

**REGIONAL CONFERENCE  
ON TRENDS AND CHALLENGES IN IMPLEMENTING  
ANTI-CORRUPTION STRATEGIES  
Skopje, 25 November 2014**



**Anti-corruption Strategies Development  
and Fulfillment - Montenegro**

# ANTI-CORRUPTION STRATEGIES AND ACTION PLANS IN MONTENEGRO - DEVELOPMENT



- Programme for the fight against corruption and organized crime with Action Plan (2005 -2009)
- Strategy for the fight against corruption and organized crime (2010 – 2014)
  - **Action Plan 2010 – 2012**
    - Revised in July 2011 – harmonized with the AP for implementation of recommendations provided in the Opinion of the European Commission.
  - **Action Plan 2012 – 2014**
    - Harmonized with AP for Chapters 23 and 24 (July 2013)
    - Upon its expiry national anti-corruption objectives and measures will be solely contained in the APs for Chapters 23 and 24

# ANTI-CORRUPTION STRATEGIES AND ACTION PLANS IN MONTENEGRO - DEVELOPMENT



- Multi-sector working group (representatives of governmental and non-governmental sector, covering within their scope of activity the areas foreseen by the said Strategy/Action Plan). Public discussions on draft documents.
- The basis for drafting those documents include and are not limited to: experiences/evaluation of implementation of previous Strategy/Action Plan, expert recommendations, reports of national, regional/international organizations, etc.
- It has been noted that special attention must be given to defining good indicators of success, as well as to more precise defining of measures. It is also important to clearly set the relevant bodies charged with the implementation of certain measures.

# ANTI-CORRUPTION STRATEGIES AND ACTION PLANS IN MONTENEGRO - MONITORING



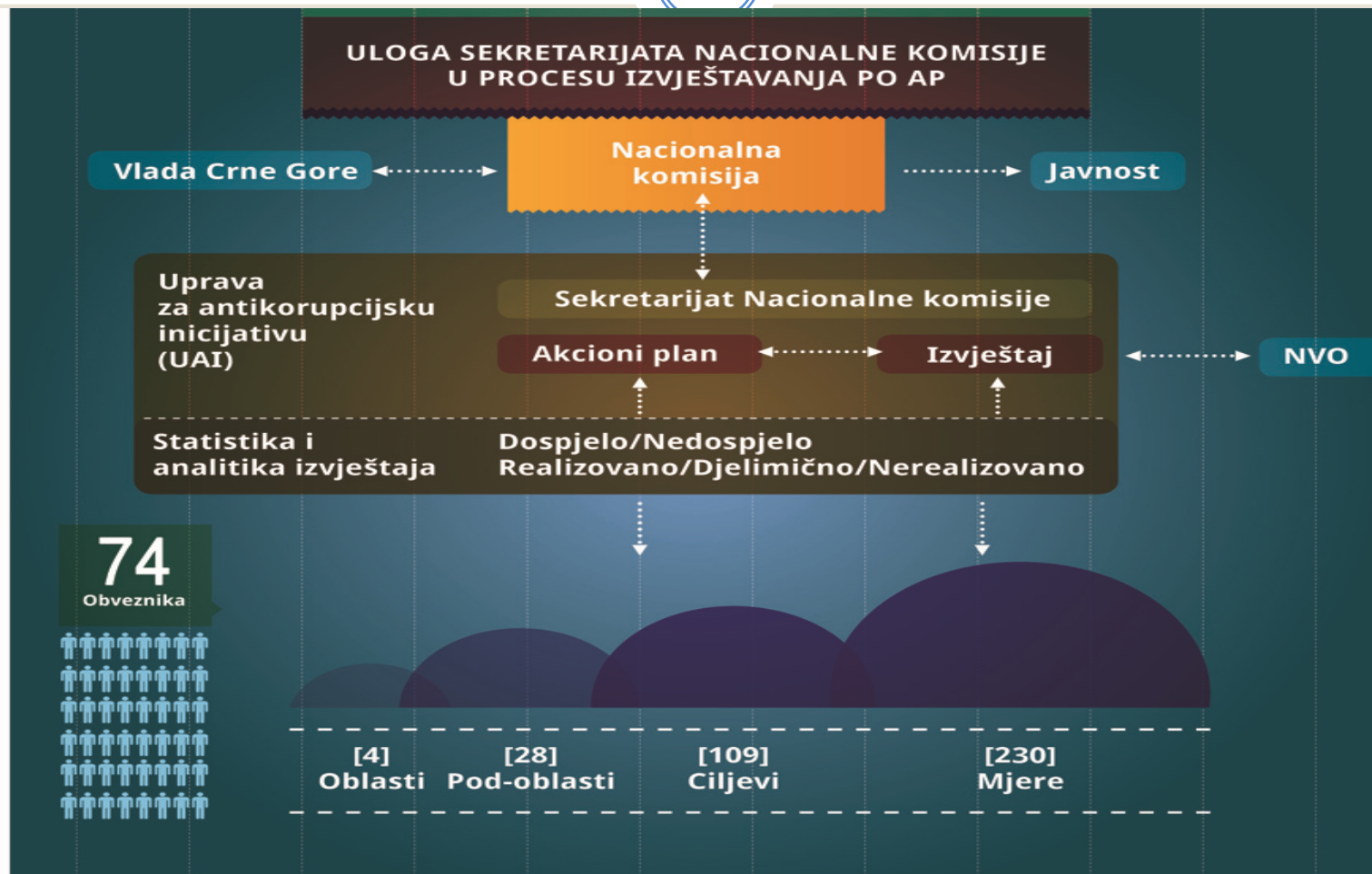
- Monitored by the National Commission (NC), composed of highest public and NGO representatives.
- **Tasks of the NC** include: managing, organizing, coordinating and monitoring the activities of state bodies, public administration bodies and other competent institutions in the implementation of the Strategy; setting priorities, dynamics and timelines for the implementation and assessment of the results; submitting to the Government of the reports on implemented activities, situation assessment and proposal of additional measures at least twice a year.
- NC may establish **permanent or temporary expert teams** and recruit experts in the fight against crime and protection of human rights; may request expert assistance from relevant international organizations; may request data, explanations and reports from the state bodies and other organizations in relation to the matters of prevention and suppression of corruption.

# ANTI-CORRUPTION STRATEGIES AND ACTION PLANS IN MONTENEGRO - MONITORING



- Members of the NC are equal in their rights and duties; attend the sessions of the NC and participate in its work and decision-making process; may submit his/her opinion on particular issues; perform his/her duties in good faith; entitled to initiate a discussion on particular issues pertaining to the scope of work of the NC. to propose measures for improvement of the implementation of the Strategy/AP.
- NC works and decides on its sessions, convened by the chairperson or deputy chairperson at least twice a year, or upon request of at least one third of all members. To reach a valid decision, the session must be attended by more than a half of all members. NC reaches its decisions by public vote.
- NC submits its reports to the Government, the Committee on Economy, Finance and Budget, as well as to the Committee on Political System, Judiciary and Administration of the Parliament of Montenegro.
- Secretariat to the NC (DACI) collects and analyzes individual reports from the reporting bodies and prepares integrated biannual reports for the NC to adopt (custom-made software).

# ANTI-CORRUPTION STRATEGIES AND ACTION PLANS IN MONTENEGRO - MONITORING



# ACTION PLAN FOR CHAPTER 23

## JUDICIARY AND FUNDAMENTAL RIGHTS



APs for Chapters 23 and 24 adopted in June 2013. Revised in November 2014.

Objectives, defined in accordance with the recommendations from the Screening Report, and those given in the course of the screening process on the compatibility of Montenegrin legal system with the EU's Acquis.

Measures, harmonized with measures provided in national strategic documents concerning the fight against corruption and protection of human rights, include:

- Normative harmonization,
- Strengthening institutional and administrative framework,
- Educational activities for staff and raising awareness of citizens.

# ACTION PLAN FOR CHAPTER 23

## – PREVENTIVE ACTIONS



Strengthen and review the institutional framework for the fight against corruption; improve the system of asset declarations; improve the system of political party funding; ensure effective implementation of free access to information rules; strengthen the control system for public procurement and supervision of implementation of awarded contracts, and other.

*“Establish new, more efficient and effective anti-corruption body, by law, by bringing together and enhancing the existing competences of the DACI and CPCI, SEC (concerning the control of political party and election funding) and the competences of NC.”* The competences to the new ACA to include supervision of the implementation of the Law on Lobbying, as well.

Law on Prevention of Corruption – to be adopted by the Parliament by the end of 2014.



# ACTION PLAN FOR CHAPTER 23 – REPRESSIVE ACTIONS



Ensure independent, effective, specialized investigation/prosecution bodies; amend the Criminal Procedure Code where needed and ensure its effective implementation; improve the use of financial investigations; Improve the cooperation and information exchange between authorities involved in the fight against corruption; improve the collection of unified statistics on corruption; further regulate the procedures for seizure, confiscation and management of proceeds of crime; make the system of whistle-blower protection more effective in practice, and other.

*“Merge two specialized divisions in high courts into one for the purpose of centralizing competences for criminal offences of organized crime, corruption, terrorism and war crime.”*

*“Establish a separate special prosecutor’s office for fight against organized crime, corruption, terrorism and war crimes, by adoption of a special law governing the competence and organizational structure of the office.”*

# ACTION PLAN FOR CHAPTER 23 – MONITORING



- **Working Group 23** is in charge, at the most operative level, for monitoring and reporting on the implementation of measures; special support from the civil sector, also members of the WG23, to boost the implementation of activities and support transparency of the process.
- **Semi-annual reports** on the implementation are drafted, approved by the Head of the WG and a member of the Negotiating Group, then submitted to the Government, and, finally, to the EC. The reports also contain the data on any difficulties in the implementation and reasons for failing to fulfill the obligations from the AP.
- **Multistage process**, the first stage – short-term priorities – is completed, along with parallel projection and planning of mid-term priorities, the AP will be updated, taking into account relevant new developments.
- Formal revision will be performed after two years, to provide details for implementation of mid – term priorities (2015 – 2016) and some long – term priorities. It be the opportunity to consider results from the previous phase of implementation, the real impact of measures.

# FINAL REMARKS



In developing the mentioned documents:

- Included a broad range of participants and stakeholders (NGO, private sector, academia)
- Addressed many different factors at the same time (comprehensiveness)
- Aligned them with other strategic documents and overall priorities, yet providing for the documents to have internal integration
- Assured a transparent process
- Provided preliminary assessments and planned periodic reassessment of strategic objectives, measures and criteria by which progress is defined and assessed.

Monitoring and evaluation

- Regular monitoring process in place, as a means of identifying, preventing and taking account of noncompliance, making periodic assessments of the overall document and of specific elements so that adjustments can be made.



# THANK YOU!

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