditions, criteria and procedure for obtaining the right to use the eco-label	2023/III	2023/IV	32020D1803 [F] 32020D1805 [F] 32021D1871 [F] 32021D0476 [F]	
F) Chemicals						
23.	MESPU	Rulebook amending the Rulebook on the content of the Chemical Safety Report	2022/II	2022/II	32020R0878 [F]	
24.	MESPU	Rulebook amending the Rulebook on the List of Substances of High Concern	2022/II	2022/II	32020R2160 [F]	
25.	MESPU	Rulebook amending the Rulebook on list of dangerous chemicals and products prohibited from export	2022/III	2022/IV	32020R1068 [F]	
26.	MESPU	Rulebook amending the Rulebook on detailed content of dossiers and registers of chemicals	2022/III	2022/III	32021R0979 [F]	

27.	MESPU	Decree amending the Decree on prohibited and/or allowed methods of use, production and placing on the market of the chemicals that represent an unacceptable risk to human health and the environment	2022/IV	2023/I	32020R1203 [F] 32020R1204 [F] 32020R1149 [F] 32020R0784 [F] 32020R2081 [F] 32020R2096 [F] 32021R0057 [F] 32021R1297 [F] 32021R1199 [F] 32020R2081 [F] 32021R0277 [F] 32021R0115 [F]	
28.	MESPU	Rulebook amending the Rulebook on the list of substances that are not entered in the register of chemicals and are not subject to expert assessment	2023/I	2023/II	32019R1691 [F]	
29.	MESPU	Rulebook amending the Rulebook on methods for testing the hazardous properties of chemicals	2023/II	2023/III	32019R1390 [F]	
30.	MESPU	Rulebook amending the Rulebook on the closer content of prior notification for the export of chemicals	2023/III	2023/III	32020R1068 [F]	
31.	MESPU	Rulebook amending the list of Classified Substances	2023/III	2023/III	32021R0849 [F]	
32.	MESPU	Rulebook amending the Rulebook on the manner of classification, packaging and labelling of a chemical in accordance with the globally harmonized UN system	2023/IV	2023/IV	32020R1413 [F] 32021R0797 [F] 32021R0643 [F]	
33.	MESPU	Rulebook amending the Rulebook on lists of active substances authorized for use in biocidal products and low-risk biocidal products	2023/IV	2023/IV	32019D1950 [F] 32019D1973 [F] 32019D1969 [F] 32019D1951 [F] 32019R1819 [F] 32019R1821 [F] 32019R1823 [F] 32019R1824 [F] 32019R1820 [F]	

						32019D1030 [F] 32019D0994 [F] 32019R1822 [F] 32019R1825 [F] 32020D0027 [F] 32020R1086 [F] 32020D1037 [F] 32021D1287 [F] 32021D1299 [F] 32021D1284 [F] 32021D0333 [F] 32021D0098 [F] 32021D0327 [F] 32021D0713 [F] 32021D0807 [F] 32021D1286 [F] 32021D1285 [F] 32021D1289 [F] 32021D0354 [F] 32021R0345 [F] 32021R0348 [F] 32021R0525 [F] 32021R0364 [F] 32021R0365 [F] 32021R1288 [F] 32021R0347 [F] 32021R0806 [F] 32021R1290 [F] 32021R1045 [F] 32020R1771 [F] 32020R1063 [F]	
--	--	--	--	--	--	--	--

					32020R1763 [F] 32021R0103 [F] 32021R0407 [F]	
G) Noise						
34.	MESPU	Rulebook Amending the Rulebook on Limit Values of Noise in the Environment, Manner of Determining Noise Indicators and Acoustic Zones and Methods for Assessing the Harmful Effects of Noise	2023/I	2023/II	32021L1226 [F]	
H) Climate Change						
35.	MESPU	Law Amending the Law on Protection from the Negative Impact of Climate Change ²³	2023/I	2023/II	32013R0525 [F] 32009L0031 [F] 32013R1088 [F] 32018R1999 [P] 32012R0601 [P] 32018R2066 [P] 32018R2067 [P] 31999L0094 [P] 32003L0073 [P] 32018R0841 [P] 32018R0842 [P] 32003L0087 [P] 32008L0101 [P] 32009L0029 [P] 32018L0410 [P] 32009R1005 [P] 32010R0744 [P] 32011R0291 [P]	

²³ During the two-year procedure of drafting and adopting the Law on Protection from the Negative Impacts of Climate Change, amendments were made, as well as the adoption of new and repealing EU regulations and directives in the field of climate change. In response to the Green Deal, the EC published in July 2021 an Action Plan to Combat Climate Change called Fit for 55. This package envisages a 55% reduction in EU emissions by 2030, compared to 1990 levels. In addition, at the EU level, new regulations are still being drafted, which will be adopted next year, and it is realistic that this will be followed by amendments to the Law on Protection from the Negative Impacts of Climate Change, while the deadline for full transposition and implementation of regulations these areas 2024-2025.

192/222

					32017R0605 [P] 32014R0517 [P] 32007R1516 [P] 32007R1497 [P] 32015R2068 [P] 32021R0392 [P] 32020R2084 [P]	
--	--	--	--	--	--	--

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Inst.	Title of the act	Description	Qualification	PUOS	2022	2023
AIA	Law on Chemicals Law on Biocidal Products	Sanitation inspector	Faculty in the area of natural scienc	YES	/	1
	Law on Water	Inspector for waters	Faculty in the area of technical-tech sciences		1	
	Law on Forestry Low on Game and Hunting	Forestry inspector	Faculty in the area of agricultural sc forestry		1	
AIA	Law on Environment Law on Waste Management Law on Air Quality Law on Strategic Environmental Assessment Law on Environmental Noise Protection Law on Environmental Impact Assessment	Ecological inspection	Graduate engineer Technical/technological sciences Natural sciences - Environmental protection Agricultural sciences	YES	2	3

193/222

	Law on Chemicals Law on Industrial Emissions Law on Environmental Damage Liability Law on biocidal products Law on Protection from the Negative Impact of Climate Change Law on National Parks Law on Nature Protection Law on alien and invasive species				
			Faculty in the area of natural sciences - biology	1	/

28. Consumer and health protection

INTRODUCTION

Chapter Consumer and Health Protection is related to topics and issues divided into two parts: consumer protection and public health.

Consumer protection covers area of products safety and protection of consumer economic interests. Key issues in the area of products' safety are: general safety of products, misleading products and quick exchange of information on dangerous products. Key issues in the area of protection of economic interest of consumers are: distance contracting, contracts concluded out of business premises; provisions that are opposed to principals of conscientiousness and fairness (unfair provisions in consumers contracts); sale of consumer goods and following guaranties; highlighting the prices of goods offered to the consumers; misleading and comparative advertising; unfair commercial practice; time-shared use of real estate (timesharing); long-term vacation products; resale and exchange, traveling in travel arrangements and connected travel arrangements; responsibility for defective products; court and administrative injunction; consumers loans; out-of-court-settlement of consumer disputes; cooperation between the authorities responsible for consumer protection.

Public health includes: tobacco control, infectious diseases, blood, tissues, cells and organs, the rights of patients in cross border health care, mental health, the prevention of drug abuse, health inequalities, food, reducing of hazardous consequences caused by alcohol consumption, cancer screening, health environment, promotion of safety including injury prevention, rare illnesses.

Institutional framework: Ministry of Economic Development, Ministry of Health, Administration for Inspections Affairs, Ministry of Agriculture, Forestry and Water Management, Ministry of Capital Investments, Ministry of Interior, Administration for Food Safety, Veterinary and Phytosanitary Affairs, Agency for Electronic Communications and Postal Services, Agency for Electronic Media, Energy and Water Regulatory Agency, Insurance Supervision Agency, Central Bank of Montenegro, Health Insurance Fund, Public Health Institute, Agency for Medicines and Medical Devices, Institute for Blood Transfusion, Institute for Emergency Medical Care, Pharmaceutical Institute "Montefarm", Medical Chamber of Montenegro, Chamber of Pharmacists, Physiotherapists Chamber, Chamber of Economy and Chamber of Skilled Crafts and Entrepreneurship of Montenegro.

Local governments also take part in the implementation of the consumer protection policy. NGO sector has particular importance for this area, through the organizations for consumer protection, by means of which the consumer interests are articulated in the best way and competent authorities cooperating with trade associations and service providers.

Chapter was opened on 16 December 2014.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) Consumer protection						
1.	AIA	General program of product supervision on the market for 2023	2022/IV	2023	32019R1020 [F]	
2.	MED	Action Plan for implementation of the National Consumer Protection Programme 2022-2024 for 2023 with Report on the implementation of the National Consumer Protection Program for 2022	2023/I	2023-2024		
B) Health						
3.	MH	Health Development Strategy of Montenegro for the period 2022-2026 with the Action Plan for the period from 2022-2023.	2022/I	2022-2026		General work program of the World Health Organization for the period 2019-2023. European Work Program of the World Health Organization for Europe for the period 2020-2025
4.	MH	National strategy for the control of bacterial resistance to antibiotics for the period from 2022 to 2027	2022/I	2022-2027		Global Antimicrobial Resistance Action Plan for 2015 National Strategy for Sustainable Development until 2030

197/222

5.	MH	Program of measures for the prevention of harmful use of alcohol and alcohol-related disorders in Montenegro for the period from 2022 to 2024 with the Action Plan for 2022 - 2023	2022/I	2022-2024		
6.	MH	Action plan for the implementation of the Integrated Health Information System Development Strategy for the period 2022-2023.	2022/II	2022-2023		Integrated Health Information System and E-health Development Strategy for the period (2018-2023) National Strategy for Sustainable Development until 2030
7.	MH	Program for the control of the use of tobacco products in Montenegro 2022 - 2024 with the Action Plan 2022 to 2024	2022/II	2022-2024		
8.	MH	Early Childhood Development Strategy 2022-2026	2022/III	2022-2026		
9.	MH	National Strategy for Control and Prevention of Chronic Non-communicable Diseases for the period 2022 - 2030.	2022/III	2022-2030		
10.	MH	Program for the fight against HIV / AIDS for the period from 2024 to 2026 with the Action Plan for 2024 to 2026	2023/IV	2024-2026		
11.	MH	Mental Health Improvement Program in Montenegro 2024 - 2026 with the Action Plan 2024 to 2026	2023/IV	2024-2026		
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) Consumer protection						
1.	MED	Law on Amendments to the Law on Market Product Control	2022/I	2022/II	32019R1020 [F]	
2.	MED	Law on Tourism and Hospitality	2022/I	2022/II	32015L2302 [F]	

					52020AE2964 [F] 52020IP0169 [F]	
3.	MED	Law on Consumer Loans	2022/II	2023/I	32008L0048 [F] 32014L0017 [F]	
4.	MED	Law on Consumer Protection	2022/IV	2023/I	32019L0771 [F] 32019L0770 [F] 32019L2161 [F]	
5.	MED	Law on Collective Lawsuits	2023/I	2023/II	32020L1828 [F]	
6.	MED	Methodology for determining the amount and value of the coefficient for the criteria according to which rewards and compensations for expenses for work in the council are determined, i.e. rewards for leading the Committee for out-of-court settlement of consumer disputes	2022/I	2022/I		
B) Health						
7.	MH	Law on the Control of Manufacture and Marketing of Substances that can be used in the Manufacture of Narcotic Drugs and Psychotropic Substances	2022/III	2022/IV	32004R0273 [F] 32005R0111 [F] 32009R0219 [F] 32013R1258 [F] 32013R1259 [F] 32015R1011 [F] 32015R1013 [F] 32016R1443 [F]	

					32020R1737 [F]	
8.	MH	Law amending the Law on Removal and Transplantation of Human Organs for the Medical Treatment Purposes	2022/IV	2023/III	32012L0025 [F]	
9.	MH	Law Amending the Law on Removal and Transplantation of Human Tissues and Cells for the Medical Treatment Purposes	2022/IV	2023/III	32006L0017 [F] 32006L0086 [F]	
10.	MH	Rulebook on detailed conditions for ensuring the traceability of tissues and cells, as well as the manner and procedure of monitoring serious adverse events and serious adverse reactions	2022/II	2022/III	32006L0086 [F]	
11.	MH	Rulebook amending the Rulebook on the content of documentation and conditions for receiving tissues and cells in authorized health care institutions that perform procedures for processing, preservation, storage or distribution, or transplantation of tissues and cells	2022/III	2022/IV	32006L0017 [F]	
12.	MH	Rulebook amending the Rulebook on detailed conditions and manner of marking, identification and packaging of tissues and cells in the procedure of taking and receiving in authorized health institutions as well as the contents of the unique identification number	2022/III	2022/IV	32006L0017 [F]	
13.	MH	Rulebook on the content of written consent and its revocation, as well as the manner of identification of persons who gave written consent and statements on its revocation	2022/III	2022/IV	32006L0017 [F]	
14.	MH	Rulebook amending the Rulebook on the manner of reporting infectious diseases, nosocomial infections, conditions and deaths of patients with these diseases	2023/III	2023/IV	32021D0858 [F] 32021D1212 [F]	

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Institution	Title of the act	Description	Qualification	RIOS	2022	2023
AIA	Law on Blood Supply Law on Infertility Treatment with Assisted Reproductive Technologies	health inspector - supervision over the implementation of the mentioned acts	VII1 - Medical sciences Biological sciences - biology	YES	1	1

200/222

	Law on the Taking and Transplantation of Human Organs					
AIA	Law on Protection of the Population from Infectious Diseases Law on Restricting the Use of Tobacco Products	sanitary inspector - supervision over the implementation of the mentioned acts	VII1 - Medical Sciences Biological Sciences	YES	2	2
AIA	Law on Restricting the Use of Tobacco Products	tourist inspector - supervision over the implementation of the mentioned law	VII1 - Natural sciences, social sciences, humanity sciences	YES	2	
AIA	Law on Consumer Protection Decision on determining the list of bodies responsible for supervising the implementation of laws that contain provisions on consumer protection	Monitoring and management of CISZP, System for rapid exchange of information on dangerous products, etc. systems in the future liaison office	VII1	NO		1

2.2 REQUIRED INFRASTRUCTURAL STRENGTHENING					
Institution	Title of the act	Description of infrastructure / technical support	2022	2023	

201/222

AIA	Law on Market Product Control which will implement Regulation 2019/1020 and 2019/0515	Liaison office ²⁴ (AIA): - Preparatory activities for the establishment of the Liaison Office (which includes CISZP); - Establishment of a Liaison Office.		X
-----	---	---	--	---

29. Customs Union

INTRODUCTION

The basic objectives identified in this chapter refer to strengthening of economic relations among member states, development of trade activities, and protection and safety of society. Customs administrations are responsible for overseeing the Union's internal market, protecting the financial and economic interests of the Union and the Member States, combating fraud and protecting intellectual property rights, enhancing security and safety, protecting citizens and the environment, improving administrative capacity of customs administrations and strengthening competition. These goals will be achieved through a harmonized approach to customs procedures and efficient and effective controls, computerization and improvement of the functioning of the customs service through strengthening the administrative capacity for efficient implementation of the acquis in this chapter.

The key challenge for Montenegro in this chapter is related to the obligation to implement EU projects whose IT implementation should ensure interoperability and interconnection with the EU Member States' systems. In addition, Montenegro is obliged to modernize existing and implement new projects at the national level.

The EU is working on changes to existing and implementation of new projects (Implementation of the new Union Customs Code), which will lead to scenarios (the experience of individual member states) to implement / modify certain IT systems several times.

Institutions responsible for implementing obligations under this chapter of the current Program of Montenegro's accession to the European Union are: Ministry of Finance and Social Welfare / Revenue and Customs Administration, Ministry of Education, Science, Culture and Sports, Ministry of Health and European Integration Office.

²⁴ Included in chapter 1, because it belongs in both chapters (by Law on Market Product Control)

The chapter was opened on 16 December 2014.

1. PLANS AND NEEDS						
1.1. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) General customs rules and procedures						
1.	MFSW	Decree on the implementation of the Customs Law	2022/III	2022/III	32015R2446 [F] 32018R1063 [F] 32018R1118 [F] 32015R2447 [F] 32017R0989 [F] 32018R0604 [F] 32019R1394 [F] 32019D2151 [F] 32019R1143 [F] 32020R0893 [F] 32020R0877 [F] 32020R0712 [F] 32020R0523 [F] 32020R0761 [F] 32020R1209 [F] 32020R0760 [F] 32020R1727 [F] 52020XC0930(01)[F] 32020D2028 [F] 32020R2172 [F]	
2.	MFSW	Decree on the Customs Authority Treatment of Goods under Reasonable Suspicion of Infringing Intellectual Property Rights	2022/III	2022/III	32013R0608 [F] 32013R1352 [F] 32020R1209 [F] 32020R2035 [F]	
B) Customs classification and tariff						

204/222

3.	MFSW	Rulebook on the form, content, manner of submitting and filling in the customs declaration and summary declaration	2022/III	2022/III	32021R0234 [P] 32021R0235 [P] ²⁵	
4.	MFSW	Decree on Customs Tariff for 2023	2022/IV	2023/I	32019R1776 [F] 32020R0712 [F] 32020R0523 [F]	
5.	MFSW	Decree on Customs Tariff for 2024	2023/IV	2024/I	32019R1776 [F] 32020R0712 [F] 32020R0523 [F]	
C) Customs status of goods and transit						
6.	MFSW	Law on Ratification of the Convention on common transit	2022/II	2023/I	21992D1231(01) [F] 21993A0202(01) [F] 21994D0115(02) [F] 21994D1231(19) [F] 21994D1231(21) [F] 21996D0214(01) [F] 21996D0214(02) [F] 21996D0514(02) [F] 21997D0214(01) [F] 21997D0214(02) [F] 21997A0405(01) [F] 21997D0829(02) [F] 22001D0112(02) [F] 22003D0004 [F] 22005D0558 [F] 22005D0559 [F] 22005D0560 [F] 22005D0632 [F] 22005D0882 [F] 22008D0786 [F]	

²⁵ Compliance depends on the development of the IT system of the customs authority

					22009D0606 [F] 22013D0510 [F] 22013D0675 [F] 22015D1069 [F] 22015D2467 [F] 22016D0858 [F] 22018D0029 [F] 22020D0487 [F] 22021D1115 [F]	
7.	MFSW	Law on Ratification of the Convention on Facilitation of trade in goods	2022/II	2023/I	21989D0713(01) [F] 21996D0214(01) [F] 21996D0514(05) [F] 22001D0112(02) [F] 22006D0919 [F] 21996D0514(04) [F] 22005D0711 [F] 22012D0221 [F] 22012D0223 [F] 32015D0836 [F]	
8.	MFSW	Law on Ratification of the Convention on Customs Treatment of Pools Containers used in International Transport	2023/IV	Upon the accession	21995A0422(02) [F] 31995D0137 [F]	
9.	MFSW	Law on Ratification of Amendments to the Customs Convention on International Transport of Goods under TIR carnet	2022/IV	Upon the accession	22016A1129(02) [F] 22021A0601(01) [F] 22021A0920(01) [F]	
10.	MESCS	Rulebook on detailed conditions and manner of issuing permits for temporary export of cultural goods abroad	2023/IV	2024/I	32019R0880 [P] ²⁶	
D) Drug precursors						
11.	MH	Law on Control of Production and Trade of Substances that can be used in the Production of Narcotic Drugs and Psychotropic Substances	2022/III	2022/IV	32004R0273 [F] 32005R0111 [F]	

²⁶ The Rulebook should be harmonized with the Law on Protection of Cultural Heritage (partial compliance), on which a positive opinion of the EC was given in 2019.

					32009R0219 [F] 32013R1258 [F] 32013R1259 [F] 32015R1011 [F] 32015R1013 [F] 32016R1443 [F] 32020R1737 [F]	
--	--	--	--	--	--	--

2. ADMINISTRATIVE FRAMEWORK						
2.1. ADMINISTRATIVE CAPACITIES						
Inst.	Title of act	Description	Qualification	RIOS	2022	2023
RCA	Business strategy of the Revenue and Customs Administration 2022-2025	Implementation of competencies defined by the RCA Business Strategy within the Customs Procedures Department	Degree in economics/law	YES	1	3
		Implementation of competencies defined by the RCA Business Strategy within the Transit Group	Degree in economics/law	YES	2	
		Implementation of competencies defined by the RCA Business Strategy within the Customer Assistance Group	Degree in economics/law/engineer	YES	2	1
		Implementation of competencies defined by the RCA Business Strategy within the Department for Design, Development and Maintenance of Application Software in the Field of Customs System	Engineer	YES	2	1
2.2. REQUIRED INFRASTRUCTURAL STRENGTHENING						

Inst.	Title of act	Description of infrastructural / technical support	2022	2023
RCA	Business strategy of the Revenue and Customs Administration 2022 – 2025/ Revenue and Customs Administration IT Strategy 2022-2025	Common communication network/Common system environment (CCN2)	x	x
RCA	Business strategy of the Revenue and Customs Administration 2022 – 2025/ Revenue and Customs Administration IT Strategy 2022-2025	New computerized transit system (NCTS) – through support IPA 2014	x	x
		Integrated tariff management system (ITMS)		x
		Customs decisions (CDS)	x	x
		OTHER PROJECTS ²⁷ (implementation of new server and communication platforms for the support of EU projects and modernization of existing platforms)		x

²⁷ Prior to Montenegro's accession to the EU, in accordance with the Union Customs Law (UCC) and bylaws accompanying the Union Customs Law as well as the MASP, the needs of the Customs Administration within IPA funds will be expressed in order to implement mandated projects.

208/222

30. External Relations

INTRODUCTION

Negotiations on Chapter 30 - External Relations were opened at the Intergovernmental Conference held on 30 March 2015 in Brussels. For this chapter Montenegro received the closing benchmark which was fulfilled: Action Plan for the remaining preparations in terms of legislative alignment and harmonization of international agreements with the acquis and improving the administrative and control capacity to ensure full implementation and enforcement of the acquis in Chapter 30, which was adopted by the Government of Montenegro on 20 October 2016.

Chapter 30 – External Relations includes common commercial policy of the EU, bilateral agreements with third countries, development policy and humanitarian aid. The acquis in this chapter is mainly composed of directly applicable EU legislation, but some directives in the field of export credits and dual-use goods require transposition into national legislation.

A key challenge for Montenegro in this chapter relates to the strengthening of administrative capacity in the context of Chapter 30 (about 1/4 of the total EU acquis is in this chapter). Montenegro needs to strengthen the capacity to participate in development and humanitarian aid intended for developing and least developed countries, and in the area of export credits and dual-use goods. Also, the candidate country is required to progressively align its policies towards third countries and its positions within international organizations with the policies and positions adopted by the EU.

Institutions responsible for enacting legislation under this chapter, and related to the defined obligations under the current Program of Montenegro's accession to the European Union are: Ministry of Economic Development, Ministry of Finance and Social Welfare / Revenue and Customs Administration, Ministry of Foreign Affairs, Ministry of Ecology, Spatial Planning and Urbanism, European Integration Office and Investment and Development Fund of Montenegro.

Montenegro provisionally closed Chapter 30 – External relations on 20 June 2017.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		EU Acquis	
					Celex No	Other
A) Horizontal measures						
1.	MFA	Strategy for sending international development cooperation and humanitarian aid for the period 2024-2030.	2023/IV	2024-2030	42017Y0630(01) [F] 42008X0130(01) [F]	
1.2. Legislative framework						
Mark	Competent institution	Title	Adoption	Application	EU Acquis	
					Celex No	Other
A) Common Trade policy						
1.	MFSW	Law on Ratification of Amendments to the Customs Convention on International Transport of Goods under TIR carnet	2022/IV	On the day of accession	22016A1129(02) [F] 22021A0920(01) [F] 22021A0601(01) [F]	
2.	MFSW	Law on Ratification of the Convention on common transit	2022/II	2023/I	21992D1231(01) [F] 21993A0202(01) [F] 21994D0115(02) [F] 21994D1231(19) [F] 21994D1231(21) [F] 21996D0214(01) [F] 21996D0214(02) [F] 21996D0514(02) [F] 21997D0214(01) [F] 21997D0214(02) [F] 21997A0405(01) [F] 21997D0829(02) [F] 22001D0112(02) [F] 22003D0004 [F] 22005D0558 [F] 22005D0559 [F] 22005D0560 [F]	

210/222

					22005D0632 [F] 22005D0882 [F] 22008D0786 [F] 22009D0606 [F] 22013D0510 [F] 22013D0675 [F] 22015D1069 [F] 22015D2467 [F] 22016D0858 [F] 22018D0029 [F] 22020D0487 [F] 22021D1115 [F]	
3.	MED	Law Amending the Law on foreign trade in goods and services that may be used for the execution of the death penalty, torture or other cruel, inhuman or degrading treatment or punishment	2022/II	2022/IV	32019R0125 [P] ²⁸	
4.	MESPU	Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security	2022/IV	2024/IV	32013L0059 [P] 32013L0051 [P] 32011L0070 [P] 32009L0071 [P] 32014L0087 [P] 32006L0117 [P] 32005R0302 [P] 32008D0312 [P] 31989L0391 [P] 31992L0058 [P] 31989L0654 [P] 31989L0656 [P]	

²⁸ Full harmonization cannot be achieved until EU accession, given that some provisions apply exclusively to the EU.

					32009L0104 [P] ²⁹	
5.	MED	Decision to establish a National checklist for Dual-Use Goods	2022/II	2022/III	32021R0821 [F]	
6.	MESPU	Rulebook amending the Rulebook on the list of dangerous chemicals and products whose export is prohibited	2022/III	2022/IV	32020R1068 [F]	
7.	MESPU	Rulebook on amendments to the Rulebook on the detailed content of prior notification for export of chemicals	2023/III	2023/III	32020R1068 [F]	
8.	MFSW	Decree for implementation of Customs Law	2022/III	2022/III	32015R2446 [F] 32018R1063 [F] 32018R1118 [F] 32019R1143 [F] 32015R2447 [F] 32017R0989 [F] 32018R0604 [F] 32019R1394 [F] 32019D2151 [F] 32019R1143 [F] 32020R0893 [F] 32020R0877 [F] 32020R0712 [F] 32020R0523 [F] 32020R0761 [F] 32020R1209 [F] 32020R0760 [F] 32020R1727 [F] 52020XC0930(01) [F] 32020D2028 [F] 32020R2172 [F]	

²⁹ Full compliance of the Draft Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security with the presented acquis communautaire in this area will be achieved by adopting bylaws, strategic, program and planning documents, for which 112 legal bases are given within the Draft Law. , which, according to the agreement, will be considered by the European Commission only after its adoption.

212/222

9.	MFSW	Decree on Customs Tariff for 2023	2022/IV	2023/I	32019R1776 [F] 32020R0712 [F] 32020R0523 [F]	
10.	MFSW	Decree on Customs Tariff for 2024	2023/IV	2024/I	32019R1776 [F] 32020R0712 [F] 32020R0523 [F]	
11.	MFSW	Decree on insurance export from non-market risks	2023/III	2023/IV	32011R1233 [F] 32018R0179 [P] ³⁰	
B) Development policy and Humanitarian Aid						
12.	MFA	Law on Amendments to the Law on International Development Cooperation and Rendering of International Humanitarian Aid	2022/IV	2022/IV	31996R1257 [F]	

³⁰ Full alignment cannot be achieved given the financial impact on the budget.

31. Foreign, Security and Defence policy

INTRODUCTION

Foreign, security and defence policy is based on legal acts, including legally binding international agreements and political documents. The acquis consists of political declarations, activities and agreements. Alignment of Montenegro with the statements of the EU Foreign Affairs Council is 100%.

Chapter 31 includes: political dialogue with the EU, issues of the candidate country's relations with the EU and its institutions, cooperation with international organizations, especially the UN, OSCE and CoE, developed arms control system, ESDP, cooperation with NATO and the fight against terrorism.

Main priorities of the foreign policy of Montenegro are related primarily to membership in the EU and NATO.

Special attention is given to strengthening relations with neighbouring countries, which are founded on constructive dialogue, development of trust and broad regional cooperation. Policy of good neighbourly relations is one of the leading foreign policy goals of Montenegro.

Long lasting contribution of Montenegro, in terms of developing regional cooperation, is provided through active participation in regional initiatives and organizations, such as the Central-European Initiative, South East European Cooperation Process (SEECP), Adriatic-Ionian Initiative, the Berlin Process, the Regional Cooperation Council (RCC), Migration, Asylum, Refugees Regional Initiatives and many other.

Multilateralism is one of the three foreign policy priorities of Montenegro. Through the activities in international organizations, Montenegro protects and promotes its interests, takes part in defining the global political trends and together with the countries in the region and the broader area seeks to affirm cooperation and common presentation in the international arena.

Institutions responsible for the implementation of obligations under this chapter are: Ministry of Foreign Affairs, Ministry of Defence, Ministry of Interior, Ministry of Economic Development, Ministry of Ecology, Spatial Planning and Urbanism, European Integration Office, Agency for Nature and Environmental Protection, Administration for Inspection Affairs, Police Administration - Sector for Prevention of Money Laundering and Terrorist Financing.

Negotiation chapter 31 opened at the Intergovernmental Conference in Luxembourg on 24 June 2014.

214/222

1. PLANS AND NEEDS						
1.1. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	EU Acquis	
					Celex No	Other
A) General principles						
1.	MESPU	Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security	2022/IV	2024/IV	32013L0059 [P] 32013L0051 [P] 32011L0070 [P] 32009L0071 [P] 32014L0087 [P] 32006L0117 [P] 32005R0302 [P] 32008D0312 [P] 31989L0391 [P] 31992L0058 [P] 31989L0654 [P] 31989L0656 [P] 32009L0104 [P] ³¹	
2.	MFA	Law Amending the Law on International Restrictive Measures	2022/II	2022/III		
3.	MI	Rulebook Amending the Rulebook on the detailed manner of disabling weapons	2022/II	2022/III	32018R0337 [F]	
4.	MED	Decision on establishing the national control list of weapons and military equipment	2022/I	2022/II	52020XG0313(07) [F] 32021L1047 [F]	
5.	MFA	Decision Amending the Decision on the introduction of international restrictive measures established by the decisions of the Council of the European Union 2011/72/CFSP of 31 January 2011, 2011/79/CFSP of 4 February 2011, 2012/50/CFSP of 27 January 2012, 2012/724/CFSP	2022/IV	2022/IV	32020D0117 [F] 32020R0115 [F]	

³¹ Full compliance of the Draft Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security with the presented acquis communautaire in this area will be achieved by adopting bylaws, strategic, program and planning documents, for which 112 legal bases are given within the Draft Law. , which, according to the agreement, will be considered by the European Commission only after its adoption.

215/222

		of 26 November 2012, 2013/72/CFSP of 31 January 2013, 2013/409/CFSP of 30 July 2013, 2014/49/CFSP of 30 January 2014, 2015/157/CFSP of 30 January 2015, 2016/119/CFSP of 28 January 2016 and 2020/117/CFSP of 27 January 2020 on the situation in Tunisia				
6.	MFA	Decision on the introduction of international restrictive measures established by Council of the European Union decisions 2013/184/CFSP of 23 April 2013, 2014/214/CFSP of 14 April 2014, 2015/666/CFSP of 28 April 2015 and 2020/563 of 23 April 2020 on the situation in Myanmar/Burma	2022/IV	2022/IV	32020D0563 [F] 32020R0562 [F]	
7.	MFA	Decision on the introduction of international restrictive measures established by the Decision of the Council of the European Union 2019/1894/CFSP of 11 November 2019 on restrictive measures with regard to illegal drilling activities carried out by Turkey in the eastern Mediterranean	2022/IV	2022/IV	32019D1894 [F] 32019R1890 [F]	
8.	MFA	Decision amending the Decision on restrictive measures imposed by Council of the European Union 2021/1014/CFSP in relation to the situation in Libya	2022/IV	2022/IV	32021D1014 [F]	
9.	MFA	Decision on Amendments to the Decision on Restrictive Measures Established by Decisions of the Council of the European Union 2021/543/CFSP of 26 March 2021 in Relation to the Situation in Bosnia and Herzegovina	2022/IV	2022/IV	32021D0543 [F]	
10.	MFA	Decision amending the Decision on restrictive measures established by Council of the European Union Decisions 2021/595/CFSP of 12 April 2021 against certain persons and entities with regard to the situation in Iran	2022/IV	2022/IV	32021D0595 [F]	
11.	MFA	Decision amending the Decision on restrictive measures established by Council of the European Union 2020/1466/CFSP of 12 October 2020 against the proliferation and use of chemical weapons	2022/IV	2022/IV	32020D1466 [F]	
12.	MFA	Decision amending the Decision on restrictive measures established by Council Decision 2020/1586/CFSP of 29 October 2020 against the leadership of the Transnistrian region of the Republic of Moldova	2022/IV	2022/IV	32020D1586 [F]	
13.	MFA	Decision amending the Decision on restrictive measures established by Council of the European Union 2020/1699/CFSP of 12 November 2020 against Iran	2022/IV	2022/IV	32020D1699 [F]	
14.	MFA	Decision amending the Decision on restrictive measures established by Council of the European Union 2020/1388/CFSP of 2 October 2020, 2020/1650/CFSP of 6 November 2020, 2020/2130/CFSP of 17 December 2020, 2021/353/CFSP of 25 February 2021, 2021/908/CFSP	2022/IV	2022/IV	32020D1388 [F] 32020D1650 [F] 32020D2130 [F] 32021D0353 [F]	

		of 4 June 2021, 2021/1001 / CFSP of 21 June 2021 and 2021/1031 / CFSP of 24 June 2021 in relation to the situation in Belarus			32021D0908 [F] 32021D1001 [F] 32021D1031 [F]	
15.	MFA	Decision on the introduction of international restrictive measures established by Council of the European Union Decisions 2019/797/CFSP and 2020/1127 of 30 July 2020 on restrictive measures against cyber-attacks which pose a threat to the Union or its Member States	2023/III	2023/III	32020D0651 [F] 32020D1127 [F] 32020R1125 [F]	

32. Financial Control

INTRODUCTION

Chapter 32 – Financial Control covers four main areas: public internal financial control (PIFC), external audit, protection of the financial interests of the EU and protection of the euro against counterfeiting.

In accordance with internationally accepted standards and recommendations of the EU, the term PIFC implies a comprehensive system that is established to manage, control, audit and report on the use of funds of the national budget and EU funds. For lawful and successful functioning of the public sector, the existence of institutional, professional and independent external control of disposal of public finance and state assets is of particular importance. In order to secure the protection of the financial interests of the European Union, European office for the fight against fraud (OLAF) has been established, whose aim is to fight against corruption and other illegal activities that cause financial consequences. Penalties for misuse of funds from the budget include prosecution by state authorities, disciplinary proceedings, administrative or financial sanctions. In accordance with the requirements of the European Commission, AFCOS system (Anti-Fraud Coordination Service) is established in all Member States and candidate states, which is responsible for combating irregularities and fraud that may occur by using the funds of the European Union (EU), as well as to provide effective and efficient protection of its financial interests. In order to protect the integrity of euro banknotes and coins against counterfeiting, legal acts were adopted that define suspicious and counterfeited euro banknotes and coins, the treatment of suspected and counterfeited copies of euro banknotes and coins was established, and exchange of information and cooperation with national and international institutions.

Institutional framework: PIFC – Ministry of Finance and Social Welfare and other entities of the public sector at central and local level; External audit – Parliament of Montenegro and the State Audit Institution; Protection of EU financial interests: AFCOS – Ministry of Finance and Social Welfare and the members of the AFCOS network (Ministry of Justice, Human and Minority Rights, Ministry of Interior, Police Administration, Revenue and Customs Administration, State Audit Institution, Supreme Public Prosecutor, Agency for Prevention of Corruption); Protection of the euro against counterfeiting – Central Bank of Montenegro, Ministry of Justice, Human and Minority Rights and Police Administration.

The Chapter was opened at the Intergovernmental Conference on 24 June 2014.

1. PLANS AND NEEDS						
1.1. STRATEGIC FRAMEWORK						
Mark	Competent institution	Title	Period of validity		Acquis	
					Celex No	Other
A) PIFC						
1.	MFSW	Budget Inspection Development Strategy for the period 2022-2025	2022/IV	2022-2025	32018R1046 [F]	
B) External audit						
2.	SAI	Strategic Development Plan of the State Audit Institution of Montenegro for the period 2023 – 2027	2023/IV	2023 - 2027		INTOSAI P – 12 INTOSAI P - 20
3.	SAI	Action plan for the implementation of the Strategic Development Plan of the State Audit Institution of Montenegro for the period 2023-2027	2023/IV	2023 - 2027		INTOSAI P – 12 INTOSAI P – 20
1.2. LEGISLATIVE FRAMEWORK						
Mark	Competent institution	Title	Adoption	Application	Acquis	
					Celex No	Other
A) PIFC						
1.	MFSW	Law on Amendments to the Law on Management and Internal Controls in the Public Sector	2022/IV	2023/I		IIA IPPF (F) ³² COSO (F)
B) External audit						
2.	SAI	Code of Ethics for state auditors and other employees of the State Audit Institution	2022/III	2022/IV		INTOSAI P - 130
3.	SAI	Mid-term audits plan of the State Audit Institution	2022/III	2022/IV		INTOSAI P – 12

³² IIA IPPF International Standards for Professional Internal Auditing
COSO The Committee of Sponsoring Organizations of the Treadway Commission

						INTOSAI 100
C) Protection of the financial interests of the EU						
4.	MFSW	Decree on the institutional framework for the functioning of the system for managing irregularities and fraud (AFCOS system) in Montenegro	2022/IV	2022/IV	32013R0883 [F] 32018R1046 [F] 32021R1529 [F]	
5.	MFSW	Decision on establishing of the AFCOS advisory body	2022/IV	2022/IV	32013R0883 [F] 32018R1046 [F] 32021R1529 [F]	
D) Protection of the euro against counterfeiting						
6.	CB	Decision amending the Decision on the reproduction of banknotes	2022/III	2022/III	32020D2090 [F]	

2. ADMINISTRATIVE FRAMEWORK

2.1. ADMINISTRATIVE CAPACITIES

Inst.	Title of the act	Description	Qualification	RIOS	2022	2023
SAI	Law on the State Audit Institution	Strengthening the audit capacity and internal audit of the State Audit Institution	State auditor	YES	7	6
			Senior associate of state auditor		1	
			Senior Internal Auditor		1	
			Independent Advisor II		2	
			Senior Advisor II		1	
			Junior Internal Auditor			1

33. Financial and Budgetary Provisions

INTRODUCTION

The system of own resources of the European Union can be defined as a unilateral irreversible allocation of EU funds in order to finance the EU budget, which is carried out automatically without the need of making specific decisions by national authorities. Own resources of the EU are determined, collected, paid and controlled in accordance with the rules of the system of own resources.

The system of own resources of the EU is currently based on the Council Decision 2007/436/EC, Euratom (ORD 2007) and two regulations: Council Regulation (EC, Euratom) 1150/2000 and Council Regulation (EEC, Euratom) 1553/89.

Own resources of the EU include:

- 1) Traditional own resources (TOR), i.e. mainly customs and duties on sugar (including duties on agricultural products) based on the application of EU customs rules. Duties on sugar were imposed on sugar producers and serve to cover the EU expenses in this sector, which is not relevant in case of Montenegro because it does not have sugar production. TOR is considered a basic form of revenue of the EU, which stems directly from EU legislation. However, it is on the member states to collect this revenue, and from the total amount of funds collected on this basis Member States retain 25% as a compensation for expenses originated in the course of collection.
- 2) Funds based on the VAT base which are arising from the application of a uniform rate for all Member States. However, the limit has been established in the amount of 50% of GNI which the estimated value of the VAT base cannot exceed.
- 3) Funds based on GNI, which are used to finance the costs when all other funds have been utilized. They are determined by applying a flat rate to the total value of all the member countries' total GNI.

Bearing in mind that the acquis in this chapter does not require direct modification of national legislation, i.e. it applies to the Member States, and to Montenegro only after the accession to the EU, Montenegro will continue alignment of legislation in related areas, concerning the areas of Chapter 16 – Taxation, 18 – Statistics, 29 – Customs Union and 32 – Financial Control. Member States are required to fulfil administrative requirements in the area of own funds of the EU prior to accession to the European Union.

The institutions involved in the area of financial and budgetary provisions are: Ministry of Finance and Social Welfare, Revenue and Customs Administration, MONSTAT and Central Bank of Montenegro.

The Chapter was opened at the Intergovernmental Conference on 16 December 2014.

1. PLANS AND NEEDS							
1.1. LEGISLATIVE FRAMEWORK							
Mark	Competent institution	Title	Adoption	Application	Acquis		
					Celex No	Other	
A) Traditional own resources							
1.	MFSW	Budget Law of Montenegro for 2023	2022/IV	2023/I			
2.	MFSW	Budget Law of Montenegro for 2024	2023/IV	2024/I			