

Main Corruption Challenges in Montenegro

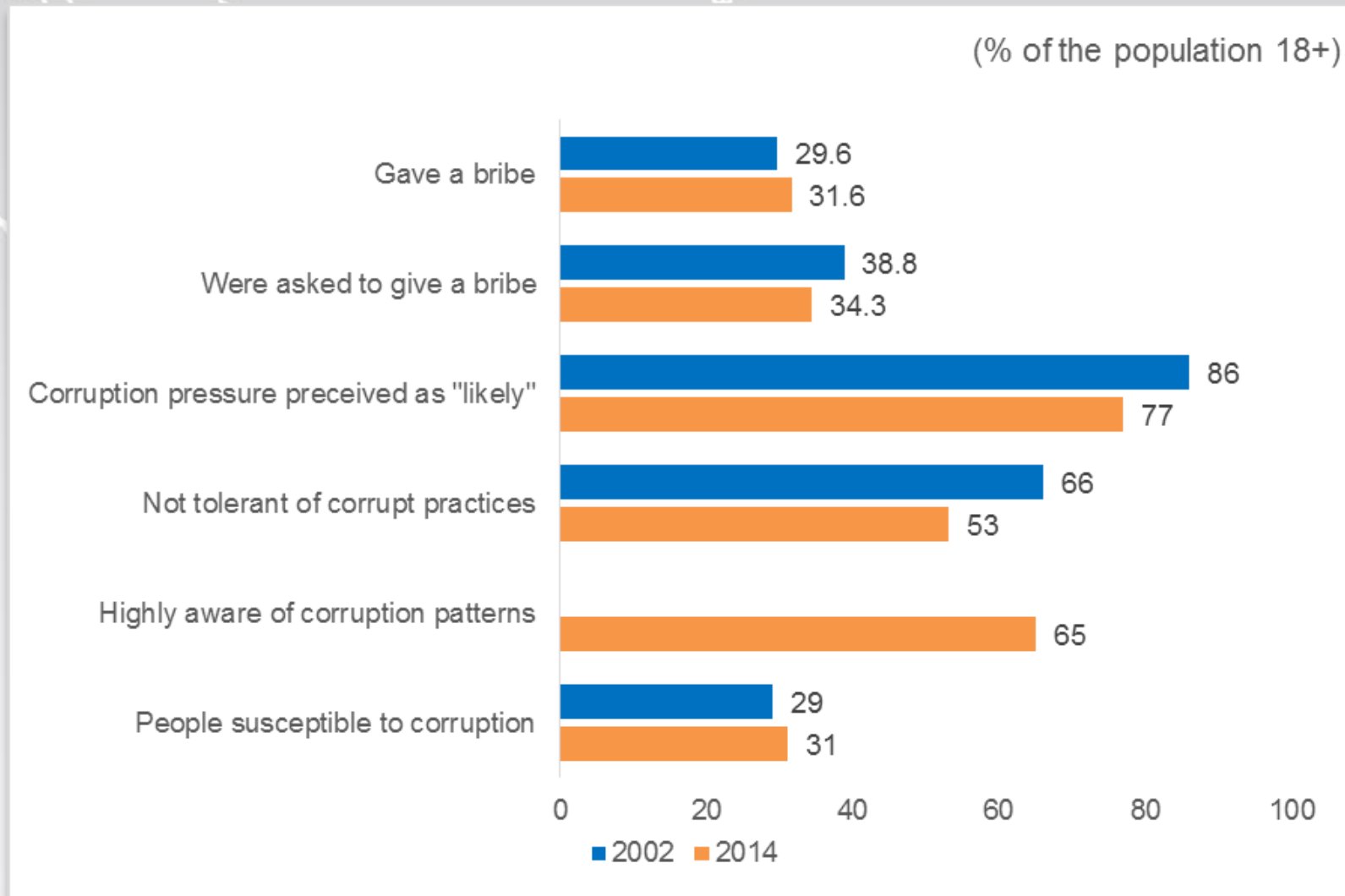
Ms. Milica Kovačević
Organization: Center for Democratic Transition (CDT)
Tirana, Albania
November 13 2014



Introduction: Corruption Environment in Montenegro

- Progress related to anti-corruption has been limited
- Weak and inefficient legislative and institutional anti-corruption framework
- Delay in adoption of key laws
- Technical tasks performed, but limited tangible impact
- Weak track record of investigations, prosecution and convictions
- Anti-Corruption Agency – a solution???

Country profile: Montenegro



Anticorruption Policies and Regulatory Environment

- National Anticorruption Strategy with Action Plan, both for for the period 2010-2014
- Action plan for Chapter 23 – Judiciary and Fundamental Rights
- More than 40 laws and by-laws that at some point tackle anticorruption.
- Corruption is incriminated through several criminal offences regulated by the Criminal Code, mostly punishable by sentence of imprisonment, lasting from three months to fifteen years, depending on many variations of concrete offenses.

Institutional Practice and Enforcement of the Law

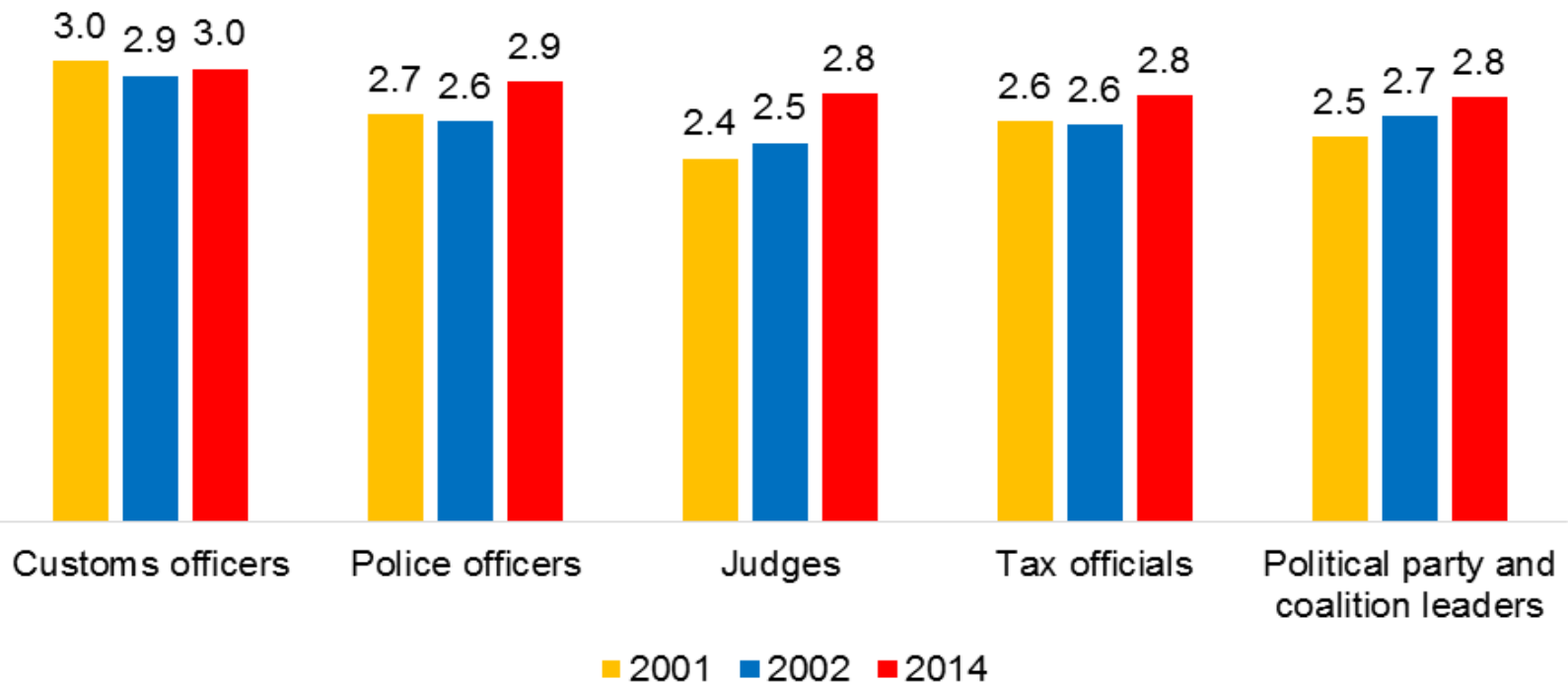
- During the years Montenegro has formed several Anti-Corruption bodies:
 - Directorate for Anti-Corruption Initiative (DACI)
 - Commission for Prevention of Conflict of Interest
 - Directorate for Prevention of Money Laundering and Terrorism Financing
 - Public Procurement Directorate
 - Commission for Control of Public Procurement Procedure
 - State Audit Institution
 - Agency for protection of personal data and free access to information
- Action Plan for Chapter 23 stipulates for establishment of the Anti-Corruption Agency.

The Judiciary in Anticorruption

- Amendments to the Constitution, July 2013 – aim to strengthen the independence of the judiciary.
- Availability of data and statistics.
- No administrative transparency.
- Mechanism of filing complaints of citizens, Judicial Code of Ethics, small number of disciplinary proceedings

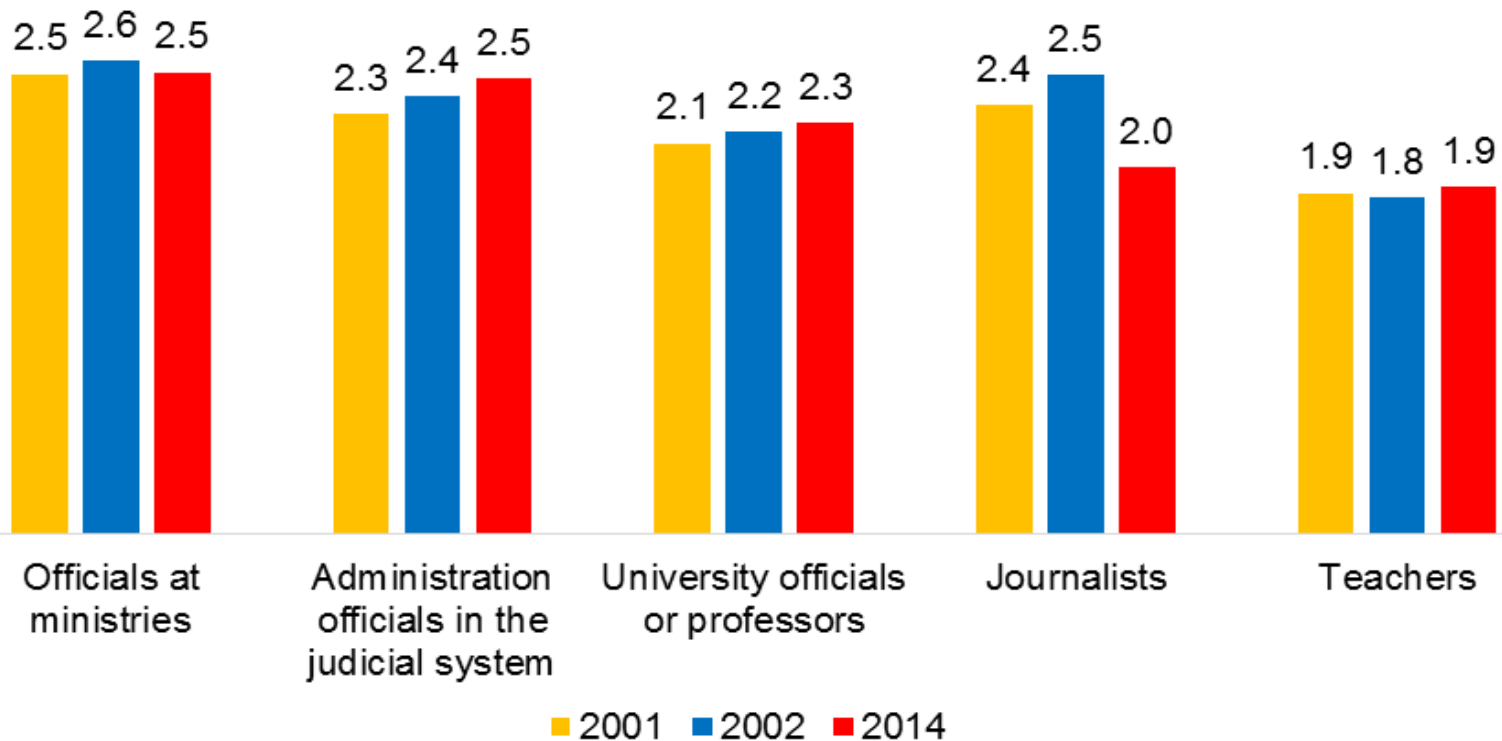
Perceptions of corruptness of public officials – most corrupted

Officials perceived as most corrupted on a scale from 1 to 4, where 1 is "Almost no one is involved" and 4 is "Almost everybody is involved"



Perceptions of corruptness of public officials – least corrupted

Officials perceived as least corrupted on a scale from 1 to 4, where 1 is "Almost noone is involved" and 4 is "Almost everybody is involved"



Corruption and the Economy

- Non-transparent and non-participatory creation of the budget, with special emphasis on the capital budget.
- Weak parliamentary oversight of the budget execution
- No adherence to the recommendations from the audits of the public spending
- Efforts to open budget for citizens.

Corruption and the Economy

- Increasing public debt - 57.7% of GDP – doubled in three years
- State aid and suspicious loans
- Electorally motivated spending
- Intransparency and poor control over the public procurement.

Civil Society in Anticorruption

- Areas of interest and types of activities
- The dual role – watchdogs vs. partners

International Cooperation

- UNCAC, GRECO
- EU assistance
- Establishment of the Decentralized Implementation System for EU funds (DIS)

Progress Report 2014

- Progress has been limited.
- Legislative framework remains to be strengthened.
- Pending the establishment of a new anti-corruption agency, the capacity of existing institutions in the area of prevention of corruption needs to be improved.
- Improvement of legislative framework in the area of political party financing providing an initial track record on the correct implementation of the law
- Increased efforts are needed to develop a solid track record of investigation, prosecution and final conviction in corruption cases, including high-level cases
- Corruption remains prevalent in many areas and continues to be a serious problem, requiring effective implementation of deep and lasting reforms.



Thank you !

Name: Milica Kovačević

E-mail: milica@cdtmn.org