



Montenegro  
Agency for Prevention of Corruption

# **SUMMARY OF RESULTS OF THE APC WORK IN 2022**

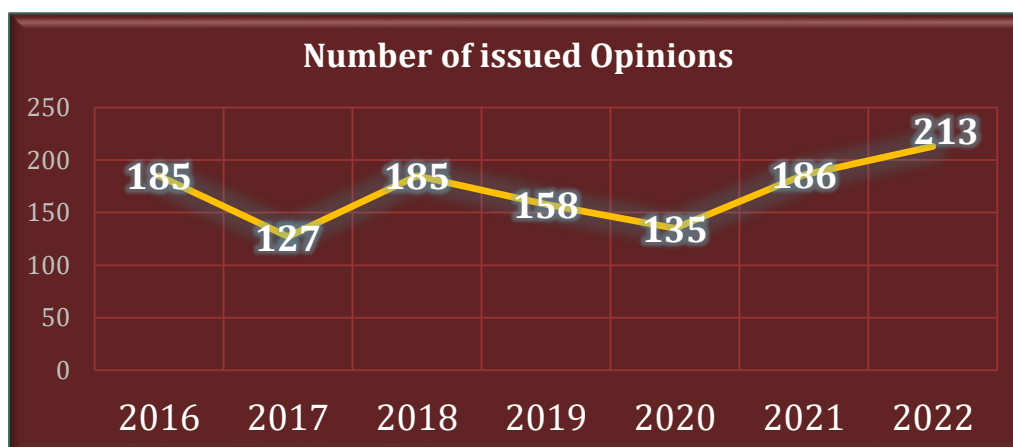
A large, stylized, white, textured logo of the Agency for Prevention of Corruption (APC) is centered on the page. The logo consists of a large, stylized 'A' followed by 'P' and 'C'. The letters are composed of many small, horizontal, brush-like strokes, giving it a textured appearance. The logo is set against a background of several parallel, diagonal, golden-yellow lines that sweep across the page from the bottom left towards the top right. The entire graphic is surrounded by a soft, white, feather-like glow.

APC

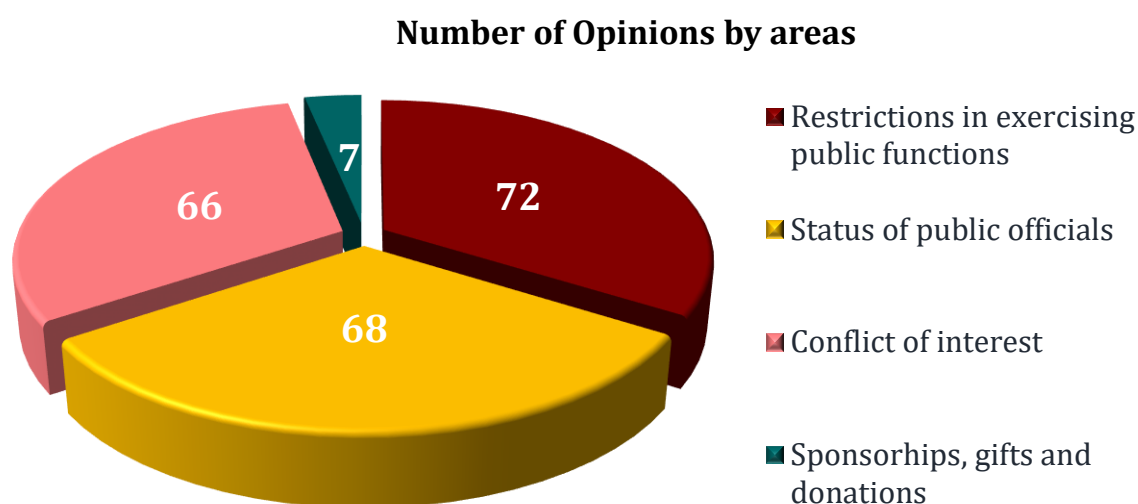
Podgorica, February 2023

## PREVENTING CONFLICTS OF INTEREST OF PUBLIC OFFICIALS AND RESTRICTIONS IN EXERCISING PUBLIC FUNCTIONS

In 2022, the Agency for the Prevention of Corruption (APC), acting on all received requests, issued **213 Opinions on the existence of conflicts of interest and restrictions on the performance of public functions**, by 14.5% more than the previous year and the most on an annual basis since its establishment.



This is the result of an intensive campaign and educational activities aimed at strengthening the awareness of public officials regarding compliance with the obligations prescribed by the Law, but also the growth of confidence in the importance and quality of the work of the APC.



In 2022, the Agency initiated **21 administrative proceedings** in this area (20 prevention of conflicts of interest and 1 restriction in exercising public functions). **26 procedures were completed** (including cases from the previous period) and in **24 Decisions, violations of the Law were determined** - 13 conflicts of interest and 11 restrictions in the exercise of public functions.

On the basis of the given Opinions and adopted Decisions of the Agency, **24 resignations of public officials were submitted** (23 after the given Opinions<sup>1</sup> and 1 based on the Decision), **while 1 transfer of management rights in the company was noted**, as well as **1 decision on the termination of the employment relationship in the company in state ownership**.

Due to the violation of the provisions of the LPC related to the area of **restrictions in the exercise of public functions**, the Agency submitted **five requests for the initiation of misdemeanor proceedings** to the competent misdemeanor courts, **in two of which the court was requested to confiscate the property benefit** acquired by committing the misdemeanor. In the reporting period, three proceedings were completed (two proceedings from 2022 and one from 2021), in which sanctions were imposed - a fine in the amount of €150, as well as **two reprimands**, and in one case **property benefit in the amount of €474.30 was confiscated**.

### **CONTROL OF RECEIVED GIFTS, DONATIONS AND CONCLUDED SPONSORSHIPS**

**Within the legal deadline** until the end of March of 2022:

- **22 authorities reported 203 gifts to the Agency received during 2021**, while a total of **160 authorities** at the state and local level **submitted notifications that they did not receive gifts in 2021**;
- **30 authorities reported 137 sponsorships**;
- **229 authorities reported 2,168 donations** from 2021;
- **131 authorities** submitted a notification that **they did not receive donations and sponsorships in 2021**.

**In the II quarter** of 2022, the Agency has:

- ✓ **1 authority reported 1 sponsorship and 5 donations**;
- ✓ **9 authorities** submitted a notification that **they did not receive donations and sponsorships during 2021**.

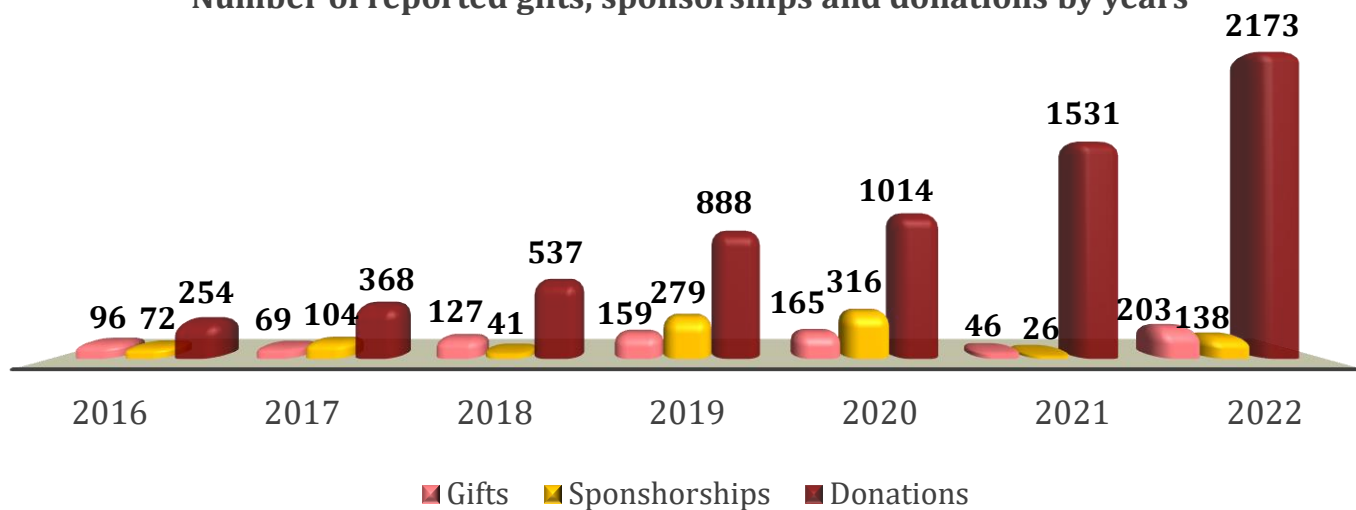
In 2022, the **trend of growth in reported donations continued (by 42% more compared to the previous year)**, an **increase in reported gifts was also recorded (four and a half times more compared to the previous year and the highest since the beginning of APC's work)**, and the **number of registered sponsorships is also higher (five times more than in the previous year)**.

Acting preventively, the Agency timely, in the 1st quarter of 2022, **sent official letters and notifications to authorities about their legal obligation** to submit extracts from gift records and reports on received sponsorships and donations with accompanying documentation by the end of March of the current year for the previous year.

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<sup>1</sup> 13 councilors; 1 member of the working body of the Government of Montenegro; 1 member of the advisory body of a public company; 5 members of the management body of a public company/public institution; 1 assistant executive director of a public company; 1 member of the commission of the state body; 1 member of the commission of a public institution.

Number of reported gifts, sponsorships and donations by years



All submitted extracts from the records of gifts and reports on received sponsorships and donations were **administratively checked and published on the APC website<sup>2</sup>**, while a total of **27 irregularities were determined** based on the verification of received reports, **on the basis of which misdemeanor proceedings were initiated:**

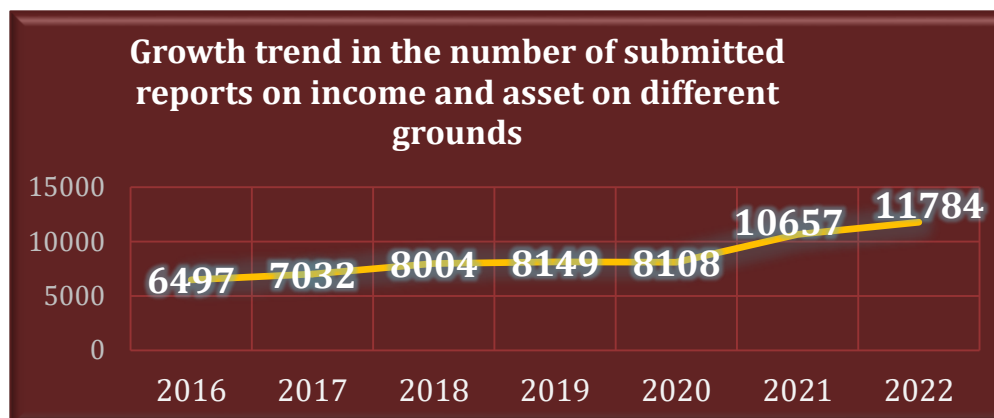
- ✓ **26 requests** for initiation of misdemeanor proceedings **due to violation of the provisions of the LPC, which stipulates the obligation of authorities to submit a report on received donations with a copy of the documentation to the Agency by the end of March of the current year for the previous year;**
- ✓ **1 request** due to the violation of the provisions of the LPC, which prescribes the obligation to refuse gifts in cases provided by law.

Before the competent courts, **15 cases** based on requests to initiate misdemeanor proceedings **were concluded and sanctions were imposed in all of them - 8 fines** in the total amount of **€4,950 and 7 warnings**.

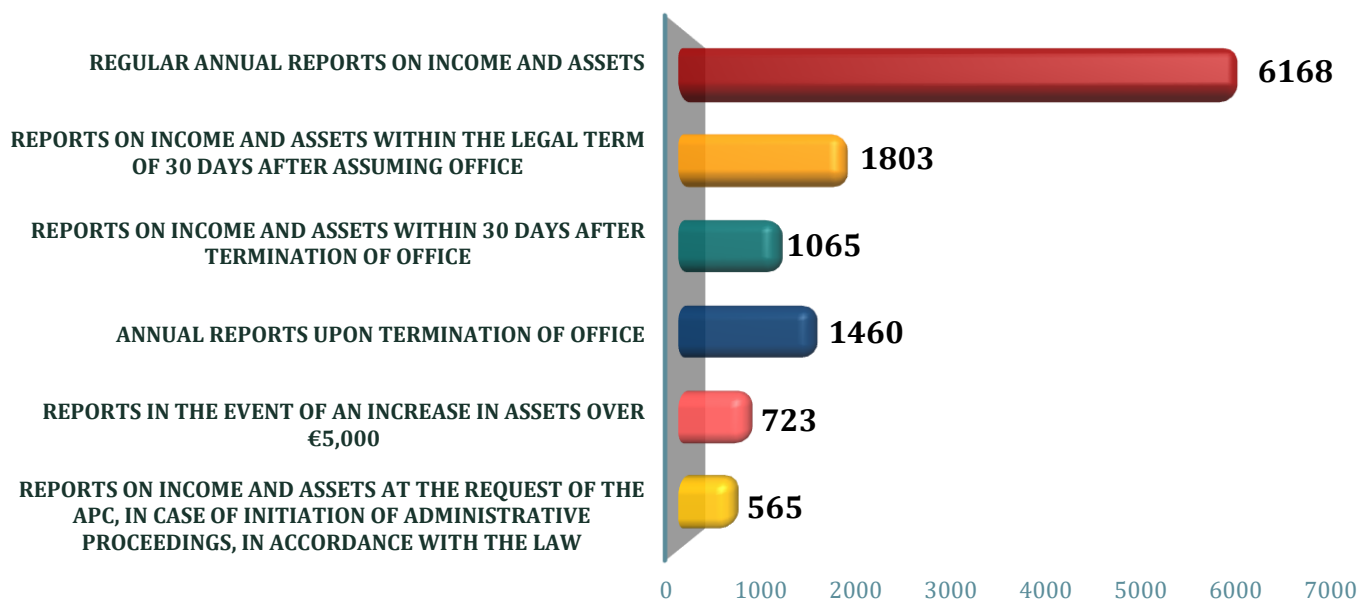
<sup>2</sup> <https://portal.antikorupcija.me:9343/acamPublic/poklonSearch.htm>  
<https://portal.antikorupcija.me:9343/acamPublic/donacijaSearch.htm>

## VERIFICATION OF REPORTS ON INCOME AND ASSETS

In 2022, a total of **11,784 reports on income and assets** were submitted to the Agency on various grounds of submission, by **10.6% more** compared to the previous year and **the most since the beginning of work**.



The growth in the number of submitted reports is a consequence **of the increase in the number of public officials**, as well as a **larger number of reports submitted by public officials upon termination of office**. This further **increased the scope of the Agency's work**, especially in the part of administrative and technical verification of reports.

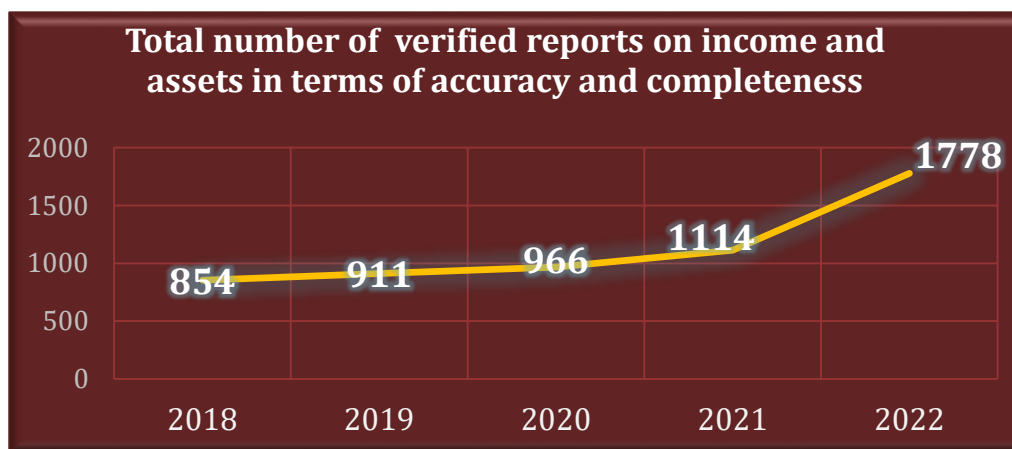


**The Annual plan for verification of reports on income and assets for 2022 was fully implemented and exceeded.**

**All received reports have been administratively and technically processed.** On that occasion, **33 reports of public officials were recorded**, pointing to irregularities in the

**domain of restrictions on the exercise of public functions.** In relation to them, the Agency initiated an ex officio control procedure.

Also, **work regarding completeness and accuracy verification** of the data has been **intensified**. Namely, in 2022, the Agency, acting in accordance with the Annual plan for verification of reports on income and assets (which was exceeded by about 30%), ex officio and on request, **in terms of accuracy and completeness, completed a verification of total of 1,778 reports, which is almost 60% more than the number of accuracy and completeness verifications in 2021, and significantly more and compared to the previous year's work of the APC.**

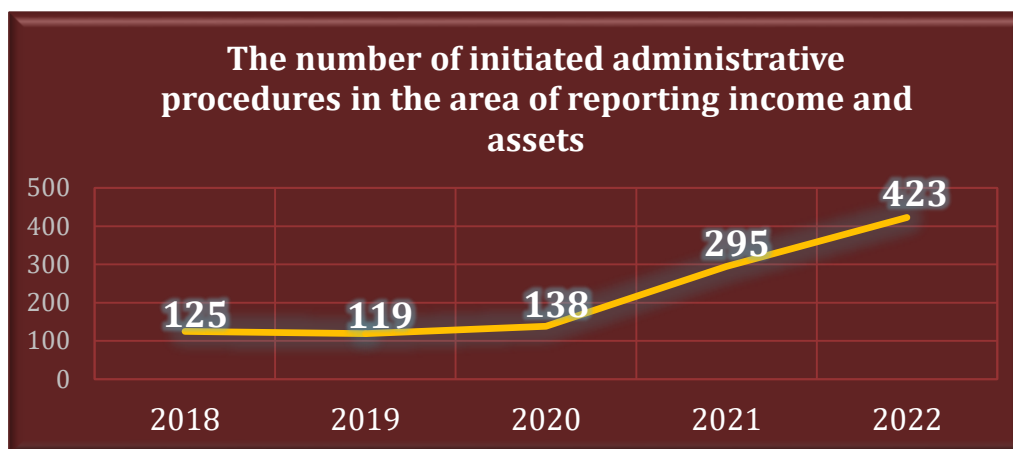


The **additional verification**, the most complex type of verification of income and assets of public officials, which refers to 20 high-ranking public officials, chosen in accordance with the degree of vulnerability of the area/function to corruption, has been entirely completed.<sup>3</sup> In the first quarter of 2023, **all proceedings will be initiated against public officials** where possible violations of the LPC have been noted.

In connection with the **additional verification that began in the 3rd quarter of 2021**, by the end of March 2022, **proceedings were initiated against 20 public officials** who were the subject of that verification. **12 procedures were completed and violations of the law were found in all of them.**

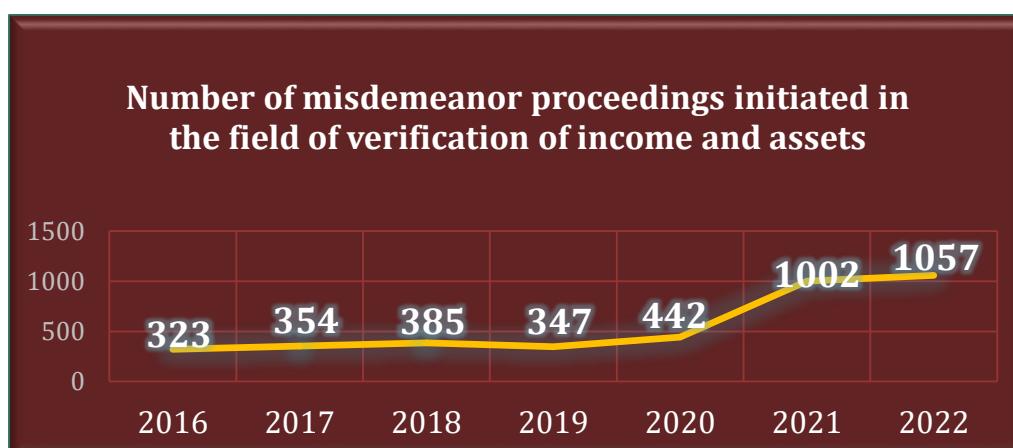
<sup>3</sup> With expert support, within the Horizontal Facility of the Council of Europe and the European Union for the Western Balkans and Turkey - Action against Economic Crime in Montenegro, a **Technical paper was prepared in 2017 - Stages of verification of asset declarations, criteria for selection of officials and methods of verification in Montenegro: recommendations and guidance**. Based on the recommendation from this document, the **Rules on the work of the Agency were amended and the Methodology for the verification of reports on income and assets of public officials based on risk assessment was improved**. From 2018, the Agency adopts all annual plans for verification of reports on income and assets in accordance with the improved methodology.

In 2022, the Agency initiated **423 administrative procedures** in the area of reporting income and assets, **significantly more compared to the annual level of the previous four years of work**, which was primarily generated by a larger number of initiated administrative procedures related to inaccurate and incomplete data in reports.



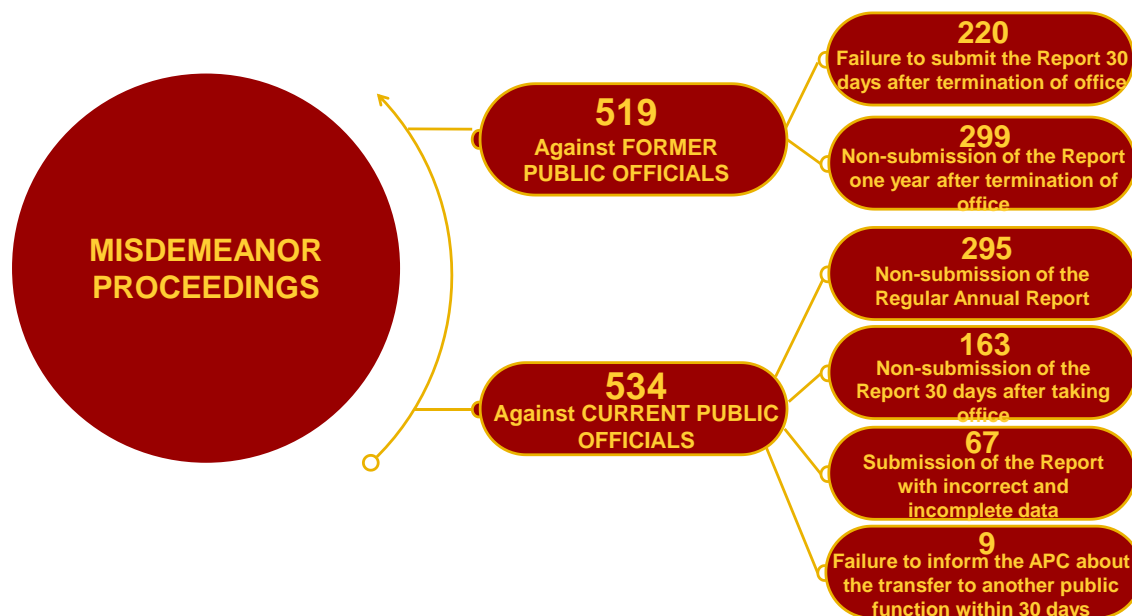
**397 procedures were completed** (including cases from the previous period) and in **94.7% of Decisions (376) violations of the Law were found**.

Also, the number of misdemeanor proceedings initiated in 2022 in this area is higher **compared to the annual level of all previous years of the APC work**. This is primarily the result of the **intensive work and proactive approach of the APC**.



With a **non-selective** approach, the Agency initiated **misdemeanor proceedings against both former and current public officials**.<sup>4</sup>

<sup>4</sup> A total of **1,053** misdemeanor proceedings were initiated against former and current public officials, while **4 proceedings were initiated against authorities** for failure to submit the requested data to the Agency, within the deadline and in the manner determined by the APC, for the purposes of conducting proceedings before the Agency.



During 2022, **a total of 831 misdemeanor proceedings were completed** (including those from previous years), of which **sanctions were imposed in 92.5%**. The total amount of fines is **€ 70.230**.

**At the end of 2020, monitoring of the so-called lifestyle of public officials**, in order to verify the increase in the assets of public officials, using publicly available data, as well as information from the media, and comparing them with the databases to which the APC has access, while adhering to the legal framework prescribed by Articles 23 and 30 of the LPC.

In this regard, the Agency submitted **one case to the Special State Prosecutor's Office in 2022**.

In order to effectively implement the legal provisions related to reports on income and assets, the Agency has intensified its activities on the plan of providing support to those obliged to submit reports, and in order to become more familiar with legal obligations and remove potential ambiguities, especially in the context of the report submission process itself. In this regard, the **Agency informed the newly appointed public officials** in the Royal Capital of Cetinje, the municipalities of Mojkovac, Petnjica, Berane and Ulcinj, as well as in 14 local governments where elections were held on October 23, 2022, as well as officials of the 43rd Government of Montenegro and the General Secretariat **on obligations according to the LPC**. Also, APC has developed a **manual for filling out reports on income and assets**.



In order to acquaint public officials with legal obligations in an interactive way, the Agency, in cooperation with the **United Nations Development Program (UNDP) in Montenegro**, created and published on the APC website a **video training with guidelines for filling out reports on income and assets**.

## CONTROL OF FINANCING OF POLITICAL ENTITIES AND ELECTION CAMPAIGNS

In the field of **financing of political entities and election campaigns**, the Agency continued to implement activities in a planned and systematic manner in order to consistently monitor the implementation of the Law on Financing of Political Entities and Election Campaigns (LFPEEC) and control the implementation and compliance with all prescribed prohibitions and restrictions during election campaigns:

- By the decision of the President of Montenegro from January 26, 2022, elections were announced for councilors in the Municipal Assembly **of Berane** and in the Municipal Assembly of **Ulcinj**, which were held on March 27, 2022;
- By the decision of the President of Montenegro dated March 12, early elections were announced for the election of councilors in the Municipal Council of Tivat;
- On April 2, 2022, extraordinary elections were announced for councilors in the **Municipal Assembly of Budva** and on April 6 in the assemblies of the municipalities of Plužine and Žabljak for June 5;
- On April 13, elections for councilors in the assemblies of the municipalities of Bijelo Polje and Šavnik were announced for June 12;
- On April 20, elections for councilors in the Assembly of the **Capital City of Podgorica** and the assemblies of the municipalities of **Bar, Kolašin and Danilovgrad** were announced for June 19;
- On May 5, elections for councilors in the Municipal Assembly of **Pljevlja** were announced for July 3, 2022;
- As the Law on Amendments to the Law on Local Self-Government was passed on May 9, 2022, the President of Montenegro issued Decisions and amendments to the decisions on calling elections in the mentioned municipalities on May 10, **postponing the previously announced local elections to October 23, 2022**.
- Based on the Decision of the Constitutional Court, which repeals the Law on Amendments to the Law on Local Self-Government, the President of Montenegro **suspended the implementation of the Decision** on Calling Elections for Councilors by Decision of August 2, 2022. On the same day, the President of Montenegro issued a **Decree on calling for elections for councilors in the assemblies of the municipalities of Bar, Bijelo Polje, Danilovgrad, Golubovci (municipalities within the Capital City), Kolašin, Plav, Plužine, Pljevlja, the Capital City of Podgorica, Rožaje, Šavnik and Žabljak. as well as the Decision on calling early elections for councilors in the municipalities of Tivat and Budva;**
- After the adoption of the Law on the Capital City, on August 23, a Decision was made on the partial annulment of the **Decision on calling elections for councilors and a**

**new Decision was made on calling elections for councilors in the Assembly of the Capital City of Podgorica and Municipal Assembly of Zeta.**

The fact that the obligations, prohibitions and restrictions<sup>5</sup> prescribed by the Law were applied on the territory of the whole of Montenegro in the period from at least April 21 to October 23 meant that a **significant part of the personnel capacities of the APC should be focused on monitoring and control of the campaign.** It is expected that future amendments to the LFPEEC will provide an appropriate solution to eliminate this legal gap and thus prevent a situation where the campaign lasts more than nine months<sup>6</sup> instead of the maximum three.

According to all the bases of the Agency's work in this area, in 2022 the APC **performed control of 55,773 submitted reports by the subjects of the LFPEEC on regular work and during election campaigns for local elections.**<sup>7</sup>

**When it comes to the regular work of the subjects to the LFPEEC, a total of 169 reports/documents were submitted, of which 97 were reports/notifications of political subjects.**<sup>8</sup>

Categories of submitted reports/notifications		Number of submitted reports	Number of registered subjects to the law	Obligation compliance percentage
Annual consolidated report for 2021.	Submitted on time	46	68	67,65%
	Subsequently submitted	6		
Decisions on the amount of the membership fee for 2022.	Submitted on time	43 <sup>9</sup>	63	68,25%
	Subsequently submitted	7		

<sup>5</sup> The final election results have not yet been announced in three municipalities (Capital Podgorica, Municipal Assembly of Plav, Municipal Assembly of Pljevlja), while in Municipal Assembly of Šavnik, elections have not yet been held at two polling stations.

<sup>6</sup> The law on the election of councilors and deputies stipulates that no less than 60 nor more than 100 days can elapse from the date of the announcement of the election to the holding of the election of councilors or deputies. LFPEEC defined that an election campaign is a set of activities of a political entity from the day the election is called to the day the final election results are announced, so accordingly the election campaign for the election of councilors for 14 municipalities lasted longer than nine months.

<sup>7</sup> In addition to the reports for the elections held on October 23, 2022, in the first quarter of 2022, reports were submitted to the Agency during the election campaigns for the local elections held in Berane and Ulcinj, as well as for the elections that were then announced for the Municipality of Tivat. Also, in January, a part of the reports related to the election campaign for the December 2021 elections held in Mojkovac, Petnjica and Prijestonica Cetinje was submitted.

<sup>8</sup> The Agency, in accordance with its legal powers, supervises the implementation of the obligation of the Ministry of Finance and the bodies of 25 local administrations responsible for financial affairs to make a Decision on the amount of budget funds for financing the regular work of political entities by January 31 at the latest, and then publish it on to its website within seven days of adoption. In this regard, a total of 35 decisions on financing regular work, 35 decisions on financing the work of women's organizations, as well as 2 notifications were made.

<sup>9</sup> In this number, for the purpose of the percentage of compliance with the obligation, 5 decisions on the amount of the membership fee for 2021, which were submitted by political entities at the end of 2020, were included.

The Agency initiated misdemeanor proceedings against political entities that did not submit consolidated reports and decisions on the amount of membership fees in accordance with the Law, where it was possible due to legal restrictions<sup>10</sup>, as well as **imposed measures to suspend** the transfer of budget funds for financing regular work in 2022 for **eight** political subjects who have won mandates at the state or local level. After fulfilling the legal obligations, the funds were unblocked for **six** political entities. Also, the Agency imposed a **permanent measure of suspension** of budget funds for financing regular work for the 2021 budget year for **five** political entities<sup>11</sup>.

In the context of election campaigns, **the Agency controlled a total of 55,604 reports** and other supporting documentation:

- ✓ **575 by political subjects/election lists;**
- ✓ **54,718 by authorities;**
- ✓ **311 by media advertising service providers.**

**Acting proactively, the Agency sent a total of 3,845 warnings (3,735 to authorities and 110 political subjects), to which all responded positively, in order to deliver reports on time, as well as in the case of observed technical irregularities.**

Controlling the accuracy and completeness of the submitted reports during the election campaigns, the APC registered **a total of 117 irregularities in the controlled reports of political subjects, for which an explanation was requested from the political subjects. For one entity, a measure of partial loss of the corresponding amount of budget funds for financing the costs of the election campaign for the elections held on October 23, 2022 was imposed.**

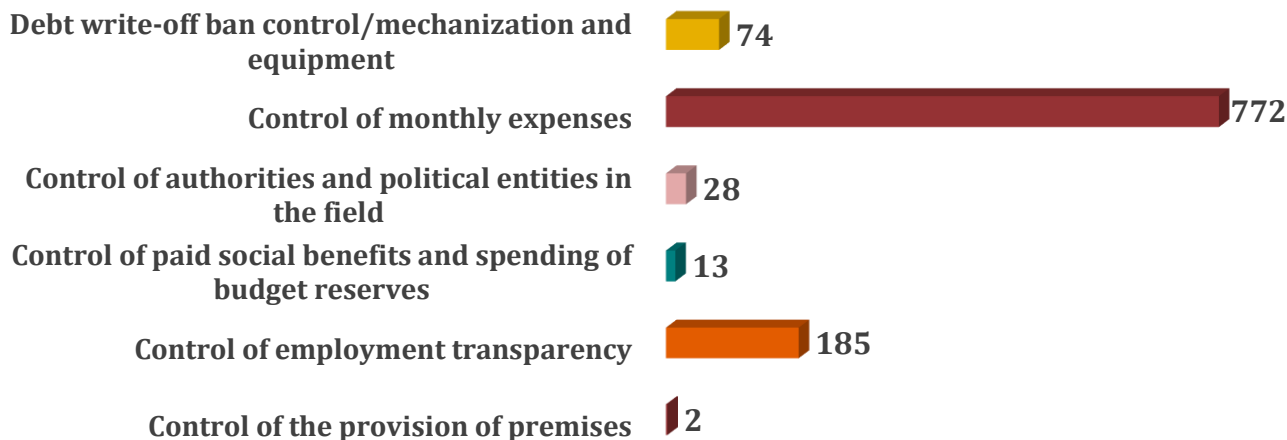
Also, **1,074 controls of compliance with prohibitions and restrictions during election campaigns were carried out.**

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<sup>10</sup> Due to the inconsistency of the LFPEEC and the Law on Misdemeanors, misdemeanor proceedings against groups of citizens and coalitions have not been initiated, since groups of citizens and coalitions do not have the status of legal entities, so misdemeanor proceedings cannot be initiated against them in accordance with the Law on Misdemeanors.

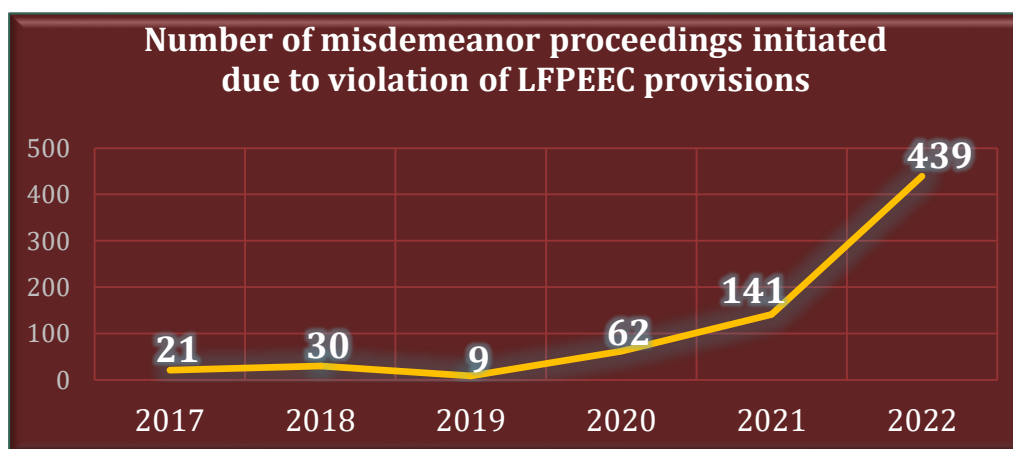
<sup>11</sup> Group of voters (GV) I choose Plav; GV Choice; GV Free Citizens; GV Together to victory and the Serbian alternative.

## Control of compliance with prohibitions and restrictions by subjects to the law during election campaign



Additionally, the control of 14 prescribed prohibitions was carried out i.e. the verification and control of 2,289 persons who gave contributions to political entities.

In accordance with the adopted control plans and methodologies, taking into consideration the duration of the campaign in 2022, and despite the legal restrictions due to which it could not initiate misdemeanor proceedings in all cases where irregularities were found, **the Agency initiated a total of 439 misdemeanor proceedings due to violations of LFPEEC in 2022, which is as much as 67% more compared to the previous five years of APC's work in total.**



**174 procedures** were completed (including those from previous years), of which sanctions were imposed in **92.5%**. The total amount of fines is **€ 22,110**.

In the reporting period, a total of **167 complaints** were filed due to suspected violations of the LFPEEC. The Agency acted on all complaints:

- ✓ **in 50 cases, it was decided not to initiate;**
- ✓ **in 39 cases, a decision was made that there was no violation of the law;**
- ✓ **other procedures are ongoing.**

Regarding the lawsuits against the acts of the APC in proceedings based on complaints due to suspected violations of the LFPEEC during election campaigns, **the Administrative Court issued 24 decisions in 2022 rejecting the lawsuits and confirming the Agency's acts.**

## **ADOPTION AND IMPLEMENTATION OF INTEGRITY PLANS**

**During 2022, a total of 27 authorities adopted their first integrity plan.** These are newly formed authorities or authorities that, due to a lack of personnel capacity, were previously unable to fulfill the obligations of appointing an integrity manager and forming a working group for the development of an integrity plan.

Since the beginning of work of the Agency, **a total of 729 authorities (98.9%) have adopted and submitted an integrity plan** to the Agency.

Authorities are obliged to evaluate the efficiency and effectiveness of the integrity plan every other year, by filling in a questionnaire prepared by the Agency.

In 2022, the **Questionnaire for assessing the efficiency and effectiveness of the integrity plan was filled out by 637 authorities.**

The authorities were obliged to submit to the Agency by April 15, 2022, a Report on the implementation of the integrity plan in 2021, in electronic and printed form.

During 2022, **a total of 704 reports on the implementation of the integrity plan in 2021 were submitted to the Agency.**

The Agency regularly updates the list of persons responsible for the development and implementation of the integrity plan (integrity manager). According to the Agency's records, **during 2022, 25 authorities appointed their integrity manager for the first time.** Since the beginning of the year, **208 authorities have informed the Agency that a new integrity manager has been appointed.**

**The total number of authorities that appointed an integrity manager as of January 1, 2016 is 730** (99.1% of the total number of authorities).

The Agency is in the process of drafting a **Report on the adoption and implementation of integrity plans in 2022**, which will contain a **detailed analysis** of integrity plans and reports on their implementation, as well as **recommendations for improving integrity plans**, given within the ten systems in which the authorities are classified. The data show that in the second year of the third cycle of integrity plans, a **high level of implementation of measures to overcome identified risks was achieved.** Namely, in the reports submitted in 2022, it was estimated that 77.5% of all planned measures were implemented, which is a

1.6% higher percentage compared to the measures that were implemented in the first year of implementation of the same generation of integrity plans.

Due to the violation of the provisions of the LPC related to the obligation to submit the Report on the implementation of the integrity plan by April 15 of the current year for the previous year, the Agency submitted a total of **25 requests for the initiation of misdemeanor proceedings** to the competent misdemeanor courts in 2022. 18 cases were closed according to requests (including cases from the previous period), of which sanctions were imposed in 16 - five fines in the total amount of €4,900 and 11 reprimands.

In November 2022, the Agency developed the **Methodology for assessing the application of anti-corruption measures in the judicial system**, with the aim of improving the content and effects of the integrity plans of judicial authorities. The Methodology includes the development of criteria and indicators based on integrity plans, based on which the scoring and ranking of authorities in the aforementioned system will be performed. This activity also represents a contribution to the fulfillment of obligations from Chapter 23 - Judiciary and fundamental rights, in the sub-field fight against corruption, and is implemented within the project "Zero tolerance to corruption: Strengthening integrity, transparency and responsibility in public administration in Montenegro", which is financed and implemented by the United Nations Development Program (UNDP).

In December 2022, a special **IT application for the implementation of the Methodology** was developed, and during December **the judicial authorities submitted to the Agency documentation** proving the fulfillment of the indicators provided for in the Methodology, so at the beginning of 2023, an assessment of the implementation of anti-corruption measures in the judiciary and prosecutor's office will be carried out.

The APC originally developed the Methodology for assessing the implementation of anti-corruption measures in 2021, and applied that version of the Methodology to two systems: **state administration and social and child welfare**.

It was planned that in the coming period the Methodology will be applied to authorities from the other seven sectors: local-self government, education, health, state-owned enterprises, enterprises owned by local-self government units, independent regulatory authorities and culture. The purpose of the Methodology is to assess whether authorities implement anti-corruption measures and whether their implementation has positive effects, as well as to encourage authorities to be proactive when planning and implementing anti-corruption measures.

During the previous years, **continuous improvement of the quality of adopted integrity plans and implemented risk assessments were noted**. The improvement is particularly noted in institutions whose integrity manager or members of the working group for the development of the integrity plan attended relevant trainings, as well as in institutions that were included in the Methodology for assessing the application of anti-corruption measures.

### CONTROL OF LOBBYING ACTIVITIES

During 2022, **the Agency continued its activities regarding the plan of changes to the existing legal framework in the area of control of lobbying activities and additionally promoted the Institute of Lobbying by organizing new exams for potential lobbyists**.

After the APC **formed the Commission for taking the exam for performing lobbying activities** at the beginning of 2022, **three calls** for candidates to take the exam for performing lobbying activities were published and **three exams were organized**. The APC



has published a new application form for the exam on its website, as well as updated literature for taking the exam.

**In 2022, nine persons passed the exam, four of whom, after submitting a request for authorization to perform lobbying activities, were entered in the register of lobbyists. Nine natural persons and one legal entity are currently registered in the register of lobbyists.**

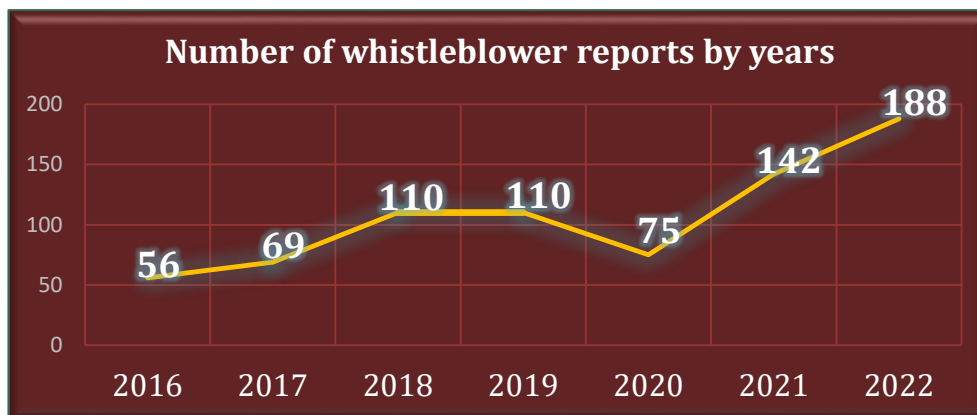
In 2021, the Ministry of Justice, Human and Minority Rights started with **amendments of the Law on Lobbying**, with expert assistance provided by the Council of Europe, taking into account the recommendations from the Peer Review mission held in April 2021 on the functioning of the APC and the opinion of the Agency on Law on Lobbying, which was adopted in 2019. In March 2022, the Ministry of Justice received an **Opinion on the Draft Law on Lobbying**, prepared as part of the Project to Fight Corruption, Economic and Organized Crime - "Horizontal Facility for the Western Balkans and Turkey", with new recommendations for improving the Draft. In the II quarter of 2022, the Ministry **harmonized the Draft Law on Lobbying with the comments of the Secretariat for Legislation**. At the end of June, the draft was sent to the European Commission for its opinion.

In the II quarter of 2022, a meeting of the **Working Group for the drafting of by-laws on lobbying** was held, which aimed to discuss the Draft Law and its compliance with international standards, as well as the identification of areas in which special regulation is needed. The working group has developed drafts on the basis of which the proposals for the necessary by-laws will be further developed. In October, a working meeting was held with representatives of the Ministry of Justice, in order to improve these drafts, while in December, a meeting was held in the organization of the Council of Europe in order to further improve the draft of these by-laws based on the recommendations from the technical document prepared by the expert of the Council of Europe.

After the adoption of the Law on Lobbying and all by-laws, it is necessary to start an **intensive information campaign** towards the general and professional public, especially when it comes to the most important changes to the Law.

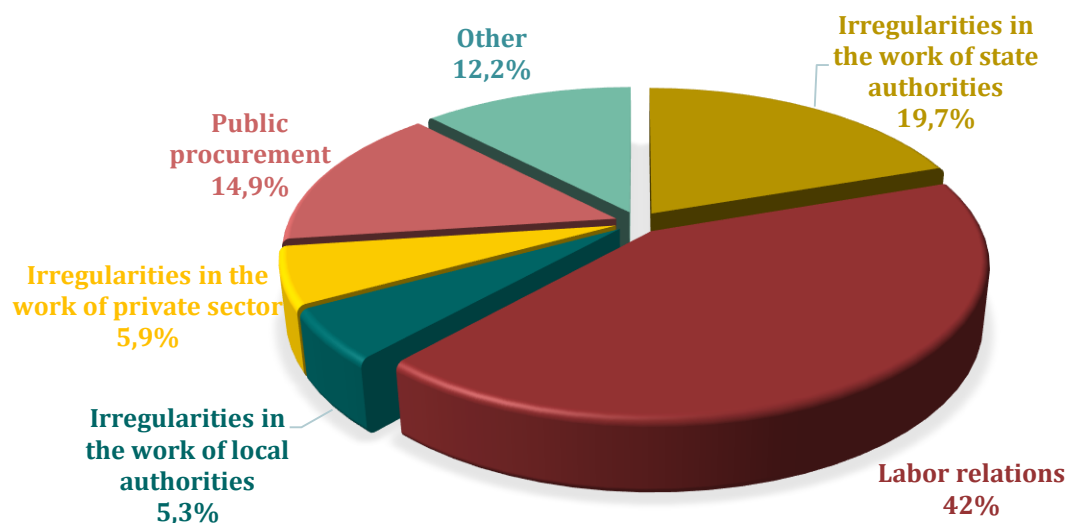
## PROCEDURE FOR WHISTLEBLOWER REPORTS AND PROTECTION OF WHISTLEBLOWERS

**In 2022, the Agency received 188 whistleblower reports, the most since the beginning of the work of the APC at the annual level, which continues the trend of increasing the number of reports.**



Of the total number of whistleblower reports, 94 were submitted anonymously.

### Sectors of whistleblowers reports



The Agency prepared the *Analysis of procedures in the field of labor relations for the period from January 1, 2016 to December 1, 2022* ([https://www.antikorupcija.me/media/documents/Analiza\\_postupaka\\_iz\\_oblasti\\_radnih\\_odnosa.pdf](https://www.antikorupcija.me/media/documents/Analiza_postupaka_iz_oblasti_radnih_odnosa.pdf)) which showed that the **largest number of procedures in the domain of acting on whistleblower reports, about 35% was related to the area of labor relations**, and that most of those reports relate to the work of public companies owned by the state or municipality. Out of a total of 257 procedures related to labor relations (establishment an employment relation, termination of an employment relation, abuse of rights from work and based on work, etc.), so far in 48 cases it has been determined that there is a threat to the public interest that indicates the existence of corruption. The Agency gave recommendations for eliminating corruption risks to all institutions where it found the existence of threats to the public interest which indicates the existence of corruption. The degree of realization of given recommendations is over 95%.

Additionally, acting preventively and proactively, the Agency made 494 recommendations aimed at improving transparency and eliminating corruption risks in employment procedures at 121 institutions.

**In 2022, there were a total of 320 whistleblower reports before the Agency** (including 131 reports from the previous period).

In the reporting period, the **Agency completed 81 procedures based on whistleblower reports**, out of which **in 5 cases the existence of threats to the public interest was determined in:**

- ✓ one public institution from the culture system;
- ✓ two institutions from the educational system;
- ✓ one local authority;
- ✓ one public institution from the health system.



The Agency gave **7 recommendations** to subjects of the law for improving transparency and eliminating corruption risks, and **all of them were implemented**.

The Agency forwarded over **12 whistleblower reports (procedures in progress) to the competent prosecutor's offices** for further jurisdiction, and 34 to other competent authorities. **For two reports forwarded to the competent prosecutor's offices in the earlier period**, feedback was provided that an **investigation has been initiated**.

Also, the APC initiated **9 ex officio proceedings** due to the suspicion of threatening the public interest which indicates the existence of corruption, and continued work on 4 ex officio proceedings from 2021. **6 procedures were completed and in all of them it was determined the existence of threat to the public interest**. On that occasion, the Agency gave **8 recommendations** to legal entities for improving transparency and eliminating corruption risks (6 of them were implemented, while two of them were not implemented, and in this sense the Agency acted in accordance with the authorization arising from the provisions of Article 53 of the LPC).

In 2022, **7 requests for whistleblowers protection were submitted to the Agency, and the Agency continued its work on one procedure based on the request for protection from 2021:**

- ✓ **in two procedures**, the Agency **issued an Opinion in which it determined that damage had occurred**, i.e. that there was a possibility of damage to the whistleblower, and gave a total of **3 recommendations** to the employer on what should be done to remedy the damage (the deadline for the implementation of the two recommendations is in the following period, while one was not implemented, and in that sense the Agency acted in accordance with the authorizations arising from the provisions of Article 63 of the LPC);
- ✓ in one procedure, the justification of the request were not determined;;
- ✓ one procedure was suspended due to the withdrawal of the request;
- ✓ the other three procedures are ongoing.

In the reporting period, 3 requests for initiation of misdemeanor proceedings for violation of the provisions of the LPC in the area of whistleblower protection/reports were submitted. **Two cases based on requests from previous years were completed** and in both cases **finances** were imposed, in the total amount of **€1,250**.

The Agency is committed to harmonizing national legislation within its jurisdiction with international standards. In this regard, the Acting Deputy Director attended the **seventh meeting of the European Commission's expert group related to the implementation of Directive (EU) 2019/1937**, with the aim of further improving the legal framework for the purpose of more adequate protection of whistleblowers and creating preconditions for a more effective fight against corruption.

Also, with the support of the Council of Europe, the Agency initiated the preparation of the LPC Analysis, the third phase in which the segment of reporting corruption and whistleblowers protection will be included. Upon completion of the analysis, the need to develop a new law will be considered or preparing amendments to the existing, i.e. **the need of drafting a special whistleblower law**.

In order to promote the reporting of corruption, as well as to inform the public about the protection of whistleblowers, within the project *"Zero tolerance to corruption: Strengthening integrity, transparency and responsibility in public administration in Montenegro"*, **financed and implemented by UNDP in Montenegro**, two videos were prepared - animations.



## CORRUPTION PROOFING OF LEGISLATION

The Agency showed concern for the public interest by using **the analysis of regulations as an important anti-corruption tool**, and in that part **it particularly intensified its work in 2022 through creating:**

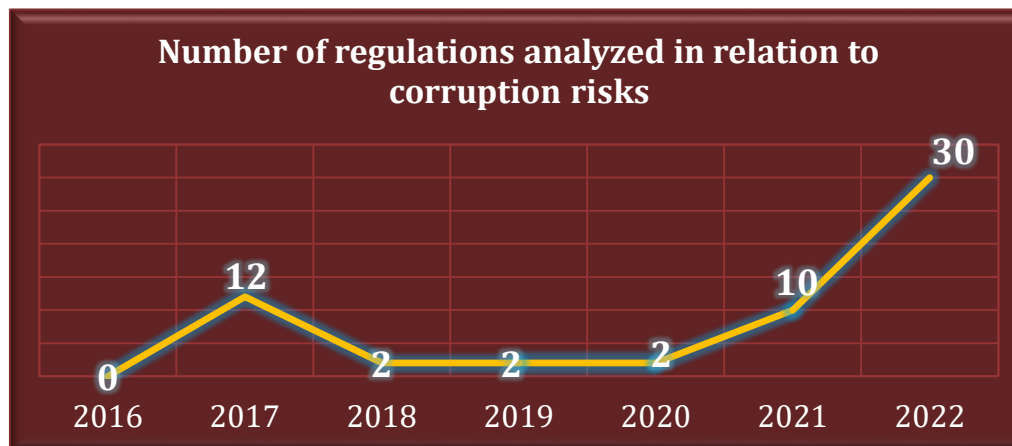
- ✓ **Analysis of regulations at the state administration level<sup>12</sup>** with the aim of improving solutions to prevent conflicts of interest, as a commitment from the Dynamic Plan of activities that lead to the fulfillment of temporary benchmarks in Chapter 23 - judiciary and fundamental rights. The analysis includes **9 laws and 5 other regulations<sup>13</sup>**, and resulted in guidelines, that is, recommendations for upgrading the legal framework that governs the policy of preventing conflicts of interest at the level of state administration;
- ✓ **Opinion on the Law on Health Care;**
- ✓ **Opinion on the Law on Montenegrin Citizenship;**
- ✓ **Opinion on the Law on Free Access to Information;**
- ✓ **Opinion on the Law on Mediation in Employment and Unemployment Rights and the Statute of ZZZ (2 regulations)**
- ✓ **Opinion on the Draft Law on Amendments to the Law on Local-Self Government and amendments;**
- ✓ **Opinion on the Draft Law on the Government of Montenegro;**
- ✓ **Opinion on the Rulebook on the professional exam for the bankruptcy administrator;**
- ✓ **Opinion regarding the existence of a corruption risk in relation to the legal provisions regulating the work and functioning of the "Nenad Rakočević" PI Center for Culture - Mojkovac (4 regulations);**

<sup>12</sup>[https://www.antikorupcija.me/media/documents/Analiza\\_propisa\\_na\\_nivou\\_dr%C5%BEavne\\_uprave\\_u\\_cilju\\_unapre%C4%91enja\\_rje%C5%A1enja\\_spr.pdf](https://www.antikorupcija.me/media/documents/Analiza_propisa_na_nivou_dr%C5%BEavne_uprave_u_cilju_unapre%C4%91enja_rje%C5%A1enja_spr.pdf)

<sup>13</sup> Labor Law, Law on Civil Servants and State Employees, Law on Public Procurement, Law on Internal Affairs, Law on Defense, Law on the Army of Montenegro, Customs Law, Law on Tax Administration, Law on Inspection Supervision, Code of Ethics of Civil Servants and State Employees, Rulebook on Records and Methodology of Risk Analysis in Performing Control over Public Procurement Procedures, Rulebook on Method of Conducting Simple Procurement, Code of Police Ethics, Decree on the List of Military Equipment and Products, Procedure and Manner of Conducting Public Procurement in the Field of Defense and Security

- ✓ **Opinion on the Decision on the establishment of a limited liability company Local public broadcaster Radio and Television Nikšić (3 regulations);**
- ✓ **Opinion on the Draft Rulebook on the control of assets and lifestyle of police officers.**

Thus, the Agency analyzed a total of 30 regulations <sup>14</sup> already in 2022, which is a three-fold increase compared to the whole 2021 and more than in all previous years of work combined.



The Agency has prepared **two initiatives for the introduction of Preliminary Control on the Risks of Corruption - CPL Checklist** <sup>15</sup>(with a list of 23 questions), as mandatory in the procedure of drafting a law proposal determined by the Government of Montenegro, as well as in the procedure of proposing laws by MP's independently or on behalf of six thousands of voters. The questions from the CPL Checklist are intended to help the proposer of the regulation to assess the potential corruption risks that the regulation may contain, and to give the Agency the opportunity to, by examining the completed checklist, more quickly detect norms that contain corruption risks and make recommendations aimed at eliminating them. Having in mind the current drafting of systemic laws that regulate the work of the Assembly and the Government, as well as the fact that *the corruption proofing of legislation* is a powerful tool in the adoption of regulations that are relieved of corruption risks, the Preliminary Control on the Risks of Corruption with a list of 23 questions was submitted to the President of the Parliament of Montenegro, the president of the Parliamentary Anti-corruption Committee and the coordinators of the Working Group for drafting the Draft Law on the Parliament of Montenegro, as well as the Government, i.e. the Prime Minister of Montenegro, the Secretary General of the Government of Montenegro, the Minister without portfolio, the Ministry of Justice, the Ministry of Public Administration, the coordinator of the Working Body for the preparation of the Draft Law on the Government, in order to consider its inclusion as mandatory in the procedure of drafting the draft law determined by the

<sup>14</sup> <https://www.antikorupcija.me/me/analiza-propisa/mi%C5%A1ljenja-ask/>

<sup>15</sup> [https://www.antikorupcija.me/media/documents/Preliminarna\\_kontrolna\\_lista\\_rizika\\_od\\_korupcije.pdf](https://www.antikorupcija.me/media/documents/Preliminarna_kontrolna_lista_rizika_od_korupcije.pdf)  
[https://www.antikorupcija.me/media/documents/Preliminarna\\_kontrolna\\_lista\\_rizika\\_od\\_korupcije\\_eng.pdf](https://www.antikorupcija.me/media/documents/Preliminarna_kontrolna_lista_rizika_od_korupcije_eng.pdf)

Government of Montenegro, i.e. as mandatory in the procedure of proposing the law by the MP's.

The **Initiative for the unification of the legal framework** that regulates the most important issues of management, supervision, real and potential conflict of interest and transparency of the work of the management authorities of public companies has also been prepared.

Through participation in the working groups, the APC made a full contribution to the drafting of the Draft Law on Amendments to the Law on Lobbying, international restrictive measures, as well as on confiscation of proceeds of crime and property of illegal origin, and a set of media laws.

### **METHODOLOGY FOR CORRUPTION PROOFING OF LEGISLATION**

In cooperation with the United Nations Development Program (UNDP) in Montenegro, intensive work was done on the improvement of the **Methodology for the corruption proofing of legislation** with the aim of determining areas of risk for corruption, especially the part of the Methodology that refers to the list of risks, all with the aim of easier and more objective identification of future regulations that would be the subject of the Agency's analysis. **This resulted in the creation of an Analysis** that contains:

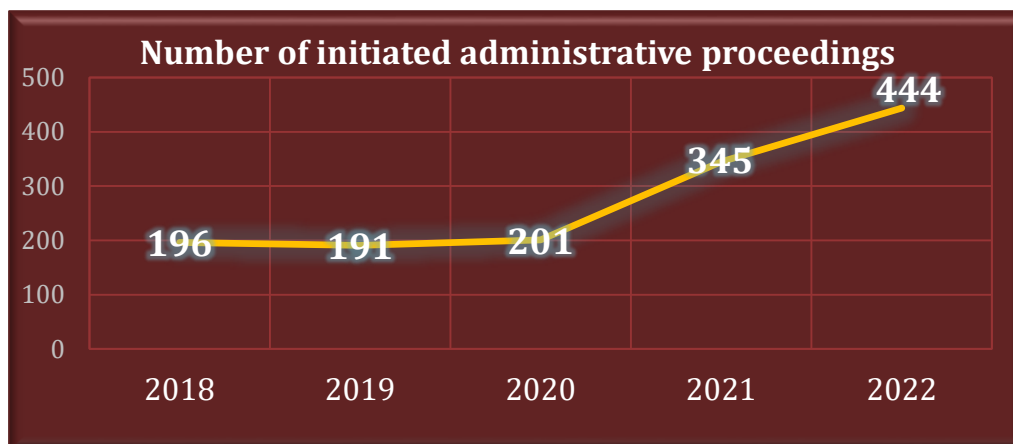
- **Comparative analysis** that includes the practice of 11 countries;
- **Analysis of the situation in Montenegro**, with recommendations for improving the situation in this area;
- Proposal of the **Preliminary Checklist on the risks of corruption**.

In this regard, **from November 2022**, the Department primarily bases its opinions on the Methodology for corruption proofing of legislation in the implementation of the anti-corruption assessment of the law, which **was innovated** in accordance with the recommendations of UNDP experts.

### **MANAGEMENT OF ADMINISTRATIVE PROCEDURES UNDER THE COMPETENCE OF THE APC**

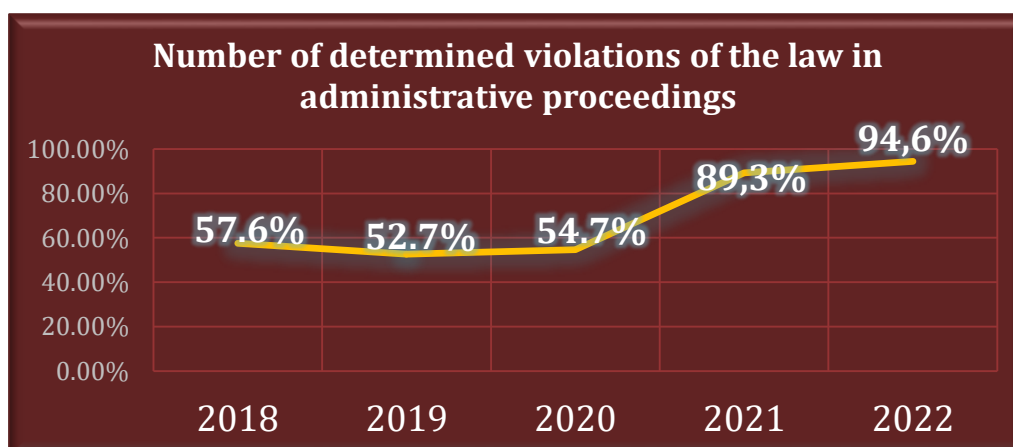
The Agency continued its intensive work in the field of conducting administrative proceedings, so in 2022 it **initiated 444 administrative proceedings** against public officials.

Thus, in 2022, the APC initiated **28.7% more administrative proceedings against public officials compared to 2021 and significantly more compared to the annual level of 2018, 2019 and 2020, which was primarily generated by a greater number of initiated administrative proceedings in the area of verification of income and assets, which refer to incorrect and incomplete data in the reports.**



**A total of 423 procedures were completed** (including cases from the previous period) and violations of the Law were determined in **400 procedures (94.6%)**.

**The percentage of determined violations of the law is significantly higher in 2022 compared to the annual level of the previous four years of the APC's work.**



After the completion of the administrative procedures, the authorities submitted **20 responses** in 2022 in the area of prevention of conflicts of interest and restrictions on the performance of public functions, as well as in the area of verification of reports on income and assets:

- ✓ the term of office of 2 public officials has ended;
- ✓ in 5 cases, a disciplinary measure was issued - reprimand;
- ✓ in 1 it was stated that the public official resigned;
- ✓ disciplinary proceedings are ongoing in 3 cases;
- ✓ in 6 cases, the Agency was informed that the offense committed was not a reason for initiating disciplinary proceedings against the public official;
- ✓ in 3 cases, the APC was informed that the decision was forwarded to the competent authority for further jurisdiction.

In 2022, the Administrative Court issued **48 verdicts in proceedings on lawsuits against the Agency's acts**, by which:

- ✓ 41 Odluku potvrdio i odbio tužbe kao neosnovane; 41 decisions were confirmed and rejected as unfounded;
- ✓ 5 decisions were annulled and the case was returned for retrial;
- ✓ in 2 cases, the proceedings were suspended.

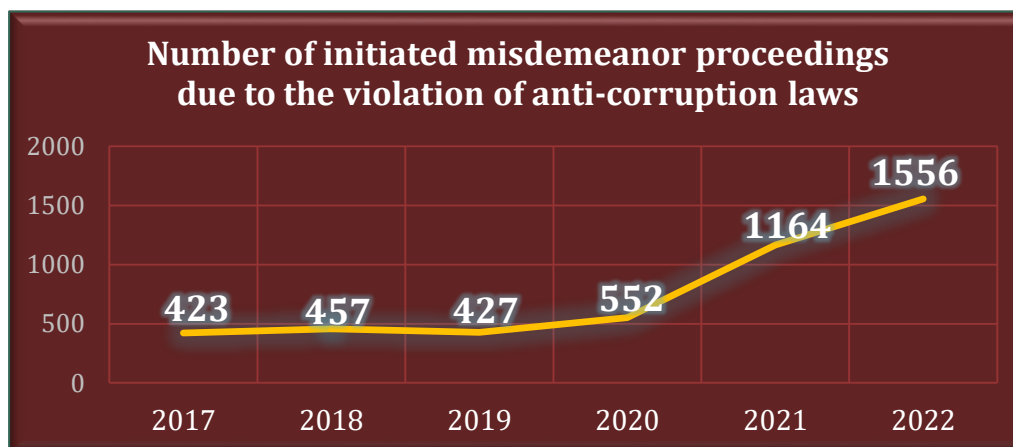
### INITIATION OF MISDEMEANOR PROCEEDINGS AND ISSUANCE OF MISDEMEANOR ORDERS

In 2022, the Agency submitted a total of **1,556 requests for initiation of misdemeanor proceedings** to the competent misdemeanor courts due to violations of anti-corruption laws:

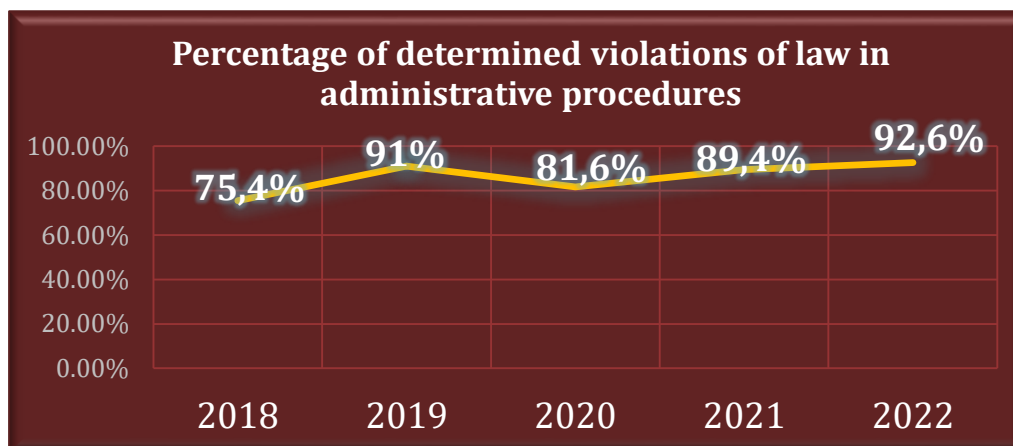
- ✓ **1,117** due to violation of LPC;;
- ✓ **439** due to violation of LFPEEC.

In that period, a **total of 1,043 procedures were completed** (including procedures based on requests from previous years and implemented misdemeanor orders), of which **sanctions were imposed in 92.6%**. The total amount of fines amounts is **€103,590**.

Due to violations of anti-corruption laws under its jurisdiction, the Agency initiated **34% more misdemeanor proceedings in 2022 compared to 2021, and significantly more compared to the annual levels of previous years of work**. This was primarily generated by a greater number of misdemeanor proceedings initiated in the area of verification of reports on income and assets, but also by a significant increase in the number of proceedings initiated due to violations of the LFPEEC.



Also, the percentage of imposed sanctions was higher in 2022 compared to the annual level of the previous four years of the APC's work.



#### **ANTI-CORRUPTION CAMPAIGNS, PUBLIC RELATIONS, RESEARCH AND EDUCATION**

Through implementation of campaigns, educational activities and cooperation with the media, the Agency contributes to strengthening the knowledge of the general public and those subject to anti-corruption laws about the competences and results of this institution, as well as citizens' trust in its work.

An intensive information and anti-corruption campaign was continued in 2022:

- ✓ APC's anti-corruption video "*Report corruption, because the society you want starts with you*" was broadcasted on TV stations with national coverage;
- ✓ billboards and citylight posters with the contacts of the Agency where corruption can be reported have been placed in numerous locations throughout Montenegro;
- ✓ banner "Local Elections 2022" was placed on the most visited internet portals, along with the link to the APC's website section containing all documents on the financing of political entities and the use of public resources during election campaigns.



In 2022, the Agency **intensively carried out educational activities**, and in accordance with the adopted *Annual Training Plan for those subject to the law under the APC's jurisdiction*, it **organized as many as 29 trainings, which were attended by 362 participants**:

- ✓ 10 training sessions were held in municipalities **for newly appointed public officials who took office after the local elections**, on the topics of *"Declaration of income and property and prevention of conflicts of interest"*
- ✓ **one training** on the subject of *"Declaration of income and assets"* was held **for public officials** in the Administration for the Protection of Property and Legal Interests of the Capital City;



- ✓ **before the local elections, trainings were held in six municipalities** on the topic *"Control of funding of political subjects and integrity of the authorities in the election campaign"*;
- ✓ **two trainings on "Integrity in public administration and implementation of the integrity plan"** were organized in cooperation with the Human Resources Administration;
- ✓ **seven trainings** were held as part of the *third cycle of the Education Program for the*

*acquisition of key skills for performing the duties of integrity managers*, in cooperation with the Human Resources Administration;

- ✓ In cooperation with UNDP, APC organized **workshop for integrity managers from the judiciary**, during which the Methodology for assessing the application of anti-corruption measures in two subsystems - the judiciary and the prosecution was finalized.



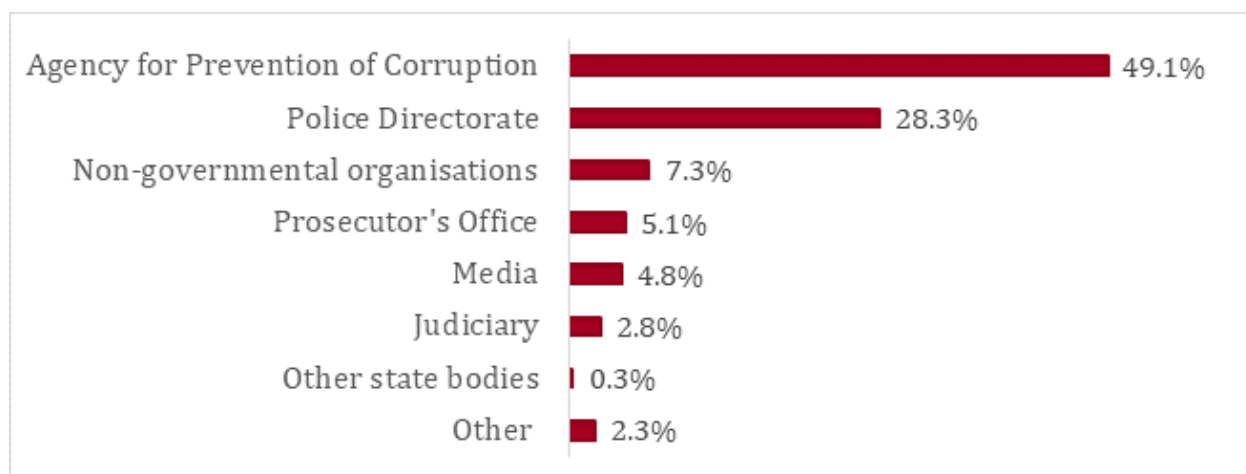
- ✓ In cooperation with the Human Resources Management Bureau of **the Parliament of Montenegro**, training was organized on the topic *"Prevention of conflict of interest"*;
- ✓ The Agency conducted training on the topic of **integrity and prevention of conflicts of interest for employees of the State Audit Institution**.



In addition, the Agency was visited by students of the **Educational Center "United Kids International Montenegro"** from Podgorica, who were given a lecture on basic anti-corruption concepts and presented with the mission, goals and activities of the APC.

According to the results of the public opinion survey *"Public Attitudes on Corruption and Familiarity with the of the APC's Work "*, which was conducted for the needs of the APC by the Agency Defacto Consultancy, **the APC remained in the first place, as well as in previous annual surveys, among the institutions in which citizens would have the most confidence in case they decide to report corruption.**

### WHO WOULD YOU REPORT CORRUPTION TO?



There is a growing percentage of those who claimed that they would have the most trust in the Agency if they decided to report corruption - **compared to 2021, today there are 6.4% more people who say they trust the Agency the most.**

Cumulatively, **63.5% of respondents answered that they have confidence in the APC, while 68.5% of respondents answered that the Agency contributed to the overall fight against corruption.**

Transparency has been strengthened through increased openness towards the media, as evidenced by the fact that **the APC's media image was, in principle, extremely positive.** This is indicated by the ratio of positively and negatively intoned media texts, which is crucial for creating the reputation - **in 2022, the number of positively intoned texts was greater than the total sum of the previous two years and the highest on an annual basis since the beginning of the Agency's work, and almost two and a half times greater than the number of negatively intoned ones.** Compared to the previous period, **the Agency's in significantly better control over its media presence** - for the first time since the establishment of the institution, the share of planned placements was higher than the unplanned ones.

All the above data refer to the conclusion that APC continued to improve its work in the field of public relations, which was also recognized in the **2022 Report of the European Commission on the progress of Montenegro**, which states the consistent proactivity of the Agency and the Council and increased activities in the field towards the public, media and civil society.

## COOPERATION WITH STATE INSTITUTIONS AND CIVIL SECTOR

In the spirit of deepening inter-institutional cooperation and strengthening the systemic response to corruption, the Agency achieved **intensive cooperation with state institutions**. In this sense, **several meetings were held with the highest representatives of the executive and legislative authorities** - Minister of Finance **Aleksandar Damjanović** and his associates, Minister without portfolio **Zoran Miljanić**, Minister of Justice **Marko Kovač**, Minister of Public Administration **Maraš Dukaj**, Minister of Foreign Affairs **Ranko Krivokapić**, President of the Parliament of Montenegro **Danijela Đurović** and State Secretary in the Ministry of Capital Investments **Admir Šahmanović**, Director of the Directorate for Public Procurement Policy in the Ministry of Finance **Jelena Jovetić**. Moreover a meeting was held with the president of the Chamber of Commerce, **Nina Drakić**, PhD, and her associates.

With a view of **further developing cooperation with the civil sector**, which contributed to improving the APC's responsibility and reputation, representatives of the Agency had three meetings with representatives of NGOs *Center for Civil Liberties (CEGAS)*, *Center for Monitoring and Research (CeMI)*, *Center for Democratic Transition (CDT )* and *Civic Alliance (GA)*, where the main topic was the supervision of election campaigns for the local elections held in 2022, while consultations on the topic of improving the form of the APC's reporting have also been started. Also, a meeting was held with the *Institute of Alternativa*, ahead of the Forum on the fight against corruption and political clientelism in the area of employment in public sector. In order to prepare a Parallel Report on the Compliance of Montenegro with the UN Convention against Corruption (UNCAC), the representatives of the Agency met with the representative of the CDT, which is also an UNCAC partner for Montenegro.



The APC representatives attended/participated in **10 conferences/round tables** organized by non-governmental organisations.

## INTERNATIONAL COOPERATION

At the invitation of GRECO, the Agency delegation, with the support of the United States Embassy in Montenegro, attended the International Anti-Corruption Conference (IACC) in Washington organized by "Transparency International". The conference brings together about two thousand participants, representatives of governments, international organizations, and processes the topic of "Eradication of corruption, defense of democratic values," and is a significant opportunity to make connections and to highlight progress and challenges of the participating countries in the fight against corruption.



Representatives of the management and the Council of the APC met in Washington with **Richard Nephew**, U.S. State Department's Coordinator on Global Anti-Corruption. During the meeting, further models and the methods of cooperation were discussed through the support of the US Embassy and expressed gratitude to the US Embassy and the Bureau of International Narcotics and Law Enforcement Affairs (INL) for the partnership and support that APC receives.

The APC delegation met in Washington with **Martin McDowell**, the Director of the Office for Southern and Central Europe in the U.S. State Department. During the meeting, there were words about supporting the work of the Agency throughout the conducted projects and those in plan.

Also, representatives of the ASK met with **Thomas Sellinger**, the Director of European Affairs Office of the State Department. The APC delegation informed the interlocutor in more detail on the action of the preventive anti-corruption institution, expressing gratitude for the provided support.



Also, Representatives of ASK met with Thomas Sellinger, the Director of the State Department of European Affairs Office. The ASK delegation informed the interlocutor in more detail on the action of the preventive anti-corruption institution, with pronounced gratitude for the support provided.

Thanks to the **support of the US Embassy in Podgorica**, in the mid-November 2022, after the intensive six-month preparation, the Agency met the requirements for obtaining the ISO 9001: 2015 quality management system certificate.

This step represents a platform for legal, responsible, reliable and complete management of organizational processes, and will contribute to the improvement of the work of employees, motivation and coordination of work processes and their compliance with international standards.

In the spirit of developing regional cooperation and exchange of experiences in the field of anti-corruption, in 2022:

- ✓ Management of the APC met with representatives of the management of the **Agency for the Prevention of Corruption and Coordination of the Fight against Corruption of Bosnia and Herzegovina**, in order to improve the cooperation between the two institutions, especially in the areas of verification of Reports on Income and Assets and lobbying;
- ✓ Representatives of the **Commission for Deciding on the Conflict of Interest of Brčko District of BiH** made a study visit to the Agency, in order to acquaint with the work and practice of the conflict of interest in performing public functions, the submission of Reports on Income and Assets, experience in managing administrative and misdemeanor proceedings and practices of the APC in relation to courts and their work.
- ✓ Representatives of the **Commission for Deciding on the Conflict of Interest of the Republic of Croatia** made a visit to the Agency in order to acquaint with the competencies of the APC, with the emphasis on Montenegrin legislation and the practice of the income verification of public officials and lobbying, since this area is not yet regulated by law in the Republic of Croatia.

Within international cooperation, the Agency **continued with the consistent strengthening of institutional capacities and improvement of its work.**

With the support of experts engaged within the II phase of the Horizontal Program (Council

As part of the *Project for Combating Economic Crime in Montenegro*, the APC, in cooperation with the Council of Europe, started with development of a comprehensive analysis of the Law on Prevention of Corruption, which is being implemented in three phases.

**The first phase of the project**, which refers to the **functional independence of the Agency**, was completed with the preparation of the Technical Document "Analysis of the parts of the Law on the Prevention of Corruption that regulate the establishment and work of the Agency for the Prevention of Corruption". The document states that the Law contains numerous progressive provisions that protect the position of the APC, but still **leaves some space for inappropriate external pressure and political interference in the Agency's work**. In that part, it is emphasized that the legal provisions prevented attempts to reduce the legally defined budget of the Agency, but that the LPC couldn't ensure full realization of the right to independent disposal of its budget. In addition, the Agency's independence and efficiency could be limited due to the absence of clear and specific legal provisions regarding its competences, personnel management, appointment and dismissal of senior managers, appeals procedures and punishment policy. Due to all of the above, the document provides a series of recommendations for improving the legal framework that would prevent inappropriate pressures and interference, but also enable more effective, independent and efficient work of the Agency.

**The second phase, in which the parts of the law related to the conflict of interest and asset declarations were analyzed**, resulted in development of the Technical Document *Analysis of the parts of the LPC that regulate the conflict of interest, restrictions on the performance of public functions (incompatibility of functions), income and property reports, gifts, donations and sponsorships*. The technical document was prepared by the experts of the Council of Europe based on the inputs of the APC.

**Within the third phase**, the implementation of which is planned for the first quarter of 2023, the parts of the law related to **whistleblowers, integrity and misdemeanor provisions will be analyzed**.

**Upon completion of the analysis, the need to draft a new law or prepare amendments to the existing one will be considered.**

of Europe and the EU), the **2023-2025 APC Communication Strategy was developed along with the Action Plan for its implementation in 2023**, with the aim of improving communication and cooperation towards the domestic and international public. The goal of the Communication Strategy is to strategically frame good practices of the Agency in the last two years when it comes to communication with the key target groups, as well as to define measures for challenges that the Agency faces in the specific socio-political context.

Within the support of UNDP in Montenegro:

- ✓ **Strategic Plan** of the APC (2022-2024) was adopted;
- ✓ Implementation of the **Methodology for the assessment of anti-corruption instruments in the systems of state administration and social and child welfare** continued;
- ✓ **Methodology for the assessment of the application of anti-corruption measures - Judicial system** was developed, in order to improve the content and effects of the integrity plans of the judicial authorities;



- ✓ **Methodology for corruption proofing of legislation** has been improved.

Within the Regional Anti-Corruption Initiative (RAI):

- ✓ The Agency is a beneficiary of the **three-year project on whistleblowers**, "*Break the Silence: Strengthening Policies and Culture for Whistleblowers in the Western Balkans and Moldova*";
- ✓ The implementation of the **project "Southeastern Europe - Together against corruption"** continued, which includes **support in the areas of integrity plans** (Corruption risk assessment - CRA) and **giving opinions on regulations** (Corruption proofing of legislation - CPL). After finalizing the mapping of the two most sensitive **sectors to corruption - the higher education sector and the sector of public enterprises**, **CPL and CRA guidelines were developed with checklists** for the mentioned two sectors, which were **presented to the relevant Montenegrin institutions**;
- ✓ Regional meeting was held dedicated to further steps regarding the implementation of the **International Data Exchange Agreement for the purpose of verifying asset declarations**, which aims to more thorough and comprehensive verification of the assets of public officials in the region.



The Agency continued to fulfill **all obligations arising from Montenegro's membership** in the key international organizations that define and monitor the implementation of anti-corruption standards.

In the reporting period, the Agency, as the national coordinator of the obligations arising from the signing of the United Nations Convention against Corruption (UNCAC) by Montenegro, coordinated and organized the **visit of representatives of the Secretariat of the Office on Drugs and Crime (UNODC) and competent evaluators (representatives of Iraq and Estonia) in combined format**. The working visit was one of a series of steps in the evaluation of Montenegro in the application of UNCAC, the only legally binding universal anti-corruption instrument. In this second cycle of evaluation, the application of chapters II - Preventive measures, and V – Asset Recovery was under scrutiny. The next step will be preparation of the final Report for Montenegro, which will show whether and to what extent our country fulfills the articles of the Convention in the mentioned chapters with its legislation and practice.

The Agency has the role of national coordinator for fulfilling all obligations arising from Montenegro's membership in the **Group of Countries for the Fight against Corruption**

**(GRECO).** In October, GRECO, the Agency and the Government of Montenegro published the Evaluation **Report for Montenegro as part of the 5th Evaluation Round on the topic of Prevention of Corruption and Improvement of Integrity within central government bodies (at the highest executive positions) and law enforcement agencies.** The report evaluates the effectiveness of the framework in our country for preventing corruption among persons in the highest executive positions (prime minister, ministers, high-ranking officials and advisers) and members of the police. The aim is to help authorities to comply with GRECO standards.

The report recognized that **under the new management, the performance of the Agency for the Prevention of Corruption has improved, as well as that "functioning is moving in the direction of greater independence, efficiency and a more proactive approach."**

Also, the report recognizes the importance of further strengthening the Agency's capacity and the comprehensive and joint approach of all relevant institutions and social actors and their proactivity, in order to prevent corruption more effectively.



The recommendations in the Report concern the assessment of the effectiveness of anti-corruption mechanisms in relation to the Government of Montenegro and the Police Directorate in preventing conflicts of interest, limitations in the exercise of public functions, control of income and assets, development of whistleblower institutes, policy of integrity, transparency, ethical principles, as well as educational activities. . By the end of 2023, Montenegro is obliged to report on the status of implementation of the given recommendations.

When it comes to the **Roadmap for the fight against corruption and illegal financial flows for the jurisdictions of the Western Balkans**, which was adopted last year under the auspices of the "**Berlin Process**" initiative, and with the support of UNODC, a regional anti-corruption conference was held in Skopje, where the achieved results were summarized.

Previously, three expert meetings were held with the aim of determining the implemented activities within the three objectives of the Roadmap: *prevention and fight against corruption in public procurement, including public procurement in extraordinary circumstances, further strengthening of the system for reporting conflicts of interest and property and improving the response of the criminal justice system to corruption and economic crimes through the creation of a regional network of specialized prosecutors, police and financial intelligence services in the countries of the Western Balkans.*

The Agency organized **Working Breakfast for international partners and media representatives**, at which a cross-section of the most significant activities in the field of corruption prevention in the first half of the year was presented, as well as the contribution of the Agency, as a key institution in this field and the bearer of the implementation of important temporary benchmarks in the negotiation Chapter 23 - Judiciary and Fundamental Rights, in the efficient and effective fight against corruption and affirmation of the rule of law environment in Montenegro.



**The overall progress of the Agency** in the previous period has been noticed and supported by European partners.

In the latest European Commission Report, published in October 2022, it is stated that **"the track record in the prevention of corruption has been further improved, especially due to the positive trend regarding the work and performance of the Agency for Prevention of Corruption."** The document also recognized consistent proactivity of the Agency and its Council and increased outreach activities to the public, media and civil society, and emphasized that Agency's capacity has been further strengthened, which "has produced improved performance and increased efforts to achieve tangible results."