

*By joining the WTO, Montenegro has undertaken an obligation to implement the WTO agreements and principles, and through a set of accession documents, so called “Accession Package”, which have a binding character and define the conditions for joining the Organization.*



Montenegro became the 154<sup>th</sup> WTO member. The Working Group for Montenegro's accession to the WTO was established with the aim to examine the request of the Government of Montenegro for accession to this Organization in accordance with Article XII of the WTO Agreement. In this regard, after the eight meetings, the Working Group (WG), on December 5, 2011, recommended to the Ministerial Conference the accession of Montenegro to the Organization, which resulted with conclusion of its mandate. Such recommendation was a confirmation that Montenegro had aligned its trade rules with the WTO rules. Later on, WG has adopted a set of access documents so-called “Accession Package of Montenegro”, and the same documents were adopted by the Ministerial Conference on December 17, 2011, when Montenegro's accession to the Organization was approved.

A set of accession documents, so called “Accession Package” – consists of the following:

- **Ministerial Conference/General Council Decision on the Accession** - WT/L/841; WT/MIN(11)/28 - By this Decision, Montenegro was invited to accede to the WTO Agreement and to become a member under the terms defined by the Protocol on Accession;

- **Protocol of Accession** - WT/L/841; WT/MIN (11)/28 – The Protocol on Accession defines that Montenegro undertakes all obligations stipulated by the WTO Agreement, the obligations provided for in paragraph 281 of the Working Group Report, and that the Annex of the Protocol consists of the Schedule of Concessions and Commitments Annexed to the GATT 1994, and the Schedule of Specific Commitments Annexed to the GATS;

- **Report of the Working Party** - WT/ACC/CGR/38 WT/MIN (11)/7 - This Report is the result of the multilateral negotiations between Montenegro and WTO members, and it refers to the harmonization of Montenegrin legislation with the relevant agreements. As such, it represents the final form of the factual summary of the questions and answers during the meetings of the Working Group, ending in 2011. A list of binding paragraphs (total of 35) is given in paragraph 281 of the Report;

- **Schedule of Concessions and Commitments Annexed to the GATT 1994** - WT/ACC/CGR/38/Add.1; WT/MIN (11)/7/Add.1 - The same is the result of the negotiations of Montenegro and interested WTO members. The Schedule of Concessions is a binding document that defines customs rates and duties, above which Montenegro won't increase its customs protection for the WTO members in the future, because the change of given concessions implies renegotiation; and

- **Schedule of Specific Commitments Annexed to the GATS** - WT/ACC/CGR/38/Add.2;  
WT/MIN (11)/7/Add.2.

By the Schedule of Specific Commitments in Services are defined those services available to foreign service providers within the territory of Montenegro through four modes of supplies, such as:

**Mode 1 - Cross-border supply** — the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.

**Mode 2 - Consumption abroad** — the freedom for the Member's residents to purchase services in the territory of another Member.

**Mode 3 - Commercial presence** — the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary.

**Mode 4 - Presence of natural persons** — the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

Under the term supplying services, it is meant not the basic service only, but also the production, distribution, marketing and sale, e.g. all activities not covered by the Schedule of Concessions.

**Schedule of Specific Commitments in Services** consists of horizontal commitments and sector specific commitments. Horizontal commitments stipulate limitations that apply to all of the sectors included in the schedule and refer to public utilities, limitations on branches, agencies and representative offices, subsidies, real estate and temporary entry and stay of natural persons. When it is about the sector specific commitments, Montenegro has undertaken commitments in 11 out of 12 sectors, namely: business, communication, construction and engineering, distribution, education, environment, financial, health, tourism and travel, recreation, cultural, and sporting (excluding audiovisual services) and transport services.

In addition to the sector, at the same time are scheduled limitations on market access representing the quantitative restrictions defined in Article XVI of GATS, limitations on national treatment representing discriminatory measures against foreign service suppliers defined in Article XVII of GATS, as well as additional commitments that represent additional guarantees for foreign service suppliers.

The chronology of the activities related to the negotiation process, as well as the above mentioned documents can be downloaded [here](https://www.wto.org/english/thewto_e/acc_e/a1_montenegro_e.htm) (Linkovati [https://www.wto.org/english/thewto\\_e/acc\\_e/a1\\_montenegro\\_e.htm](https://www.wto.org/english/thewto_e/acc_e/a1_montenegro_e.htm) ) and those are official WTO documents.

When it is about the internationally undertaken commitments through WTO accession process, they are covered by the Law on ratification of the Protocol on Accession of Montenegro to the Marrakesh Agreement Establishing the WTO. In addition to mentioned, in the part of the website related to the [library](http://www.mek.gov.me/en/WTO/LIBRARY) (linkovati <http://www.mek.gov.me/en/WTO/LIBRARY> ), relevant Montenegrin legislation related to or affecting trade in goods, services and trade rights of intellectual property could be found, in accordance with the Report of the Working Party and other accession documents.