

Montenegro



SUMMARY OF FINDINGS

1. Industry Participation in Policy Development

In Montenegro, there is no formal evidence of direct tobacco industry (TI) participation in policymaking, but significant influence is exerted through entities such as the American Chamber of Commerce (AmCham), whose chair until December 2024 was a former Philip Morris executive. This influence is reflected in the Ministry of Health's failure to advance long-delayed amendments to the Tobacco Control Law, the absence of a National Committee for Tobacco Control, and the lack of reporting on the 2023–2025 Tobacco Control Program.

Nicotine products for oral use, chewing, and snuffing have been legally sold without excise duties or restrictions for over a decade, with recent government-backed proposals to ban them still stalled in Parliament. These delays allow the TI to maintain the status quo and undermine public health. Some progress was made in 2024 with the new Waste Management Law introducing extended producer responsibility for tobacco products and with plans for a fiscal “track and trace” system, though further alignment with WHO FCTC Article 5.3 remains necessary.

2. Industry CSR Activities

In 2021, the Clinical Centre of Montenegro (KKCG), the country's main public hospital, signed a contract with Philip Morris Montenegro and received a USD 24,000 donation originally designated for the Center for Autism. As the funds were not used for that purpose, KKCG contacted Philip Morris in 2024 to request reallocating the donation to the Center for Digestive Surgery, with tender documents prepared for floor remediation at that unit.

While no further direct donations from Philip Morris to KKCG have been recorded since 2021, several smaller contributions were made by Bar Kod, the exclusive distributor for Philip Morris Montenegro.

3. Benefits to the Industry

The Law on the Restricted Use of Tobacco Products bans tobacco advertising and sponsorship in line with the WHO FCTC. However, advertisements for new electronic tobacco products were visible for months in 2024 and 2025 on billboards along major roads, despite reports made to the competent inspection bodies. The government's lack of response indicates tolerance of this advertising, which benefits the TI.

4. Unnecessary Interaction

There is sustained engagement between top government officials and AmCham. The executive director of AmCham (2023–2025) also served as the CEO of Philip Morris in Montenegro, a patron member of AmCham. While these interactions were framed as part of improving the business climate and fostering cooperation, they created regular contact with a key TI representative.

Meetings took place between 2023 and 2025, including direct engagements with the Prime Minister, Deputy Prime Minister, and Minister of Finance through platforms such as the “Rule of Dialogue” and AmCham-hosted events. Although not always focused on tobacco policy, this sustained cooperation created opportunities for TI influence presented as part of broader economic and administrative reforms.



5. Transparency

Although the government publishes information about meetings with AmCham, including those attended by the director of Philip Morris, it does not disclose the dual role, raising concerns about transparency.

While there are no specific rules requiring disclosure of TI entities or affiliates, the new Law on Lobbying, adopted in June 2024, introduced transparency requirements. It requires the public official being lobbied to submit a note to the Agency for the Prevention of Corruption within five days of contact and obliges institutions to publicly disclose lobbying interactions on their websites, thereby improving oversight and accountability.

6. Conflict of Interest

The Law on Prevention of Corruption contains general provisions that could mitigate conflicts of interest between government officials and the TI.

There are no prohibitions on donations from the TI to political parties or campaigns, and the Law on Financing of Political Parties and Campaigns remains unchanged. A draft amendment under discussion in the parliamentary

committee for electoral reform proposes banning donations from the TI, though it has not yet been adopted.

There is no evidence of retired senior government officials joining the TI, nor of current government officials or their relatives holding positions or consultancy roles in the TI.

7. Preventive Measures

Montenegro's Law on Restricting the Use of Tobacco Products mandates annual reporting from manufacturers and importers on ingredients, emissions, and market research, including youth preferences and sales data. However, it does not require disclosure of key elements such as marketing expenditures, revenues, lobbying activities, political contributions, philanthropic donations, CSR initiatives, or affiliated entities and individuals acting on behalf of the TI.

There is no centralized reporting mechanism consolidating industry information. Although financial and political reporting obligations exist through the Tax Administration and the Anti-Corruption Agency, these are not tobacco-specific or designed to monitor TI influence. As a result, Montenegro's legal framework lacks critical provisions to ensure oversight of TI activities and to safeguard public health policy from interference.

RECOMMENDATIONS

1. Require forthcoming amendments to the Law on Tobacco Control to include obligations for public institutions to disclose all interactions with the TI, and include penalties for submitting false or misleading information.
2. Prohibit TI donations to political parties and campaigns through amendments to the Law on Political Party and Campaigns Financing.
3. Strengthen the Integrity Plans of the Ministry of Health and other relevant institutions to ensure interactions with the TI occur only when strictly necessary.
4. Expand the reporting framework to require annual disclosure of advertising and promotional spending, revenues from tobacco product sales, lobbying or political donations, and philanthropic and CSR initiatives. Create a complete registry of all entities and individuals linked to the TI, with details of any industry-funded research or advocacy.
5. Introduce a ban on nicotine products for oral use, chewing, and snuffing.