

WINDING ROAD

from the National Council for the Fight against
High-Level Corruption to the National Council for
the Fight Against Corruption





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1. INTRODUCTION

Montenegro has a line of examples of creation of different public bodies and structures related to coordination and facilitation of work of various institutions in charge of one or more related areas of public interest. When it comes to the area of the prevention and repression of corruption, within the period since the changing of the status of the country and gaining of independence in 2006, we had three structures of this kind.

The first national-level body responsible for monitoring and overseeing the processes related to the fight against corruption was established in February 2007, in support of the implementation of the Action Plan for the implementation of the Anti-Corruption Strategy. This body was responsible for monitoring the implementation of the Strategy during the monitoring period of a series of action plans, the latest of which was the Action Plan for 2013-2014. The body was entitled the National Commission for the Implementation of the Strategy for the Fight against Corruption and Organized Crime and it had the Secretariat of the National Commission which performed professional tasks in collecting, processing and preparing reports from competent authorities and integrating them into the six-monthly report for the National Commission.

Since the new Strategy for the Fight Against Corruption has not been adopted, this body soon ceased to exist and there were no new initiatives until 2020, when elections brought new majority in Parliament who proclaimed fight against corruption as one of priorities of their political actions.

The new Government, formed in December 2020, issued a Decision on the National Council for High-Level Anti-Corruption in the same month. In accordance with this document, a new five-member National Council for High-Level Anti-Corruption was established in February 2021. However, the creation and operation of this body have been accompanied by challenges in terms of transparency and a lack of available information about its work and role, both for the general public and for local and international stakeholders.

Very shortly after its establishment, a series of negative reactions about this Council arrived from local and international stakeholders, particularly concerning the visible interference and overlap of this National Council with the work of other institutions. As a result, this body ceased to exist at the beginning of 2022 without achieving any results or visible activities.

A subsequent council was replaced by a National Council for the Fight Against Corruption, which was founded following the initiative of members of the Council of the Agency for the Prevention of Corruption (APC) from civil society, representatives of the Centre for Monitoring and Research (CeMI), and the European Movement in Montenegro (EMIM) during the first half of 2022.

The APC initiative received support from the minister without portfolio in the Government responsible for the issue of fighting against corruption. Based on this initiative, adopted by the APC Council, the APC administration drafted a proposal for the Decision on the Establishment of the National Council for the Fight Against Corruption and submitted it to the Prime Minister in July 2022¹ during a meeting between the Prime Minister and the Director and members

¹ Interview with the president of the Council of the Agency for Prevention of Corruption, Mr. Momcilo Radulovic, July 2023.

of the APC Council. Following this, the Government of Montenegro established the National Council for the Fight Against Corruption.

This study will attempt to analyze the legal framework, institutional background, structure, powers, work, and achievements of the last two bodies, the National Council for High-Level Anti-Corruption and the new National Council for the Fight Against Corruption.

For the purposes of conducting this research and analysis, we used a standard combination of specific research methods, primarily relying on desk and online research and analysis of the legal framework. These methods were combined with the analysis of international agreements and other public institution documents from Montenegro and other countries that relate to the fight and prevention of corruption. We also used interviews with local stakeholders and various types of reports from local institutions and media, including the use of data from reports by international organizations and various civil society structures.

2. NATIONAL COUNCIL FOR THE FIGHT AGAINST HIGH-LEVEL CORRUPTION

In the parliamentary elections held on August 30, 2020, a new parliamentary majority was formed, which excluded the ruling Democratic Party of Socialists (DPS), a party that had been the governing force in Montenegro for over 30 years in various coalitions. Although the new coalition of governing parties came from a significantly different ideological background, they had one common publicly proclaimed political goal, which was the fight against corruption. This was also their key political message to their voters during the political campaign in August 2020. As promised, immediately after the formal formation of the new Government in December 2020, the new parliamentary majority created several political initiatives aimed at achieving the systemic goals of their political announcements about fighting corruption.

2.1. PROCESS OF FORMATION AND COMPETENCIES OF THE COUNCIL

As one of the most noticeable initiatives of this kind, Deputy Prime Minister Dritan Abazović launched the idea of creating a National Council for High-Level Anti-Corruption, a completely new structure intended to bring together public and private local stakeholders in Montenegro to strengthen the social and political front in the fight against corruption.

The ruling majority found the basis for this institutional and political step within Article 12 of the Government of Montenegro's Decision², which stipulates that the Government can establish a temporary working body to consider specific topics within its jurisdiction and provide opinions and proposals related to those topics.

This broader legal framework for creating such a temporary working body could provide an institutional environment in which that body could perform the same or similar powers as the Government of Montenegro in the same areas in which that temporary body was formed.

Bearing in mind the institutional and legal basis, Deputy Prime Minister Dritan Abazovic formalized this initiative on December 17, 2020, when the National Council for High-Level Anti-Corruption³ was established by a Government Decision, which was partially amended in January and April 2021.

Meanwhile, shortly after the publication of the Decision on the National Council for High-Level Anti-Corruption, a five-member National Council for High-Level Anti-Corruption was constituted in February 2021.⁴

The Council members were: Chairman of the Council - Deputy Prime Minister, Deputy Chairman of the Council - representative of NGO MANS, and the members included a representative of NGO Institute Alternative, a professor of Law Faculty, and the Minister of Finance and Social Welfare.

However, the political and institutional environment for achieving this idea, as well as the document on the creation of this institutional body and its practical functioning, were

² Decree of the Government of Montenegro, "Official Gazette of Montenegro", No. 80/2008, 14/2017 and 28/2018

³ The Decision on creation of the National Council for the Fight against High-Level Corruption, "Official Gazette of Montenegro" No. 125/20, No. 11/21 and No. 34/21)

⁴ Ibid

surrounded by many controversies from the very beginning of the initiative.

In this regard, from the beginning of the implementation of this initiative, there was no communication between the Government of Montenegro and the Office of the Deputy Prime Minister, who was responsible for this project, with the Prosecution, judiciary, and/or the Agency for the Prevention of Corruption.

However, much greater legal and institutional problems arose when the text of the Decision on the establishment of the National Council for High-Level Anti-Corruption was officially published in the “Official Gazette of Montenegro.”

After this Decision⁵ was published, it sparked many legal controversies that attracted the attention of local and international stakeholders.

Specifically, right from the start, Article 3 of the Decision stipulates that the National Council for High-Level Anti-Corruption:

1. Determines the plan and dynamics for gathering information related to high-level anti-corruption cases and for this purpose cooperates with competent authorities dealing with these cases;
2. Compiles a report/review of the current status of ongoing investigations in high-level anti-corruption cases, based on information obtained concerning these cases;
3. Prepares an opinion on the efficient ways in which investigations in the field of high-level anti-corruption could be improved and for this purpose proposes specific measures to improve the situation;
4. Monitors and coordinates the activities of state bodies in conducting the fight against high-level corruption;
5. Communicates with international institutions, international organizations, and representatives of the diplomatic corps to gather all the necessary information for the smooth functioning of the Council;
6. Requests data, explanations, and reports from state bodies concerning issues related to the prevention and suppression of high-level corruption;
7. Determines priorities and proposes activities in implementing projects related to the fight against high-level corruption.

In addition, Article 4 provides that: “The Council cooperates with state bodies, state administration bodies, and other competent institutions and organizations to establish facts and circumstances, gather data, and perform other tasks. The Council reports to the Government of Montenegro (hereinafter: The Government) and citizens on the cooperation specified in Paragraph 1 of this Article. The Chairman, or the Deputy Chairman of the Council or persons authorized by them, inform the public about the Council’s work. If the state administration bodies do not act upon the Council’s requests in accordance with this decision, the Council informs the Government for the purpose of taking measures in accordance with the Law on State Administration.”

Moreover, Article 5 stipulates that: “The Government appoints the Chairman, Deputy Chairman, members, secretary, and deputy secretary of the Council by a special decision. As a rule, the Deputy Prime Minister is the Chairman of the Council. By principle, a member

⁵ The decision to establish the National Council for High-Level Anti-Corruption, “Official Gazette of Montenegro” no. 125/20, 11/21, and 34/21.

of the Council cannot be a public official appointed by the government or a state employee.”

The Secretary and Deputy Secretary of the Council are appointed from among the employees of the General Secretariat of the Government, or from the Office of the President or Vice Presidents of the Government. The term of the President, Deputy President, and members of the Council lasts four years.

In addition, Article 6 of the Decision stipulates that: “In order to perform tasks within its jurisdiction, the Council may have an account in a commercial bank or a sub-account of the main account of the state treasury. The President, Deputy President, members, Secretary, and Deputy Secretary of the Council are entitled to compensation for their work. The amount of compensation referred to in paragraph 3 of this Article is determined by a special decision of the Government.”

Furthermore, Article 7 states that: “For efficient and effective performance of tasks, the Council may form permanent or temporary working groups from among its members. The President of the Council may engage experts and representatives of domestic or international organizations or institutions in fields related to the scope of the Council’s work.”

Finally, Article 9 concludes that “The Council is accountable to the Government for its work.”

Some of these provisions in the Decision on the establishment of the National Council for the fight against high-level corruption indicate that the number of its provisions created legal and institutional prerequisites for the future body to take over jurisdictions from numerous other institutions, not only from the Government of Montenegro, as the same branch of government, but also with the ambition to take over jurisdictions from other branches of power such as the Special State Prosecutor’s Office, the Supreme, Higher, and Basic Prosecutor’s Offices, as well as the jurisdictions of the Agency for the Prevention of Corruption.

2.2. CONFLICTING COMPETENCIES OF THE COUNCIL AND INSTITUTIONAL REACTIONS

Such ambitions arising from the Decision on the Establishment of the National Council for the Fight Against High-Level Corruption have triggered a series of reactions.

The first and most important institutional response came from the Agency for the Prevention of Corruption, in the form of an Opinion on the Decision on the Establishment of the National Council for the Fight Against High-Level Corruption, published in the “Official Gazette of Montenegro,” numbers 125/20, 11/21, and 34/21.⁶

Specifically, with the aim of strengthening the position of the Agency for the Prevention of Corruption within the overall institutional system of Montenegro and within the framework for combating corruption, since late 2020, the Agency has been using a system of issuing opinions on draft laws, either ex officio or at the request of any entities, including the Government or Parliament.

This issuance of opinions is based on Articles 78 and 79 of the Law on the Prevention of Corruption (Official Gazette of Montenegro, nos. 53/14 and 42/17) and Article 10 of the Statute

⁶ Opinion on the Decision on creation of the National Council for the Fight against High-Level Corruption, „Official Gazette of Montenegro” No. 125/20, No. 11/21 and No. 34/21), issued by the Agency for Prevention of Corruption, the Document 03-02, 19 April 2021

of the Agency for the Prevention of Corruption.

In the case of the Decision on the Establishment of the National Council for the Fight Against High-Level Corruption, published in the “Official Gazette of Montenegro,” the Agency for the Prevention of Corruption reacted ex officio, based on prior activities of the Government of Montenegro, which were also under the scrutiny of local and international interested parties.

Specifically, after the completion of the appointment of the five-member⁷ National Council for the Fight Against High-Level Corruption in February 2021, the Council approached the Agency for the Prevention of Corruption with a request registered in the Agency (no. 02-01-279, dated February 19, 2021) to obtain an opinion on whether members of the National Council, who are not public officials and who are representatives of civil society organizations, acquire the status of public officials and whether they are obliged, as members of this body, to submit a report on income and assets. On that occasion, related to the submission of this request, the Council also provided the Decision on the Establishment of the Council, the Rules of Procedure, and the Decision on the Appointment of the National Council.

Based on this Request submitted by the Council on February 19, 2021, the Agency initiated an inspection of the submitted documentation and decided to initiate proceedings ex officio based on Articles 78 and 79 of the Law on the Prevention of Corruption. It reviewed all available documents related to this topic, taking into account the potential and importance of such a newly-established institution in the general fight against corruption.

The Agency’s main conclusions related to the initial fact that the Decision on the National Council for the Fight Against High-Level Corruption was made contrary to the provisions of Article 12 of the Government of Montenegro’s Regulation, which was used for its establishment. Moreover, due to the lack of precision in Articles 3, 5, 6, 7, and 9 of the Decision, this document has a strong potential for risking the public interest. The Agency also identified a lack of transparency and a wide scope of discretionary powers granted to the Council in various procedures, which could create significant room for various abuses in the Council’s future work.

Additionally, the Agency found that Article 12 of the Government of Montenegro’s Regulation could only be used to establish a temporary working body that will consider specific issues within its jurisdiction and provide only opinions and proposals within the Government’s own work. Article 12 cannot enable the establishment of a body with the ambition or potential to take over the jurisdiction of the Special State Prosecutor’s Office, the Supreme, Higher, and Basic Prosecutors’ Offices, and/or the jurisdiction of the Agency for the Prevention of Corruption.

However, Articles 3, paragraphs 1 to 4 and paragraph 6 of the Decision, leave significant room for interpretation that the Council has the potential to be granted the jurisdiction of the Special State Prosecutor’s Office, the Supreme, Higher, and Basic Prosecutors’ Offices, as well as the jurisdiction of the Agency for the Prevention of Corruption.

The Agency concluded that this would constitute a violation of the Constitution of Montenegro and the legal framework for prosecuting and preventing corruption. The formation of a National Council for the Fight Against High-Level Corruption with these jurisdictions would

⁷ Representatives of majority of institutions did not appoint their representatives as it was planned.

create a parallel institution that would have a strong potential to undermine the independence and autonomy of both the Prosecution and the Agency for the Prevention of Corruption, as guaranteed by the Law on the Prevention of Corruption.

In line with these critical conclusions, the Agency also stated that Article 5 of the Decision does not define a clear structure and criteria for the selection or dismissal of members. Moreover, the Agency stated that the composition of the Council, which includes two high-ranking public officials (one being the president and the other a member of the Council), cannot be a guarantee of the Council's control functions. On the contrary, such a composition directly corresponds with the expectation that this body acts as a controller of the Government of Montenegro, which is actually the creator of the Council.

The Agency for the Prevention of Corruption concluded this part of the analysis with the remark that "high-ranking public officials have broad powers to serve the citizens of Montenegro, implying the potential for their abuse, and are therefore a high-risk group in the context of high-level corruption."⁸ In this context, the Agency asserted that they cannot fulfill the role of guardian and controller in the process of fighting against corruption. Also, concerning Article 6 of the Decision that regulates the Council's funding, the Agency identified a lack of guidelines and criteria related to donation sources, with a potential risk of conflicts of interest. The Agency gives an example that in some cases, certain individuals or companies may be donors in accordance with the Decision, but at the same time may be a subject of interest for the Council.

Similar criticisms regarding the lack of criteria are defined in the Opinion issued by the Agency concerning Article 7 of the Decision, which should contain clear criteria for the potential engagement of experts and representatives of domestic or international organizations or institutions in areas related to the Council's scope of work. The current solution of Article 7 leaves significant room for potential abuse and conflicts of interest in this area.

Finally, Article 9 of the Decision, which states that the National Council oversees the Government of Montenegro, was also criticized by the Agency for the Prevention of Corruption. The Agency questioned how the Government of Montenegro will control itself and be accountable for its work through the National Council for the Fight Against High-Level Corruption *when it simultaneously represents both the "creator" and the controller of this oversight body.*

Among other conclusions in the Opinion, the Agency for the Prevention of Corruption expressed doubts about whether the entire effort to establish the National Council was a "simulation of support for the executive power and its political initiatives, and whether the Government of Montenegro is abusing the anti-corruption mechanism to control other powers, without the possibility of the National Council's autonomous action. The creation of parallel institutions whose activities are aimed at justifying and confirming the Government's stance, distorts the participation process of the civil sector and citizens in fighting against corruption, and leads to public confusion."⁹

In conclusion, the Agency for the Prevention of Corruption called on the "Government of Montenegro to remedy the identified shortcomings in Articles 3, 5, 6, 7, and 9 of the Decision, and adapt the jurisdiction and tasks of the National Council to the jurisdictions of temporary working bodies."

⁸ Opinion on the Decision on creation of the National Council for the Fight against High-Level Corruption, „Official Gazette of Montenegro" No. 125/20, No. 11/21 and No. 34/21), issued by the Agency for Prevention of Corruption, the Document 03-02, 19 April 2021, page 2

⁹ Ibid, page 9

2.3. ASSESSMENT OF PERFORMANCE AND DISSOLUTION OF THE NATIONAL COUNCIL FOR THE FIGHT AGAINST HIGH-LEVEL CORRUPTION

Immediately after the adoption of the Decision on the National Council for the Fight Against High-Level Corruption, the Government of Montenegro established a five-member National Council for the Fight Against High-Level Corruption in February 2021.

However, this process did not follow transparent procedures, and the level of information about the work and role of this Council was insufficient for the general public and local and international stakeholders. Consequently, negative reactions soon emerged after its formation concerning this newly established body, especially regarding the apparent overlap and mingling of the Council's work with other institutions.

The first official confirmation of a serious flaw in the establishment process came through an Opinion on the Decision on the National Council for the Fight Against High-Level Corruption, issued by the Agency for the Prevention of Corruption (APC) in April 2021.

The potential for abuse and overlapping of institutions was also recognized by international partners¹⁰, and the newly formed National Council for the Fight Against High-Level Corruption soon encountered negative and reserved reactions from international and local stakeholders.

In this regard, GRECO reported that "very little information exists about this Council, and no specific information was provided to GET about its precise role and functionality.

Interlocutors they met on the ground, including representatives of ministries and other anti-corruption bodies, remained skeptical about the Council's effective role.

GET could not assess the Council's purpose and its relationship with the role of the Deputy Prime Minister in coordinating state policy against corruption and the preventive and controlling powers of the long-standing Agency for the Prevention of Corruption (APC) (see below).

GET emphasized that the Council's work must fully contribute to the proper functioning of the entire system for the prevention and control of corruption, including the APC's mission."

These were the reasons why GRECO issued a direct recommendation to improve the overall situation related to this specific issue: ***"GRECO recommends that the role and tasks of the National Council for the Fight Against Corruption be clearly defined to ensure consistency in the overall strategy for the prevention and fight against corruption."***¹¹

The same reserved comments could be found in the European Commission's Annual Progress Report on Montenegro for 2022. Specifically, the report explicitly warned that "There is a lot of overlap of the Council's powers with other institutions, especially with the APC and the prosecutorial service, so its institutional role, relations with other bodies and its powers, as well as protection in this regard, still need to be appropriately defined."¹²

¹⁰ Greco Eval 5 Rep (2022)2, page 13

¹¹ GrecoEval5Rep (2022) 2, Prevention of Corruption and Promotion of Integrity in Central Governments (Top Executive Functions) and Law Enforcement Agencies

¹² Montenegro 2022 Report, SWD (2022) 335 final, page 29

After non-transparent and legally questionable procedures for establishing this Council, the results of this body have also been contentious. No meetings of this body have been held, at least not known to the public, nor are there publicly available information and minutes of these meetings. Also, the Council's chairman and one member from civil society, from the organization MANS, held two press conferences on potential procedural violations in the case of providing apartments, free and/or low-interest loans to public officials during the previous government.

In addition, there were no visible results either at the institutional impact level or at the level of public engagement of the National Council for the Fight Against High-Level Corruption from April 2021 to January 2022.

This same period was marked by strong political conflicts between the political and party entities that made up the Government of Montenegro. As one of the consequences of these conflicts, in January 2022, Prime Minister Zdravko Krivokapic made the decision to dismiss Deputy Prime Minister Dritan Abazovic from the position of chairman of the National Council for the Fight Against High-Level Corruption.

This was followed by the resignations¹³ of three of the five members of the National Council for the Fight Against High-Level Corruption, where some of them withdrew shortly after its establishment, and some after the dismissal of Council President Abazovic.

Given that all three members of the National Council who resigned came from civil society structures (NGOs and academia), the remaining two members were public institution representatives, ministers from the Government, and there was no quorum for the work of this Council after substitute members from civil society were not elected after their resignations, the Council ceased its operations without a formal decision.

Due to these resignations and the formal lack of conditions for work, as well as critical views from local and international actors, the National Council for the Fight Against High-Level Corruption soon ceased to exist and was replaced by a new body founded in the fall of 2022, under a new name – the National Council for the Fight Against Corruption.

¹³ The Deputy President of the National Council for the Fight Against Corruption, Mrs. Vanja Calovic Markovic from the NGO MANS, submitted her resignation immediately after she was elected. After that, she was appointed by the Deputy Prime Minister and President of the National Council, Mr. Abazović, to the position of the head of the Expert Team of the National Council. This Expert Team has never performed public duties, and no other member was appointed after her.

3. NATIONAL COUNCIL FOR THE FIGHT AGAINST CORRUPTION

The National Council for the Fight Against Corruption was formed following an initiative from members of the Council of the Agency for the Prevention of Corruption (APC) from the civil sector, representatives of CeMI and EMIM. Based on this initiative, a new proposal for the Decision on the Establishment of the National Council for the Fight Against Corruption was prepared by the APC administration and submitted to the Prime Minister in July 2022.¹⁴

3.1. PROCESS OF FORMATION AND COMPETENCIES OF THE COUNCIL

This initiative was accepted, and it has been developed since then within one Ministry with no portfolio but that has overseen anticorruption policies and functioning of the National Council for the Fight Against Corruption, since its creation. This newly shown respect for procedures and legal framework have created completely new atmosphere for functioning of the new National Council for the Fight Against Corruption and the Ministry and the Government got significant support by several international partners at the level of expertise and financial contributions for realization different aspects of the work of the newly created Council.

Following the new proposal of the Decision that was created by the APC and delivered to the Prime Minister, the new National Council for the Fight Against Corruption was appointed by the Government of Montenegro on 28 July 2022¹⁵. The Council consists of:

- Prime Minister of Montenegro, President of the Council;
- Minister without portfolio responsible for implementing policies in the field of fighting corruption, Vice President of the Council;
- Minister of Justice, member;
- Minister of the Interior, member;
- Minister of Finance, member;
- Deputy Prime Minister for Foreign Policy, European Integration, and Regional Cooperation and Minister for European Affairs, member;
- Deputy Prime Minister for Regional Development and Minister for Capital Investments, member;
- Minister of Ecology, Spatial Planning and Urbanism, member;
- Minister of Education, member;
- Minister of Health, member;
- Director of the Agency for the Prevention of Corruption, member;
- Director of the National Security Agency, member;
- Director of the Police Administration, member;
- Director of the Administration for Inspection Affairs, member;
- Director of the Revenue and Customs Administration, member;
- Chief State Prosecutor, member;
- Special State Prosecutor, member;
- President of the Supreme Court, member;
- Member of the Senate of the State Audit Institution, member;
- President of the Chamber of Commerce of Montenegro, member;
- Representative of the Union of Municipalities of Montenegro, member;

¹⁴ Interview with the President of the Council of the Agency for Prevention of Corruption, Mr Momcilo Radulovic, July 2023

¹⁵ Interview with the President of the Council of the Agency for Prevention of Corruption, Mr Momcilo Radulovic, July 2023

- And four representatives of non-governmental organizations (CeMI, Institute Alternative, LGBT Forum Progress, Network for the Investigation of Organized Crime and Corruption LUPA), members.

Local and international partners and interested parties have recognized the development and adoption of the new national Strategy for the Fight Against Corruption as one of the most important tasks of the new National Council for the Fight Against Corruption. As a result, the main tasks of the new National Council for the Fight Against Corruption have become:

- Preparation of the Strategy for the Fight Against Corruption along with accompanying action plans, in collaboration with the Ministry of Justice;
- Monitoring the implementation of the Strategy;
- Organizing, coordinating, and tracking priorities, dynamics, and deadlines for implementing activities carried out by state bodies, public administration, local self-government, local administrative bodies, and other relevant institutions, as well as evaluating the achieved results in meeting the Strategy's objectives;
- Submitting reports to the Government on the implemented activities with an assessment of the situation and proposals for further measures for more successful implementation of the Strategy, at least twice a year.

In addition to these activities, the National Council for the Fight Against Corruption is responsible for receiving any submissions from citizens, considering them, and potentially forwarding them to the relevant institutions. Council members also consider various topics related to the prevention and fight against corruption and improve coordination between institutions regarding these issues.

3.2. ASSESSMENT OF PERFORMANCE OF THE NATIONAL COUNCIL FOR THE FIGHT AGAINST CORRUPTION

Between January 2023 and July 2023, the National Council for the Fight Against Corruption held 4 sessions and discussed topics related to combating corruption in the forestry sector and the sector for preventing the misuse of natural resources from rivers, especially sand and gravel, which creates a corrupt environment and destroys natural resources.

According to the guidelines of the National Council, an Action Plan for Preventing Illegal Activities in Forestry was developed in February 2023. In addition, efforts to prevent the exploitation of sand from rivers continue, along with efforts to coordinate institutions on these issues.

Finally, further efforts have been intensified to develop a new Strategy for Preventing Corruption. As reported by the minister responsible for this issue, this document is expected to be developed during the fall of 2023 with the help of experts from international organizations.

4. CONCLUSION AND RECOMMENDATIONS

1. There is a strong need for deeper coordination among state institutions that are directly or indirectly involved in the prevention and suppression of corruption in Montenegro. This should be achieved by strengthening and facilitating the work of the newly established National Council for the Fight Against Corruption.
2. To strengthen the overall framework for combating corruption, the National Council for the Fight Against Corruption should urgently take steps to deliver a draft Strategy for the Fight Against Corruption by the fall of 2023, to be adopted by the government.
3. The National Council for the Fight Against Corruption should also develop an accompanying Action Plan for the implementation of the Strategy for the Fight Against Corruption, as well as all other accompanying documents related to this strategic document, no later than December 2023, so that the implementation of the Action Plan can begin on January 1, 2024.
4. The National Council should prepare lists of institutions that will report on the implementation of measures from the Action Plan, as well as all forms, deadlines, and a detailed reporting system.
5. It is necessary to designate an institution responsible for collecting and managing reports, to which other institutions will periodically submit them.
6. To perform all the aforementioned duties, the National Council for the Fight Against Corruption needs to establish a special secretariat that will handle all administrative requirements and facilitate the work of members and their institutions regarding the implementation of measures from the Action Plan for the implementation of the Strategy for the Fight Against Corruption.
7. The Agency for the Prevention of Corruption could have a special role in monitoring and/or controlling the process of fulfilling the obligations of Montenegrin institutions towards the implementation of measures from the Action Plan for the implementation of the Strategy for the Fight Against Corruption, similar to the coordinating role in fulfilling obligations towards GRECO.
8. Methodologies, documents, procedures, reporting templates, and other aspects of the process related to the implementation of the Action Plan for the implementation of the Strategy for the Fight Against Corruption should be defined in collaboration with experts from local and international institutions, partners, and interested stakeholders.

