

TAIEX Peer review Mission on Consumer Protection in Montenegro

Mission timeframe: from 26/01/2026 to 29/01/2026

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The views articulated and expressed in this report are purely those of the author and may not in any circumstances be regarded as stating an official position of the European Commission.

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1. Background

On 26-29 September 2022, a TAIEX peer review mission was conducted to assess Montenegro's level of preparation with respect to the closing benchmark in the framework of EU-accession negotiations under chapter 28: Consumer protection and health. The report of that mission set out the following seven recommendations to improve the administrative structures responsible for consumer protection:

1. Timely Transposition and Implementation of Relevant EU Legislation
2. Strengthen Administrative Capacities of Market Surveillance and Policy Making Authorities
3. Continuation of Process of Training and Education
4. Strengthen the Support to Non-Governmental Sector and Out-of-Court Dispute Resolution Mechanisms
5. Strengthen Engagement of Local Government in Consumer Protection
6. Establish Single Liaison Office in Administration for Inspection Affairs Based on Existing Legislation
7. Ascertain That the Amendments to a RAPEX Decree (now Safety Gate) Cover All the Changed Elements of EU Decision

Based on the mandate of the European Commission, we have attended Peer Review Mission on Chapter 28 – Consumer and Health Protection, held in Podgorica/Montenegro from 26 to 29 January 2026, organised by the European Commission's DG Neighbourhood and Enlargement Negotiations, within the framework of TAIEX instrument.

2. Introduction

2.1. Mission's Objective

The objective of the peer review mission was to provide the European Commission from a consumer protection (including alternative dispute resolution) and product safety regulation perspective as well as online fraud perspective, with:

- an assessment of the state of play and progress on the recommendations from the previous peer review report;
- an outline of consumer experience to report an issue and get resolution (for 3 consumer groups as outlined above). In particular, the used indicators should enable setting-up key priorities and monitoring effectiveness/efficiency on existing resolution mechanisms and capacity;
- and proposed and prioritised recommendations (roadmap) that would allow Montenegrin authorities to prepare further and converge with EU standards.

Peer review covered two aspects of consumer protection: product safety, being a responsibility of Ms Maureen Logghe, and protection of consumers' economic interests, being responsibility of Mr Piotr Adamczewski and Mr Marko Baretić. Keeping with the task of our mission, we have focused our analysis on progress in fulfilling recommendations from the previous peer review report.

For the sake of clarity, this report is divided in two parts: the first dedicated to public safety and, the second dedicated to the consumers' economic interests, in which we analyse the progress on the recommendations from the previous peer review report, define the current state of play and give further recommendations allowing Montenegrin authorities to prepare further and converge with the EU standards in Chapter 28 – consumer protection and health.

2.2. Methodology of the Evaluation

In the course of our assessment, three main methods were used:

- analysis of written materials prepared by relevant institutions of Montenegrin Government, other relevant public entities, and NGO's
- in-person interview with the representatives of the relevant institutions and relevant stakeholders;
- on-site inspections.

In the course of the mission, the following documents were examined:

- document titled “Montenegro Institutional Framework Peer Review Mission 2026”, prepared by the Montenegrin Government's Ministry for Economic Development,
- draft of the Regulation on implementation of Regulation (EU) 2017/2394 on cooperation between national authorities responsible for the enforcement of consumer protection laws,
- power point presentation titled “Inspection Supervision over the Implementation of Laws Containing Consumer Protection Provisions – handling and reporting” prepared by the Market Inspection Directorate,
- Decree on the Organisation and Mode of Operation of State Administration of Montenegro,
- document titled “Dynamic Action Plan for strengthening Administrative Capacities in Public Administration for 2025-2026, in the Context of the Law on Amendments to the Law on Civil Servants and State Employees”,
- document titled “Analysis of administrative capacities and recommendations for the future strategy for the development of administrative capacities in charge of EU-related issues”,
- Proposal for the Law on Collective Actions for the Protection of Consumers' Interests”,
- Table of Concordance – Directive 2013/11/EU,
- Table of Concordance – Directive (EU) 770/2019,
- Table of Concordance – Directive (EU) 771/2019,
- Table of Concordance – Directive (EU) 1828/2020,
- document titled “List of required legislation for consumer protection”,
- Draft Law on General Product Safety,
- Report on Chapter 28 – Consumer and Health Protection, self- assessment, Government of Montenegro, Ministry of European Affairs, March 2025,
- document titled “Enlargement package – MNE Second Contribution to EC (Chapter 28 – Consumer and Health Protection)”,
- document titled “Enlargement package – Update-Answers to the guiding questions (Chapter 28 – Consumer and Health Protection)”,
- National Consumer Protection Program 2022-2024,
- Action Plan for the Implementation of the National Consumer Protection Programme 2022-2024, for 2023,
- Action Plan for the Implementation of the National Consumer Protection Programme 2022-2024, for 2024,
- Final Report for the Implementation of the National Consumer Protection Programme 2022-2024,
- National Consumer Protection Programme 2025-2027.

In the course of the mission, we held in-person meetings with the representatives of the following institutions, and stakeholders;

- Delegation of the European Union to Montenegro;
- Ministry of Economic Development;
- Ministry of Economic Development – Market Inspectorate
- Central Bank of Montenegro

- Agency for Insurance Supervision
- Agency for Electronic Communication
- Regulatory agency for Energy
- Ministry of Tourism
- Police Administration
- Out-of-Court Consumer Dispute Resolution Committee
- CEZAP – association of consumers
- Local Communities Association and the Municipality of Bar, Municipality of Cetinje and Municipality of Žabljak.

During the mission we have encountered no obstacles whatsoever. All the materials were timely delivered, and all the meetings adequately organised, well-prepared and dully conducted.

We take this opportunity to thank the Montenegrin Government, and especially the Ministry of Economic Development, for the hard work in preparing for this mission, the representatives of the relevant Montenegrin institutions and other stakeholders for very productive and open discussions, and the Delegation of the European Union in Montenegro and European Commission, Directorate-General for Enlargement and Eastern Neighbourhood (DG ENEST), Unit A.5 – Institution Building, TAIEX, Twinning for excellent organisation of this mission and all the support during the execution of the mission.

3. Executive Summary

Montenegro has developed a comprehensive administrative structure responsible for consumer protection, which includes institutions responsible for strategic planning and policy development, and institutions responsible for enforcement of consumer protection laws.

This structure is with regard to protection of economic interests of consumers supplemented by a small, but effective NGO scene, as well as by specific non-governmental institutions developed by or attached to the entrepreneurs' associations, such as the Out-of-Court Dispute Resolution Board attached to the Chamber of Economy of Montenegro.

Legal system is aligned to the EU acquis to a high degree and there is dedication to fill-up all the existing lacunae in the near future.

Notwithstanding the foregoing, some challenges still remain in this domain. In fact, in a number of issues designated during the Peer review from 2022 as a challenge, no progress or very limited progress in attained.

As to the issue of timely transposition and implementation of relevant EU legislation, crucial legislative acts transposing EU acquis, like the new Law on Consumer Protection, the new Law on General Product Safety and the Law on Market Surveillance, are still not in force although, according to the Montenegrin officials, their entry into force should follow shortly.

As to the issue of strengthening administrative capacities of market surveillance and policy making authorities, the problem of a considerable degree of vacant posts, also noticed during the peer review of 2022, still persists, as well as the problem of the lack or obsolesce of necessary equipment and the lack of technical knowledge in certain areas.

With respect to coordination in the field of product safety, for the time being there is no coordination body nor a single national contact point or single liaison office. The Market inspectorate's technical supervision department is currently coordinating the sectoral programs.

As to the issue of amending a RAPEX Decree so to cover all the changed elements of the EU decision, after a large-scale cyberattack on the IT systems of state authorities in 2022, the CSCP and potrosac.me are back into operation, however the system is no longer compatible with SAFETY GATE, meaning Commission Implementing Regulation (EU) 2024/1479 of 27 May 2024.

Even though Montenegrin institutions devoted a considerable attention to education and training of officials from governmental bodies, regulatory authorities, NGO's and other stakeholders engaged in consumer protection, these activities remain heavily dependent on external financing, primarily from the European Union, whereas a fully institutionalised, permanent and nationally funded training framework has not yet been established.

The non-governmental sector in the field of consumer protection remains limited in scope, with only one active consumer protection organisation in Montenegro. While project-based funding from the Ministry of Economic Development partially covers operational costs of the CEZAP, financial support from local self-government has ceased, which is one of the reasons why the organisation is facing persistent financial instability over the past two years, significantly affecting the sustainability of its activities.

Even though the 2022 Peer-Review report recommended that the Government of Montenegro strengthen the engagement of local governments in consumer protection, no visible progress was achieved in this area. Local authorities are currently financing no specific consumer protection programs for two reasons; no consumer NGO actively applied for local funding and second, municipalities tend to prioritise limited financial resources for organisations supporting vulnerable social groups.

Based in these findings, Montenegro is recommended to take appropriate steps aimed at:

- enacting necessary legislation transposing relevant EU acts, such as the new Law on Consumer Protection and the new Law on Market Surveillance;
- overcoming current and persistent problem of limited manpower;
- overcoming current and persistent problem of generally insufficient financial resources and non-existent or obsolete necessary equipment;
- ensuring necessary adjustments to JIIS;
- ensuring specialised trainings on risk assessment;
- ensuring development of a systematic framework for professional capacity-building;
- ensuring sustainable and predictable financial support for consumer organisations and out-of-court consumer dispute resolution mechanisms;
- ensuring a more structured and active engagement of local self-government in consumer protection area.

Based on the foregoing, it could be concluded that recommendations given in the 2002 Report still remain valid.

4. Findings

4.1. Part I – Product Safety

The main interlocutor for Safety and Compliance of Products of the Ministry of Economic Development (MED) was the Directorate of Internal Market and Competition.

Following the administrative reorganization and the abolition of the Administration for Inspection Affairs on 1 October 2024, inspection authorities were returned to their respective ministries. The Regulation on Groups of Products Subject to Market Surveillance defines the categories of products subject to surveillance, as well as the inspection authorities competent for carrying out supervision over those product groups. This means that – according to the decision tree of the GPSR – products which fall under union harmonization legislation and might be in the remit of the General Product

Safety Regulation (GPSR) are scattered now over different ministries/inspection authorities. Overall there are enough inspectors dealing with the market surveillance of products.

The Directorate for Internal Market and Competition is having different sub-directorates, of which Directorate for Quality infrastructure (responsible for the **Law on Technical Requirements for Products and Conformity Assessment**), for Consumer Protection (responsible for the legislative work on the **Law on General Product Safety**) and for Market inspection (responsible for the implementation of the **Law on General Product Safety**) are the crucial ones regarding the current legal framework for safety and compliance of products.

The sub-Directorate for Market Inspection is organized through Departments of which the technical supervision Department performs oversight tasks to ensure compliance and safety of products on the market. The General supervision department oversees consumer rights and is as such not the focus for product safety. The Technical supervision Department has 6 FTE and one place is vacant. 10 FTE out of the General supervision department might be able to do technical supervision if needed.

The Technical supervision Department has a budget of 6000 € for testing in 2026 (they had 5000 € in 2025). This budget is not sufficient if testing out of projects/joint actions needs to be done by the Market Inspection.

The Technical supervision Department is having enough human resources contrary to the General supervision Department where in the Central unit 15 post out of 25 are filled; in the South unit 8 posts out of 14 are filled and in the North unit 9 posts out of 12 are filled.

In 2024 6 people retired (4 because age for retiring went from 67 to 66); in 2026 5 people are to be hired.

The inspectors' salary is above the average salary in Montenegro. The inspectors are provided with cars, but due to the negative public perception that there are too many governmental cars in Montenegro, their cars are old (> 10 years) and not replaced. Inspectors have laptops, office computer, portable printer, procedures, ...

The HR administration is doing the interviews for hiring new people, but people are hesitating to work as inspector despite the salary, because the workload is high.

A generation shift has been seen over the 5 past years: 80% of the inspectors are replaced by young ones.

4.1.1. Timely Transposition and Implementation of Relevant EU Legislation

a. State of play

The area of product safety on the market is regulated by the **Law on General Product Safety** (Official Gazette of Montenegro, No. 45/14, 13/18 and 84/24), the **Law on Market Surveillance** (Official Gazette of Montenegro, No. 33/14, 43/18 and 84/24), the **Law on Technical Requirements for Products and Conformity Assessment** (Official Gazette of Montenegro, No. 53/11, 43/18, 3/23 and 84/24), as well as by secondary legislation – rulebooks - through which EU directives on technical requirements for products have been transposed, and by special laws transposing EU legislation and other secondary legislation.

The procedure for inspection supervision of the application of regulations is regulated by the **Law on Inspection Supervision** (Official Gazette of Montenegro Nos. 39/2003, 76/2009, 57/2011, 18/2014, 11/2015, 52/2016 and 84/24), and the **Law on Administrative Procedure** (Official Gazette of Montenegro Nos. 56/2014, 20/2015, 40/2016, 37/2017) is applied subsidiarily.

The **Law on Inspection Supervision** has been revised in 2024 and is applicable to all inspection authorities. The law on Inspection supervision is for all types of inspections, while the fine tuning is in the market surveillance law.

Other applicable legislation (the last numbers /xx indicates the year) is cited below, but it is clear that they have not been updated.

Regulation on Groups of Products Subject to Market Surveillance (Official Gazette of Montenegro No. 11/20)

Decision on the Establishment of the Coordination Body for Market Surveillance (Official Gazette of Montenegro No. 32/15)

Regulation on the Operation of the Rapid Exchange of Information System on Products Posing a Risk (Official Gazette of Montenegro Nos. 57/15, 72/18, 37/23)

Rulebook on the List of Standards in the Field of General Product Safety (Official Gazette of Montenegro Nos. 32/15 and 67/15)

Rulebook on the Content of Notifications on Dangerous Products and Products Posing a Serious Risk (Official Gazette of Montenegro No. 32/15)

The Ministry of public administration is in charge of the IT system CISCIP which includes www.potrosac.me as the public part of CISCIP where consumers file a complaint or request an action regarding (unsafe) products.

All data from the market inspection directorate (and other inspection authorities) go into the JIIS database. This database is also under the responsibility of the Ministry of public administration (was elaborated by co-funding of the European commission).

RNKPPIE IT system is for monetary fines and the Rapex/safetygate is done via the CEFTA IT tool.

b. Progress

There is a plan for the re-organisation of the sub-directorates of the directorate Internal Market and Competition, however contradicting information was given by the parties, and nothing is presented on paper or in law.

The SLO should be part of the ministry, within the consumer protection sub-directorate, however, is currently not in place (for details, please refer below).

The new Law on General Product Safety (Official Gazette of Montenegro No. 160/25) is aligned with EU Regulation 2023/988 on General Product Safety and will enter into force after the expiry of six months from the date of its publication in the Official Gazette. So currently they are still using the **Law on General Product Safety** (Official Gazette of Montenegro, No. 45/14, 13/18 and 84/24).

The Law on Market Surveillance is currently being harmonized with Regulation (EU) 2019/1020 on market surveillance and compliance of products, but no indication on adoption yet.

RAPEX implementation is in the pipeline and covers the different implementing regulations (for details, please refer below). However, as the new Law on General Product Safety is referring to the Law on Market Surveillance for several aspects (including notifications), it will be difficult to implement as long as the law on market surveillance is not adopted.

The ministry also informed that an increased level of authorities likely to perform mystery shopping has been introduced for the 1st time, however in practice nothing was implemented neither was acting against online platforms.

Seen that the new law on General Product Safety covers also the online marketplaces and seen that it did not enter into force and seen that the Law on Market Surveillance is not finalized, it will take resources and time to have the necessary tools implemented.

4.1.2. Strengthen Administrative Capacities of Market Surveillance and Policy Making Authorities

a. State of play

According to the law on market surveillance the Coordination Body should consolidate sectoral programs into a general program of market surveillance authorities and assesses its implementation.

However, as there is currently no coordination body, this task is done by the chief inspector of the technical supervision department of the Directorate for Market Inspection. In November all inspectorates must submit their sectoral program for the next year. The contact point (chief inspector) merges these in one general programme.

According to the report for peer review Ch28 submitted by MED, in preparing the programme, in addition to information on dangerous products, account is taken of expected regulatory changes, current and anticipated market conditions, product-testing information and past surveillance experience, relevant international information (e.g. ICSMS, Prosafe and administrative cooperation working groups), and proposals from EU Member States regarding planned joint activities. The Programme specifies the relevant legislation/sector, selected products, use of standards, competent surveillance authorities and coordination mechanisms, cooperation with customs authorities, priority levels and surveillance methods.

When looking at the sectoral programmes 2026, no stakeholder consultation is performed. It was also not clear what criteria have been used to determine the programme.

There is a general programme for 2026: 21 products for all inspectorates.

The technical supervision department will focus on 6 products: Electric grass trimmer, blender, prams, thermal insulating products for buildings, mountaineering helmets, electrical labelling.

The electrical grass trimmer is a joint action within a GIZ project (cofinanced by the DE government and the European Commission).

In principle the technical supervision department will focus on 1 product per 2 months. The technical supervision department develops instructions for work and checklists for the inspectors. An abbreviated checklist is elaborated for customs. The checklists are based on applicable MEST standards which are bought from the national standardization body ([Institut za standardizaciju Crne Gore](#)). The technical supervision department does not check the list of harmonized standards published in the official journal of the EU to verify which standards give presumption or if a note is published with the applicable standard.

Although the inspectors use MEST standards, the technical supervision department is not represented at European level nor at national level in technical committees. Standards are not translated, and it is an additional burden for inspectorates not having them in their language. There used to be a GIZ project where it was agreed that 1 standard should be translated by each participating country. That project was executed, however no further translations were made.

Within the ministry of interior, there is a unit dealing with online fraud, however no further information was received.

Cooperation with customs is established via a MoU which was concluded on April 3rd 2012. The technical supervision department has access to the customs database which is a real added value and an example within the EU. There is a contact point at customs, but also the units of the land border customs do contact the coordinator of the technical supervision department.

In 2025 5 joints actions with customs were performed. At the same time of market surveillance, customs focus also on these products (dining chairs, deep fryer, cement, buoyant aids, energy efficiency of TVs)

Sweeps were performed in 2025, whereby 62 websites of economic operators were checked:

38.46% did not respect the requirements.

48% did not provide the necessary information.

A new sweep is planned for 2/2/2026 until 2/3/2026.

The law on general product safety refers to the presumption of conformity and makes link to the standards referenced in the official journal. At the same time, it refers as well to voluntary certification schemes or similar frameworks for conformity assessment of products by conformity assessment bodies (third parties), particularly those designed to facilitate the application of European Union law. Montenegro is imposing mandatory accreditation for the designated bodies. They rely on the Montenegro accreditation body ATCG to perform these tasks. The Director general of Competition and internal market of MED is a member of the board of ATCG. ATCG ([Accreditation Body of Montenegro](#)) has accredited labs and also granted product certification to conformity assessment bodies within Montenegro. Each accredited conformity assessment body needs to send a report to MED upon request.

4.1.3. Establish Single Liaison Office in Administration for Inspection Affairs Based on Existing Legislation

a. State of play

Commission Implementing Regulation (EU) 2024/2639 of 9 October 2024 laying down rules for the application of Regulation (EU) 2023/988 of the European Parliament and of the Council as regards the roles and tasks of the single national contact points of the Safety Gate Rapid Alert System is not in place.

There is no coordination body, nor a single national contact point nor a SLO.

The previous established Coordination body ended because of retirement of the person. A lot of transfer of positions occurred, but hiring to fill the coordination body or SLO is not necessary as people will be designated from other bodies.

There is currently cooperation between the different inspection authorities on an ad hoc basis: no meetings, but rather phone or mail is done.

The Market inspectorate technical supervision department is currently coordination for the sectoral programs.

b. Progress

By aligning the Law on Market Surveillance of Products with Regulation (EU) 2019/1020, a Liaison Office will be established within the Ministry of Economic Development. This office will cover obligations arising from Regulations (EU) 2023/988, 2019/1020 and 2017/2394.

The Liaison Office will be established within the Ministry of Economic Development with the following competences:

- representing the common positions of the competent inspection authorities and the customs authority regarding the performance of market surveillance, and informing the interested public and international organisations of those positions;
- preparing materials, drafting minutes and performing other administrative and professional tasks for the Coordination Body;
- coordinating joint activities;

- drafting guidelines related to regulations on specific product groups, in particular products posing a serious risk, including products offered online;
- coordinating the exchange of information on dangerous products, and performing other related tasks.

This topic was discussed in terms of its importance and support for its preparation at workshops held within the Regio Trade project.

The Directorate consumer protection and competition and trade will be divided in 3 sub-directorates: legislation, internal trade, consumer protection (containing the SLO).

This new structure is not approved yet (probably in February 2026)

The Law on technical requirements for products and conformity assessment is for UHL including sanctions and falls in the remit of the Directorate Quality infrastructure.

4.1.4. Ascertain That the Amendments to a RAPEX Decree Cover All the Changed Elements of EU Decision

a. State of play

The national System of Rapid Exchange of Information on Dangerous Products has been established in May 2011 pursuant to the General Product Safety Act in 2010 and is still being operated on the basis of the provisions of Commission Implementing Decision (EU) 2019/417 laying down guidelines for the management of the RAPEX rapid information exchange system, adopted pursuant to Article 12 of Directive 2001/95/EC on general product safety, as well as with the corresponding notification system (Decree on the manner of operation of the system of rapid exchange of information on products posing a risk). At EU level this decision is no longer in force.

In mid-2013, the Central Information System for Consumer Protection (CISCP) – www.potrosac.me – was launched, one of whose components was the Rapid Information Exchange System for Dangerous Products. As of August 2022, following a large-scale cyberattack on the IT systems of state authorities in Montenegro, the IT system www.potrosac.me / the Market Inspection Directorate – the system’s Contact Point – ceased operation.

As of 1 November 2023, the CEFTA Central Database for Unsafe/Non-Compliant Products has been operational. The users of this system are all inspection authorities responsible for market surveillance in CEFTA countries. <https://cefta-portal.azurewebsites.net/ProductSafety/IndexPublic>

In 2024, through this system, the Contact Point forwarded notifications on 38 dangerous products identified on the Montenegrin market, while receiving notifications on 44 products from countries in the region.

In 2025, the Contact Point forwarded notifications on 47 dangerous products identified on the Montenegrin market, while receiving notifications on 213 products from countries in the region (of which 97 related to motor vehicles).

As of 2025, the Central Information System for Consumer Protection, in its renewed and updated version, operates under the auspices of the Ministry of Economic Development, which has assumed responsibility for maintaining and further developing of this system. One of the items in the main menu of the website www.potrosac.me, which is an integral part of the CISCP system, displays and maintains a register of products posing a serious risk that have been identified on the Montenegrin market and registered and entered into the regional CEFTA portal. This system functions as a unified inspection information system.

Information on dangerous products is no longer collected and exchanged by the Administration for Inspection Affairs through the Market Inspectorate as the Contact Point.

Currently there is a SPOC, Anita Zujovic, who is part of the technical supervision Department. The exchange of information takes place between the market surveillance bodies (inspection authorities) and the Customs Administration, through this SPOC. The SPOC accesses every Friday the database of the European RAPEX/Safety gate system, taking into account assessment of potential presence of such products on the domestic market when it chooses the information it distributes to the competent inspectors. Searches on the internet are performed to determine if the products might be present on the Montenegro market. The SPOC has also access to the customs database to search for the importer.

On average 20-30 notifications are sent monthly to inspectors (and are treated) of the market surveillance inspectorate under the MED ministry. However, most notifications are dealt with by other ministries (toys, cosmetics and cleaning products, transport,...)

A remarkable element: a product of a rapex notification of 2018 was found on their market in 2026....

b. Progress

Only as of 2025 CISC and potrosac.me was back into operation. However this system is no longer compatible with Rapex, meaning Commission Implementing Regulation (EU) 2024/1459 of 27 May 2024 laying down rules for the application of Regulation (EU) 2023/988 of the European Parliament and of the Council as regards the implementation of the interoperable interface of the Safety Gate Portal for providers of online marketplaces is not complied with.

Commission Implementing Regulation (EU) 2024/1740 of 21 June 2024 laying down the rules for the application of Regulation (EU) 2023/988 of the European Parliament and of the Council as regards the **modalities for consumers and other interested parties to inform the Commission of products that might present a risk to the health and safety of consumers and for the transmission of such information to the national authorities concerned**:

Commission Implementing Regulation (EU) 2024/1740 is not implemented. As there is the new law on product safety, it will take 6 months to enter into force¹.

Consumers and other interested parties can currently request an action of products that might present a risk to the health and safety of consumers via potrosac.me. Consumers can file a complaint but also ask for an inquiry/initiative on a product.

They insert a description of the product and can upload pictures. The person in the ministry (Directorate consumer protection) receives this enquiry and distributes it to the competent inspectorate.

Business can use the same system and can inform inspectorate directly using a special form contained in the rulebook on notifications and products posing a serious risk.

The inspectorate checks the elements of the notification and if inspectorate finds it poses a serious risk, they order measures to be taken.

They make a list of dangerous products available online: it contains 146 products [Nebezbedni proizvodi](#)

Commission Implementing Regulation (EU) 2024/1435 of 24 May 2024 laying down rules for the application of Regulation (EU) 2023/988 of the European Parliament and of the Council as regards establishing the **template for a recall notice**:

The recall requirements are foreseen in the law on general product safety, but this law is not applicable yet. The detailed content of the recall notice shall be prescribed by the Ministry (under elaboration).

¹ Note: conflicting information was received. One said 6 months and the other party said 12 months.

A comparison was made with an existing recall of 2025, whereby the template is followed, however the address of an interactive online service and a free phone number was the only element missing (annex).

Commission Implementing Regulation (EU) 2024/2958 of 29 November 2024 determining the output indicators relevant for Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety:

JiIS is a working IT system for the inspector; they go to a store and enter the data regarding the documents, regarding products etc. The measures based on the risk assessment are also entered in JiIS. However, the public has no access to JiIS. Therefore the data are entered in CEFTA, only for those products posing a serious risk. There is currently an automatic link/interface between CEFTA and potrosac.me.

Safety gate includes serious and less serious risk products. So, MED/Inspectorate want to have a national system able of entering also less serious risk products.

Some indicators can be retrieved from JiIS, however not all. The number and type of checks of compliance with Regulation (EU) 2023/988 (products or product groups checked, modalities and types of checks) is not possible. This might be achieved if the ministry of public administration makes the necessary adjustments to JiIS.

Commission Delegated Regulation (EU) 2024/3173 of 27 August 2024 supplementing Regulation (EU) 2023/988 of the European Parliament and of the Council with regard to **rules on access to and operation of the Safety Gate Rapid Alert System, information to be entered in that System, notification requirements and the criteria for assessment of the level of risk**:

The Law on market surveillance prescribes that the inspector is obliged to use the risk assessment methodology established at the European Union level in the implementation of market product supervision. The risk assessment methodology referred to in paragraph 1 of this article shall be published on the website of the Coordination Body.

As the coordination body is not active, this has not been implemented. However, they do have access to the online tool from the European commission (ppt in annex).

The risk assessments for the recall of the cooker (2025) were asked, as well as the risk assessment for a product not covered by a joint action (annex).

The market inspectorate technical supervision Department relies entirely on the risk assessments made by external people in the course of joint actions and have little experience themselves. They do not use statistical data or other relevant information to determine the probability. There has not been a specific training on risk assessment and no training outside joint actions was given.

4.2. Part II – Consumers’ Economic Interests

4.2.1. Strengthen Administrative Capacities of Policy-Making and Enforcement Authorities in Consumer Protection

a. State of play

The Ministry of Economic Development (MED) plays a central role in the consumer protection system of Montenegro. Pursuant to Article 158 of the Consumer Protection Act (CPA), MED is responsible for monitoring the enforcement of consumer protection legislation, drafting laws and strategic documents, coordinating stakeholders, cooperating with EU institutions and international partners, and operating the Central Information System for Consumer Protection (CISZP). MED acts as the main policy-making authority and EU contact point in the field of consumer protection.

Within the Ministry, consumer protection competences are entrusted to the Sub-directorate for Consumer Protection, operating under the Directorate for Internal Market and Competition. This unit is responsible for legislative drafting,

preparation and monitoring of the National Consumer Protection Programme, coordination of the Consumer Protection Council, cooperation with national and international stakeholders, operation of CISZP, and record-keeping of consumer organisations.

According to the October 2025 Rulebook on Internal Systematization, the Sub-directorate for Consumer Protection consists of one managerial position and five official posts. Currently, four official posts are filled, while the managerial position and one official post remain vacant. They are adequately equipped in terms of IT infrastructure and working conditions. Staff demonstrate solid professional qualifications, good command of English and sufficient technical skills.

Strategic coordination of consumer policy is ensured through the National Consumer Protection Programme 2025–2027, adopted by the Government as the central strategic document in this field. The Programme is aligned with the EU acquis and reflects the priorities of the 2030 Consumer Agenda, including consumer empowerment, effective enforcement, digital transformation, sustainable consumption and enhanced protection of vulnerable consumers. It is implemented through annual Action Plans, which define specific measures, responsible institutions, timelines and, where applicable, financial allocations. The governance framework provides for monitoring by the Consumer Protection Council and regular reporting to the Government.

The Final Implementation Report for the National Programme 2022–2024 indicates an overall implementation rate of 49%, pointing to moderate progress and uneven delivery across policy objectives. In particular, implementation under the objective concerning improvement of the legislative and institutional framework reached only 32%, reflecting delays in structural reforms and capacity-building measures. By contrast, objectives related to information, education and stakeholder cooperation recorded comparatively higher implementation rates. The findings of the report suggest that while strategic planning mechanisms are in place, implementation capacity and inter-institutional coordination require further strengthening to ensure full delivery of the planned reforms.

The Sub-directorate for Consumer Protection within the Ministry of Economic Development provides also administrative and professional support to the Consumer Protection Council, including the preparation of meetings, drafting of analytical materials and monitoring the follow-up to the Council's conclusions.

The Consumer Protection Council constitutes the central institutional mechanism for coordination and stakeholder involvement within Montenegro's consumer protection framework. It serves as a structured platform for dialogue between public authorities, regulatory bodies, inspection services and representatives of civil society, with the objective of ensuring coherence, consistency and strategic orientation of consumer policy.

The Council operates as a formal advisory body to the Government, with its mandate and composition regulated under the Consumer Protection Law and relevant secondary legislation. Originally established as an advisory body within the competent ministry, its institutional status was upgraded in 2022, when it was formally constituted as an advisory body to the Government. This reform strengthened its horizontal coordination role and clarified its reporting obligations, including the submission of annual reports on its activities.

Further amendments introduced in 2024 and 2025 enhanced the Council's operational capacity and effectiveness. In particular, the Council was granted the power to establish specialised working groups and ad hoc expert bodies, including for the purposes of EU acquis alignment, implementation of European Commission recommendations and preparation of action plans in specific policy areas. These provisions are already being applied in practice, including through the establishment in 2025 of a dedicated working group tasked with preparing measures to strengthen consumer protection at local level.

The Council's competences were also reinforced with regard to monitoring and analytical functions. It may request data, reports and analytical materials from competent authorities and institutions, assess implementation of the National Consumer Protection Programme and its annual action plans, and formulate recommendations aimed at improving

legislative and institutional performance. The introduction of remuneration for Council members further contributed to strengthening its functionality and regularity of work.

Coordination by the Council is necessary as the system for the protection of consumers' economic interests in Montenegro is implemented through a multi-level institutional framework involving several competent authorities. The realisation and protection of consumer rights are carried out before various bodies, including the Ministry of Economic Development; the Regulatory Agency for Energy and Regulated Utilities (REGAGEN); the Agency for Electronic Communications and Postal Services (EKIP); the Insurance Supervision Agency (ANO); the Central Bank of Montenegro; the Agency for Audiovisual Media Services (AMU); and the Civil Aviation Agency (CAA), Ministry of Tourism - each of which is responsible for consumer protection within its respective sector.

However, enforcement of consumer protection legislation is primarily carried out by the Sub-Directorate for Market Inspection, which forms part of the organisational structure of the Ministry of Economic Development. The Sub-Directorate is organised according to both functional and territorial principles. Functionally, it is divided into General Inspection, responsible inter alia for supervision over the protection of consumers' economic interests, and Technical Inspection, responsible for product safety and market surveillance of non-food products.

Territorially, inspection activities are implemented through regional units covering the central, southern and northern parts of the country, with inspectors deployed across municipalities. Despite this structure, significant disparities remain in staffing levels between regions, with several posts vacant in coastal and northern municipalities.

The Sub-Directorate currently employs 38 staff members (32 general inspectors and six technical inspectors), including the Chief Inspector and inspector coordinators. The systematisation act provides for a total of 58 inspector posts (51 in general inspection and seven in technical inspection), resulting in a vacancy rate of approximately 34%.

Between 1 January and 30 November 2025, the Market Inspection carried out 25,353 inspections, identifying 4,153 irregularities. To address these infringements, administrative measures (warnings and administrative decisions) as well as punitive measures (misdemeanour payment orders and requests for initiation of misdemeanour proceedings) were imposed.

In the area of consumer protection legislation alone, 17,350 inspections were conducted during the same period. The Inspection also handled 572 consumer complaints, all of which were processed. While a considerable number of cases were formally resolved, enforcement activities predominantly concerned individual consumer disputes rather than systemic or collective infringements. The majority of cases related to price indication, non-conformity of goods and services, and issues concerning the legal guarantee. There is limited evidence of proactive enforcement targeting broader market practices, such as unfair commercial practices or unfair contract terms affecting collective consumer interests.

Enforcement activities are supported by an integrated IT system for the collection and management of consumer complaints – the Central Consumer Protection Information System (CISZP). In its renewed and upgraded version, the CISZP has been operational since 2025 under the responsibility of the Ministry of Economic Development, which ensures its maintenance and further development.

The CISZP constitutes a centralised digital platform connecting the Ministry, enforcement authorities, regulatory agencies and consumer organisations within a single Consumer Protection Network. Through the website www.potrosac.me, which forms an integral part of the system, consumers have access to information on their rights, applicable legislation and a publicly available register of products posing a serious risk identified on the Montenegrin market and notified through the regional CEFTA portal.

The system facilitates inter-institutional cooperation and supports more effective enforcement by enabling electronic submission, registration and allocation of complaints to competent authorities. It also provides analytical tools allowing

authorities to identify recurring market issues, detect risk patterns and design inspection priorities on a more evidence-based basis. In this way, the CISZP contributes to more efficient allocation of administrative and budgetary resources and strengthens horizontal coordination across sectors.

For consumers, the CISZP ensures simplified electronic access to information, the possibility to submit complaints online and secure follow-up through a confidential PIN-based tracking mechanism.

Between 1 January and 30 November 2025, a total of 398 submissions were recorded in the system, including 267 complaints, 108 enquiries and 23 initiatives. Of these, 292 submissions (73.36%) fell within the competence of the Market Inspection. More than 90% of complaints addressed to the Market Inspection were processed. However, a significant proportion of cases resulted in withdrawal by consumers, while a smaller share was decided fully or partially in favour of consumers or found to be unfounded. All initiatives were acted upon, and the majority of enquiries received responses.

Other authorities participating in the system recorded 103 submissions, primarily concerning the Agency for Electronic Communications and Postal Services, the Central Bank of Montenegro and the Energy and Regulated Utilities Regulatory Agency. The distribution of cases confirms the multi-sectoral nature of the enforcement framework.

Overall, the CISZP represents an important administrative tool supporting enforcement and coordination. At the same time, its effectiveness depends on consistent data entry, analytical use of collected information and systematic follow-up by competent authorities.

b. Progress

In the course of the previous peer-review mission, the problem of staff overburden was noticed, predominantly fuelled by a significant number of vacant posts in the relevant inspectorates, which could not be adequately filled. Furthermore, the problem of generation gap was noticed.

In the period between the previous peer-review mission and this mission, no visible progress was achieved in this area.

First, it is worth mentioning that in the period between two peer-review missions a significant reorganisation of the inspection system in Montenegro took place. The Administration for Inspection Affairs, encompassing majority of inspections competent in the field of consumer protection, was dissolved and particular inspections are assigned to different competent ministries. According to our interlocutors, this process of reorganisation slowed down to an extent the processes necessary to fulfil recommendations from the previous peer-review report.

The problem of generation gap, noticed in the course of the previous peer-review mission, has been addressed in the meantime. According to the representatives of the Sub-Directorate for Market Inspection of the Ministry of Economic Development, in the past few years around 85% of total staff was replaced by younger colleagues.

However, the problem of considerable number of vacant posts and the related problem of workload still persist. Given that the Sub-Directorate for Market Inspection is responsible for supervision of the largest part of Montenegrin market, and given that this unit covers not only supervision over consumer protection legislation, but other legal areas as well (approximately 30 different laws in total), it seems that even the projected number of inspectors in it (58 in total) could hardly be sufficient for an efficient market control. According to the representatives of the NGO's active in the consumer protection area, the lack of inspectors can be witnessed from numerous irregularities on the market, especially concerning price indication. This situation is also reflected in the enforcement practice of the Sub-Directorate for Market Inspection within the Ministry of Economic Development. The Inspectorate is responsible for supervision across a very broad range of policy areas, which significantly limits its capacity to focus on consumer protection. As a result, when consumer protection rules are enforced, this is predominantly done in individual cases, mainly related to price indication or non-conformity of goods and services.

At the same time, there is a noticeable absence of enforcement actions addressing collective consumer interests, in particular cases based on unfair commercial practices or unfair contract terms. This indicates limited administrative and technical capacity to identify, investigate and pursue systemic infringements affecting consumers at large.

The Ministry of Economic Development is aware of these shortcomings. In response, it has expressed its intention to separate legislative tasks from enforcement activities within the Sub-Directorate for Consumer Protection and to entrust officials working there with responsibilities related to collective consumer protection. This initiative should be assessed positively, although at this stage it remains unclear what form these actions will take in practice, in particular whether they will result in administrative decisions or in referring cases to the courts.

Furthermore, representatives of the Sub-Directorate for Market Inspection emphasized the persistent problem of obsolete material means they use in the course of their everyday work, especially vehicles.

Finally, we have also noticed an obvious lack of financial means necessary for the efficient market control. Thus, for example, the budget for testing of products is only EUR 5,000 per year.

Situation in other institutions responsible for supervision over consumer protection legislation looks much more favourable, although the Inspection in the Ministry of Tourism is also experiencing the problem of vacant posts and obsolete fleet of vehicles, but at the considerably smaller scale as compared to the Sub-Directorate for Market Inspection of the Ministry of Economic Development. Regulatory agencies responsible for supervision over consumer protection legislation, having their own budgets, generally have no problems with vacancies and the overall state of the equipment necessary for carrying out their regular duties.

Despite this generally more favourable institutional situation, a structural problem can nevertheless be identified, namely the tendency to perceive consumer protection primarily from a sectoral perspective. In practice, this means that while these institutions supervise whether consumers are not excessively exploited by traders within their respective sectors, they do not systematically verify whether traders' activities comply in full with horizontal consumer protection requirements, in particular those related to unfair commercial practices or unfair contract terms.

As a result, enforcement activities are often limited to sector-specific obligations, without addressing broader consumer protection standards applicable across all markets. This indicates that the available administrative and technical resources are not being fully utilised for the purposes of comprehensive consumer protection enforcement.

It therefore appears that additional training and awareness-raising measures are necessary in order to strengthen the understanding of horizontal consumer protection rules among sectoral authorities and to enable a more effective use of the resources already at their disposal. This issue is addressed further in the following section.

4.2.2. Continuation of Process of Training and Education

a. State of play

Continuous training and professional development constitute an essential component of effective implementation of consumer protection legislation. In the context of ongoing alignment with the EU acquis and increasing complexity of digital and cross-border markets, sustained capacity-building efforts are necessary to ensure that competent authorities, regulatory bodies and other stakeholders are equipped to apply consumer protection rules in a consistent and effective manner.

The Ministry of Economic Development has recently further strengthened its institutional engagement in European and international cooperation mechanisms in the field of consumer protection. Montenegro has obtained observer status in the Consumer Safety Network, an expert network of the European Commission that brings together national competent authorities for the exchange of information on product safety, risk assessment, market surveillance and the application of EU rules on general product safety.

In parallel, Montenegro participates as an observer in the European Commission's Expert Group for Consumer and Marketing Law (DG JUST), which provides expert support on the interpretation and consistent application of EU consumer law, including provisions on unfair commercial practices, misleading advertising and consumer information. Since 2025, Montenegro has also held partner membership status in the International Consumer Protection and Enforcement Network (ICPEN), a global network of consumer protection authorities facilitating cross-border cooperation, information exchange and coordinated actions against fraud and unfair commercial practices.

These forms of international engagement contribute to strengthening Montenegro's administrative and enforcement capacities, improving alignment with the EU acquis and enhancing consumer protection, particularly in cross-border and digital contexts.

In 2025, within the framework of the TAIEX Series of Events programme, the Ministry organised several capacity-building activities. These included a thematic workshop for competent authorities (23–25 September 2025), attended by 53 participants, primarily from inspection authorities, focusing on enforcement of consumer legislation, market surveillance and the application of EU standards. A TAIEX expert mission (7–9 October 2025) was conducted with ten representatives of key institutions, with a particular focus on preparations for the establishment of the European Consumer Centre (ECC), including institutional, legal and operational requirements. In addition, a study visit to Poland (12–14 November 2025), organised in cooperation with the Polish Office of Competition and Consumer Protection (UOKiK), provided practical insights into enforcement models, inspection supervision and participation in European consumer-protection networks.

Representatives of the Market Inspectorate also participated in a broad range of regional and international events, including initiatives under the EU4Business and Regio Trade projects, meetings with the European Commission and CEFTA Secretariat, and workshops focusing on market surveillance, mutual recognition of conformity assessment, joint product controls and risk assessment methodologies.

b. Progress

The 2022 Peer-Review Report noted that Montenegrin institutions devoted considerable attention to education and training of officials from government bodies, regulatory authorities, NGOs and other stakeholders engaged in consumer protection, including consumer awareness activities. The process of continuous training and professional development has continued since the previous assessment, although at a somewhat slower pace. A wide range of international and regional activities has been implemented, particularly in cooperation with EU-funded initiatives.

However, training and education activities remain heavily dependent on external financing, primarily from the European Union. A fully institutionalised, permanent and nationally funded training framework has not yet been established. Consequently, training activities are not consistently implemented within a structured and long-term capacity-building strategy. In addition, the reduction in public funding for NGO projects has led to a decrease in consumer-oriented educational and awareness-raising activities.

Despite these limitations, institutional representatives demonstrated a strong commitment to further professional development and expressed readiness to participate in additional specialised training and capacity-building initiatives.

4.2.3. Strengthen the Support to Non-Governmental Sector and Out-of-Court Dispute Resolution Mechanisms

a. State of play

The non-governmental sector in the field of consumer protection remains limited in scope. The Centre for Consumer Protection (CEZAP) is currently the only active consumer organisation in Montenegro. It operates with three employees, supported by a network of approximately 90 associates engaged on various bases, largely on a voluntary or pro bono basis. The organisation operates from rented premises in Podgorica. While project-based funding from the

Ministry of Economic Development partially covers operational costs, financial support from local self-government has ceased. The Centre has faced persistent financial instability over the past two years, which significantly affects the sustainability of its activities.

CEZAP provides direct consumer assistance, including legal advice, complaint handling, referrals to competent authorities and mediation between consumers and traders. In 2025, it handled 472 individual cases and a significant number of additional enquiries concerning guarantees, complaint procedures, statutory deadlines and online shopping rights. CEZAP also plays an active role in collective consumer protection, having initiated two collective actions against banks for unfair commercial practices, both resulting in final judgments in favour of consumers before the High Court (currently under review before the Supreme Court).

In addition, CEZAP participates in legislative working groups, contributes to the drafting and monitoring of the National Consumer Protection Programme and is represented in the Board for Out-of-Court Consumer Dispute Resolution. It also conducts awareness-raising activities and voluntary compliance initiatives, such as the “Fair towards Consumers” certification scheme for traders.

Despite these activities, CEZAP’s operational capacity remains constrained by limited and unstable funding. Planned expansions, including the establishment of local consumer counselling centres, have not been implemented.

The Board for Out-of-Court Consumer Dispute Resolution, established under the Consumer Protection Law, has been operational since 2020 following its reactivation. It consists of 10 members (five representing consumers and five representing traders), with administrative support provided by the Chamber of Commerce. The Board is financed from the State Budget with an annual allocation of EUR 5,000, which allows for handling approximately 10 cases per year. Case numbers remain low, with between one and five cases annually since 2020.

Specialised ADR training was organised in June 2025, followed by a professional examination successfully completed by six Board members. However, the non-binding nature of the Board’s decisions and limited financial resources constrain its effectiveness and attractiveness.

b. Progress

The 2022 Peer-Review Report acknowledged the existence of a small but effective NGO sector in consumer protection, while highlighting insufficient financial support as a structural weakness.

Since the previous assessment, no tangible progress has been made in strengthening financial or institutional support for consumer NGOs or the ADR mechanism. On the contrary, public funding for consumer NGOs has significantly decreased. Annual government support, which averaged approximately EUR 35,000 between 2021 and 2024, fell to EUR 10,500 in 2025. Financial support at local level has been discontinued.

As a result, CEZAP has reduced its activities, with no ongoing structured consumer education projects and continued reliance on minimal staff and pro bono engagement.

Similarly, the annual allocation for the Board for Out-of-Court Consumer Dispute Resolution remains unchanged at EUR 5,000, which is insufficient to ensure broader use of the mechanism. The limited number of cases and the non-binding character of decisions further reduce its practical impact.

Overall, no structural improvement has been observed in strengthening the sustainability, institutional capacity or effectiveness of the non-governmental and ADR components of the consumer protection system.

4.2.4. Strengthen Engagement of Local Government in Consumer Protection

a. State of play

Local self-government units are represented at national level by the Union of Municipalities of Montenegro. The Union of Municipalities of Montenegro is the national association of local self-government units, established on a voluntary basis in accordance with the Law on Local Self-Government. All 25 municipalities in Montenegro are members of the Union. The Union has the status of a sui generis legal entity, registered in the Register of Associations of Local Authorities maintained by the Ministry of Public Administration.

The Union's mandate, as defined by its Statute, includes representing and advocating the interests of local self-government units; formulating joint positions and initiatives aimed at improving the legal and institutional framework for local governance; cooperating with state authorities and relevant national and international organisations; strengthening the administrative capacities of municipalities through training, advisory services and exchange of good practices; supporting international cooperation and project implementation; conducting analyses and research relevant to local self-government; and carrying out publishing and information activities. The Union does not exercise supervisory powers over its members in the performance of legally prescribed tasks.

The Union is governed by the Assembly (composed of all presidents of municipal assemblies and mayors), the Management Board (composed of all mayors), and the Supervisory Board (three members appointed by the Assembly). Professional and administrative tasks are performed by the Secretariat, which employs 13 staff members, with two additional posts currently in the process of being filled. The Secretariat is based in Podgorica. Staff possess adequate digital skills and, in practice, a working knowledge of English sufficient for international cooperation.

In the field of consumer protection, the Union's role is limited to coordination, advisory support and capacity-building activities for local authorities, particularly in areas related to municipal and public-interest services. It does not have direct enforcement or supervisory responsibilities.

At local level, no consumer counselling centres have been established. Although municipalities are legally required to allocate 1% of their budgets to NGO activities, consumer protection initiatives are not financed in practice.

b. Progress

The 2022 Peer-Review Report recommended that the Government of Montenegro strengthen the engagement of local governments in consumer protection. Since then, no visible progress has been achieved in this area.

Local authorities confirmed that no specific consumer protection programmes are currently financed at municipal level. Two main reasons were identified: first, consumer NGOs have not actively applied for local funding; second, municipalities tend to prioritise limited financial resources for organisations supporting vulnerable social groups.

This situation reveals a structural gap between the legal framework and its practical implementation. While financial instruments formally exist at local level, consumer protection organisations face practical barriers in accessing these resources, whether due to limited capacity, lack of awareness or insufficient institutional incentives.

There is therefore a need to develop targeted measures to facilitate effective access to local funding for consumer protection activities. Such measures could include clearer guidance for municipalities on financing consumer protection initiatives, capacity-building and awareness-raising measures for consumer NGOs at local level, and the introduction of earmarked funding schemes for consumer counselling services. Strengthening cooperation between central authorities, local governments and consumer organisations would be essential to ensure that consumer protection is adequately reflected in local policy priorities.

5. Recommendations

Part I – Product Safety

5.1. Timely Transposition and Implementation of Relevant EU Legislation

As the entry into force of the Law on the General product Safety refers to the Law on Market Surveillance, the latter needs to be adopted soon in order to be able to execute all tasks under the Law on the General product Safety. Seen that the new law on General Product Safety covers also the online marketplaces and seen that it did not enter into force and seen that the Law on Market Surveillance is not finalized, it will take resources and time to have the necessary tools implemented.

5.2. Strengthen Administrative Capacities of Market Surveillance and Policy Making Authorities

As there is a lack of technical knowledge, training on union harmonisation legislation and products falling under the GPSR should be foreseen. Best way is via participation as observer in ADCO meetings. As ATCG will need to deliver accreditation for union harmonized legislation, they also need to have training on the implementation of these legislations.

More equipment for the inspectors should be foreseen, as currently there are only 2 sets of probes for finger entrapment available, however there is no budget foreseen for purchasing others.

5.3. Establish Single Liaison Office in Administration for Inspection Affairs Based on Existing Legislation

There is currently no coordination body, nor a single national contact point nor a SLO. The task is done on a voluntary basis by the Market Inspectorate technical supervision department. It is recommended that Montenegro adopts as soon as possible the law on market surveillance and foresees the necessary resources to implement this coordination body/SLO.

The resource might indeed by moving people from one department to another, but the coordination should take place on a more structured way.

5.4. Ascertain That the Amendments to a RAPEX Decree Cover All the Changed Elements of EU Decision

Only as of 2025 CISC and potrosac.me was back into operation. However this system is no longer compatible with Rapex. It is recommended that Montenegro aligns as soon as possible with the implementing regulations and foresees the adjustments to the IT tools or develops new IT tools:

- The Ministry of Public administration needs to make the necessary adjustments to JIIS as not all indicators can be retrieved.
- The aim is to create a national system that will be based on ICSMS; however, no interface is foreseen to Safety gate and no resources either (budget). They have the chicken and egg problem: currently they have no access to the safety gate so they need a national system, but once the accession is done, they no longer need their own system and will use ICSMS and the safety gate.

The market inspectorate technical supervision Department relies entirely on the risk assessments made by external people in the course of joint actions and have little experience themselves. They do not use statistical data or other relevant information to determine the probability. There has not been a specific training on risk assessment and no

training outside joint actions was given, therefore specific training needs to be foreseen to make exercises on risk assessment.

Part II – Consumers’ Economic Interests

5.5. Strengthen Administrative Capacities of Policy-Making and Enforcement Authorities in Consumer Protection

In order to reinforce the enforcement of consumer protection, Montenegro should further strengthen the institutional role and administrative capacity of the Ministry of Economic Development as the central policy-making and coordination authority. This should include ensuring full staffing of the Consumer Protection Sub-Directorate, clarifying the distribution of competences within the Ministry, and establishing a clear separation between legislative functions and enforcement-related responsibilities, particularly in the area of collective consumer protection.

Structural capacity constraints within the Market Inspection should be addressed as a matter of priority. This requires filling vacant inspector posts, ensuring balanced territorial coverage, increasing budgetary allocations for product testing and upgrading operational equipment. Such measures are necessary to enable more proactive, risk-based and systemic enforcement, moving beyond a predominantly reactive approach focused on individual complaints.

Enforcement of collective consumer interests should be significantly strengthened. In particular, Montenegro should develop clear administrative and procedural mechanisms for identifying, investigating and pursuing infringements related to unfair commercial practices and unfair contract terms. Consideration might be given to assigning primary responsibility for collective consumer protection to the Consumer Protection Sub-directorate, while maintaining individual case handling within the Sub-directorate for Market Inspection, in order to ensure a more structured and specialised enforcement model.

Horizontal coordination among sectoral regulatory authorities should be further enhanced to ensure the consistent and systematic application of the consumer protection acquis across all regulated sectors. This is essential to prevent fragmentation of enforcement practice and to ensure that horizontal consumer protection standards are effectively integrated into sector-specific supervision.

Finally, the role and effectiveness of the Consumer Protection Council should be further reinforced by ensuring systematic follow-up to its recommendations, strengthening its analytical and monitoring capacity, and consolidating its function as the central coordination platform within the multi-level consumer protection enforcement framework.

In order to ensure coherent implementation of these reforms, Montenegro should adopt a dedicated action plan for strengthening enforcement capacities in the field of consumer protection. Such an action plan should define clear objectives, measurable indicators, realistic timelines and responsible institutions, and should include regular monitoring and reporting mechanisms. The establishment of transparent benchmarks and performance criteria would allow for systematic assessment of progress and ensure accountability in the implementation of the reform measures.

5.6. Continuation of Process of Training and Education

In order to ensure a structured and sustainable strengthening of administrative and enforcement capacities in the field of consumer protection, Montenegro should consider the establishment of a comprehensive EU-funded Twinning or Technical Assistance project covering the consumer protection system as a whole.

Such a project should adopt a systemic and horizontal approach, encompassing not only the Ministry of Economic Development but also sectoral regulatory authorities, the Market Inspection, if it would be located outside of the structure of the Ministry, other competent enforcement bodies, consumer organisations and local government units. Given the multi-level and multi-institutional nature of the consumer protection framework in Montenegro, capacity-

building support should be designed to address coordination, enforcement practices, collective redress mechanisms, risk-based supervision and application of horizontal consumer protection acquis across sectors.

The project should include a strong on-the-ground component, notably through the presence of a Resident Twinning Adviser (RTA) or a long-term Team Leader based in Montenegro. Continuous in-country presence would ensure day-to-day knowledge transfer, practical mentoring, structured follow-up of recommendations and sustained institutional development, rather than isolated short-term training activities.

Given the relatively limited size of institutional teams within the Ministry and other authorities, the project design should avoid excessive concentration of activities within a single institution. Instead, resources and expertise should be distributed evenly across participating bodies, ensuring balanced capacity-building and reinforcing horizontal coordination mechanisms, including the role of the Consumer Protection Council.

Furthermore, in order to develop a systematic framework for professional capacity-building, allowing officials of the governmental bodies responsible for consumer protection to be introduced with the new legislation in the field of consumer protection and properly trained in its implementation, Montenegro should adopt a dedicated action plan. Such an action plan should include a clear plan of activities to be undertaken, a list of topics to be covered, and target groups to participate in each educational activity. Furthermore, such plan should include measurable indicators, realistic timelines, institutions responsible for its implementation, and should be regularly monitored. Establishment of transparent benchmarks and performance criteria would allow for systematic assessment of progress and ensure accountability in the implementation of such plan. Finally, sufficient funding should be provided within the responsible institutions for implementation of the action plan.

Such a structured and comprehensive intervention would support Montenegro in moving from formal legislative alignment towards effective and coherent implementation of the consumer protection acquis, in line with the requirements of Chapter 28.

5.7. Strengthen the Support to Non-Governmental Sector and Out-of-Court Dispute Resolution Mechanisms

In order to strengthen the non-governmental component and alternative dispute resolution mechanisms within the consumer protection framework, Montenegro should ensure sustainable and predictable financial support for consumer organisations. Public funding for consumer NGOs should be restored to at least previous levels and structured through transparent, multi-annual financing schemes linked to clearly defined public-interest tasks under the National Consumer Protection Programme. Particular attention should be given to enabling the development of local consumer counselling services and strengthening outreach beyond the capital.

The implementation of the financing mechanisms provided for under the new Consumer Protection Act should be operationalised without delay, including the establishment of dedicated budget lines for consumer information, counselling and participation in policy development. Consideration should also be given to facilitating access to local government funding, through clearer guidance and targeted support measures.

The effectiveness of the Board for Out-of-Court Consumer Dispute Resolution should be significantly enhanced. This requires increasing its annual budget, improving administrative support, promoting the mechanism among consumers and traders, and assessing possible measures to strengthen the practical impact of its decisions. Ensuring greater visibility and accessibility of ADR mechanisms would contribute to reducing the burden on inspection authorities and courts.

Overall, a more structured and adequately financed approach to supporting consumer organisations and ADR mechanisms is necessary to ensure balanced development of all pillars of the consumer protection system and to align practice more closely with EU standards.

5.8. Strengthen Engagement of Local Government in Consumer Protection

In order to strengthen the role of local authorities in the consumer protection system, Montenegro should take measures to ensure a more structured and active engagement of municipalities in this policy area.

Clear guidance should be provided to local self-government units regarding their role in supporting consumer protection activities, including the financing of consumer counselling and awareness-raising initiatives within the framework of the legally required allocation of funds for NGO activities. Consideration should be given to introducing earmarked funding schemes at local level for consumer protection, in order to ensure that this policy area is not systematically deprioritised in favour of other social objectives.

The Union of Municipalities should be encouraged to play a more proactive role in coordinating and promoting consumer protection initiatives among its members, including through targeted training, dissemination of good practices and support for the establishment of local consumer advisory services.

In parallel, capacity-building measures should be developed to enable consumer organisations to access local funding mechanisms more effectively, including through awareness-raising, technical assistance and structured cooperation frameworks between municipalities and NGOs.

Strengthening cooperation between central authorities, the Union of Municipalities and consumer organisations would be essential to ensure that consumer protection is adequately integrated into local governance structures and that the overall system operates in a coherent and complementary manner.

6. Abbreviations

ADCO	administrative cooperation
ADR	Alternative Dispute Resolution
AMU	Agency for Audio-visual Media Services
ANO	Insurance Supervision Agency
CAA	Civil Aviation Agency
CEZAP	Centre for Consumer Protection
CISCP	Central Information System for Consumer Protection
CPA	Consumer Protection Act
ECC	European Consumer Centre
EKIP	Agency for Electronic Communications and Postal Services
EU	European union
FTE	full time equivalents
GPSR	general product safety regulation
HR	human resources
ICSMS	information and communication system for market surveillance
MED	Ministry of Economic Development
NGO	Non-Governmental Organisation
MoU	memorandum of understanding
REGAGEN	Regulatory Agency for Energy and Regulated Utilities
RTA	Resident Twinning Adviser
SLO	single liaison office
SPOC	single point of contact
TV	television
UOKiK	Polish Office of Competition and Consumer Protection

7. Annexes

1. Agenda_92808
2. Report for Peer Review Ch28 (Consumer Protection)
3. Presentation Inspectorate
4. Presentation Product safety
5. Presentation Risk Assessment
6. Presentation Product conformity
7. Regulation on Groups of Products Subject to Market Surveillance
8. Pictures of the IT systems
9. Law on Market Surveillance Consolidated_TT
10. Montenegro - GPSR - ME_18112025
11. List of standards
12. Annual work plan inspectorate 2026
13. Check lists
14. Results of checks performed in 2025
15. Attendance lists
16. Risk assessments

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