

Diplomatic Handbook

Jul, 2024, Podgorica

DIPLOMATIC HANDBOOK

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INTRODUCTION

Since the very beginning of Montenegro's thousand-year-old statehood, regardless of its internal political realities and external, geopolitical circumstances, while being known under different names (Duklja, Zeta, Crna Gora), there has always been some kind of official relations with the neighbouring territories.

Montenegro was formally recognised as an independent state at the Berlin Congress in 1878. In the following years, many diplomatic representations were established in Cetinje, the Old Royal Capital of Montenegro. There were 11 residential embassies and more non-residential ones, which not only put Montenegro on the European and world map, but also brought an international spirit and lively diplomatic life to Montenegro.

Ever since Montenegro restored its statehood on 21 May 2006 and once again started hosting diplomatic missions, the Ministry of Foreign Affairs of Montenegro has been committed to ensuring that all diplomats in Montenegro feel welcome and that all the administrative, logistic and technical procedures in regards to diplomatic missions and diplomats are handled professionally and smoothly.

Montenegro highly appreciates the work that foreign diplomatic missions and diplomats do, and considers it essential for the fulfilment of the overarching goal of Montenegrin foreign policy – the best possible relations with our allies, our partners and our neighbours, and openness to cooperation with all countries and international organisations.

The Diplomatic Handbook, created by the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro, with the generous contributions of other departments of this Ministry, is aimed at facilitating the procedures and practices based on the Vienna Convention on Diplomatic Relations.

We sincerely hope that you will find the Diplomatic Handbook helpful and useful in your future work.

1. ARRIVAL AND DEPARTURE OF AMBASSADORS

1A: Request for Agreement

The sending country is required to request an Agreement for the Ambassador Extraordinary and Plenipotentiary of that country to Montenegro by note verbale, addressed to the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro.

Together with the note verbale, the sending country is required to submit the curriculum vitae of the newly appointed Ambassador Extraordinary and Plenipotentiary.

Once the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro receives the note verbale, the internal procedures necessary to respond to the request start.

When the procedures are completed and if the response from Montenegro is positive, and when the sending country completes the process of issuance of letters of recall of the previous Ambassador and letters of credence for the newly appointed Ambassador, the diplomatic mission of the sending country is required to contact (by note verbale or by email) the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro, requesting to schedule the presentation of the copies and originals of the letters of credence.

The Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro will, in turn, notify the diplomatic mission once presentations are scheduled.

1B: Notification of Arrival

The diplomatic mission verbally informs the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro about the date and time of arrival of the newly appointed Head of Mission, as well as about the mode/means of transport by which it is planned for them to arrive in Montenegro.

If it is necessary for citizens (including holders of diplomatic passports) of the sending country to obtain a visa to enter Montenegro, the newly appointed

Ambassador/Head of Mission and the persons accompanying them are required to obtain a Montenegrin visa before their arrival in Montenegro.

1C: Airport/Border Crossing Procedures

If the newly appointed Head of Mission arriving in Montenegro by air, the flight number, the names of the accompanying persons and the estimated time of arrival at the airport must be announced in advance to the Diplomatic Protocol.

The newly appointed Head of Mission with the rank of Ambassador is welcomed at the airport by the Chief or a representative of the Diplomatic Protocol, if the time of arrival is on a working day, during working hours.

If the appointed Head of Mission arrives before/after working hours, during a weekend or on a public holiday, welcoming by the Head/representative of the Diplomatic Protocol will be attempted, but cannot be guaranteed. However, the Diplomatic Protocol will arrange the fast and smooth border crossing/ shortening of the airport procedures for the newly appointed Head of Mission.

The Diplomatic Protocol organises and bears the costs of using VIP lounges at the airports in Podgorica and Tivat, during the arrival of the newly appointed Head of Mission in Montenegro, as well as during their departure from duty.

In other cases, diplomatic missions can arrange the use of the VIP lounge directly with the airport services, at the expense of the diplomatic missions. More details about the VIP treatment at the airport can be found at the link below: https://monte-negroairports.com/aerodrom-podgorica/putnici-i-posjetioci/vip-usluga/



If the newly appointed Head of Mission arrives in Montenegro in a personal vehicle, the make, type, colour and licence plates of the vehicle, as well as the name of the driver and other persons accompanying them, must be submitted to the Diplomatic Protocol at least three business days in advance. On that occasion, the diplomatic mission of the sending country is required to inform the Diplomatic Protocol about the point of entry (border crossing), as well as to provide the estimated time of arrival of the newly appointed Head of Mission. This is necessary in order to ensure a quick and smooth crossing of the state border.

1D: Arrival Procedures and Presentation of Copies of Letters of Credence

The newly appointed Ambassador submits copies of the letter of credence and the letter of recall of their predecessor to the Chief of the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro. In case the Chief of the Diplomatic Protocol is not available, the Ministry of Foreign Affairs of Montenegro will provide a substitute who is one of the high-level diplomats at the Ministry. The newly appointed Head of Mission may be accompanied by a maximum of three members of the Embassy's diplomatic staff when submitting a copy of the letter of credence.

Before submitting the letter of credence, the Head of Mission may meet with the Head of Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro or with their deputy.

The newly appointed Head of Mission (Ambassador Designate), who has submitted copies of letters of credence, may perform limited official functions in the period while waiting for the submission of letters of credence to the President of Montenegro. During that period, they may establish contacts in the Ministry of Foreign Affairs and the state administration, as well in as the diplomatic corps. It is recommended that they do not arrange meetings with members of the government and with the President of the Parliament of Montenegro, and avoid public engagements.

In the event that the Ambassador has only submitted copies of their letter of credence to the Ministry of Foreign Affairs of Montenegro, but has not yet submitted their letter of credence to the President of Montenegro, it is recommended that they do not attend events where the President of Montenegro is present or that they consult the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro before planning to attend such an event.

1E: Ceremony of the Presentation of Letters of Credence to the President of Montenegro

At the agreed time, the representative of the State Protocol comes to the residence or official premises of the diplomatic mission, or hotel. The Head of the Mission and the representative of the State Protocol leave the residence, the official premises of the diplomatic mission or the hotel, and go to the President's Residence in the official vehicle of the State Protocol, on which two Montenegrin flags will be displayed, <u>along a predetermined route</u>, with a police escort. The Head of Mission may be accompanied by a maximum of three members of their entourage who are transported by protocol vehicle. As a rule, the Head of Mission is accompanied by members of the Embassy's diplomatic staff or close family members, and only in exceptional cases may they be accompanied by other persons.

The Embassy must inform the Diplomatic Protocol in advance about the names and titles of the persons accompanying the Head of Mission.

The order of the vehicles, during the ceremony of the presentation of the letters of credence, is as follows:

- 1. Police vehicle
- 2. Ceremonial vehicle with the Head of Mission and Protocol representative;
- 3. Another official vehicle with members of the Ambassador's entourage.

Before the ceremony, the official vehicle stops in front of the main entrance of the President's Residence in Cetinje, where the Head of Mission is greeted by the Chief of Diplomatic Protocol or their deputy/highest-ranking diplomat. The flags of Montenegro and the sending country must be displayed above the main entrance of the residence. The Honorary Guard of the Army of Montenegro is lined up on the left side of the red carpet in front of the entrance to the President's Residence. The Commander of the Honorary Guard Unit greets the Ambassador with an honorary salute.

The Ambassador performs the inspection accompanied by the Chief of Diplomatic Protocol or their deputy, salutes the flag of Montenegro with a turn towards it and a gentle bow, and continues to move along the carpet towards the entrance to the President's Residence.

In front of the President's Residence, the Head of Mission is welcomed and greeted by the Head of the State Protocol of Montenegro or their deputy. With the Head of the State Protocol of Montenegro or their deputy on their left and the Head of Diplomatic Protocol on their right, the Head of Mission enters the reception room of the President's Residence. Their entourage follows a few steps behind.

The Head of Mission proceeds to the hall where the ceremony is held, guided by the Head of the State Protocol of Montenegro (the Chief of the Diplomatic

Protocol approaches the Head of Mission from the right). The Head of Mission's entourage stands behind them, in order of precedence from left to right (viewed from the front). The President of Montenegro enters the hall from the opposite side and proceeds to stand exactly opposite the Head of Mission.

The Head of the State Protocol of Montenegro introduces the Ambassador to the President of Montenegro by saying aloud their title, first and last name, and the name of the sending country.

Immediately after the announcement of the Head of the State Protocol of Montenegro, the Head of Mission addresses the President with the words: "Your Excellency (an option is also: Mr. or MadamPresident), allow me to present you the letters of credence (followed by the full address and name of the sending head of state)."

After the address, the Head of Mission approaches the President of Montenegro and formally (with both hands) hands over the letter of credence and the letter of recall of their predecessor. They shake hands and on that occasion a photograph is taken. After that, the Head of Mission presents their entourage to the President of Montenegro. After the presentations are over, the President of Montenegro invites the Ambassador and the entourage to the reception room for a brief conversation.

Graphic plans of the ceremony can be found at the following link:



Procedura predaje akreditiva (www.gov.me)

After the conversation is over, the Head of Mission and their entourage bid farewell to the President of Montenegro and, accompanied by the Head of the State Protocol of Montenegro and the Head of the Diplomatic Protocol, head towards the main exit of the Residence.

After leaving the Residence, accompanied by the Chief of Diplomatic Protocol, the Head of Mission inspects the Honorary Guard Unit of the Army of Montenegro, which is on their right, and salutes the flag, with a turn towards it and a gentle bow. They enter the official vehicle, on which the flag of the sending country is now flying on the right side, and the flag of Montenegro on the left side. Accompanied by a representative of the State Protocol, the Head of Mission returns to their residence, the official premises of the diplomatic mission or the hotel, following a predetermined route.

After submitting the credentials of the Ambassador Extraordinary and Pleni-

potentiary, the diplomatic mission may request, through the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro, the organising of courtesy calls with the highest state officials.

1F: End-of-Term Notifications

At the end of the term of the Ambassador, the diplomatic mission may request, through the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro, the organising of a farewell courtesy call with the highest state officials.

The diplomatic mission may request, three business days before departure day, that the Diplomatic Protocol facilitate the shortening of airport procedures and a fast border crossing for the Ambassador on their departure day. The request is made by note verbale, which should contain the date and time of the departure and the flight number.

If the Ambassador is crossing the Montenegrin border by land, the licence plate number, make and model of the car and the estimated time of crossing will suffice.

Once the Head of Mission has completed their term, the diplomatic mission is required, by note verbale, to notify the Diplomatic Protocol of the Ministry of Foreign Affairs about the end of the term, and to return their diplomatic ID and tax exemption cards.

2. PRIVILEGES AND IMMUNITIES FOR DIPLOMATS

2A: Diplomatic IDs

In the form of a note verbale, the diplomatic mission sends a request for the issuance/extension of an diplomatic ID or tax ID with at least three photographs, a copy of the passport and a completed questionnaire, which can be downloaded from the website of the Ministry of Foreign Affairs

(link below).

Procedura izdavanja diplomatskih/službenih i poreskih legitimacija (www.gov.me)



The photographs should be 5×5cm, with no white edges. The size of the photograph, measured from the chin to the top of the head (including hair) should be between 2.5 and 3.5 cm. The photograph must be in colour, and the applicant, when photographed, should look straight towards the camera (no sideways glances). The background of the photograph should be white. The applicant may wear glasses on the photograph, but not shades.

The request and the accompanying documents are then officially forwarded by the Diplomatic Protocol to the Ministry of Internal Affairs of Montenegro (MIA).

The usual waiting time for the issuance of diplomatic IDs is 15–20 business days. After the Ministry of Internal Affairs (MIA), at the request of the Ministry of Foreign Affairs, issues the requested diplomatic ID, the diplomatic mission will be informed about it by email. The usual time to pick up diplomatic/official IDs is on Thursdays between 10 am and 11 am, at the Ministry of Foreign Affairs of Montenegro.

2B: Tax Exemption Cards

Regarding tax identification cards, please note that all aspects of their issuance, including the timing, are under the exclusive jurisdiction of the Revenue and Customs Administration (RCA), while the Ministry of Foreign Affairs only forwards the request. Therefore, information on the issuance of tax identification cards can be obtained by contacting the RCA directly, calling the number 19707 (call centre).

2C: Registration of Diplomatic Vehicles

Diplomatic missions, by note verbale, may request that the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro facilitate the registration of their personal (only for diplomatic agents, not applicable to local staff) and mission vehicles.

The note verbale should contain the make and model of the vehicle.

The note verbale is then officially forwarded by the Diplomatic Protocol to the Ministry of Internal Affairs of Montenegro, which will complete the procedure and notify the requesting diplomatic mission about the change-over of the licence plate. The Ministry of Internal Affairs reserves the right to ask for further documents or clarifications. Such requests will be transmitted either directly to the diplomatic mission or through the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro.

Once the licence plate has expired or the diplomatic mission/agent does not plan to further use the vehicle or plans to sell it, the diplomatic mission is required, with an accompanying note verbale, to return the licence plates to the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro.

2D: Homologation

If the diplomatic mission/diplomatic agent is importing a vehicle(s) into Montenegro, the Ministry of Transport and Maritime Affairs of Montenegro may request a so-called "Homologation Certificate".

The homologation certificate is issued by the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro.

Diplomatic missions are required to request the homologation certificate by note verbale. Attached with the note verbale should be a copy of the diplomatic ID of the diplomatic agent importing the vehicle.

The issuance procedure usually takes 1–2 business days. After the certificate is issued, the representative of the diplomatic mission will hand over the document to the Archive of the Ministry of Foreign Affairs of Montenegro. **2E:** End-of-Term Notifications

Once a diplomatic agent has completed their term, the diplomatic mission is required, by note verbale, to notify the Diplomatic Protocol of the Ministry of Foreign Affairs about the end of the term, and to return their diplomatic ID and tax exemption cards.

3. CONSULAR REPRESENTATION

3A: Accreditation of Consuls General and Honorary Consuls

After receiving a note verbale from the country with a request for accrediting a Consul General or an Honorary Consul, which contains information about the address and jurisdiction area, and a copy of the travel document of the candidate for Consul General/Honorary Consul, the Ministry of Foreign Affairs enforces internal procedures.

Upon approval, the Ministry sends a request for the Letter of Commission to the country, and after receiving the Letter, the Ministry delivers an exequatur signed by the Minister (a translation of the exequatur and proof of its authenticity signed by the Chief of Protocol).

Unlike Ambassadors Extraordinary and Plenipotentiary, Consuls General are not entitled to receive expedited airport/border crossing procedures.

After a Consul General arrives and assumes their duties, the Consulate General should inform the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro via note verbale.

The same rule applies for the departure of a Consul General.

3B: Privileges, Immunities and End-of-Term Notifications

Consuls General are eligible to receive diplomatic ID cards and tax exemption cards.

Honorary Consuls are eligible to receive consular ID cards. They do not have the right to receive tax exemption cards.

The procedure for the issuance of diplomatic/consular ID cards for Consuls General and Honorary Consuls is identical to the one for diplomatic agents, described in Chapters 2A and 2B.

Consular missions are registered on the Diplomatic List in the same manner as the diplomatic missions and enjoy same rights and responsibilities (please see Chapter 6).

4. CUSTOMS AND TAX/VAT EXEMPTIONS FOR DIPLOMATIC AND CONSULAR REPRESENTATIONS/DIPLOMATS

Diplomatic missions should submit to the Diplomatic Protocol of the Ministry of Foreign Affairs the form for exemption from payment of VAT and customs duties, with the accompanying documentation confirming the amount of the value of the goods indicated on the customs/tax exemption form (invoice/ pro-invoice/invoice/provisional invoice).

The customs/tax exemption form and accompanying documentation should be delivered in paper form (hard copy) in four copies each (four for the customs exemption and four for the VAT exemption), by mail/courier, as well as in electronic form (a scan of the form and all documentation should be sent to the e-mail address <u>diplomatic.protocol@mfa.gov.me</u>).

At the following link (https://www.gov.me/clanak/izdavanje-potvrda-za-oslobadanje-od-pdv-a-carine-i-akciza-fransiza) the following forms for VAT exemption certificates and customs duties exemption certificates are available for download:



- Certificate of exemption from payment of VAT and customs duties for the official needs of foreign Diplomatic and Consular Representations (DCRs)

- Certificate of exemption from payment of VAT and customs duties for official purposes of foreign DCRs – form for vehicles

- Certificate of exemption from VAT and customs duties for the personal needs of members of foreign DCRs

- Certificate of exemption from VAT and customs duties for the personal needs of members of foreign DCRs – form for vehicles

- Certificate of exemption from excise duty

If the vehicle is subject to VAT and customs duty exemption, a special form for vehicles is used, which can also be found at the link above.

After the customs/tax exemption form is signed and certified by the Diplomatic Protocol/MFA Archive, the documentation can be picked up at the Archive of the Ministry of Foreign Affairs on Mondays, Wednesdays and Fridays from 9 am to 11 am. In case of urgency, please announce your arrival by calling +382 20 416 374.

The form can be picked up from the Archive only by the authorised representative of the applicant, with authorisation being proven by the diplomatic or service ID.

In order to check whether the form is ready for collection, please contact the Archive of the MFA by calling 020 416 374.

5. LOCAL STAFF

Diplomatic missions are not required to notify the Ministry of Foreign Affairs of Montenegro when they hire or fire local staff or administrative/technical personnel who do not have diplomatic status.

Local staff/administrative/technical personnel who are citizens of a sending country or third country and members of their household are eligible to receive service ID cards.

Local staff who are citizens of Montenegro are not eligible to receive service ID cards.

The procedure for the issuance of service ID cards is identical to the proce-

dure for diplomatic ID cards, described in Chapters 2A and 2B.

6. PURCHASE OF PROPERTY/REAL ESTATE BY DIPLOMATIC MISSIONS

Diplomatic missions in Montenegro are eligible to purchase property/real estate in Montenegro, for the purpose of the work of their respective missions.

If a diplomatic mission wishes to purchase property/real estate, the first step of the procedure is to send a note verbale to the Ministry of Foreign Affairs of Montenegro, requesting that the Ministry grant the purchase.

Together with the note verbale, diplomatic missions are required to present the relevant data about the property from the Real Estate Database (Cadastre), as well as a confirmation (an MoA or Letter of Intent) that the diplomatic mission intends to sign a contract regulating the purchase of the property. This confirmation should provide basic data about the seller, the value of the property and a description of the purpose of use of the property by the diplomatic mission.

After receiving the necessary documents, the Ministry of Foreign Affairs of Montenegro and other competent authorities will complete the internal procedures. When there is a need for the diplomatic mission to clarify the existing documents or provide additional ones, the Ministry of Foreign Affairs of Montenegro will notify it, asking it to do so.

After its completion of the process, the Ministry of Foreign Affairs will decide whether to grant or deny the permit for purchase. In its deliberations, among other things, the Ministry of Foreign Affairs of Montenegro will also take into consideration previous good practices and the principle of reciprocity.

The Ministry of Foreign Affairs will notify the diplomatic mission about its decision by note verbale. If the decision is to grant the permit for the purchase, the said note verbale will serve as a proof of permit to all relevant authorities in Montenegro.

After the permit is granted, the competence of the Ministry of Foreign Affairs ends, and the diplomatic mission should communicate directly with other relevant parties about all possible further steps towards the completion of the purchase.

7. DIPLOMATIC LIST

The comprehensive Diplomatic List can be found on the website of the Ministry of Foreign Affairs of Montenegro. The link is provided here:



https://www.gov.me/en/mvp/diplomatic-protocol

Diplomatic List is updated by the Diplomatic Protocol of the Ministry of Foreign Affairs of Montenegro once a month, usually at the end of each month. The updates are based on notifications of arrival/end of term, provided by the diplomatic missions.

Diplomatic missions may request, by note verbale, specific updates to the Diplomatic List. These will be handled at the end of the month when the whole list is updated.

In very exceptional, urgent cases, the updates will be made 1–2 business days after the request.

Diplomatic missions may also request, if necessary, a certificate proving that a mission is registered in the Diplomatic List (a so-called "Potvrda o evidenciji"). The requests are made by note verbale, which should contain all the data the mission needs to be found on the certificate (name, address, name of the Head of Mission, authorised representatives for legal, consular or financial affairs).

