

5TH INTERNATIONAL STUDENT CONFERENCE ON LOCAL SAFETY AND SECURITY



UNIVERZITET CRNE GORE
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ARRS

SLOVENIAN RESEARCH AGENCY

DEVELOPMENT OF A NON-DISCRIMINATORY TRADE SYSTEM AND SUPPRESSION OF VIOLATIONS OF EQUALITY IN PERFORMING ECONOMIC ACTIVITY

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Sustainable Development Goal 8: Decent Work and Economic Growth

The aims

- legal protection of the integrated market
- enabling an equal position in economic activity
- development of a non-discriminatory trade system

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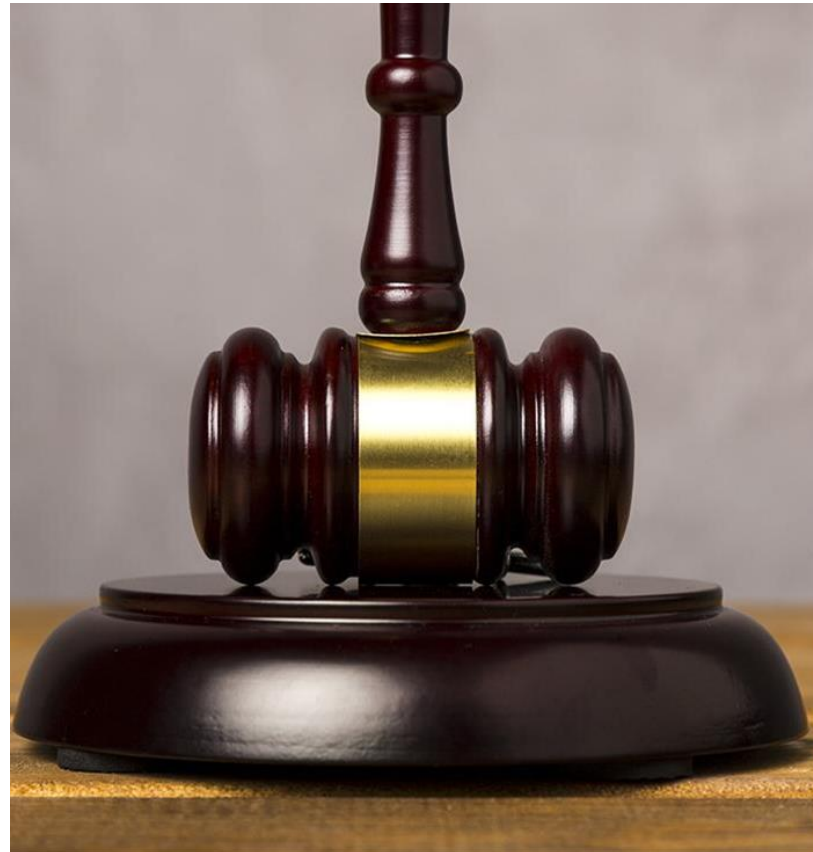
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01.

The United Nations
Millennium
Development Goals
(MDGs)



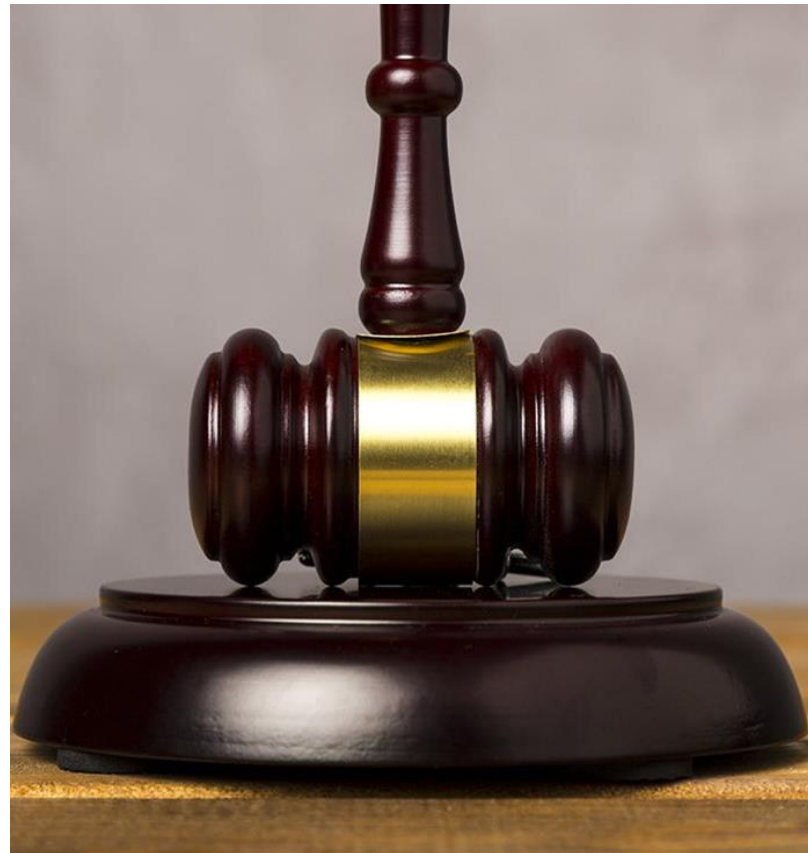
1. to eliminate extreme poverty and hunger;
2. to achieve global primary education;
3. to empower women and promote gender equality;
4. to reduce child mortality;
5. to promote maternal health;
6. to fight malaria, HIV/AIDS, and other diseases;
7. to promote environmental sustainability

8. to develop a universal partnership for development



02.

Regulation of protection
of market competition in
Montenegro



Criminal Code of Montenegro

Breach of Equality in Business Operations Article 269

(1) Whoever abuses his official position or authority in order to restrict the free or independent association of a business organisation or other entity engaged in commercial activity in the performance of their business activities, who denies or restricts their right to engage in a business activity in a particular territory, places them at a disadvantage with regard to operating terms and conditions or restricts their freedom of business activity shall be punished by a prison sentence for a term from three months to five years.

(2) The penalty set out in paragraph 1 of this Article shall also be imposed on whomever abuses his social status or influence in view of committing the criminal offence set forth in paragraph 1 of this Article.



Penalties and measures

Criminal Code: from 3 months to 5 years
of prison sentence

Fixing of sentence may vary:

- possibilities for substitution for house arrest, parole, community service, mitigation and release from punishment, or a severe sentence, according to relevant provisions – fine shall not be imposed
- warning (suspended sentence) and security measures (disqualification from performing a profession, activity and duty)



Law on Protection of Competition

Competition infringement



Restrictive agreements

- restriction, distortion or prevention of competition
- exceptions



Abuse of a dominant position

- who does not have competition in the relevant market
- who has capacity to restrict or prevent the development of effective competitions
- whose position is significantly



Concentration of undertakings

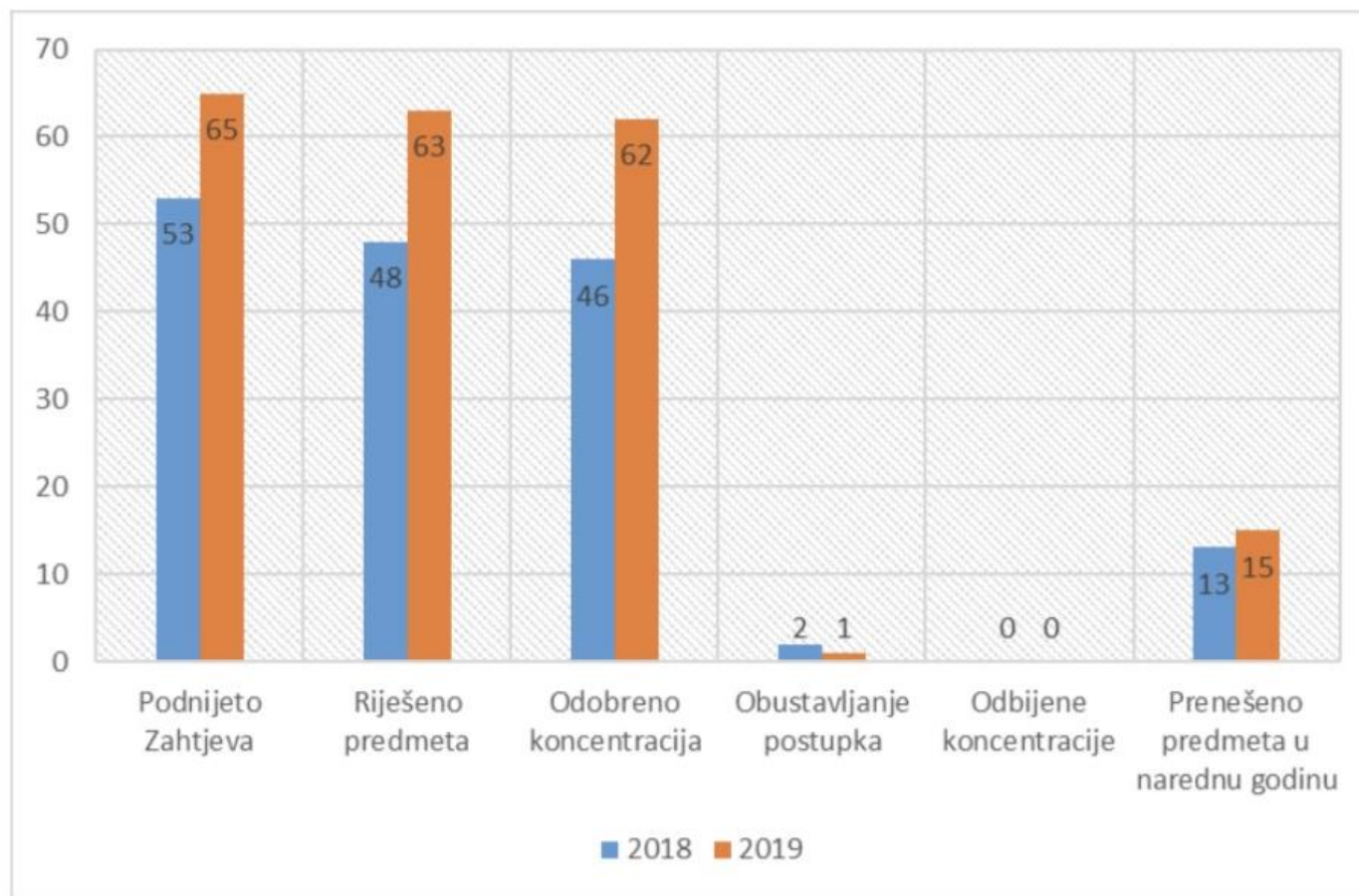
- merger of independent participants
- control over another competitor or its part
- control over existing undertaking

Agency of Protection of Competition

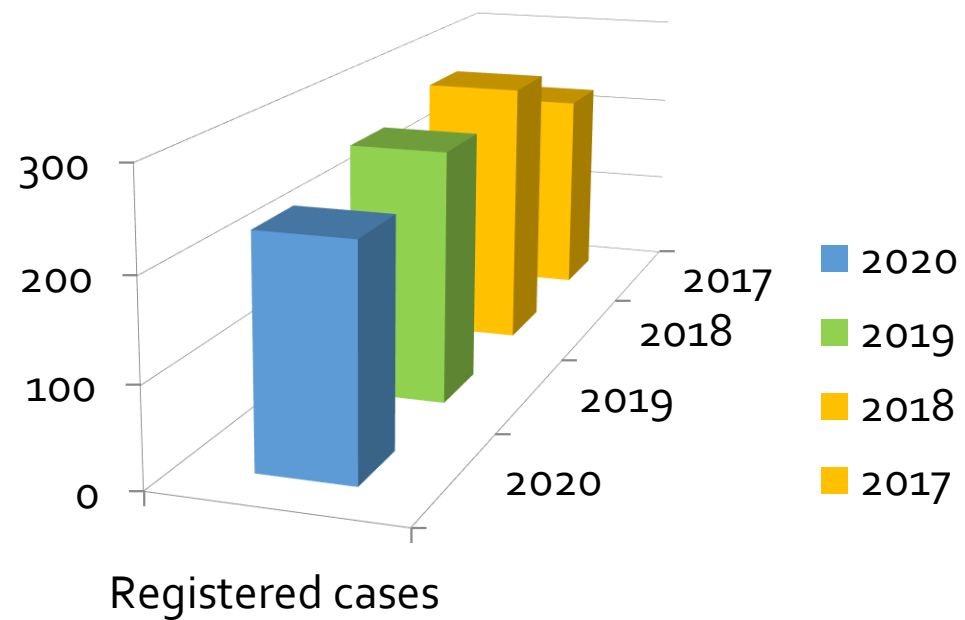
- **Aim of Agency**
- **Procedure before Agency**
- **Agency's measures**
- **Penalties**
- **Decisions and administrative disputes**



Grafikon 1: Uporedni pregled- koncentracije u 2018. i u 2019.godini

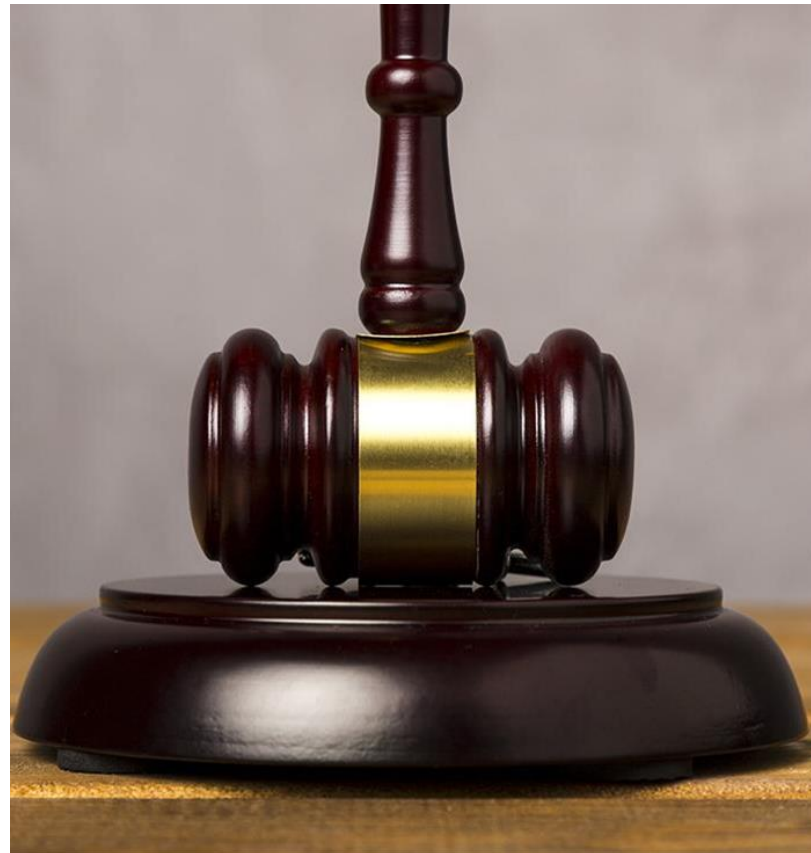


CRIMINAL OFFENCES AGAINST PAYMENT TRANSACTIONS AND COMMERCIAL ACTIVITY -REGISTERED IN MONTENEGRO-



03.

Discrimination



Discrimination is any type of legal or factual unequal treatment or failure to treat one person or group of people compared to others



Special forms of discrimination

Harrasment or sexual harrasment

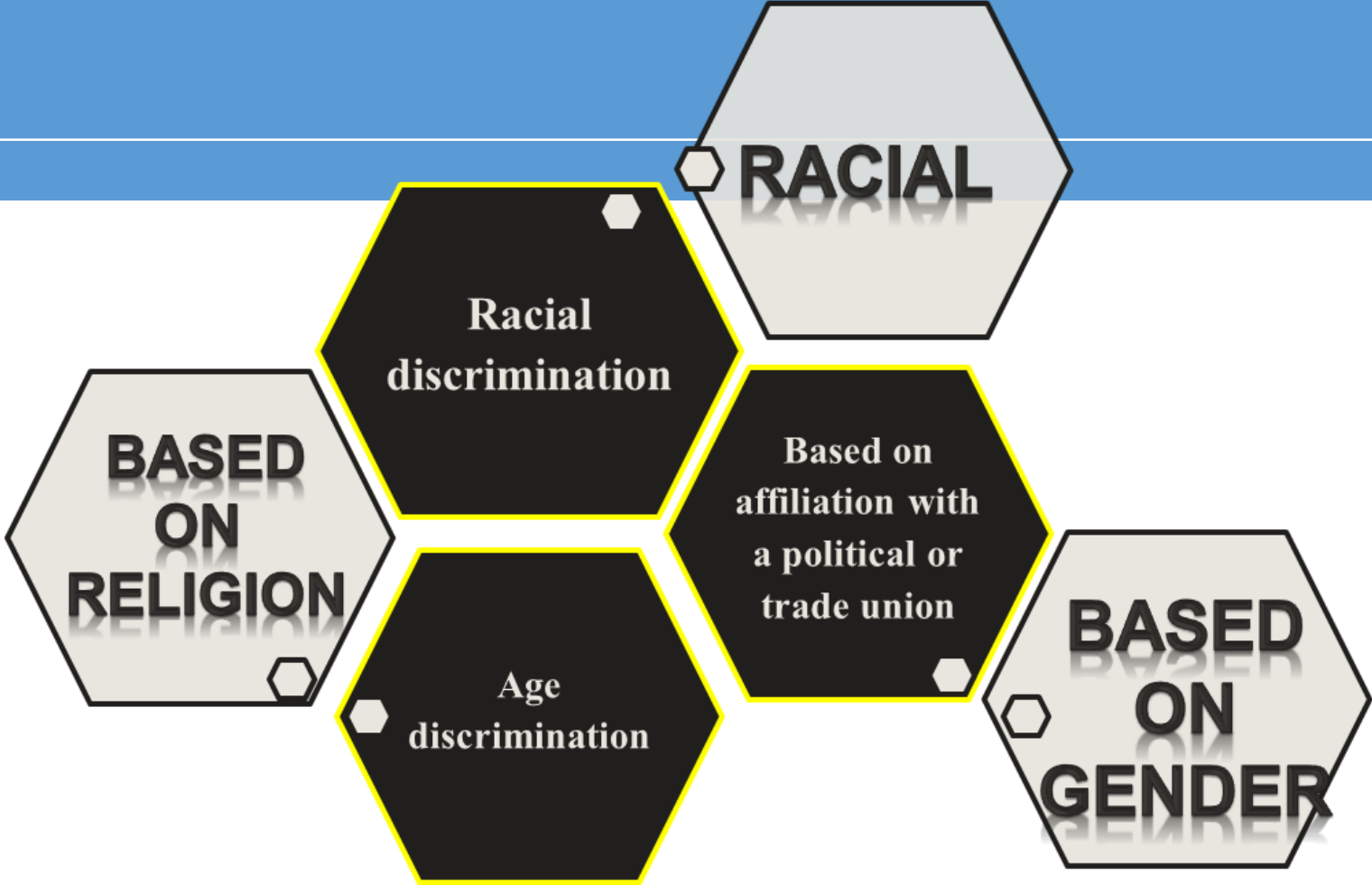
- Any unwanted conduct
- Any unwanted verbal or non-verbal, psysical behaviour of a sexual nature

Hate speech

- Any form of expressing ideas, claims, information that spread discrimination, hatred or violance

Based on health condition

- Restricting work, employment, schooling or any unequal treatment on the basis of health



DISCRIMINATION IN THE FIELD OF WORK

discrimination on any of the grounds shall be prohibited to people seeking employment

- it is not considered discrimination to exclude or give priority due to the specifics of a particular job in which the personal capacity is a decisive condition for performing the job

MOBBING (*European Parliament's Doctorate*)

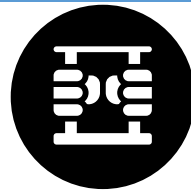
- ***offensive behaviour through vindictive, cruel, malicious or humiliating attempts to undermine an individual or groups of employees.***
- ***The most typical actions are, for example, giving the bullied worker no possibility to communicate; not talking to them any more; making fun of the way they move or talk; gossiping about them or giving no or only meaningless work assignments.***
- ***Legal situation in the Member States***
In most Member States, however, legal remedies for bullied employees exist only insofar as certain isolated acts of the bullying process can be identified as general offences, such as insult, libel, or (sexual) harassment.

MONOPOLY PRICE DISCRIMINATION

- *It is necessary to know that price increase is not always in the interest of monopolists.*
- *A monopolist cannot profit by increasing prices.*
- *In order for a monopolist to increase sales, it must lower the price.*
- *Marginal revenue must be equal to marginal cost in order to maximize profits, but with increasing production volume increases the total cost.*



1. The manufacturer must be able to control the price of the good



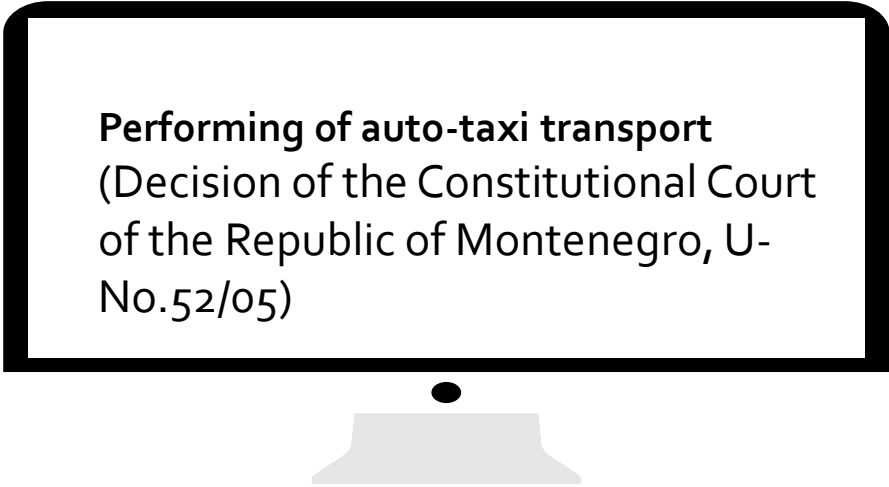
2. A good or service intended to be sold at different prices may not be intended for resale



3. The manufacturer or bidder must be able to assess the solvency of customers and willingness to buy, or the amount of money that are individual customers or groups of customers willing to pay for a good or service

04.

Case law



Performing of auto-taxi transport
(Decision of the Constitutional Court
of the Republic of Montenegro, U-
No.52/05)



Thank you.