



Montenegro
Agency for Prevention of Corruption

Number: 01-1915/3

Podgorica, 23 October 2017

**III QUARTERLY REPORT ON THE WORK OF THE AGENCY FOR
2017
(July – September 2017)**

October 2017

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Introduction

In the Agency for Prevention of Corruption (hereinafter: the Agency); out of the total of 60 systematized position 56 have been filled in so far.

The work of the Agency is organized in two Sectors: Sector for Prevention of Conflict of Interest and Control of Financing of Political Entities and Election Campaigns and the Sector for Prevention of Corruption, Integrity, Lobbying and Application of International Standards; two departments: Department of International Cooperation and Standards and Department of Information Technologies; and two services: Service of Human Resources and Legal Affairs and Finance Affairs Service.

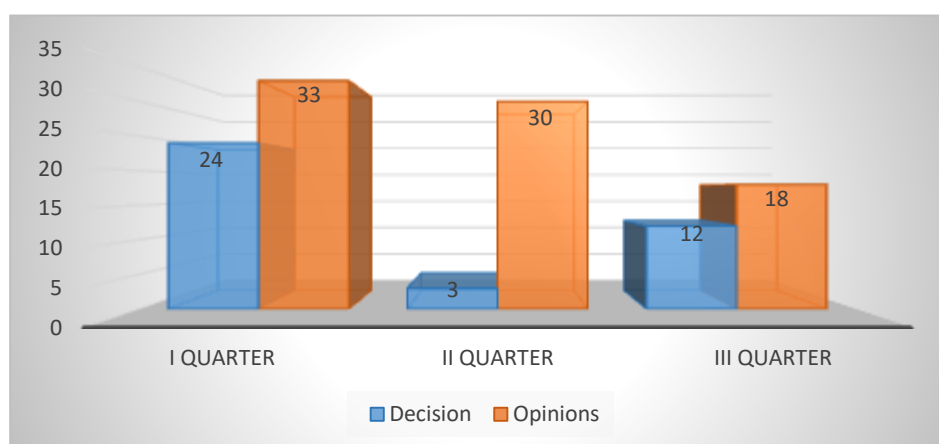
The report contains data on the realized activities of the sectors, departments and services of the Agency according to the strategic goals from the Work Plan for 2017, for the period from 1 July to 30 September 2017.

1. Department for Prevention of Conflict of Interest of Public Officials

Activities that have marked III quarterly period in the Department:

- In the area of prevention of conflict of interest, based on the requests of public officials and authorities, the APC in the period July-September 2017 gave **18** Opinions on the existence of a conflict of interest that are binding on public officials. The opinions of the Agency concerned the potential suspicion of existence of conflicts of interest between public officials and authorities in relation to: performing incompatible functions, receiving fees in management bodies, membership in board of directors, working bodies and commissions, concluding a contract. From the beginning of 2017, a total of **81** Opinions were given;
- After the conducted procedures in the third quarter, the Agency issued **12** decisions (**2** on the existence of a conflict of interest - both violated the law, and **10** in relation to restrictions in the exercise of public office - 7 public officials violated the law, in 3 cases it was found they did not violate the law). From the beginning of the year, total of **39** decisions were made.
- For **9** public officials it was found that they violate the Law. Since the beginning of the year, **25** public officials have been found to violate the Law.

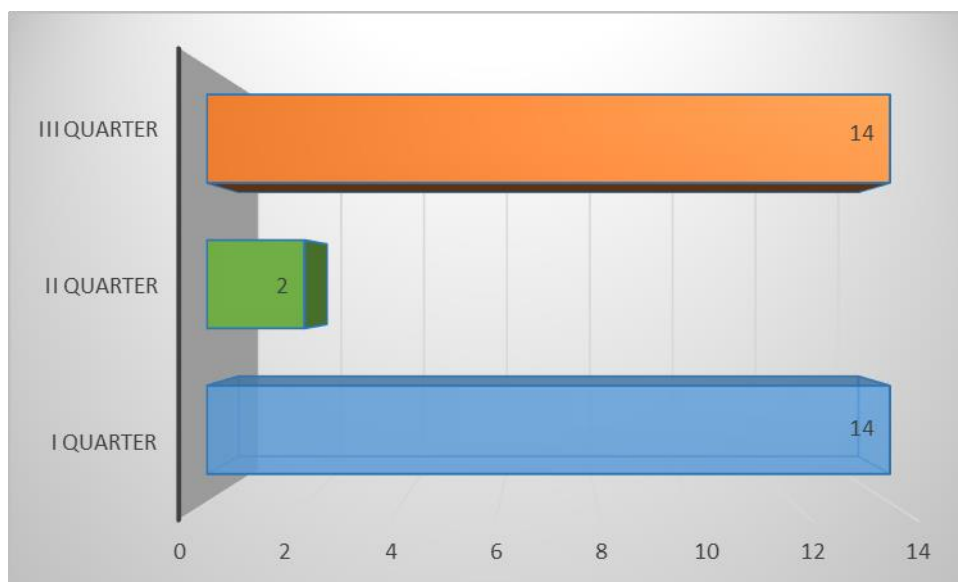
Graph 1: Decisions and opinions of the Agency in the area of conflict of interests and restrictions in the exercise of public office



- Following the adoption of the Decisions and issued Opinions regarding restrictions in the exercise of public functions in the third quarter, **14** public officials resigned from public office, as follows: 7 public officials based on the Decision of the Agency and 7 on the basis of the given

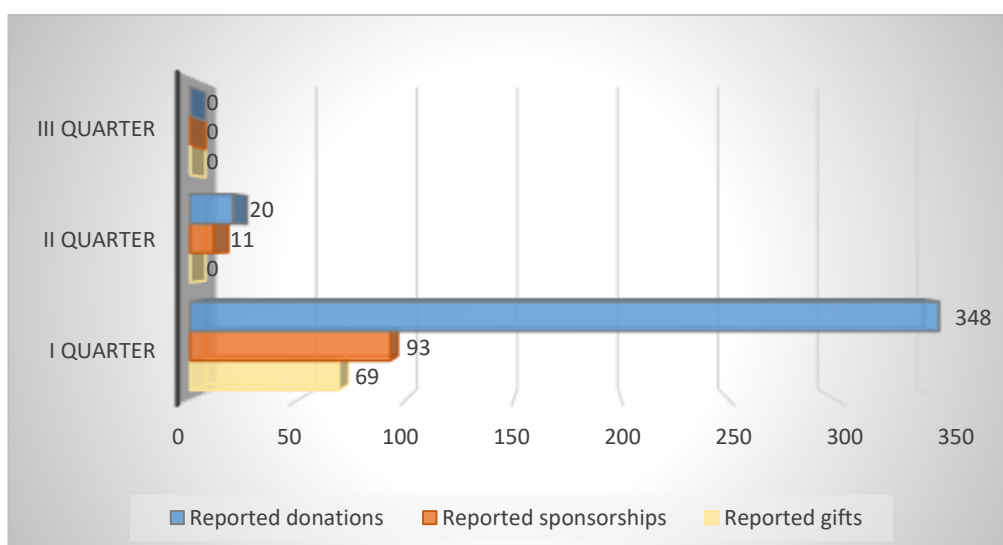
Opinions. Since the beginning of the year, **30** public officials have resigned from public office.

Graph 2: Number of public officials who have resigned from public office (I-II-III quarter)



- ✚ On the basis of the decisions made regarding the restrictions in the exercise of public office, the authorities acted in one case and pronounced one disciplinary measure. The procedure ended with the imposition of a fine of 6 months at 30% of the monthly salary.
- ✚ In the third quarter there was neither Excerpt from the record of gifts, nor reports of received donations and sponsorships.

Graph 3 : Reported gifts, donations and sponsorships

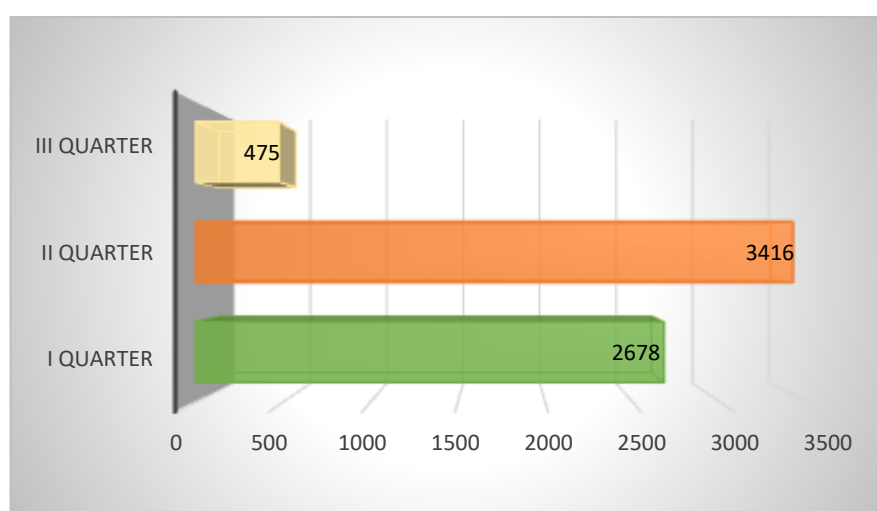


2. Department for Check of Income and Property of Public Officials and Civil Servants who are prescribed an obligation to submit reports on income and property

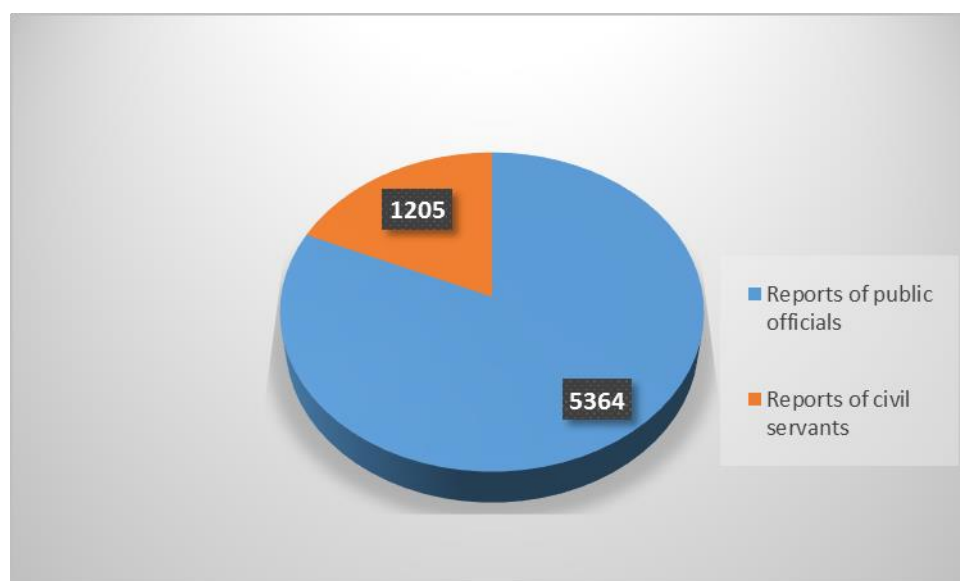
Activities that have marked the third quarterly period in the Department:

- ✚ By the end of the third quarter of 2017, all **6569** reports on income and assets received under various bases of filing were checked. All Reports on Income and Assets that had passed through the checking process have been verified and published on the website of the APC.

Graph 4: Total number of checked Reports on Income and Assets

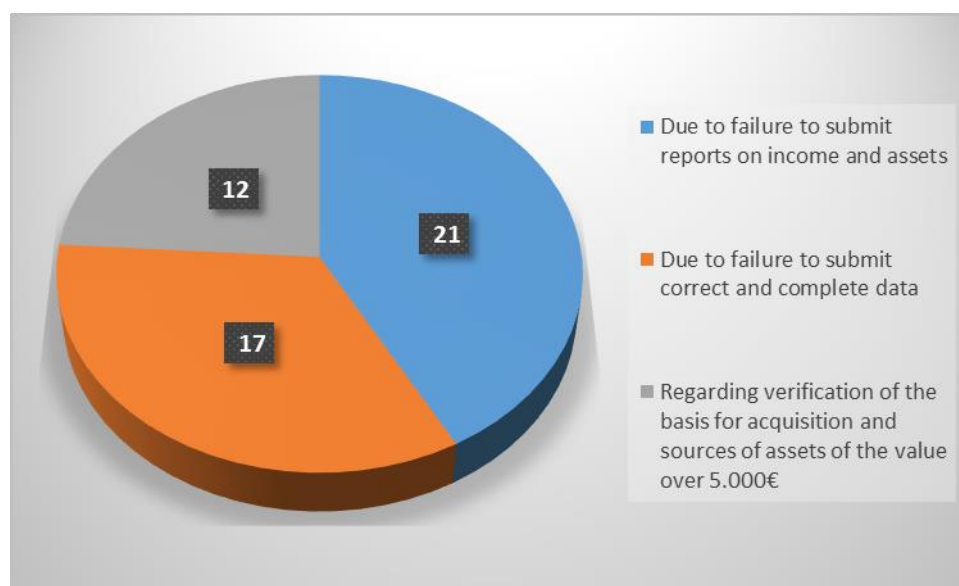


Graph 5: Number of checked reports of public officials and civil servants from the beginning of year



- ✚ Currently, **700** of public officials and civil servants are in the process of full verification of the data: 320 state public officials and 335 local public officials, as well as 45 civil servants who are obliged to submit reports on income and assets. They are thoroughly checked through the bases of the Ministry of Interior, Real Estate Directorate, Tax Administration and the Securities Commission. Out of that number, all those who gave their consent for checking the bank accounts will be checked through 14 commercial banks in Montenegro.
- ✚ After conducted administrative procedures, the APC completed 128 cases (**50** in this quarter): 87 for failing to submit reports on income and assets (**21** in this quarter), 22 due to failure to provide accurate and complete data (**17** in this quarter), and 19 regarding checking the basis for acquisition and the source of assets in the value of over 5,000 € (**12** in this quarter), while another 20 initiated procedures (in this reporting period) are ongoing.

Graph 6: Total number of completed cases after the conducted administrative procedures in the third quarter

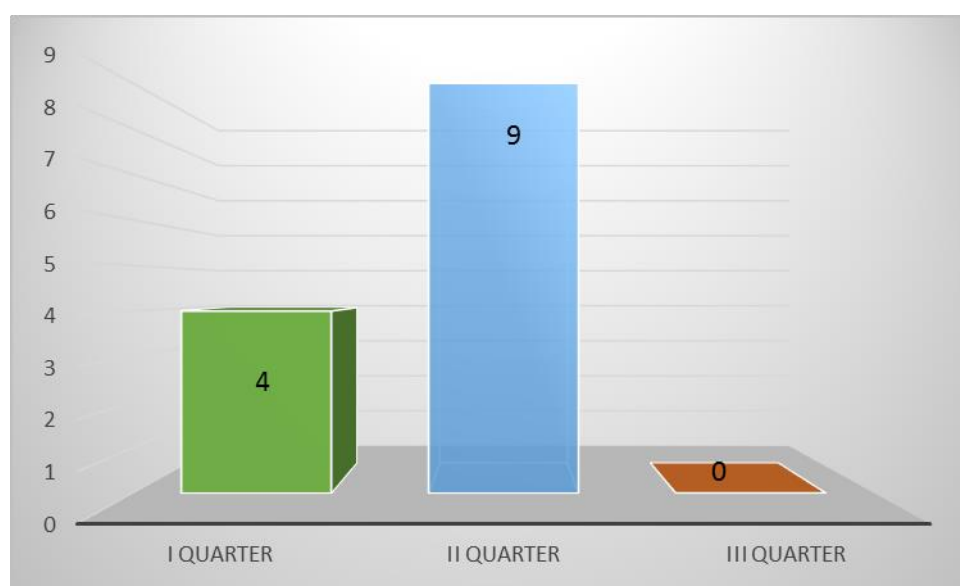


3. Division for implementation of measures of control of financing of political entities and election campaigns

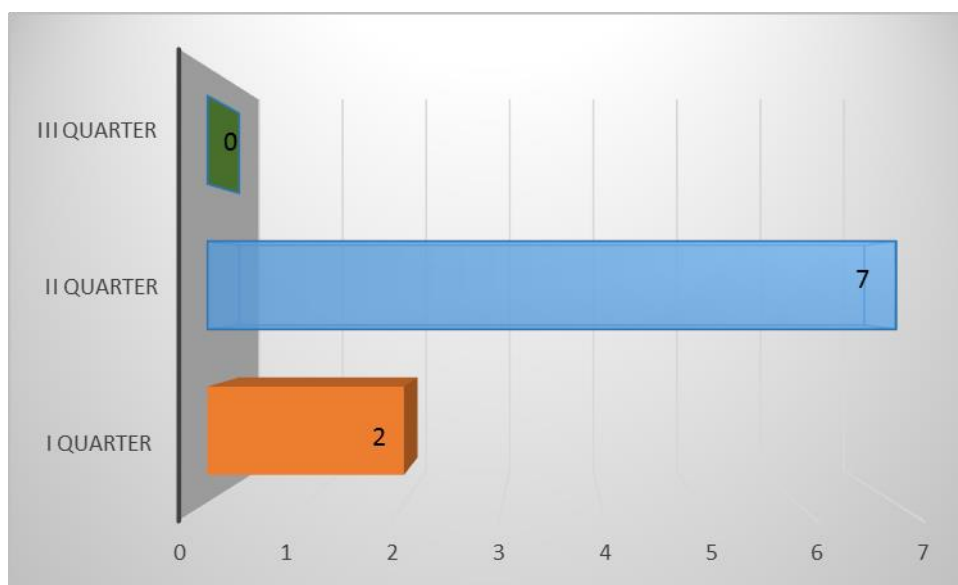
Activities that have marked the third quarterly period in the Division:

- ✚ As elections for council members in Tuzi municipality, municipality within the Capital City, were announced on 6 September, during this period, a total of **34** reports of government bodies and legal entities were submitted during the election campaign.
- ✚ Control is performed continuously in respect of financing of the regular work of political entities, when it comes to regular payments to political entities and total payments in 2016 and 2017, and accordingly, **26** reports or notifications on fulfillment of obligations have been submitted.
- ✚ The control of the total of **34** submitted reports has been carried out.
- ✚ A report on the conducted supervision after the held elections in Herceg Novi was developed and published on the website.
- ✚ The Control Plan for Elections for Council Members in the Municipality of Tuzi, a municipality within the Capital City, was adopted.

Graph 7: *The initiate misdemeanor proceedings for violation of the Law on Financing of Political Entities and Election Campaigns (I-II-III quarter)*



Graph 8: Number of objections to the regular work of political entities (I-II-III quarter)



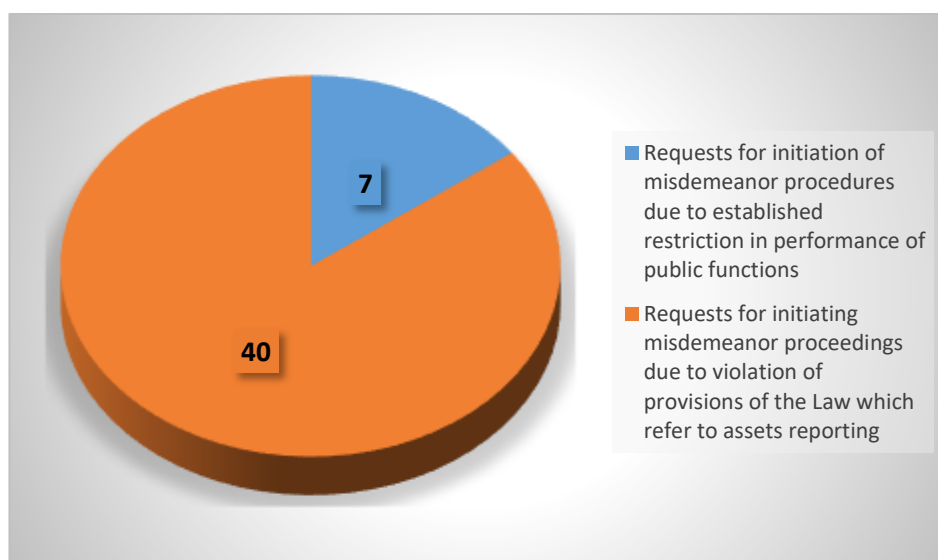
4. Division for initiating misdemeanor procedures and issuing misdemeanor orders

Activities that have marked the third quarterly period in the Division:

- ✚ Total of **48** requests for initiating misdemeanor procedures have been submitted, as follows: **47** due to violation of the provisions of the Law on Prevention of Corruption (due to established limitations in the exercise of public functions **7** and for violation of the provisions of the Law pertaining to the reporting of assets **40**) and **1**¹ for violations of the Law on Financing of Political Entities and Electoral Campaigns;

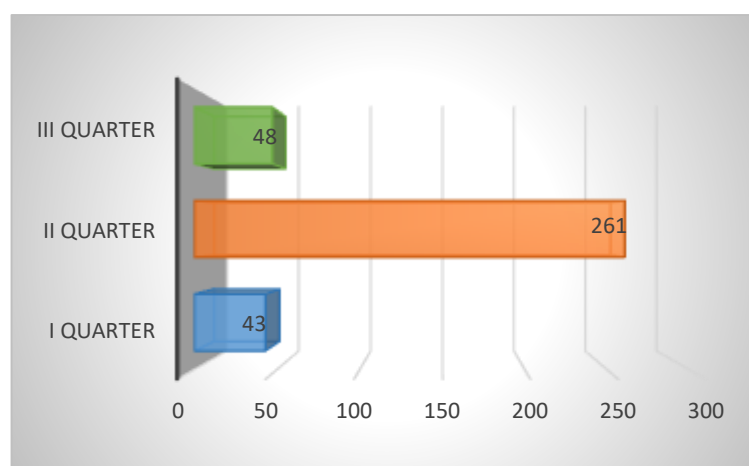
¹ It is a matter of irregularity established by the competent Division at the end of the second quarter, and it was misdemeanorly processed at the beginning of the third quarter

Graph 9: Requests of the Division for initiating misdemeanor procedures due to violation of provisions of the Law on Prevention of Corruption



✚ From the beginning of the year total of **352** request for initiating misdemeanour procedure² have been submitted.

Graph 10: Number of requests for initiating misdemeanour procedures (I – II – III quarter)



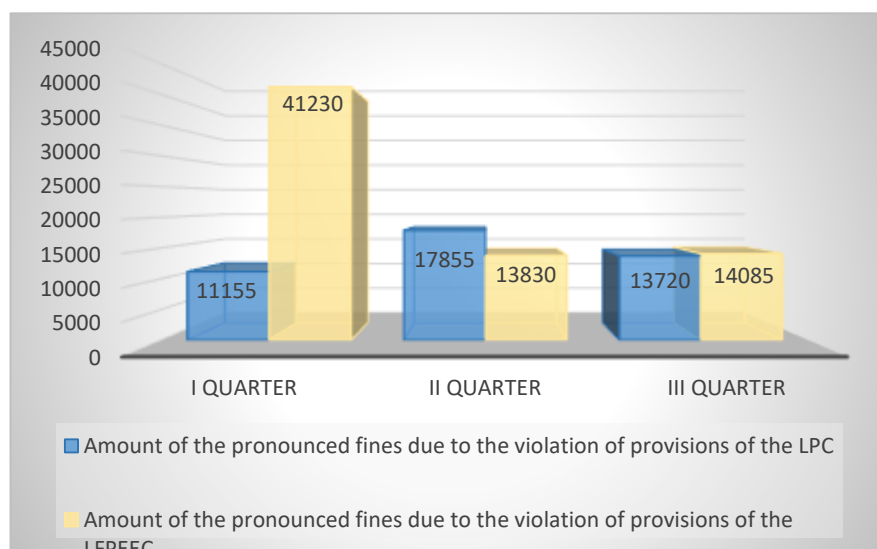
✚ In total, **82** sanctions were imposed, of which **15** were warnings and **67** were fines in the total amount of **27.775** euros. More precisely, in the area of restrictions in the exercise of public office, **6** fines were imposed and the

² One request for the initiation of a misdemeanor procedure in the application procedures and applications for protection of the whistleblower, which was initiated in the third quarter, is not included here

total amount of sanctions was **1,060 euros**, in the area of reports on income and assets **47** fines were imposed (total amount of sanctions **12,630 euros**), and in the field of financing of political subjects and electoral campaigns **14** fines were imposed, with total amount of sanctions of **14,085 euros**.³

✚ From the beginning of the year, based on the request for initiation of the misdemeanor procedure submitted by the Division, a total of **284** sanctions were imposed, of which **65** were sentences and **219** were fined in the total amount of **114,205 euros**.

Graph 11: Pronounced fines due to the violation of provisions of the LPC (including integrity plans) and violation of provisions of the LFPEEC (I-II-III quarter)



In the third quarter, the authorized officers of the Division joined **106** hearings before competent minor offense courts.

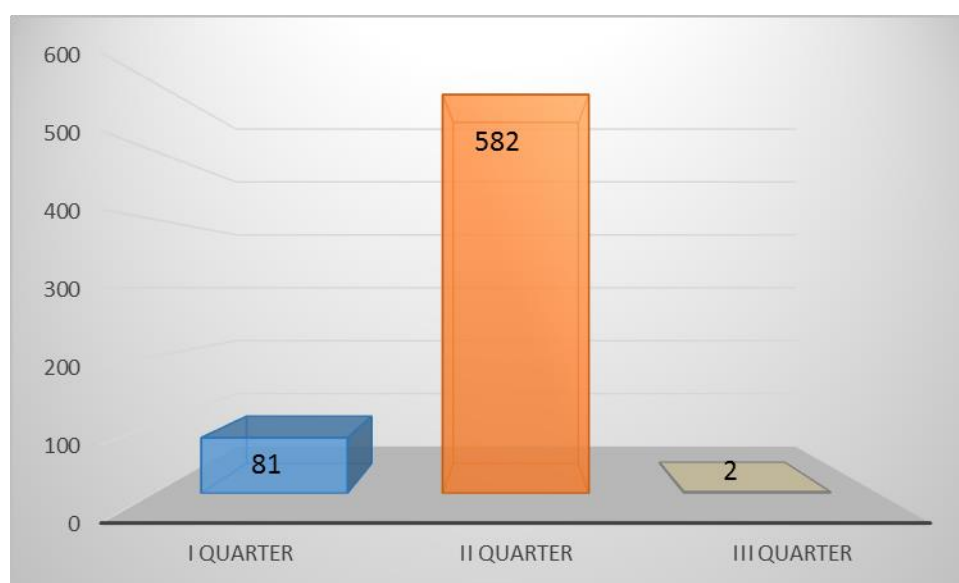
³ Due to violations of the provisions of the Law on Prevention of Corruption related to integrity plans in the third quarter of 2017, no fines were imposed (EUR 30 for the costs of the procedure).

5. Division for integrity and lobbying – INTEGRITY

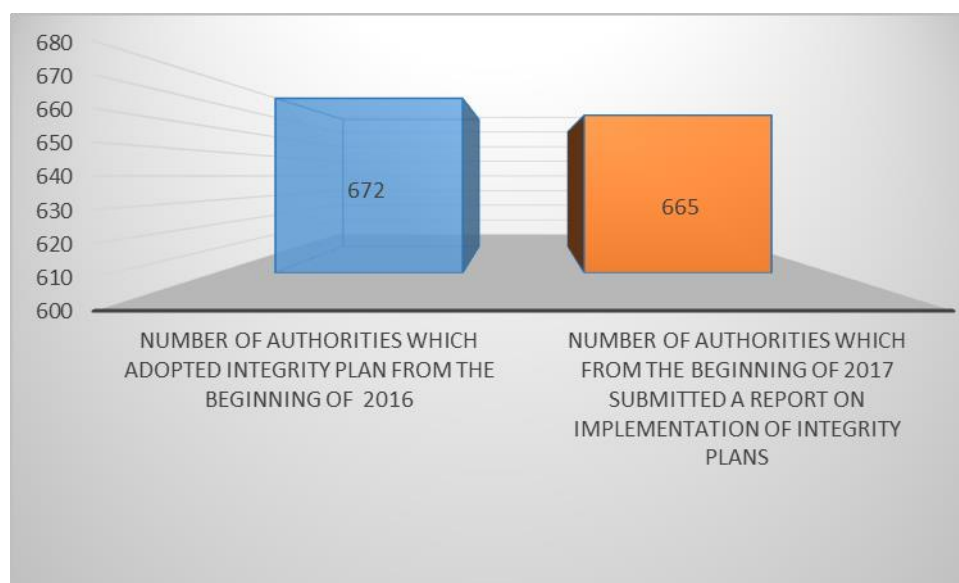
Activities that have marked the third quarterly period in the Division:

- ✚ The authorities appointed **4** integrity managers. From 1 January 2016, the total number of authorities designated by the integrity manager is **676**, not counting the two bodies that no longer exist;
- ✚ **Six** authorities have adopted a plan of integrity. From the beginning of the year **9** authorities have adopted a plan of integrity; Total number of adopted plans of integrity is **672**, not counting two authorities that no longer exist;
- ✚ In the third quarter, the Agency received **2** reports on the implementation of the integrity plan. The total number of reports submitted on the implementation of the integrity plan is **665**. All authorities that adopted the Integrity Plan in 2016, adopted a report on its implementation in 2017;

Graph 12: *Number of reports on the implementation of integrity plan (I-II-III quarter)*

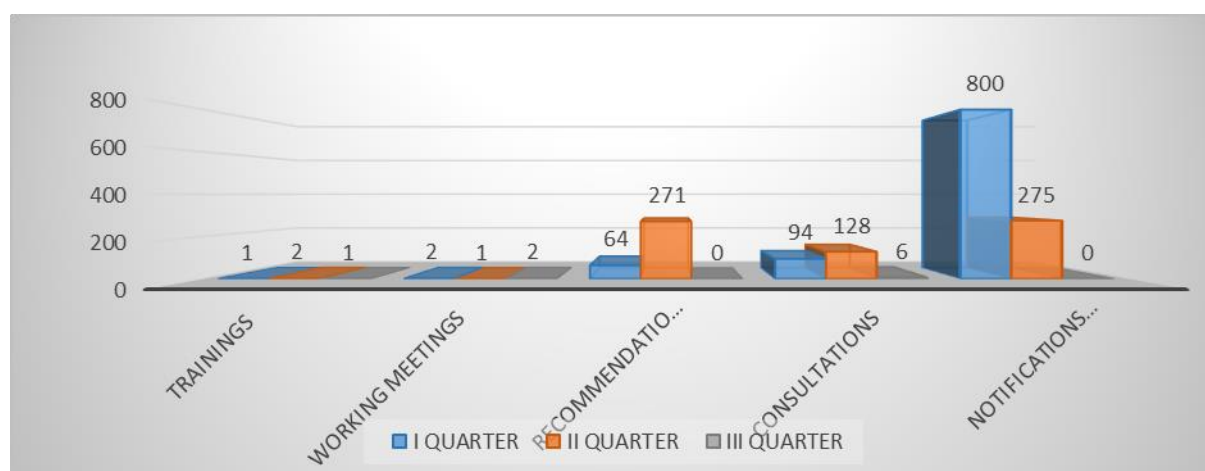


Graph 13: Number of submitted reports on the implementation of the integrity plan in relation to the total number of adopted plans of integrity



- Recommendations for improving the integrity plan were given to all bodies in the system of social and child care (28 authorities);
- The officials of the Division conducted **6** consultations, held **2** working meetings and **1** training for representatives of the authorities on the development of integrity plans. From the beginning of the year, a total of 228 consultations were conducted, five working meetings were held and 4 trainings were organized for the representatives of the authorities.

Graph 14: Held trainings, meetings, consultations and given recommendations for improvement of the report on implementation of IP (I-II-III quarter)



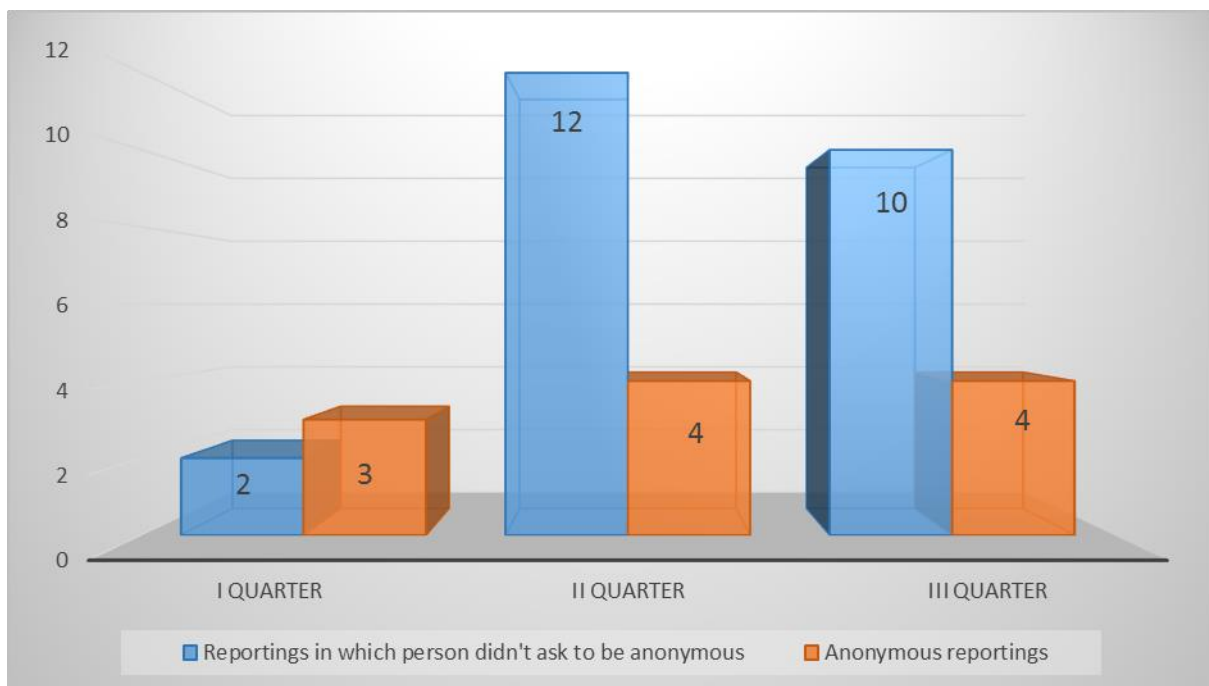
- ✚ In the third quarter, no requests were filed for initiating a misdemeanor procedure due to the failure to report on the implementation of the integrity plan, since all the bodies that adopted the integrity plan in 2016 submitted a report on its implementation;
- ✚ Four hearings were held and five first instance solutions were adopted. Reminders were issued for one legal entity and one responsible person in the legal entity. There were no fines.

6.Division for acting on reports of whistleblowers and whistleblowers protection

Activities that have marked the third quarterly period in the Division:

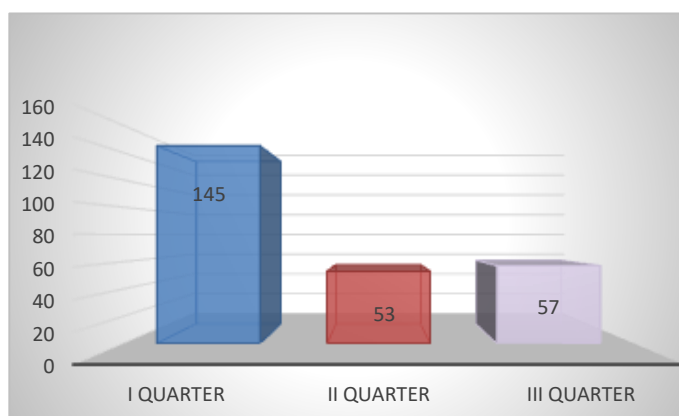
- ✚ In the third quarter, **3 cases were initiated ex officio**, while from the beginning of the year until 1 October, a total of **14** cases were initiated. Of these, **13** cases have been completed and **11** have been found to be endangering the public interest. The Agency gave a total of **386** recommendations for improving transparency and eliminating corruption risks in recruitment procedures.
- ✚ In the third quarter, the Agency received **14** reports of endangering the public interest that points to the existence of corruption. From the beginning of the year there were a total of **35** reports.

Graph 15: Reports on endangering the public interest that points to the existence of corruption (I-II-III quarter)



- ✚ The competent prosecutor's office has been submitted **3 reportings**, one of them in part. From the beginning of the year, a total of **5** reportings have been submitted to the competent prosecutor's office.
- ✚ In the reporting period, **10** reportings were transferred to other competent authorities. Until now, irregularities have been identified in **3** cases, while the procedures for the remaining **7** remain in progress. Since the beginning of the year, a total of **11 reportings** have been transferred to other competent authorities.
- ✚ In the reporting period **1** request for protection has been submitted. The procedure is underway. Since the beginning of the year, two requests have been submitted.
- ✚ In the reporting period, the authorities, companies, other legal entities and entrepreneurs appointed **57** persons for acting on whistleblower reportings, while **255** persons were appointed from the beginning of the year.
- ✚ During the reporting period, **2** trainings, **1** working meeting and **40** consultations were held.

Graph 16: Broj lica određenih za postupanje po prijavama zviždača

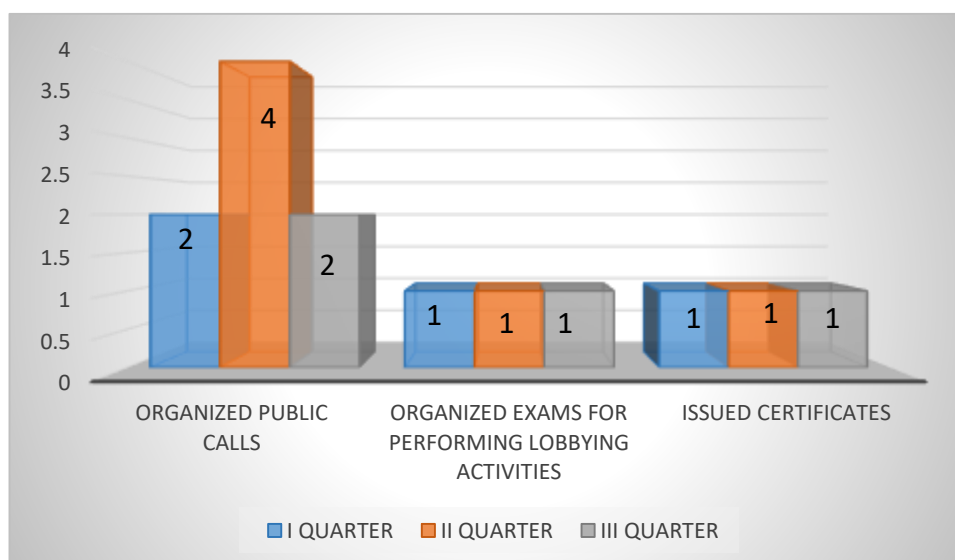


7. Division for integrity and lobbying – LOBBYING

Activities that have marked the third quarterly period in the Division:

- ✚ **One exam** was organized for conducting lobbying activities. From the beginning of the year three exams have been organized.
- ✚ On the website of the Agency, **two public invitations** to apply for exams for conducting lobbying activities have been published. From the beginning of the year, total of eight public calls have been published for application of the candidates to take the exam.
- ✚ **One** candidate passed the exam for conducting lobbying activities and obtained a certificate for the passed exam. From the beginning of the year, a total of three candidates have received a certificate for performing lobbying activities.

Graph 17: Number of organized public calls, exams for conducting lobbying activities and issued certificates (I – II – III quarter)



8. Division for the prevention of corruption, monitoring of regulations and giving opinions on regulations in the field of anti-corruption

Activities that have marked the third quarterly period in the Division:

- ✚ **Two** draft Opinions on draft laws and other regulations and general were developed acts as follows:
 - Draft Opinion on the Draft Law on Civil Servants and State Employees;
 - Draft Opinion on the Draft Law on Local Self-Government.
- ✚ The Methodology on assessing the susceptibility of legislative acts to corruption was developed and submitted to the ministries as proposers of laws as well as to the local self-governments, which also adopt general normative acts.

9. Department of International Cooperation and Standards

Activities that have marked the third quarterly period in the Department:

- ✚ In the reporting period, under the IPA 2014 twinning project "Support to the implementation of integrity measures", two activities (1.3 and 4.1) were realized, through two expert missions in September 2017.
- ✚ Within the Horizontal Program of CoE and EU for Montenegro, the activities were implemented in relation to the three measures (1.1.1, 2.1.1 and 2.5.1) in the reporting period, and so far 5 out of 17 measures have been implemented, and activities related to one measure are ongoing.
- ✚ Within the framework of the "SEE Regional Program for Strengthening the Capacities of Anti-Corruption Authorities and Civil Society for the Fight against Corruption and Contributing to the UNCAC Evaluation Mechanism of Implementation of UNCAC" implemented by the RAI, the Methodology for the assessment of regulations on corruption risks has been finalized. The methodology has been prepared, with the support of the expert, by the officials of the Division for monitoring the regulations and giving opinions on the regulations in the area of anti-corruption, and based on it, seven (7) Opinions were prepared by September 2017. Through the project, translations of Methodology and opinions into English were provided, and all documents are published on the website of the APC.
- ✚ When it comes to activities arising from membership in regional and international organizations in the field of prevention of corruption, in which the APC is a contact institution for Montenegro, an evaluation

contact point was appointed within the second cycle of the evaluation of UNCAC implementation from APC.

- ✚ In cooperation with the competent state authorities, the APC prepared the Report on the implementation of the GRECO recommendations within the fourth evaluation, which refers to the "Prevention of corruption in relation to Members of Parliament, Judges and State Prosecutors", and forwarded it to the Secretariat of GRECO. The GRECO Secretariat requested a supplement to the Report. The APC, as the national coordinator of this process, submitted a supplementary Report on Implementation of Recommendations to the relevant institutions within the IV evaluation, to be considered at the GRECO session in October.
- ✚ Through the MFA, the UNODC's Office of the United Nations Office for the Suppression of Drugs and Crime (UNODC) was submitted a list of APC officers to be included in UNCAC evaluation within the second cycle.
- ✚ The director of APC participated in the Summit of the West-Balkan Six (WB6), within the framework of a meeting of the managers of anti-corruption bodies. The main focus of the meeting was on a regional dimension in the areas of prevention of corruption, whistleblowers and protection of whistleblowers, conflict of interest, transparency and public procurement.

10. Department of Education, Research, Campaign and Analytics

Activities that have marked the third quarterly period in the Department:

- ✚ The Second quarterly report on the work of the APC in 2017 was prepared and adopted by the Council of APC at its 49th session, held on 18 July 18 2017.
- ✚ Started the preparation of the Third quarterly report for 2017.
- ✚ Preparation of the annual Action Plan for implementation of the Communication Strategy of the APC.

Campaigns

- ✚ Prepared the flyer on the topic of "Lobbying" with data on what is lobbying, who can conduct the lobbying activity, how to become a lobbyist, what is illegal lobbying, what are the obligations of the lobbied persons.
- ✚ A flyer was prepared on the topic "Protecting the whistleblower and reporting the endangering of the public interest indicating corruption". The flyer contains information on the ways of filing an application and the jurisdiction of APC in the area of protection of whistleblowers, an example

of good practice and contacts of APC to which the threat of public interest that indicates the corruption can be reported.

- ✚ A billboard was prepared on the topic "Lobby Lawfully", which contains contacts of the APC to which all information on the competencies of the APC in that field can be obtained.
- ✚ A Billboard was prepared on the topic "Report Corruption in Public Procurement", which contains contacts of the APC and of the Public Procurement Administration for reporting the corruption.
- ✚ The 4th issue of the Anti-Corruption Bulletin was printed in circulation of 1,050 copies (800 in Montenegrin and 250 in English). The bulletin contains the results and activities of the APC in the first half of 2017.
- ✚ Video was broadcasted seven times on two TV stations with national coverage.

Training in cooperation with domestic institutions, non-governmental organizations and foreign partners

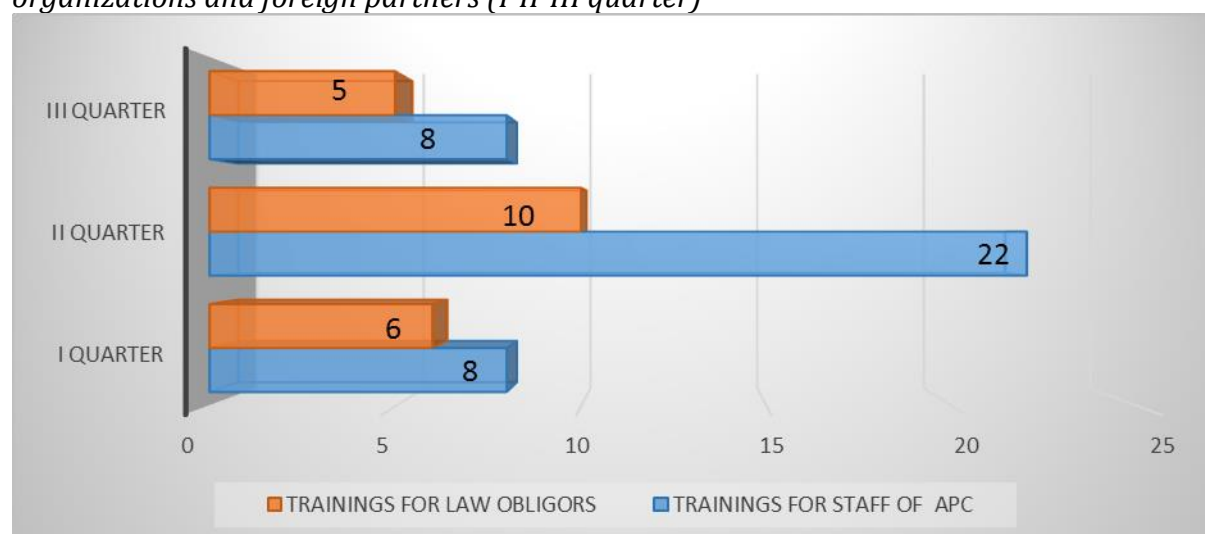
For staff of the Agency:

- ✚ During the third quarter, the Agency has organized **8** trainings for its staff.

For law obligors:

- ✚ Officers of the Agency held **5** trainings.

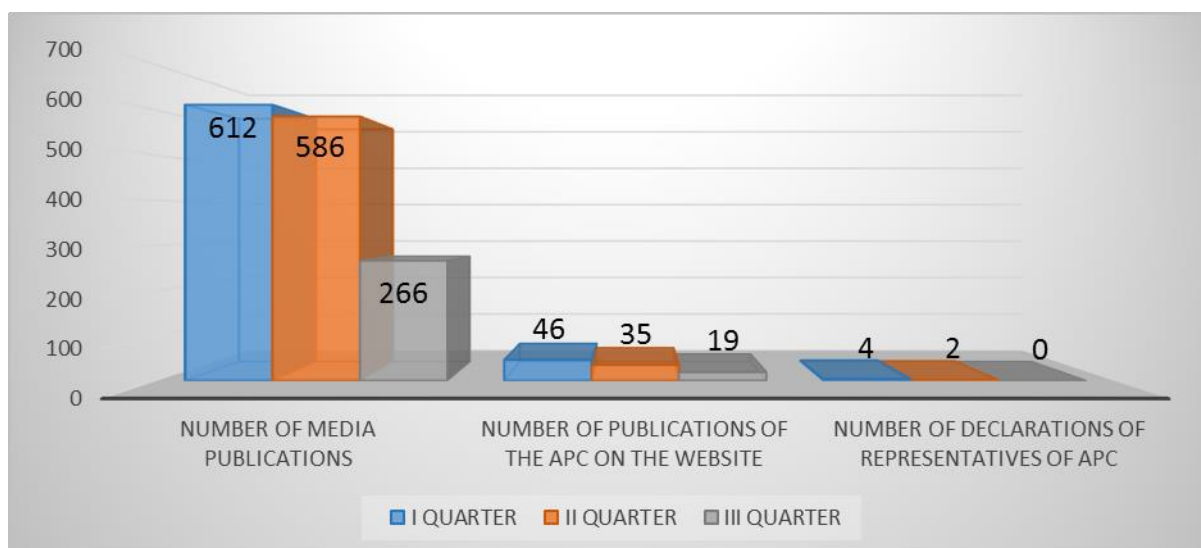
Graph 18: *Trainings in cooperation with domestic institutions, non-governmental organizations and foreign partners (I-II-III quarter)*



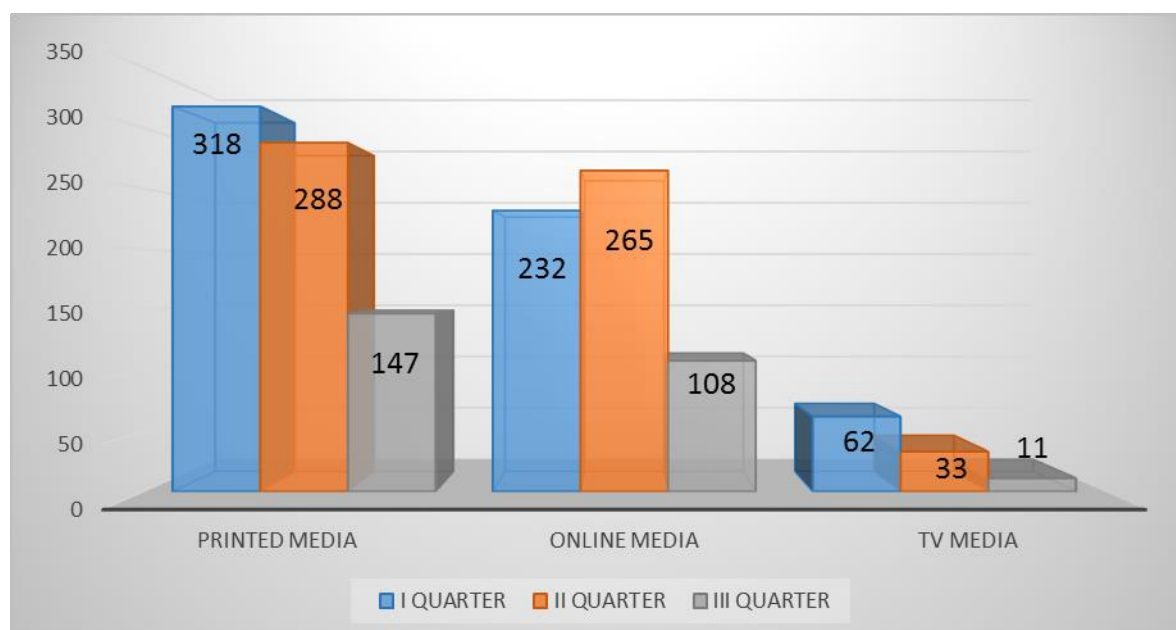
Public relations

- ✚ The Agency went on with its continuous presence in the media;
- ✚ The number of media announcements on the activities of the Agency in the third quarter is **266**, out of which:
 - in the printed media – **147** texts which relate to the Agency;
 - in the online media – **108** texts related to the Agency;
 - in TV media – **11** features related to the Agency.
- ✚ The number of announcements of the Agency on the website of this authority in the third quarter is **19**.

Graph 19: *Informing general and professional public on the activities and results of the Agency (I-II-III quarter)*



Graph 20: Presence of the Agency in the media (I-II-III quarter)

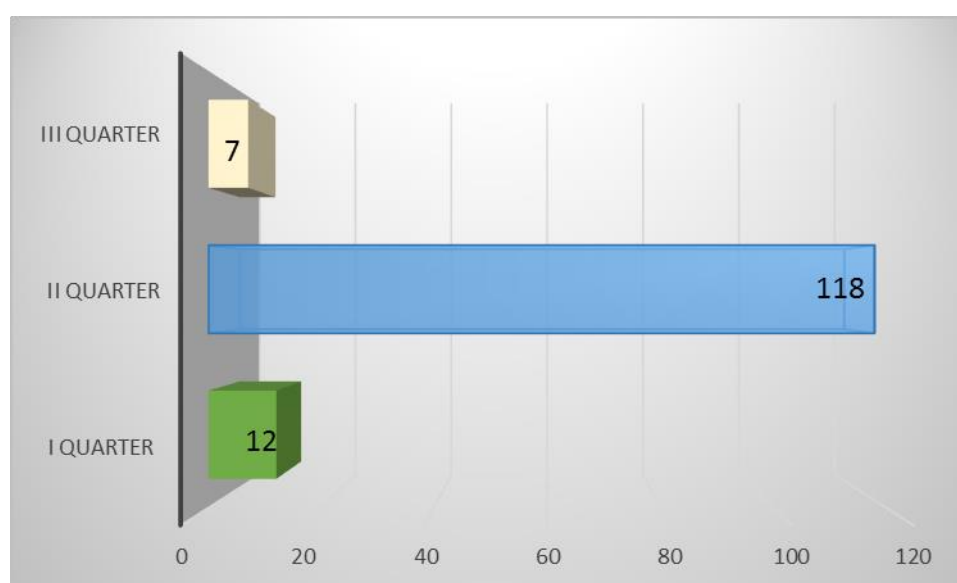


FAI:

✚ Number of requests for free access to information in the third quarter – 7:

- Allowed access to information – 3;
- Denied access to information – 3:
 - Denied due to lack of possession – 2;
 - Denied due to legal restrictions – 1;
- Direction to the website of APC – 1.

Graph 21: Number of requests for free access to information (I –II–III quarter)



11. Department of Information technologies

Activities that have marked the third quarterly period in the Department:

- ✚ Connection with CRC - the central register of citizens was realized.
- ✚ Realizovano je povezivanje sa CRPS - centralni registar privrednih subjekata.
- ✚ Developed Terms of reference through the engagement of the expert of the Council of Europe for the development of a module for the control of political entities and the monitoring of election campaigns, in accordance with the Report of the expert of the Council of Europe.
- ✚ The purchase of additional hardware equipment was realized, installation and integration into the existing infrastructure was carried out.
- ✚ The process of procurement of the aggregate was realized, installation on the roof of the building was carried out, the aggregate was tested and put into operation; the purchase of a redundant air conditioner was realized and its installation was carried out.

Budget of the Agency for 2017

Budget of the Agency for 2017 amounts to **1,666,601.63 eura**.

The Budget Plan of the Agency for nine months amounts to **1,249,951.23** euros, of which **910,948.12** euros was spent.

*Total expenditures of the Agency for the period 01.01-30.09. 2017 amount to **910,948.12** euros, of which:*

- *Current expenditures-----787,253.40 (86.42% of total expenditures)*
- *Capital expenditures-----105,611.72 (11.59% of total expenditures)*
- *repayment of debt-court decisions-----18,083.00 (1.99% of total expenditures).*

Public Procurement Plan for 2017

In accordance with the Law on Public Procurement ("Official Gazette of Montenegro" No. 42/11, 57/14 and 28/15), the Agency adopted the Public

Procurement Plan for 2017 no. 311 on 20 January 2017. The total value of the public procurement plan is 583,670.00 euros, of which 239,600.00 euros relates to the procurement of goods, and 344,070.00 euros for the procurement of services.

In the third quarter of 2017, nine Public Procurement Contracts were concluded, four of which after the open public procurement procedures for the procurement of mobile telephony services, aggregates, services for the development of new software modules - statistical module of the application for integrity plans, and placement of advertising boards and printed materials for the needs of the Agency for Prevention of Corruption.

In this quarter, five contracts were concluded after the public procurement procedure by shopping was conducted, for the procurement of biotechnical materials, anti-corruption campaigns projects, services for the provision of official premises, periodicals publications and printing of brochures, and casco insurance of the Agency's vehicles.

In the third quarter, no complaints were filed in the conducted public procurement procedures.

A total of 29 concluded public procurement contracts for the nine months of 2017 totaled 379,097.02 euros, while the estimated value was determined by the Public Procurement Plan for the same: 396,000.00 euros, which represents 67,84 % of the realized Public Procurement Plan for 2017.

Conclusion

The Third Quarterly Report on the Implementation of the Annual Work Plan of the Agency for 2017 contains aggregated data on the realized results and activities of the Agency according to all established goals in the annual Work Plan. The realization of the activities fully follows the dynamics of the established goals and indicators of success, the legal deadlines, as well as the strategically defined priorities of the Agency for 2017.

Based on the Annual Work Plan of the Agency for 2017 and realization of identified activities, the Agency has achieved concrete and measurable results for all strategically defined goals.

In the area of preventing the conflict of interests of public officials, after the adopted Decision and given Opinions of the Agency, **14** public officials resigned from public functions. From the beginning of the year, **30** public officials have resigned from public office.

Currently, **700** public officials and civil servants are in the process of complete verification of the data from the reports on the income and assets public officials and civil servants.

In the area of the control of the financing of political entities and election campaigns, a Report on the conducted monitoring was developed after the held elections in Herceg Novi and published on the website of the APC, and the Control Plan for the elections for councilors in the Municipality of Tuzi, the municipality within the capital, was adopted.

A total of **48** requests for initiation of misdemeanor proceedings were filed, as follows: **47** for violation of the provisions of the Law on Prevention of Corruption and **1** for violation of the Law on Financing of Political Entities and Election Campaigns. Total of **82** sanctions were pronounced, of which fines amounted to **27,775** euros. From the beginning of the year total of **352** requests for initiation of misdemeanor proceedings were filed, the Department pronounced total of **284** sanctions, and the fines amounted to **114,205** euros.

The authorities appointed **4** integrity managers. From 1 January 2016, the total number of authorities that appointed integrity manager is **676**. **Six** authorities adopted Plan of Integrity. Total number of adopted Plans of Integrity is **672**. In the third quarter the Agency was submitted **2** reports on the implementation of Plan of Integrity. Total number of submitted reports on the implementation of the Plan of Integrity is **665**. All authorities that adopted Integrity Plan during 2016, adopted in 2017 the report on its implementation.

In the third quarterly period, **three cases were initiated ex officio**, while from the beginning of the year, a total of **14** cases were initiated. **13** cases were completed and in **11** cases it the existence of endangering the public interest was found. The Agency gave the total of **386** recommendations for improvement of transparency and removal of corruption risks in the employment procedures.

In the third quarter, the Agency received **14** reports of endangering the public interest indicating the existence of corruption. From the beginning of the year there were a total of **35** reportings. In the reporting period **1** request for protection was filed. The procedure is ongoing. From the beginning of the year two requests were filed.

One candidate passed the exam for conducting lobbying activities and got certificate on the passed exam. From the beginning of the year, a total of three candidates have received a certificate for performing lobbying activities.

Two drafts of Opinions on draft laws and other regulations and general acts were developed, as follows: draft Opinion on the Draft Law on Civil Servants and State Employees and draft Opinion on the Draft Law on Local Self-Government.

The Methodology for assessing the susceptibility of legislative acts has been developed and submitted to ministries as proposers of the law, as well as local self-governments, which also adopt general normative acts.

The Agency timely fulfills all obligations as a coordinator of anti-corruption activities (monitoring of the preventive measures defined in Chapter 23, Operational Document for the Prevention of Corruption in Areas of Special Risks, APC's role as National Coordinator for GRECO). Information was collected for the Report on the fulfillment of the recommendations pertaining to the IV round of evaluation for Montenegro, which refers to the prevention of corruption with MPs, judges and prosecutors, which will be considered in the period 16-20 October at the plenary session of GRECO.

There are numerous activities within the international support to the Agency through two major international projects - Horizontal program SE and EU for the Western Balkans and Turkey and IPA Twinning contract - "Support to the implementation of integrity measures", as well as through the RAI regional program.

Anti-corruption campaign "Not a Cent for Bribery" and Information campaign on the competencies of the Agency are being implemented continuously.

In the third quarter, activities on strengthening staff capacities were also continued with filling vacancies, as well as with continuous trainings of personnel in cooperation with foreign and domestic partners.

DIRECTOR

Sreten Radonjić, *m.p.*

ANNEX 1,2 - CONFLICT OF INTEREST/INCOMPATIBILITY OF FUNCTIONS

APC in the period July - September 2017 initiated 15 procedures, after having conducted procedures regarding restrictions in the exercise of public office, completed 11 cases and issued 10 decisions, while 1 case was suspended by an official note (5 upon reporting of another natural or legal person and 6 based on their own request). Seven public officials were found to violate the law, while in 3 cases it was established that public officials didn't violate the provisions of the law.

| Prevention of conflict of public and private interest in the exercise of public functions/CONFLICT OF INTEREST/INCOMPATIBILITY OF FUNCTIONS | | | | | | | |
|---|------------------------------|------------------------|---|--|---|-------------------------|----------------------|
| | Requests for giving Opinions | Opinions of the Agency | Decisions/acts due to existence of conflict of interest on the initiative | Decisions/acts due to existence of conflict of interest on the request of the Agency | Decisions on Exemption Based on Opinion Resignations based on opinions/decisions | Misdemeanor proceedings | Pronounced sanctions |
| January-March | 33 | 33 | 15 | 9 | 14 | | |
| April | 14 | 14 | 2 | 2 | / | | |
| May | 6 | 6 | / | / | 1 | | |
| June | 10 | 10 | 3 | / | 1 | | |
| July | 8 | 7 | / | 1 | 7 | | |
| August | 5 | 6 | / | / | 2 | | |
| September | 7 | 5 | 6 | 5 | 5 | | |
| October | | | | | | | |
| November | | | | | | | |

| | | | | | | | |
|-----------------|-----------|-----------|-----------|-----------|-----------|--|--|
| December | | | | | | | |
| TOTAL | 83 | 81 | 26 | 17 | 30 | | |

ANNEX 3 – CONTROL OF RECEIVED GIFTS, DONATIONS AND CONCLUDED SPONSORSHIPS

| CONTROL OF RECEIVED GIFTS, DONATIONS AND CONCLUDED SPONSORSHIPS | | | | | | | |
|--|-----------------------|------------------------------|---------------------------|------------------------|-----------------------------------|--------------------------------|-----------------------------|
| | Reported gifts | Reported sponsorships | Reported donations | Checked reports | Established irregularities | Misdemeanor proceedings | Pronounced sanctions |
| January-March | 69 | 93 | 348 | / | | | |
| April | / | 11 | 20 | 69 | | | |
| May | / | / | / | / | | | |
| June | / | / | / | / | | | |
| July | | | | | | | |
| August | | | | | | | |
| September | | | | | | | |
| October | | | | | | | |
| November | | | | | | | |
| December | | | | | | | |
| TOTAL | 69 | 104 | 368 | Checked all 69 | No | | |

ANNEX 4 – REVIEW OF ASSETS

| EFFICIENT REVIEW OF REPORT ON ASSETS AND INCOME OF PUBLIC OFFICIALS | | | | | |
|---|---------------------------------------|---------------------------|---|--------------------------------------|----------------------------|
| | Reports of public and local officials | Reports of civil servants | Initiated review through databases of relevant institutions | Completed administrative proceedings | Cases ceded to prosecution |
| January - March | 2334 | 344 | --- | 27 | / |
| April - June | 2555 | 861 | 210 | 51 | / |
| July - September | 475 | / | 700 ⁴ | 50 | / |
| October - December | | | | | |
| TOTAL | 5364 | 1205 | 910 | 128 | / |
| Total number of reports on 1. 10. 2017 | 6569 | | | | |

⁴ Software and administrative verifications were fully carried out for all public officials and civil servants who delivered reports on income and assets electronically and in writing, and after these phases of the verification were completed, the process of full control of assets and income started, and currently 700 public officials and civil servants are in the stage of complete verification.

ANNEX 5 – CONTROL OF FINANCING OF POLITICAL ENTITIES AND ELECTION CAMPAIGNS

| CONTROL OF FINANCING OF POLITICAL ENTITIES AND ELECTION CAMPAIGNS | | | | | | | | |
|---|---|--|---|---|---|---------------------------------|----------------------|--------------------------------|
| | Number of reports of political entities on regular work | Number of reports of political entities during the election campaign | Number of reports of political entities during the election campaign | Number of controls of submitted reports | Number of controls on compliance with prohibitions and limitations prescribed by law | Misdemeanor proceedings | Pronounced sanctions | Cases ceded to the prosecution |
| January-March | 89 (membership fees and reports) | 14 (13 fifteen days + 1 after elections) | 598 (194 employment NK, 17 employment HN, 274 analytic cards, travel orders, NK and 113 HN) | 701 (1+2+3) | 53 (control at the field, debt forgiveness letters, social benefits, monthly consumption) | 4 (for membership) | | |
| April | 15 (annual reports) | 18 (17-15days + 1 after elections in | 130 (12-15days, 14 analytic cards NK, 28 analytic cards HN, 56 travel | 163 (1+2+3) | 29 (16-service providers, 13 control at the | 5 (for annual report) | | |

| | | | | | | | | |
|------------------|--------------------------------|--|--|----------------------|--|---|--|--|
| | | NK) | orders HN, 20 employment) | | field) | | | |
| May | 1 (annual report) | 15 (13-15days+2 after elections in HN) | 76 (6-15days, 28 analytical cards HN, 28 travel orders HN, 14 employment) | 92 (1+2+3) | 541 (verification of the persons with the competent bodies that have contributed to the political subjects (elections and regular work). | | | |
| June | | 9 (after elections HN) | 14 (analytical cards HN) | 23 | | 5 (4 – verification of persons and 1 failure to submit expenditure reports) | | |
| July | | | | | 26 – regular work | | | |
| August | | | | | | | | |
| September | | | 34 (6 analytical cards, 17 travel orders, 7 – 15 days, 4 – employment) | 34 (1+2+3) | | | | |

| | | | | | | | | |
|-----------------|------------|-----------|------------|-------------|------------|-----------|--|--|
| October | | | | | | | | |
| November | | | | | | | | |
| December | | | | | | | | |
| TOTAL | 105 | 56 | 852 | 1013 | 649 | 14 | | |

ANNEX 6 – MISDEMEANORS

| Prevention of conflict of public and private interest in the exercise of public functions/CONFLICT OF INTERESI/INCOMPATIBILITY OF FUNCTIONS | | | | | | | |
|---|------------------------------|------------------------|--|---|---|-------------------------|--|
| | Requests for giving Opinions | Opinions of the Agency | Decisions due to existence of conflict of interest upon initiative | Decisions due to existence of conflict of interest at the request of the Agency | Decisions on exemption based on the opinion | Misdemeanor proceedings | Pronounced sanctions |
| Januar-March | | | | | | 16 | 5 pronounced sanctions (3 pronounce dfines in the total amount of 1,240 €; 2 pronounced warnings) |
| April-June | | | | | | 2 | 7 pronounced sanctions (5 fines, 2 warnings) in the amount of 1640€ |
| July - September | | | | | | 7 | 6 pronounced sanctions (6 |

| | | | | | | | |
|-----------------|--|--|--|--|--|-----------|---|
| | | | | | | | fin es in total amount of 1,060 €) |
| October | | | | | | | |
| November | | | | | | | |
| December | | | | | | | |
| TOTAL | | | | | | 25 | 18 |

| Reports on assets and income of public officials | | | | | | | | |
|---|--|----------------------------------|-------------------------|-----------------------------------|--|---|--|---------------------------------------|
| | Reports by public and local officials | Reports by civil servants | Verified reports | Established irregularities | Misdemeanor proceedings due to failure to submit the report | Misdemeanor proceedings – incorrect data | Pronounced sanctions | Cases ceded to the prosecution |
| January-March | | | | | 20 | 3 | 45 sanctions (35 pronounced fines in the total amount of 8,385 €; 10 pronounced warnings) | |
| April - June | | | | | 249 | 1 | 74 sanctions, (54 fines and 20 warnings) in the amount of 13,875€ | |

| | | | | | | | | |
|-------------------------|--|--|--|--|------------|-----------|--|--|
| July - September | | | | | 20 | 20 | 60 pronounced sanctions (47 fines, 13 warnings ; in the total amount of 12, 630 €) | |
| October | | | | | | | | |
| November | | | | | | | | |
| December | | | | | | | | |
| TOTAL | | | | | 289 | 24 | 179 | |

| Control of financing of political entities and election campaigns | | | | | | | | |
|--|--|---|---|--|---|--------------------------------|---|---------------------------------------|
| | Number of reports of political entities on regular work | Number of reports of political entities during election campaign | Number of reports of authorities and legal entities during the election campaign | Number of controls of submitted reports | Number of controls on compliance with prohibitions and limitations prescribed by law | Misdemeanor proceedings | Pronounced sanctions | Cases ceded to the prosecution |
| January-March | | | | | | 4 | 46 pronounced sanctions (41 pronounced | |

| | | | | | | | | |
|-------------------------|--|--|--|--|--|---|---|--|
| | | | | | | | fin es in the total amount of 41,230 €; 5 pronounced warnings) | |
| April - June | | | | | | 9 | <u>25 sanctions (14 fines and 11 warnings)</u> in the total amount of 13,830€ NOTE: Amount of pronounced sanctions in the the First quarterly period is increased for the amount of 6,230 €, after the validity of the decision. | |
| July - September | | | | | | 1 | 16 sanctions (14 fines, 2 warnings ; in the total amount of | |

| | | | | | | | | |
|-----------------|--|--|--|--|--|-----------|-----------|--|
| | | | | | | | 14,085€) | |
| October | | | | | | | | |
| November | | | | | | | | |
| December | | | | | | | | |
| TOTAL | | | | | | 14 | 87 | |

ANNEX 7 – INTEGRITY

| STRENGTHENING INTEGRITY IN THE PUBLIC SECTOR BY ADOPTING INTEGRITY PLANS BY THE AUTHORITIES AND REPORTING OF THEIR IMPLEMENTATION | | | | | | | | |
|---|---|-------------------------|--|--|---|---|--|---|
| | Number of bodies that have appointed integrity managers | Adopted integrity plans | Reports on implementation of integrity plans | Number of recommendations for improvement of integrity plans | Number of recommendations for improvement of the report on implementation of the IP | Misdemeanor or proceedings | Pronounced sanctions | Conducted trainings, meetings and consultations |
| January | 2 | 0 | 3 | 0 | 2 (2 written recommendations) | Three hearings were held and six first instance decisions were issued | One acquittal and sentences for legal and responsible persons for five authorities (for responsible persons: one fine of 250 €, four warnings and one liberation; for legal entities: 1 * 500 €; four warnings, one liberation; costs of the procedure 5 * | 6 consultations |

| | | | | | | | | |
|-----------------|---|---|----|---|--|--|--|---|
| | | | | | | | 30 €; total 900.00 euros) | |
| February | 0 | 0 | 5 | 0 | 7 (5 written and 2 oral recommendations) | 1 hearing was held and 2 first- instance decisions were issued | Penalties for legal and responsible persons for two authorities (for responsible persons: two reminders, for legal persons: two reminders, costs of proceedings 2 * 30 €) dvije opomene; za pravna lica: dvije opomene; troškovi postupka 2*30 €) | 39 consultations, sent 660 reportings to the authorities about the obligation to adopt the report |
| March | 1 | 1 | 73 | 1 | 55 (41 written and 14 oral recommendations) | Two hearings were held and two first instance desisions were issued | Fines for 1 authority and a decision to reject a request for initiating a misdemeanor procedure for | 49 consultations, 2 working meetings, 1 training, 140 emails sent to the authorities for the purpose |

| | | | | | | | | |
|--------------|---|---|-----|---|--|--|--|---|
| | | | | | | | 1 authority (for responsible persons: a fine of 50 € for one authority; for legal entities: one decision rejecting the request, and one fine of 500 €; costs of the procedure 20 €; total 570.00 euros) | of reminding them of the obligation of adoption of the report |
| April | 0 | 1 | 510 | 0 | 223 (186 written and 37 oral recommendations) | There were no hearings, two first-instance decisions were issued | One acquittal and sentences for legal and responsible persons for two authorities (for responsible persons: a fine of 50 € and one exemption for a federal authority, for legal persons: 2 * 500 €, costs of | 99 consultations 275 e-mails-sent to authorities for the purpose of reminding them of the obligation of adoption of the report |

| | | | | | | | | |
|-------------|---|---|----|---|--------------------------------|---|---|---|
| | | | | | | | proceedings 2 * 30 €; total 1110.00 euros) | |
| May | 0 | 0 | 63 | 0 | 44 (30 written and 14 oral) | 1 hearing was held, no first instance decision was issued | / | 20 consultations, 1 working meeting, 1 training |
| June | 2 | 1 | 9 | 0 | 4 (3 written and 1 oral) | 2 hearings held, 10 misdemeanor proceedings initiated, one first instance decision (for non-adopting the report), | Fines for 1 authority (for a responsible person a fine of 200 €; For a legal entity a fine of 1,000€; costs of the procedure 30 €; a total of 1,230.00 euros) | 9 consultations, 41 letter, 1 training |
| July | 2 | 4 | 2 | 0 | 0 | Two hearings were held (due to the failure to adopt the integrity plan) and 4 first-instance decisions were adopted | Two decisions on acquittal (one failure to adopt the report – for legal and responsible person, and the other one for failure to adopt the plan – for | 2 consultations, 1 working meeting |

| | | | | | | | | |
|------------------|----------------------|----------------------|------------|-----------|-------------------------------------|---|---|---|
| | | | | | | | responsible authority) and two decisions on suspension of the procedure (for non-implementation of the plan - for two legal and one responsible person) | |
| August | 2 | 2 | 0 | 0 | 0 | There were no held hearings or issued decisions | - | |
| September | 0 | 0 | 0 | 28 | 0 | 2 hearings were held (1 for non-adoption of the plan and 1 for non-adoption of the report) and 1 first instance decision was issued | Warnings for one legal entity and one responsible person due to failure to adopt plan of integrity; costs of the procedure 30 €) | 4 consultations, 1 working meeting with the authority, 1 training |
| | | | | | | | | |
| TOTAL | 9 (676 of | 9 (672 of | 665 | 29 | 335 (267 written and 68 oral | 13 hearings were held | Warnings for 7 authorities, | Trainings: 4 |

| | | | | | | | | |
|--|---|---|--|--|------------------|---|--|--|
| | 1.1.2016, not counting also the two authorities that no longer exist) | 1.1.2016, not counting also the two authorities that no longer exist) | | | recommendations) | and 18 first instance decisions were issued | Fines in the total amount of 3,900.00€ | Consultations: 228 Working meetings: 5 Announcements and urgencies: 1075 |
|--|---|---|--|--|------------------|---|--|--|

ANNEX 8 – WHISTLEBLOWERS

| ACTING UPON THE REPORTING ON ENDANGERING THE PUBLIC INTEREST INDICATING THE CORRUPTION | | | | | | | | | | | | |
|--|-------------------|---|--|--|--|---|--|---|--|--|---|--|
| Note: 14 proceedings started in 2016 and transferred in 2017 | Number of reports | Opinions of the Agency/official minutes on termination of the proceeding (pos + | Number of reporting which are ceded to the prosecution | Number of reports which are ceded to the other competent | Number of given recommendations in the proceedings were EPI has been established | Number of recommendations upon which the legal obligors acted | The number of proceedings initiated ex officio | Number of initiated misdemeanor proceedings | Number of notifications of the supervisory authority | Number of authorities which designated the person for acting | Number of cases upon which the APC acts in part and a part is | Number of training courses for legal entities, work meetings and consultations |

| | | neg -) | | authorities | | | | | | upon reporting procedures | with the prosecution | |
|-----------------|---|----------|---|-------------|---|---|----|---|---|---------------------------|----------------------|--|
| January | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | - | 1 work meeting |
| February | 2 | 3- | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 45 | 1 | 1 training 3 work meetings 38 consultations |
| March | 3 | 1- | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 87 | - | 1 training, 3 work meetings , 65 consultations |
| April | 9 | 6- | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | - | 1 training 2 work meetings 17 consultation |
| May | 1 | 1+ 2- | 1 | 0 | 1 | 0 | 11 | 0 | 0 | 31 | - | 2 trainings 2 work meetings 9 |

| | | | | | | | | | | | | |
|-----------------------|---|----------|---|---|-------|---|---------------|---|---|----|---|---|
| | | | | | | | | | | | | consulta tions |
| June | 6 | 5+ | - | - | 21 | - | - | - | 0 | 22 | - | 1 training 4 work meetings 7 consulta tions |
| July | 0 | 3+ 3- | 0 | 1 | 11 | 0 | 1 (of 1.1) | 0 | 1 | 22 | | 5 consulta tions |
| August | 8 | 2+ 3- | 1 | 4 | 312+4 | 0 | 0 | | | 27 | 1 | 1 consulta tion |
| Septem ber | 6 | 1+ 8- | 1 | 5 | 36+4 | 0 | 2 | 1 | | 8 | 0 | 2 traings 2 work meetings 48 consulta tions |
| Octobe r | | | | | | | | | | | | |
| Novem ber | | | | | | | | | | | | |
| Decem ber | | | | | | | | | | | | |

| | | | | | | | | | | | | |
|--------------|-----------|---------------|----------|-----------|------------|----------|-----------|----------|----------|------------|----------|---|
| TOTAL | 35 | 26-12+ | 5 | 11 | 389 | 0 | 14 | 1 | 1 | 255 | 2 | 8 training s were held 14 work meeting s 136 cosultat ions |
|--------------|-----------|---------------|----------|-----------|------------|----------|-----------|----------|----------|------------|----------|---|

| ACTING UPON REQUESTS FOR PROTECTION OF PERSONS WHO SUBMIT THE REPORTING (WHISTLEBLOWERS) | | | | | | | | |
|---|--|--|--|---|--|--|---|--|
| Note: 2 RfP were initiated in 2016 and transferr ed to 2017 | Number of sunmitte d requests for protectio n | Opinion s of the Agency (pos + neg -) | Number of given recommendation s for removal i.e. prevention of occurrence of harm to the whistleblower | Number of recommendation s upon which the legal obligors acted | Broj slučajeva u kojima je obavijesten organ koji vrsi nadzor, podnije t poseban izvjestaj skupstini i obavijestena javnost | Number of initiated misdemeanou r proceedings | Pronounce d sanctions | Number of cases in which expert assistance was provided to a whistleblowe r in the court protection procedure |
| January | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Februar y | 0 | 1- | 0 | 0 | 0 | 0 | 0 | 0 |
| March | 0 | 1- | 0 | 0 | 0 | 0 | For legal and responsible persons in the legal entity – acquittal | 0 |

| | | | | | | | | |
|------------------|----------|-----------|----------|----------|----------|----------|----------|----------|
| April | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| May | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| June | 0 | - | - | - | 1 | - | - | - |
| July | 0 | | | | | | | |
| August | 1 | | | | | | | |
| Septembar | 0 | | | | | | | |
| October | | | | | | | | |
| November | | | | | | | | |
| December | | | | | | | | |
| TOTAL | 2 | 2- | 0 | 0 | 3 | 0 | 1 | 1 |

ANNEX 9 – LOBBYING

| EFFECTIVE IMPLEMENTATION AND SUPERVISION ON THE IMPLEMENTATION OF LAW ON LOBBING | | | | | | | | | | |
|--|---|---|--|---|--|--|---|-------------------------|----------------------|-----------|
| | Number of calls for taking the Exams for performing lobbying activities | Number of organized Exams for lobbying activities | Number of issued certificates/ approvals | Number of registered lobbyists and legal entities which perform the lobbying activities | Number of submitted official notes on lobbying contact | Number of submitted written reports on the work of lobbyists and legal entities performing lobbying activities | Number of submitted reporting s due to non-permitted lobbying | Misdemeanor proceedings | Pronounced sanctions | Trainings |
| January | 1 | / | / | / | / | / | / | / | / | / |

| | | | | | | | | | | |
|------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| February | 1 | 1 | 1 | / | / | / | / | / | / | / |
| March | / | / | / | / | / | / | / | / | / | 1 |
| April | 2 | 1 | 1 | / | / | / | / | / | / | / |
| May | 1 | / | / | / | / | / | / | / | / | 1 |
| June | 1 | / | / | / | / | / | / | / | / | / |
| July | 1 | / | / | / | / | / | / | / | / | / |
| August | / | / | / | / | / | / | / | / | / | / |
| September | 1 | 1 | 1 | / | / | / | / | / | / | 1 |
| TOTAL | 8 | 3 | 3 | / | / | / | / | / | / | 3 |

ANNEX 10: TABLE OF ADMINISTRATIVE PROCEDURES - concerning restrictions in the exercise of public functions

Cases in which it was determined that public officials violate the law

| Number | Public officials | The basis of the violation | Completed | Taken measures |
|---------------|--|--|---|--|
| 1. | Mehmed Adrović, member of the Management Board of the Public Company "Komunalne djelatnosti" DOO Petnjica Berane and the executive director of LLC "Simon Voyages" | Restriction in exercise of the function, Articles 11 and 13 of the Law on Prevention of Corruption | The decision on violation published on the site | Resigned from public office of the member of the Management Board of the Public Company "Komunalne djelatnosti" LLC Petnjica |

| | | | | |
|----|---|--|---|--|
| | | | | |
| 2. | Rajko Perović, a member of the Municipal Assembly of the Municipality of Nikšić and Executives Director of LLC “Automatrix” and a representative in „Ražep“ LLC | Restriction in exercise of the function, Articles 11 and 13 of the Law on Prevention of Corruption | The decision on violation published on the site | Submitted Proposal to the authority for dismissal, suspension or pronouncement of a disciplinary measure |
| 3. | Goran Đurović, member of the Council of RTCG and Executive Director of LLC “Nature” Podgorica | Restriction in exercise of the function, Articles 11 and 13 of the Law on Prevention of Corruption | The decision on violation published on the site | Submitted Proposal to the authority for dismissal, suspension or pronouncement of a disciplinary measure |
| 4. | Darko Ivanović, member of the Council of the Agency for Electronic Media, representative in the „Agencija media N Gage“ LLC Podgorica | Restriction in exercise of the function, Articles 11 and 13 of the Law on Prevention of Corruption | The decision on violation published on the site | Submitted Proposal to the authority for dismissal, suspension or pronouncement of a disciplinary measure |

| | | | | |
|----|--|--|---|--|
| 5. | Ruzhdi Lluka, Member of the Management Board of the Fund for the Protection and Exercise of Minority Rights and Executive Director and a representative in "Artstil" LLC | Restriction in exercise of the function, Articles 11 and 13 of the Law on Prevention of Corruption | The decision on violation published on the site | Submitted Proposal to the authority for dismissal, suspension or pronouncement of a disciplinary measure |
| 6. | Boro Lučić, a member of the Municipal Council of Herceg Novi, and the duty of an authorized representative in the company „Lučić Marine services“ | Restriction in exercise of the function, Articles 11 and 13 of the Law on Prevention of Corruption | The decision on violation published on the site | Submitted Proposal to the authority for dismissal, suspension or pronouncement of a disciplinary measure |
| 7. | Milić Novović, President of the Ethical Commission of the Municipal Assembly Andrijevica Berane and Executive Director of LLC “Igma product” | Restriction in exercise of the function, Articles 11 and 13 of the Law on Prevention of Corruption | The decision on violation published on the site | Resigned from the office of President of the Ethical Commission |

ANNEX 11: Reports of the department

OBJECTIVE 1: PREVENTION OF CONFLICT OF PUBLIC AND PRIVATE INTEREST IN THE PERFORMANCE OF PUBLIC OFFICE

Indicators of performances:

- *Number of opinions of the Agency on the existence of conflict of interest*

In the part of prevention of conflict of interest, upon the requests of public officials and authorities, the APC in the period July-September 2017 gave **18** Opinions on the existence of conflict of interest that are binding on public officials.

The Agency's opinions referred to a potential suspicion of conflicts of interest of public officials and authorities in relation to: exercising incompatible functions, receiving fees in management bodies, membership in boards of directors, working bodies and commissions, signing a contract.

It was acted upon and answered to 13 requests of parties and authorities and other interested parties, and which relate to rights and obligations of public officials, in accordance with the Law on Prevention of Corruption, Law on General Administrative Procedure and other.

- *Number of decisions of the Agency on the existence of conflict of interest*

Decisions based on the Article 7 of LPC which established that public officials violated provisions of the Law on Prevention of Corruption, in such a manner as to subordinate the public interest to the private and caused a conflict of interest - 2 decisions published on the Agency's website (2 proceedings initiated upon the reporting of another natural or legal person).

- *Number of decisions of the authorities which, on the basis of decisions on conflict of interest, have been abrogated*

On the basis of the decision of the Agency on the conflict of interests, the authority established the resignation of a public official immediately after the decision was issued by the Agency.

From January to 31 September 2017, in accordance with Article 42 of the LPC, 8 authorities required prior to the election / appointment procedure Excerpts from the records of the Agency for 29 persons, if during the last four years before the candidacy, in the capacity of a public official, they were dismissed from public functions due to violation of the provisions of the Law.

Activities:

- *Activities on the development and application of the information system module for the electronic records of public officials based on the established conflict of public and private interest in the exercise of public functions*

In 2017 administrative cases and module for administrative procedures were introduced.

- *Activities on the education of public officials on provisions related to the conflict of public and private interest in the exercise of public functions*

In co-operation with the Public Procurement Directorate, training was held in September 2017 on the topic of conflict prevention of interest. Training in December 2017 was planned in cooperation with the Agency for Human Resources.

- *Preparation of monthly reports on the work of the Agency that are submitted to the Council of the Agency no later than the 10th of the month for the previous month, according to the previously established methodology*

Realized – table in the Annex (Annex 10)

- *Preparation of quarterly Reports on the work that are submitted to the Council of the Agency no later than the 10th of the month for the previous quarter with the following data review:*
 - *names and surnames of public officials where the Agency has controlled the existence of a conflict of private and public interest in the exercise of public office, pursuant to Article 39 paragraph 2 of the Law on the Prevention of Corruption*

Realized – table in the Annex (Annex 10)

- *brief content of the opinion or decision of the Agency with the final outcome of the procedure - Publish the tabular overview as an Annex to the quarterly reports on the work of the Agency.*

Realized – table in the Annex (Annex 10)

OBJECTIVE 2: RESPECT OF RESTRICTION IN THE PERFORMANCE OF PUBLIC FUNCTIONS

Indicators of performances

- *Number of decisions of the Agency relating to the restrictions in the performance of public functions/at the request of the party/ex officio*

In the period July-September 2017, the APC initiated 15 proceedings concerning restrictions in the exercise of public office, after the completed proceedings, 11 cases (5 upon the reporting of another natural or legal person and 6 on the basis of their own request) were completed and 10 decisions were issued, while 1 item was suspended by the official note.

For 7 public officials it was found that they violated the law, while in 3 cases it was established that public officials did not violate the provisions of the law.

Procedures against 6 public officials concerning restrictions in the exercise of public office are pending before the Agency.

Also, from the beginning of the year, besides the decisions, 2 conclusions and 3 official notes were issued regarding the actions of public officials. After the completion of the procedure before the Agency, in one case, upon the request of a natural person, the act of the Agency was submitted to the Council for further action.

- *Number of submitted resignations based on the decisions on incompatibility of functions*

After adopted Decisions and issued Opinions relating to the restrictions in performance of public functions, **14** public officials resigned from the office as follows: **7** public officials based on the Decisions of the Agency and **7** based on issued Opinions.

- *Number of requests/decisions for dismissal, suspension or pronouncing of disciplinary measures*
- *Number of cases transferred to the competent prosecutor's office.*

The Agency has submitted information to all authorities when it was established that a public official is in violation of the law - requests for dismissal, suspension or pronouncement of disciplinary measures for public officials for which the final and valid decision is was found that they violate the law. During the period July-September 2017, on the basis of decisions made regarding the limitations in the exercise of public office the authorities acted in one case and pronounced one disciplinary measure, the procedure ended with the imposition of a fine of 6 months at 30% of the monthly salary. In cases that are pending, the authorities are obliged to notify the Agency in accordance with the law within 60 days from the date of receipt of the decision, with a written explanation.

In the period July-September 2017, pursuant to Article 9 paragraph 2 of the Law on Prevention of Corruption, the APC checked the membership of public officials in two or more working bodies. In the same month, a public official can earn incomes in only one working body established by the authority.

After the conducted procedures regarding the control of restrictions in the exercise of public functions, 23 public officials were checked for whom it was

established that they realized revenues in only one working body in the same month, in accordance with the provisions of the law.

Activities:

- *Activities on the development and application of the information system module for the electronic records of public officials based on the established violation of the restrictions in the exercise of public functions*

Decisions establishing that public officials violate the law were published on the website of the Agency in accordance with Article 39 of the LPC.

- *Activities on the education of public officials about provisions related to restrictions in the exercise of public functions*

In cooperation with the Agency for Human Resources, a training plan was launched that began in June 2017.

OBJECTIVE 3: CONTROL OF RECEIVED GIFTS, DONATIONS AND CONCLUDED SPONSORSHIPS

Indicators of performances

- *Number of reports of authorities on received gifts, sponsorships and donations*

Gifts

Eight authorities submitted Excerpts from a record of gifts that public officials received a total of 69 gifts (4 occasional, 65 protocols, there were no gifts that could not be rejected); 22 authorities submitted a report that they did not receive gifts during 2016.

Donations and sponsorships

Sixty Authorities submitted a Report on received donations, stating that public officials received a total of 368 donations on behalf of the authorities; 23 authorities submitted the Report that they had not received donations and sponsorships;

Nine authorities submitted a Report on received sponsorship, stating that the authorities received a total of 104 sponsorships.

Within the legal deadline, the Agency sent 9 requests to the authorities for supplementing the Report regarding received sponsorships or donations.

All reported data starting from 1 January to 30 September 2017 on received gifts, donations and sponsorships for 2016 have been processed and available on the Agency's website in the application public registers - a catalog of gifts, that is, sponsorships and donations.

- *Number of verified reports and number of established irregularities*

Data on received gifts, sponsorships and donations were processed after the expiry of the legal deadline for the submission of statements and reports, as well as supporting documents, in accordance with Article 22 of the LPC.

The control of the accuracy and completeness of the received Reports / Excerpts and accompanying documentation was performed. There were no procedures initiated regarding the received gifts, sponsorships and donations.

- *Number of decisions of the authorities that were abrogated on the basis of the Agency's opinion on the received sponsorships and donations*

In the period 1 Januar - 30 September 2017 there were no initiated proceedings.

- *Number of cases ceded to the competent prosecutor's office*

In the period 1 Januar - 30 September 2017 there were no initiated proceedings.

Activities:

- *Activities on the development and application of software for electronic submission of reports on received gifts, sponsorships and donations*

Full application of software for electronic submission of reports on received gifts, sponsorships and donations.

- *Keeping a catalog of gifts and a register of sponsorships and donations*

Data are available on the Agency's website, in the period January-September 2017, all government authorities reports on received sponsorships and donations in 2016 have been published, and they were submitted with the complete documentation in accordance with the provisions of the law.

All reported data about the received gifts for 2016 are available in the gift catalog.

- *Collecting reports of authorities on received gifts, sponsorships and donations and their publication*

Data are available at the website of the Agency.

- *Determining the illegal reception of gifts, sponsorships and donations*

In the period 1 January - 30 September 2017 there were no initiated proceedings.

- *Determination of the existence of restrictions in the exercise of public functions "ex officio" and on the basis of external reportings*

49 proceedings were initiated, 29 based on external reportings and 20 ex officio-Results shown in the objective number 1 and 2

- *Issuance of misdemeanor orders and filing requests for initiation of misdemeanor proceedings with a request for seizure of property gain caused by the commission of the misdemeanor (where possible), for violation of the provisions of the Law on Prevention of Corruption, which refer to restrictions in the exercise of public office, acceptance of gifts, sponsorships and donations*

Doesn't exist

- *Development of monthly Reports on the work of the Agency which are submitted to the Council of the Agency no later than on 10th in the month for the previous month, in accordance with the previously determined methodology*

Realized – Tablel in the Annex (Annex 10)

- *Preparation of quarterly reports on work that are submitted to the Council of the Agency no later than on 10th in the month for the previous quarter with the following data review:*
 - *names and surnames of public officials with data on established irregularities in the part of restrictions in the exercise of public functions (incompatibility of functions) with the functions they performed, in the sense of Article 39 paragraph 2 of the Law on Prevention of Corruption;*
 - *short data on the Agency's pronounced measure and the outcome of the measure (whether or not a public official in whom the performance of incompatible functions was established has resigned).*

Realized – table in the annex (Annex 10)

OBJECTIVE 4: VERIFICATION OF THE REPORT ON INCOME AND ASSETS OF PUBLIC OFFICIALS

Indicators of performances:

- *Checking submitted reports on income and assets of public officials and civil servants*

The checking of submitted reports implies an administrative check of the identity of the electronic and signed version of the income and assets reports. By the end of the third quarter of 2017, it was checked 6569 reports on income and assets under different bases of filing. In total it was checked:

- 4954 regular annual Reports on income and assets;
- 643 Reports on income and assets within the legal deadline of 30 days upon taking the office;
- 192 Reports on income and assets within a legal deadline of 30 days in the event of an increase in assets over 5,000 euros;
- 56 Reports on income and assets at the request of the Agency, in the event of initiation of administrative procedure, in accordance with the law;
- 356 annual reports on income and assets within legal deadline of 30 days upon the termination of the office;
- 368 annual reports on income and assets upon the termination of the office.

- *Verification of checked reports on income and assets which are afterwards transferred to the website of the Agency*

Verification of the checked reports involves the process of additional verification of the checked reports, in order to establish the identity of the received reports once again, after which they are published on the website of the APC. By the end of the third quarter of 2017, a total of 6569 reports on income and assets were verified, that is, all received reports on income and assets which passed through the checking process.

- *Number of performed verifications of data from the Reports of public officials on income and assets*

Upon expiry of the legal deadline for the submission of reports, and when all received reports are verified, checks are carried out on property and income of public officials and civil servants who have a prescribed obligation to submit reports in accordance with special laws, according to the Annual Plan of Verification for 2017. Software and administrative checks were fully performed for all public officials and civil servants who delivered reports on income and property electronically and in writing, at the address of the APC. Also, after these verification phases have been completed, the process of full control of property and income has begun, and currently in the process of complete verification is 700 public officials and civil servants, as follows: 320 state public officials and 335 local public officials, as well as 45 civil servants who are obliged to submit reports on income and assets.

- *Number of decisions of the Agency that are related to reports on income and assets of public officials*

In the third quarter of 2017, a total of 50 decisions of APC were adopted, which relate to reports on property and income of public officials.

- *Number of cases ceded to the competent prosecutor's office*

In the third quarter of 2017 there were no cases ceded to competent prosecutor's office.

Activities:

- *Continuous support (help desk) for use of web application for electronic submission and entry of reports of the employed public officials*

Support for the use of the web application for electronic submission of reports is provided on a daily basis, in continuity.

- *Adoption of the Annual plan of verification of reports on income and assets of public officials*

Annual plan of verification for 2017 was adopted on 29 November 2016, in accordance with the Article 30 paragraph 6 of the Law on Prevention of Corruption.

- *Verification of submitted reports in accordance with the annual plan of verification, by means of software, as well as by comparison with databases of relevant institutions*

In the third quarter of 2017, software and administrative verifications and controls were fully performed for all public officials and civil servants who delivered reports on income and assets electronically and in writing. After these phases were realized, the process of total control of assets and income began. In this quarter, procedures for complete verification of 700 public officials and civil servants have been initiated, which are thoroughly checked through the Base of the Ministry of Interior, Real Estate Directorate, Tax Administration and Securities Commission. Also, out of this number, all those who gave their consent for verification of bank accounts will be checked and over 14 commercial banks in Montenegro. Full control of the property is done continuously throughout the year, and in accordance with the Annual plan for verification for 2017.

- *Ceding the cases to the competent prosecutor's office*

In the third quarter of 2017, there were no cases ceded to the competent prosecutor's office.

- *Preparation of monthly reports on the work of the Agency that are submitted to the Council of the Agency no later than the 10th of the month for the previous month, according to the previously established methodology; Preparation of quarterly reports on the work that are submitted to the Council of the Agency no later than 10 in the month for the previous quarter with the following data review:*
 - *names and surnames of public officials and civil servants who were the subject of reports on income and assets controls, pursuant to Article 39 paragraph 2 of the Law on Prevention of Corruption;*
 - *a brief review of the data from the decision of the Agency with the type of irregularities identified and the action taken by the Agency related to the decision and initiation of the misdemeanor procedure.*
 - *a brief review of the data on the number of procedures for verifying reports on income and assets in which the Agency checked the basis for the acquisition of the property of public officials and civil servants and requested additional explanations and documentation from public officials, as well as information on the outcome of those proceedings;*
 - *the obligation to draft the Annual Report on the Work of the Agency, which is submitted to the Council of the Agency at the latest at the end of February of the current year.*

When it comes to conducting the administrative procedure, the APC concluded 128 cases after the conducted procedures: 87 due to failure to submit the report on income and assets (21 in this quarter), 22 due to failure to provide accurate and complete data (17 in this quarter), as well as 19 related to the checking of the basis for acquisition and the source of assets of value over 5,000 € (12 in this quarter), while another 20 initiated procedures (in this reporting period) are ongoing. Data on verification procedures, as well as misdemeanor procedures and sanctions, are contained in annexes no. 4 and 6.

OBJECTIVE 5: CONTROL OF FINANCING OF POLITICAL ENTITIES AND ELECTION CAMPAIGNS

Indicators of performances:

- *Number of reports and notifications of political entities on regular work*
/

- *Number of reports of political entities during the election campaign*
/
- *Number of reports of the authorities and legal entities during the election campaign*

As elections for council members in Tuzi municipality, municipality within the Capital city, were announced on 6 September, a total of 34 reports of the government authorities were submitted in this period.

- *Number of reports of the government authorities and legal persons for regular work*

Monitoring of fulfillment of obligations, that is, control of the financing of the regular work of political entities is performed continuously, when it comes to regular payments of funds to political entities and total payments in 2016 and 2017, and accordingly, 26 reports or notifications on the fulfillment of obligations were submitted.

- *Number of controls of submitted cases*

Control of total of 34 submitted reports was performed.

- *Number of controls of Broj kontrola poštovanja zabrana i ograničenja propisanih zakonom u toku izborne kampanje*

/

- *Number of cases ceded to the competent prosecutor's office*

There were no ceded cases.

Other activities:

- A report on the conducted supervision after the held elections in Herceg Novi was prepared and published on the website;
- The document "Evaluation of the regulatory framework for financing of political entities and election campaigns in Montenegro" was adopted, it was developed under the project of the Council of Europe and contains an analysis and recommendations for amending the legislative framework in this area;
- An IT solution was developed for the system of monitoring the application of the Law in the election campaign, with the assistance of experts from the Council of Europe;

- A six-month cross-section of the debt of municipalities towards political entities was made and published, as well as all payments made to political entities;
- The Plan for control of elections for council members in the Municipality of Tuzi, a municipality within the Capital City, was adopted;
- During the reporting period, 8 press releases were issued; 8 official opinions and interpretations were sent at the request of the authorities or political entities, a seminar was held in Berane Municipality on the Agency's competencies, two working meetings in the municipalities of Mojkovac and Petnjica, with the aim of informing the authorities about their obligations during the election campaign, also 116 legal and other advices and opinions related to the implementation of the Law were given;
- PR Action plan was developed for the election campaign;
- Draft Report on collected and spent funds in the election campaign was developed and sent for comments to the Council and the non-governmental sector;
- Answer and comments were given to the Report from peer review mission.

OBJECTIVE 6: INITIATION OF MISDEMEANOR PROCEEDINGS

Indicators of performances:

- *Number of requests for initiation of misdemeanor proceedings for violation of the provisions of the Law relating to conflict of public and private interest in the exercise of public functions*

During the third quarter, there were no requests for initiation of misdemeanor proceedings on this basis.

- *Number of requests for initiation of misdemeanor proceedings for violation of provisions related to conflict of public and private interest in the exercise of public functions*

During the third quarter, there were no requests for initiation of misdemeanor proceedings on this basis.

- *Number of requests for initiation of misdemeanor proceedings due to established violation of restrictions in the exercise of public functions*

During the third quarter, 7 requests for initiation of misdemeanor procedures were filed due to established violations of the restrictions in the exercise of public functions.

- *Number of requests for initiation of misdemeanor proceedings due to the established violation of the provisions related to the receipt of gifts, sponsorships and donations*

During the third quarter, there were no requests for initiation of misdemeanor proceedings for violation of the provisions related to the receipt of gifts, sponsorships and donations.

- *Number of requests for initiation of misdemeanor proceedings due to the established violation of the provisions of the Law relating to the declaration of property*

During the third quarter, 40 requests for initiation of misdemeanor procedures for violation of the provisions of the Law relating to the declaration of property were filed.

- *Number of requests for initiation of misdemeanor proceedings due to the established violation of the provisions of the Law on Financing of Political Entities and Election Campaigns.*

During the third quarter, there were no requests for initiation of misdemeanor proceedings for violation of the provisions of the Law on Financing of Political Entities and Election Campaigns.

Activities:

In the third quarter, the authorized officers of the Department for initiating misdemeanor procedures and issuing misdemeanor orders joined 106 hearings before the competent minor offense courts.

OBJECTIVE 7: STRENGTHENING INTEGRITY IN THE PUBLIC SECTOR BY ADOPTING THE PLANS OF INTEGRITY BY THE GOVERNMENT AUTHORITY AND THE REPORTING ON THEIR IMPLEMENTATION

Indicators of performances:

- *Number of authorities that appointed the Integrity Managers*

Four integrity managers were appointed (676 in total, not counting two bodies that no longer exist)

- *Number of bodies that adopted the integrity plan and the number of bodies that submitted a report on the implementation of the plan*

6 integrity plans were adopted (672 in total, not counting two authorities that no longer exist)

Two reports on the implementation of the integrity plan were adopted (total of 665)

- *Number of recommendations of the Agency for improvement of integrity plans and number of recommendations for improvement of reports on implementation of integrity plan*

Recommendations for improving the integrity plan were given to all bodies in the system of social and child protection (28 bodies).

- *Number of consultations, trainings and working meetings with representatives of the authorities regarding the development of integrity plans and submission of reports*

Six consultations;

Two working meetings;

One training.

- *Number of submitted requests for initiation of misdemeanor proceedings for violation of the provisions of the Anti-Corruption Law related to integrity plans*

In the second quarter, 10 requests for initiating a misdemeanor procedure were filed for failing to report on the implementation of the integrity plan.

In the third quarter, 4 hearings were held (3 for cases related to the failure to submit an integrity plan and 1 for failing to report on the implementation of the plan) and five first instance solutions were adopted. Warnings were issued for one legal entity and one responsible person in the legal entity. **There were no fines.**

Activities:

- *Creating a web application that will allow users electronic entering and submitting of integrity plans and reports on implementation of an integrity plan, which will also enable the Agency statistical and analytical processing of integrity plans*

The second phase of the development of the application is under way, within which, it is planned, among other things, to upgrade the application's administrative module, so that the employees of the Department of Integrity and Lobbying could obtain statistical data on the basis of the entered integrity plans and reports on the implementation of plans, with the goal making as good a quality analysis of adopted integrity plans. In August 2017, a public procurement contract for the development of new software modules was completed - a statistical module of application for integrity plans.

In September, Department officials had electronic communication with the application-building firm, in order to specify specific functions and content of the application. In line with the established dynamics, finalization is expected in the development of the application at the end of December.

- *Providing support to the authorities, holding work meetings and conducting training for the preparation and implementation of integrity plans*

In the third quarter of 2017, officials of the Department of Integrity and Lobbying continued **to communicate with the authorities, provided them with support, and provided comments, suggestions and recommendations regarding the integrity plan.**

In the third quarter of 2017, the Department officials conducted **six consultations with the authorities** regarding the interpretation of the Rules for drafting and implementing the integrity plan and the relevant provisions of the Law on Prevention of Corruption, and held **two working meetings**, in order to make the implementation of the legal obligation to develop an integrity plan, i.e. reports on the implementation of the integrity plan. Also, one training was organized for the representatives of the authorities on the development of integrity plans. Also, **one training** was held for representatives of the authorities on the development of integrity plans.

From the beginning of the year, total of **228** consultations were performed, 5 working meetings were held and 4 trainings for representatives of the authorities were organized.

In the second quarter of 2017, the Agency for Prevention of Corruption submitted letters to the addresses of 14 newly formed authorities and bodies that notified the Agency in the previous year that due to lack of personnel capacities they were not able to fulfill the provisions of the Rules for drafting and implementing an integrity plan related to the determination of Integrity Managers and forming a working group. The Agency reminded, by means of letters, those authorities that they are obliged to adopt integrity plans after filling the job positions and ensuring necessary conditions for work, and asked for feedback whether in those authorities the conditions had been fulfilled in the

meantime for meeting the legal obligation of development and adoption of integrity plan. **The agency was informed by a part of the authorities that the conditions for the development of the integrity plan had not yet been achieved, while the other part of the authorities started the process of drafting the plan, bearing in mind that the necessary personnel capacities were provided in the meantime.**

In September 2017, **information was provided to private faculties** in Montenegro regarding the obligation to draft an integrity plan, bearing in mind that the authorities also include legal entities performing activities of public interest, pursuant to Article 3 of the Law on Prevention of Corruption, and that the Article 3 of the Law on Higher Education specifies that higher education is a public interest activity.

In the continuation of education at the local level, a training was held in Berane on the topic **"Competencies of the Agency for Prevention of Corruption and Obligations of Authorities and Political Entities in the Implementation of Anti-Corruption Laws"**. Among other things, the participants were pointed to the importance of applying the principles of integrity, as well as the legal obligation to adopt integrity plans and reports on their implementation.

- *Training for the use of the web application for electronic submission and entry of integrity plans and reports on the implementation of the integrity plan*

The web application for electronic submission and entry of integrity plans and reports on the implementation of the integrity plan has not yet been finalized, so there was no training for its use.

- *Keeping records on integrity managers in government authorities*

The Department of Integrity and Lobbying regularly updates the list of responsible persons for the development and implementation of the integrity plan (integrity managers). According to the Agency's records, in the third quarter of 2017, the decision on the determination of integrity managers was made by four authorities that did not appoint a manager by that time. Since the beginning of 2017, the integrity manager has been appointed for the first time by nine authorities.

In addition, 11 authorities in 2017 informed the Agency that a new person for was appointed integrity manager this year.

The total number of authorities that determined the integrity manager as of 1 January 2016 is 676. This number does not include two bodies that have ceased to exist, and which in 2016 appointed the Integrity Managers and adopted an integrity plan.

- *Collecting of integrity plans*

From 1 July to 30 September 2017, six authorities adopted for the first time the Integrity Plan and submitted it in printed and electronic form. From the beginning of the year, the Integrity Plan has been adopted by nine bodies that had not yet adopted this Anti-Corruption Document.

In addition, the three authorities have updated the integrity plan in this quarter. Since the beginning of the year, 18 authorities have adopted a new integrity plan.

A total of **674 integrity plans have been submitted to the Agency** as of 1 January 2016, **covering 683 bodies**, as 9 bodies are covered by integrity plans of other authorities. This number includes two authorities that have stopped working (the Ministry of Information Society and the Directorate for Youth and Sport), which means that the number of authorities that at the moment has adopted the integrity plan is actually 672, and the plans include 681 body.

- *Prikupljanje izvještaja o sprovođenju plana integriteta*

All authorities that adopted the integrity plan last year (a total of 665 authorities) were obliged to submit a report on the implementation of the integrity plan in 2016 to the Agency for the Prevention of Corruption by 15 April 2017.

In the third quarter of 2017, the Agency received **2 reports on the implementation of the integrity plan**.

The total number of submitted reports on the implementation of the integrity plan is 665. Taking into account the reorganization of the state administration and the termination of work several bodies, it can be concluded that **all authorities that adopted the integrity plan in 2016 adopted a report on the implementation an integrity plan in the previous year.**

- *Making recommendations to authorities to improve integrity plans*

In the third quarter, the Agency made **recommendations for improving the integrity plans of 28 authorities**. The officers of the Integrity and Lobbying Department started analyzing the submitted reports on the implementation of the integrity plan and making individual recommendations for improving integrity plans based on the submitted plans and reports on their implementation. The whole system of social and child care was processed and recommendations for improving the integrity plan were submitted to all bodies (28) in this area.

Depending on the content of the integrity plan and the report on its implementation, 5 to 12 recommendations have been given to the authorities in the field of social and child care, in order to eliminate both formal and technical and essential shortcomings in the integrity plan, the introduction of as effective measures for raising integrity in institution, and support to authorities, in particular integrity managers and members of the working group, in the forthcoming process of updating the integrity plan. **In total, 243 recommendations were given to these authorities.**

Since the beginning of the year, recommendations have been made to improve the integrity plans of 29 authorities.

- *Making recommendations to the authorities to improve the report on the implementation of the integrity plan*

In the third quarter, the Agency did not give any specific recommendations for improving the reports on the implementation of integrity plans, but part of the recommendations given to the social and child protection authorities mentioned in the description of the implementation of the previous activity relates to the improvement of the report on the implementation of the integrity plan.

In 2017, the staff of the Integrity and Lobbying Department provided a total of **335 recommendations for improving the report on the implementation of the integrity plan** (267 written and 68 oral). Recommendations were given to reports submitted in printed or electronic form, as well as on the submitted working versions of the report.

- *Preparation of a draft consolidated Report on the adoption and implementation of integrity plans*

The deadline for the implementation of the activities was not due. The officers of the Department for Integrity and Lobbying started the analysis of the adopted reports on the implementation of integrity plans and the results of the analysis will be presented in the report on the adoption and implementation of integrity plans in the authorities in 2017, which will be an integral part of the annual report on the work of the Agency for 2017.

- *Submitting a request for the initiation of a misdemeanor procedure for violating the provisions of the Law on Prevention of Corruption related to integrity plans, and representing the Agency in the minor offense court*

1. Misdemeanor procedures for failure to adopt the report on the implementation of the integrity plan

In the second quarter of 2017, the Agency submitted 10 requests to the competent courts for initiating of a misdemeanor procedure against the authorities that did not fulfill the legal obligation to adopt the report on the implementation of the integrity plan.

In the third quarter, one hearing was held for the case related to the failure to adopt the report on the implementation of the integrity plan, at the Misdemeanour Court in Podgorica.

In this quarter, the Agency was submitted a decision on the acquittal of a legal and responsible person.

Since the beginning of 2017, the Agency was submitted a decision on acquittal of one legal and responsible person, and a decision on the imposed fines for one legal and responsible person. **The total amount of fines for failure to adopt the report on the implementation of the integrity plan is 1,230 euros** (1,000 euros for a legal entity, 200 euros for the responsible person and 30 euros for costs of the procedure).

2. Misdemeanor procedures for failure to adopt an integrity plan

In 2016, the Agency submitted 56 requests to the competent courts for initiating of the misdemeanor proceedings against the authorities that did not fulfill the legal obligation to adopt an integrity plan. During the second quarter of 2017, two hearings were held on the basis of the requests that were submitted last year, both at the Misdemeanor Court in Podgorica - Podgorica department.

In the third quarter of 2017, three hearings were held due to the failure to adopt the integrity plan.

In this quarter, the Agency was submitted a decision on the acquittal of one legal and responsible person, and a decision on the imposed sanctions for one responsible and one legal person (at the expense of the procedure of 30 euros).

Since the beginning of 2017, the Agency was submitted decisions on the acquittal of two legal and three responsible persons, and decisions on pronounced warnings and fines for 11 legal and 10 responsible persons (warnings for 7 legal and 7 responsible persons; fines for four legal and three responsible persons). **The total amount of fines for the first three quarters of 2017 is 2,670 euros** (2,000 euros for legal entities, 350 euros for responsible persons and 320 euros for the costs of the procedure).

From the beginning of 2016 until 30 September 2017, the Agency was submitted decisions on the acquittal of four legal entities and seven responsible persons,

and decisions on pronounced warnings and fines for 42 legal persons and 39 responsible persons (warnings for 21 legal entities and 21 responsible persons, fines for 21 legal entities and 18 responsible persons). **The total amount of fines for failure to adopt the integrity plan is 13,950 euros** (9,910 euros for legal entities, 2,800 euros for responsible persons and 1,240 euros for the costs of the procedure).

3. All misdemeanor procedures (sum of points 1 and 2)

From the beginning of 2016 until 30 September 2017, **fines were imposed due to the failure to adopt the integrity plan or the failure to submit the report on the implementation of the integrity plan in the total amount of 15,180 euros** (10,910 euros for legal entities, 3,000 euros for responsible persons and 1,270 euros for the costs of the proceedings).

Other activities:

The Department officers were exhibitors at a working meeting for members and employees of the **Judicial Council** "Integrity Plans - Mechanisms for Preventing of the Corruption and Other Forms of Deterioration of Integrity in the Judiciary", as well as at a working meeting for members and employees of the **Prosecutorial Council** "Integrity Plans - Mechanisms for Prevention of Corruption and Other Forms of Violations of Integrity in the Prosecution", held on 28 and 29 September in Podgorica, within the framework of the Council of Europe and European Unions Horizontal Program for the Western Balkans and Turkey.

Representatives of the Agency presented to the members and officials of the Judicial and Prosecutorial Council, among other things, the findings of the analyzes made by the Agency in relation to the integrity plans adopted in the judicial and prosecutorial bodies, and presented the structure of the corruption risks that are most often recognized in the integrity plans of these bodies. Participants were also presented with statistics on the realization of measures to reduce or eliminate these risks, which the Agency carried out on the basis of reports on the implementation of integrity plans submitted by the judicial and prosecutorial institutions to the Agency on this year.

The officers of the Department of Integrity and Lobbying participated in a **workshop on corruption risk assessment** organized by the Regional Anti-Corruption Initiative (RAI) with the support of the Austrian Development Cooperation. RAI experts and APC officials reviewed the methodology for assessing of the efficiency and effectiveness of integrity plans that all authority bodies are obliged to implement two years after the adoption of plans. At the workshop were also discussed ways to further improve the APC Report on the

adoption and implementation of integrity plans that this body is developing annually.

Representatives of the Agency held in September **working meetings with representatives of the municipalities of Mojkovac and Petnjica** on the topic of implementation of measures for controlling of the financing of political entities and election campaigns. The Coordinator of the Sector for Prevention of Corruption pointed out to the practical aspects of the implementation of integrity plans and reporting obligations regarding allowed and not allowed lobbying.

The Coordinator of the Sector for Prevention of Corruption participated in the **training on the implementation of the Law on Amendments to the Public Procurement Law**, organized by the Public Procurement Administration. Within the theme "Strengthening of the preventive anti-corruption activities", he presented to the participants of the meeting the findings of the analyzes made by the Agency in relation to the plans of integrity of state authorities, which refer to the area of risk related to the planning and management of finances, as well as the measures for their elimination. Within the stated category of risks and measures there are also included those risks that were identified in the field of public procurement.

OBJECTIVE 8: ACTING ON THE REPORT ON JEOPARDIZING OF PUBLIC INTEREST WHICH DIRECTS ON CORRUPTION AND PROTECTION OF PERSONS WHICH SUBMIT MENTIONED REPORT (WHISTLEBLOWERS)

Performance indicators:

- *Number of submitted applications*

In the third quarter, the Agency received **14** reports of endangering of the public interest that points to the existence of corruption. From the beginning of 2017, there were a total of **35** reports of whistleblowers.

Of the total number of reports in the reporting period, in 4 cases the submitter of reports requested anonymity (the total number of anonymous reports since the beginning of the year is 11).

Of the total number of reports in 2017, 3 were submitted by employees of the institutions to which those reports were related to.

From the previous year, 14 reports were transferred in 2017, and all procedures have been started in 2016.

- *Number of opinions / official notes on the existence of endangerments of the public interest that indicates on the existence of corruption*

During the reporting period, **18** procedures were ended, following the reports from 2016 and 2017 on the endangering of the public interest that indicates the existence of corruption. From the beginning of the year, a total of **27** procedures were ended, following the applications from 2016 and 2017 on the endangering of the public interest that indicates the existence of corruption.

Out of the total number, in reporting period in **one** case it was found that there is a endangerment to the public interest in the authority body, and two recommendations were given, while the deadline for submitting of the report is December 2017.

- *Number of recommendations for the prevention of endangerment of the public interest that indicates on the existence of corruption*

During the reporting period, two recommendations were given in procedure on report where it was found that there was an endangerment of the public interest that indicates to the existence of corruption. Since the beginning of 2017, there are a total of 3 given recommendations in the procedures on report from whistleblowers.

- *Number of Agency's ex officio acting*

During the reporting period, **3** cases were initiated ex officio, while **14** cases were initiated ex officio from the beginning of the year.

Out of the total number, **13** ex officio cases were ended, and in **11** cases it was found that there was an endangerment to the public interest. In that sense, the Agency gave a total of **386** recommendations for improving of transparency and eliminating of corruption risks in recruitment procedures.

- *Number of actions following the recommendations of the Agency in procedures by report from whistleblowers*

Deadline for submission of reports in line with given recommendations is December 2017.

- *Number of cases transferred to the competent prosecutor's office*

During the reporting period, three reports were submitted to the competent prosecutor's office, one of which was partly transferred, while the remaining part was handled by the APC. A total of 5 reports have been submitted to the competent prosecutor's office since the beginning of the year, three of which, according to the latest information from the competent prosecutor's offices, are

in the phase of the reconnaissance. Two of these five reports constitute a part of the case which the APC gave to the prosecution, while in the rest of the proceedings the Agency acted.

In relation to the reports forwarded to the competent prosecutor's offices in 2016 (10 reports), the situation is as follows: 5 - rejected, 1 - imposed suspended sentence (with a pre-determined imprisonment sentence of 90 days) and 1 - an indictment. Others are in the reconnaissance phase.

- *Number of cases transferred to another competent authority*

In the reporting period, 10 reports were transferred to other competent authorities. Until now, irregularities have been identified in 3 cases, while the procedures for the remaining 7 cases are in progress.

Since the beginning of 2017, a total of 11 reports were transferred to other competent authorities and so far, in 2 cases have been detected irregularities, none irregularity has been identified in three cases, while other procedures are in progress.

- *Number of opinions on the existence, ie the possibility of damage to the whistleblower due to the reporting*

One request for protection was filed in the reporting period. The procedure is in progress.

- *Number of recommendations for removing, ie preventing of damage occurrence for whistleblower*

There were no recommendations given for cases on the protection requests of whistleblowers from the reporting and the previous period. Procedures are in progress.

- *The number of actions following the Agency's recommendations in the procedures under the requests for protection of whistleblowers*

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- *Number of cases in which whistleblower expert assistance was provided in the court protection procedure*

In the reporting period, no requests for professional assistance were submitted.

Since the beginning of 2017, one request was submitted by whistleblower in order to provide professional assistance within the meaning of Article 66 of the Law on Prevention of Corruption. In that regard, the Agency made a detailed report on the request of the whistleblower, on all actions known to the Agency from the moment of issuing the opinion (August 2016) until the date of submission of this request (April 2017).

- *Number of requests for initiation of misdemeanor proceedings in procedures on reports and requests for protection of whistleblowers*

One misdemeanor procedure was started..

- *Number of legal assesses who have appointed a person to act upon the whistleblowers report*

In the reporting period, authorities, companies, other legal entities and entrepreneurs set **57** persons for acting on whistleblowers reports. From the beginning of the year, a total of **255** persons were set for acting on whistleblowers reports.

- *Number of consultations, trainings and working meetings with representatives of the authorities regarding the implementation of the Law on Prevention of Corruption in the part referring to the procedure on whistleblowers reports*

During the reporting period, over 40 consultations were conducted with representatives of local self-government bodies and administrations, public institutions on the legal obligation prescribed by Article 53 of the Law on Prevention of Corruption.

In cooperation with NGO CRNVO, within the project "Let your voice be heard" (supported by the Embassy of the Kingdom of the Netherlands), in the reporting period, 2 trainings were organized for persons appointed for handling the whistleblowers reports in local government and self-government bodies (central and the southern region), and up to now, a total of 7 trainings have been held for persons who are assigned to the authorities before the authorities to act on applications by whistleblowers, one of which was related to persons in the private sector that are assigned to act on whistleblower reports.

Other activities:

Officers of the Agency held on 6 September 2017 a working meeting with the representatives of the Municipality of Danilovgrad with the aim of presenting

legal obligations under Article 53 of the Law on Prevention of Corruption, as well as consultations on the obligations of the authorities and the persons which are assigned by the authorities in order to act on report the whistleblowers.

The first expert mission in the under the IPA 2014 Twinning Project was held on 14 September 2017 and it was attended by Department officers.

During the reporting period, the Head of the Department attended the session of the Council, on the agenda item: "Getting to know the APC Council with the acting on reports and requests for the protection of whistleblowers, with a special emphasis on acting of APC ex officio".

The Department for the needs of reporting of the Agency regularly provides all necessary information to European and other partners (AP-23, Operational Document, Provisional Benchmarks, DEU, OECD ...).

Activities:

- *Receiving of a Whistleblower Protection Requests*

In the reporting period, one request for the protection of whistleblowers was submitted. The test procedure was conducted, procedure for obtaining a statement from the subjects to which the case of this procedure relates to, a proceeding on the performed inspection supervision was submitted, and the process of drafting of the opinion is in progress.

In relation to the procedure on the request for protection from the previous period, the examination procedure was conducted, the statement was obtained from the subject to which the request relates, part of the case was transferred to the Police Administration of Montenegro for further jurisdiction. Also, in September 2017, a request was submitted to the Police Administration of Montenegro to provide information on the stage of the procedure that is being conducted before that body, and which information is necessary to assess the truthfulness of the allegations contained in the request for protection.

- *Follow-up on recommendation fulfillment*

Authorized persons from the Department have analyzed the submitted documentation - reports related to the 3 recommendations that were followed in the previous period in relation to the protection of whistleblowers, so all three have been implemented.

In relation to the Railway Transport of Montenegro – 1. - in connection to the violation of the recommendation, the body that supervises the Railway Transport of Montenegro undertook certain activities which resulted in the initiation of a

disciplinary proceedings in that body. A disciplinary measure was pronounced - a fine for an employee. The whistle blower has been upgraded to the position of the head of the towing of trains unit, which we are officially notified about. The court procedure for compensation of damages is ongoing, whistleblower regularly reports to the Agency.

In relation to the Railway Transport of Montenegro – 2. - case - in connection to the violation of the recommendation, the body that supervises the Railway Transport of Montenegro undertook certain activities which resulted in the initiation of a disciplinary proceedings in that body.

Decision no. 4153, after the conducted procedure, employees are exempt from liability.

Regarding the case Parking Service Budva - R.G, after the reaction of the body that supervises the Parking Service Budva, the recommendations were fully implemented and the employee has returned to work as the head of the public garage.

OBJECTIVE 9: EFFECTIVE IMPLEMENTATION AND SUPERVISION ON THE IMPLEMENTATION OF THE LAW ON LOBBING

Performance Indicators:

- *Broj organizovanih ispita za obavljanje poslova lobiranja* Number of organized exams for performing lobbying activities

1 (3 from the beginning of the year)

- *Number of certificates issued for performing lobbying activities*

1 (3 from the beginning of the year)

- *Number of licenses issued for performing lobbying activities*

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- *Number of registered lobbyists and legal entities performing lobbying activities*

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- *Number of submitted official notes on lobbying contact*

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- *Number of applications submitted for unauthorized lobbying*

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- *Number of submitted written reports on the work of lobbyists and legal entities performing lobbying activities*

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Activities:

- *Preparing of a test for passing exams for performing lobbying activities*

Test for passing exams for performing lobbying activities is continuously prepared.

- *Organizing an exam for performing lobbying activities*

In the third quarter of 2017, **one** exam was conducted for performing lobbying activities. Since the beginning of 2017, three exams have been held for performing lobbying activities.

On the website of the Agency, in the third quarter of 2017, **two public invitations** for applying on exams for performing lobbying activities were announced (27 July and 6 September). On the website, along with the invitations, the necessary forms for the application of the candidates are set. Since the beginning of the year, a total of eight public calls have been published for applying for candidates for the exam.

One candidate applied on the invitation for candidates announced on 27 July. The candidate was granted taking of an exam, and so the second exam for conducting lobbying activities was held on 5 September 2017.

- *Issue of a certificate for performing of the lobbying activity, after passing the exam*

In the third quarter of 2017, one candidate passed the exam for performing lobbying activities and received a certificate of a passed exam.

Since the beginning of 2017, three candidates have passed the exam and obtained a certificate.

- *Issuing of an approval for performing the activity of lobbying and issuing of a decision on the termination of the validity of the approval*

In the third quarter of 2017, there were no submitted requests for issuance of license for performing lobbying activities.

- *Issuance of legitimation to lobbyists*

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- *Keeping of a lobbyists register*

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- *Receiving and control of official notes on lobbying contact*

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- *Submitting of a request for the initiation of a misdemeanor procedure due to illegal lobbying*

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Other activities:

In continuation of education at the local level, in September 2017 in Berane, a training was held on the topic "**Competencies of the Agency for Prevention of Corruption and Obligations of Authorities and Political Entities in Implementing of Anti-Corruption Laws**". The training was attended by 20 participants. To the participants were, among others things, explained obligations of the lobbying and authorities in accordance with the Law on Lobbying, in particular the reporting obligations related to the allowed and unauthorized lobbying, in accordance with the provisions of that law.

The section of the Internet page related to the field of lobbying is continuously updated. On the website of the Agency, relevant forms and literature for passing exams for conducting lobbying activities, as well as the Law on lobbying and accompanying bylaws are available for download.

OBJECTIVE 10: MONITORING OF REGULATIONS AND GIVING OF OPINIONS TO REGULATIONS IN THE FIELD OF ANTI-CORRUPTION

Performance Indicators:

- *Number of opinions for amendment of laws, other regulations and general acts in order to eliminate possible risks for corruption occurrence or their alignment with international standards in the field of anti-corruption*

During the reporting period, there were no opinions for amendment of the laws, other regulations and general acts.

- *Number of opinions on draft laws and other regulations and general acts in order to eliminate possible risks for corruption occurrence or harmonization with international standards in the field of anti-corruption*

During the reporting period, two draft opinions were prepared on draft laws and other regulations and general acts.

Activities:

- *Preparing of the Methodology on Assessment of corruption susceptibility of legal acts*

Second workshop on the evaluation of regulations on the risks of corruption was held in Podgorica from 20 to 21 July, and on that occasion the text of the Methodology was finalized and Opinions that the Department has so far adopted were analyzed. Selected expert proposed a new structure of opinion for further work of the Department which received a support from the staff and expert praised the so far achieved results.

The subject methodology has been submitted to the ministries as law proposers , as well as to local self-governments that also adopt general normative acts. The methodology was submitted to both the Constitutional Court, the Parliament of Montenegro and the Secretariat for Legislation as institutions that, in the totality of their competencies, take care of the integrity and consistency of the legal system of Montenegro.

- *Making of opinions for amendments to laws, other regulations and general acts, in order to eliminate possible risks for the occurrence of corruption or their alignment with international standards in the field of anti-corruption*

In the reporting period, there was no opinion on the assessment of the susceptibility of regulations to the risks of corruption and compliance with international standards of valid legal texts. The work of the Department was focused on the regulations that are in the process of proposing or adoption in the Parliament of Montenegro.

- *Giving opinions on draft laws and other regulations and general acts in order to eliminate possible risks of corruption occurrence or their alignment with international standards in the field of anti-corruption*

During the reporting period, two draft opinions were prepared on draft laws, other regulations and general acts, as follows:

- 1) Draft Opinion on the Draft Law on Civil Servants and State Employees;
- 2) Draft of Opinion on the Draft Law on Local Self-Government.

Both Draft opinions were submitted for approval and further procedure in order to submit them to competent proposers.

In relation to the Draft Law on Labor, the Agency sent a letter to the Ministry of Labor and Social Welfare on the need for a more precise incorporation of the Agency's recommendations from the Opinion No. 01-1845/2 from 20 May 2017. years. The aforementioned opinion was related to the analysis of the procedure for the establishing of employment status in accordance with the Labor Law and the Law on employment and realization of the rights from insurance against unemployment.

The Department has compiled the Plan of realization of obligations until the end of the year and periodically provides information on their implementation.

- *Cooperation with relevant national and international experts, ie institutions, organizations, establishments and civil sector in order to examine the best practices in eliminating of the risk of corruption and the degree of harmonization of national legislation with international standards*

In order to draft National Methodology on the evaluation of the corruption susceptibility of legal acts, in cooperation with the RAI Secretariat, and through the Regional Program for Strengthening of the Capacity of Anti-Corruption Institutions and Civil Society in the Fight against Corruption and Participation in the Compliance Process with the UN Convention, another workshop was held from 20 to 21 July with the expert Tilman Hope. On that occasion the Methodology was finalized and the work of the Department was analyzed.

As the Head of the Department is a member of the RESPA Working Group on Ethics and Integrity, a contact persons from RESPA were informed about the workshop held through the RAI project, in order to plan the future activities through the aforementioned working group and avoid their overlap.

In order to draft an Opinion on the Draft Law on Labor, the Department officers attended a public hearing on the proposed draft organized by the Ministry of Labor and Social Welfare on 22 September 2017.

Other relevant activities:

The Head of Department, as one of the coordinators for the area of **Prevention of corruption in the Action Plan 23**, has, during several days of meetings, attended the harmonization of grades for the first semi-annual Report on realization of the AP 23. This also included continuous communication with the tributary institutions in order to collect additional information in aim to strengthen the level of implementation of certain measures.

A very important activity in this part was related to the coordination and updating of the table of temporary benchmarks for Montenegro.

As part of its obligations from AP 23, the Department provided comments on Reports from Peer review mission that took place in the Agency in June 2017.

Within the frame of working group's for AP 23 obligations, the EC presented the final TAIEX activity map for 2017, which was forwarded to the institutions whose proposals were approved.

Within the framework of the obligations from the negotiation process, the Head of the Department has compiled information on the implementation of the activities by the Agency in terms of continuing to fulfill the requirements from the guidelines / action plans in the framework of visa liberalization.

In the area of international cooperation, the Department gave comments on the projects to which the Agency will be the beneficiary: SELDI project, EU CARE project.

Within the Horizontal Program SE and EU for the Western Balkans and Turkey (project for combating economic crime), communication with selected experts and activities on the finalization of the Agency's Communication Strategy and the accompanying Action Plan have been continued.

The Department made its comments on the OECD Competition Study in relation to the anti-corruption dimension in this project, which was delivered after held meetings with representatives of OECD and national NGOs which follow this project.

At the beginning of the implementation of the IPA 2014 Twinning Agreement "Support to Implementation of Integrity Measures", meetings of the Department representatives and the Italian experts were held in order to review the organization, work and needs of the Agency and to fill out the Questionnaire for the stated goal.

The Head of the Department attended the meeting with the co-participants of the Parliamentary Assembly of the Council of Europe within their monitoring mission in Montenegro, where the results of the Agency's work were presented.

In the part of participation in other activities of the Agency, the independent advisor I from the Department is in charge of regular updating of the Central Personnel Records through the KIS application. The same employee participates in the resolution of cases according to the requirements of the SPI.

For the needs of the Agency's Bulletin, Independent Adviser II from the Department composed the following text: Monitoring the regulations and giving of opinions on the regulations in the area of anti-corruption, which is available on the Agency's website.

OBJECTIVE 11: STRENGTHENING OF THE REGIONAL AND INTERNATIONAL COOPERATION IN IMPLEMENTATION OF ANTI-CORRUPTION STANDARDS AND GOOD PRACTICE

Performance Indicators:

- *Number (percentage) of realized activities envisaged by projects with international partners, whose beneficiary APC is in relation to the determined project deadlines*

In the framework of the IPA 2014 Twinning Project "Support to Implementation of Integrity Measures", two activities (1.3 and 4.1) were implemented in September through two expert missions that were conducted from 13 to 15 September and from 25 to 27 September.

Within the Horizontal Program of the SE and the EU for Montenegro - Anti-Corruption Project in the reporting period, activities were carried out in relation to the three measures (1.1.1, 2.1.1 and 2.5.1), and so far 5 of 17 measures is realized, and also activities related to one measure are ongoing.

Within the framework of the "SEE Regional Program for Strengthening of the Capacities of Anti-Corruption Authorities and Civil Society for the Fight against Corruption and Contribution to the UNCAC implementation evaluation mechanism" that is conducted by the RAI, the Methodology for the Assessment of Regulations on Corruption Risks has been finalized. The methodology, with the support of the expert, was prepared by the officers of the Department for monitoring of the regulations and giving of opinions on the regulations in the area of anti-corruption, and based on it, seven (7) opinions were prepared by

September 2017. The project provides english translations of Methodology and opinions, and all documents are published on the APC website.

- *The number and type of activities that derive from membership in regional and international institutions and organizations in the area of corruption prevention, in which APC is a contact institution for Montenegro*

UN Office for the Suppression of Drugs and Crime (UNODC)

- Nominated contact person for evaluation within the second cycle of the evaluation of the implementatin of UNCAC from APC.
- The Department Officer participated in the UNCAC Workshop and the Mechanism for evaluating the implementation of this Convention, held from 25 to 27 September in Sarajevo.

Anti-Corruption Network for Eastern Europe and Central Asia of the Organization for Economic cooperation and development (ACN OECD)

Department officers provided support in securing of the participation of two representatives of anti-corruption institutions at the VIII meeting of the ACN Law Enforcement Network (LEN), from 25 to 27 October in Baku, Azerbaijan.

At the request of the ACN, the Department officials collected and submitted to ACN all data related to all bodies and institutions for the suppression of corruption in Montenegro, and contact persons in them; informed ACN of a permanent contact person for coordination (in cooperation with the national coordinator, APC) with the ACN on issues of law enforcement and issues related to LEN. The Prosecutor at the Special State Prosecutor's Office was nominated for this contact person.

OECD

The Department officer collected and prepared comments on the Draft of Competitiveness Report for 2018, which is prepared by the OECD and coordinated at the national level by the MEA (Ministry of European Affairs).

The Department official participated in the regional seminar "Business Integrity in the Western Balkans", held from 11 to 12 July in Belgrade, Serbia. The organizers were the European Bank for Reconstruction and Development (EBRD), Organization for European Cooperation and Development (OECD) and it was hosted by the Serbian Chamber of Commerce. Participants were representatives of governments, state and / or private companies, and economic chambers from six countries of the Western Balkans and Croatia. Representatives of the economic chamber of Montenegro and representative of the company "Voli" participated in this seminar in addition to the representative of APC from Montenegro.

GRECO

After the APC, in cooperation with the competent state authorities, prepared a Report on the implementation of the recommendations within the evaluation IV that refers to the "Prevention of Corruption in relation to Members of Parliament, Judges and State Prosecutors" and submitted it to the Secretariat of GRECO, the Secretariat of GRECO requested a amendment to the Report on 20 September. APC submitted, as the national coordinator of this process along with the competent institutions within the evaluation IV, a amended Report on the implementation of the recommendations, which will be considered at the GRECO sessions in the period from 16 to 20 October 2017.

- *Number and type of implemented activities in providing of support to the competent state authorities and civil secotr organizations in the field of international cooperation in the prevention of corruption*

Cooperation with NGO: At the invitation of the CDT and the regional NGO network "SELDI", APC became a partner of that organization on the project "Civil Society for Good Governance and Fight against Corruption in South-East Europe", which aims to improve the capacity of civil society in the Western Balkans through responsible advocacy, surveillance and monitoring of policies and dialogue with governments in the area of good governance and the fight against corruption. The project passed the first round of evaluation from EU funding, and anti-corruption agencies from other countries in the region of Southeast Europe have also joined as partner organizations.

Cooperation with international partners: At the invitation of ANAC, the APC was invited to reserve a consortium of governmental and non-governmental organizations from the EU and South-East Europe, which submitted a proposal for a project for EU funding. The project "EU CARE - European Automated Research Tool for Conflict of Interest" - aims at enhancing of the knowledge on conflicts of interest at the EU level and the development of a unified strategy for managing conflict of interest in the public sector in Europe, as well as innovative tools for law enforcement agencies. We are waiting for a feedback on the acceptability of project financing.

- *Number of conferences, round tables, seminars or other joint educational activities realized in cooperation with regional and international partners*
- *Number of Identified International Organizations Reports on the Compliance of Montenegrin Anti-Corruption Regulations with International Standards and Recommendations*
- *Number and type of activities in order to report on the degree of implementation of the recommendations from the international reports regarding the competencies of APC*

GRECO

After the APC, in cooperation with the competent state authorities, prepared a Report on the implementation of recommendations within the evaluation IV that refers to "Prevention of corruption in relation to members of parliament, judges and state prosecutors" and forwarded to the Secretariat of GRECO, the Secretariat requested update of the report on 20 September. As a coordinator of this process, along with the competent institutions within the IV evaluation, APC submitted update report on the implementation of the recommendations, which will be considered at the GRECO session in the period from 16 to 20 October 2017.

- *Number of initiated and signed memoranda of cooperation with related institutions*

At the initiative of APC, and in order to establish and improve cooperation, especially in areas of effective control of the financing of political entities and election campaigns, as well as transparent management and disposal of public funds and state property, the Agreement on Cooperation with the State Audit Institution was initiated. Draft of the agreement was submitted to the SAI for final harmonization and proposal of the date of signature.

- *Number and types of realized joint activities with related institutions in the region and beyond*

Activities:

European Union/Council of Europe

- *Implemented activities of IPA 2014 Twinning Project "Support to the implementation of measures in the integrity area", related to the area of integrity, whistleblowers protection and lobbying, in line with the project deadlines for 2017*

Within the framework of the IPA 2014 twinning project "Support to implementation of integrity measures", two activities were carried out in September.

Realization of activities 1.3 (Trainings of integrity trainer for APC officers) was initiated with the mission of Italian experts, Matteo Lariccia (ANAC) and Mr. Carlo Alberto Giusti (Ministry of Justice of the Republic of Italy), from 13 to 15 September. Bearing in mind the importance of the concept of integrity, it was decided that all APC officers should be involved in the activity, not only the Department for Integrity and Lobbying. Thus, during the mission, experts talked with the heads and officers of all APC organizational units, and after the mission,

experts submitted a questionnaire, which was filled out by all APC officers, while the analysis of responses will be used in the planning of other activities under Component 1.

Implementation of activities 4.1 (Implementation of the needs analysis in terms of improving of the work, internal procedures and capacities of persons employed in APC) was initiated by the ANAC experts mission in period from 25 to 27 September. Experts, Ms. Valeria Mascello and Mr. Giuseppe Abbatino, previously analyzed by-laws and internal acts, which regulate the work of the APC, which were provided by the Department officers, as well as the answers to the abovementioned questionnaire received from the APC officers. The focus of this mission was the regular operational cooperation of APC with other bodies, so experts, in organization of Department officers, held meetings with representatives of the Customs Administration, Tax Administration, Human Resources Management Authority and Securities Commission.

IPA 2018-2020

The Department Officer participated in the work of the Sectoral Working Group for the programming of EU pre-accession support in the Rule of Law and Fundamental Rights Sector, ie, the improvement and updating of the Sectoral Planning Document, which is the basis for programming IPA 2018-2020. Based on the priorities defined in the Indicative Strategy Document and taking into account the development of the legislative, strategic and institutional framework since 2015, the document gives priority to improving of the physical capacities of the Montenegrin judicial authorities, including the construction of new and reconstruction of existing facilities of Montenegrin judicial authorities.

- *Activities were implemented within the project "Fight against economic crime in Montenegro", within the framework of the joint initiative of the Council of Europe and the European Union "Horizontal Support Program for the Western Balkans and Turkey", in order to support the fulfillment of GRECO recommendations from III and IV round of evaluation for Montenegro, in accordance with the deadlines set by the project*

During the reporting period, the activities were realized out within the framework of the measures:

- 1.1.1. One-year AP for implementation of the Agency's Communication Strategy for the period September 2017 - September 2018;
- 1.1.1. Base design for improving of the control of financing of the political entities was prepared;

2.5.1. Draft of the Guidelines for Civil Servants, Judges, Prosecutors and Police in the part of obligations concerning whistleblowers and protection of whistleblowers was drafted.

- *Council of Europe group of states against corruption (GRECO): Compliance report on fulfillment of recommendations from the GRECO IV Evaluation Report from June 2015 was prepared*

After the APC, in collaboration with the competent state authorities, prepared a Report on the implementation of recommendations within the evaluation IV, which refers to "Prevention of corruption in relation to members of parliament, judges and state prosecutors" and forwarded it to the Secretariat of GRECO. On 20 September, Secretariat of GRECO requested the amendment to the Report. As a coordinator of this process, APC has, along with the competent institutions within the evaluation IV, submitted a amended Report on the implementation of the recommendations, which will be considered at the GRECO session in the period from 16 to 20 October 2017.

Other activities within the EU and Montenegro negotiating process

- The Director of APC participated in the Summit of the Western Balkans Six (WB6), within the framework of the meeting of the managers of anti-corruption bodies, which was held on 13 July. The main focus of the meeting was on a regional dimension in the areas of prevention of corruption, whistleblowers and protection of whistleblowers, conflict of interest, transparency and public procurement.

Regional Anti-Corruption Initiative (RAI)

- *Implemented activities within the Regional Program of the Regional Anti-Corruption Initiative for SEE (RAI), in the part of defining and implementing of the methodology for anti-corruption assessment of the law, in accordance with the project plan and deadlines for 2017.*

The RAI Secretariat, in cooperation with the Central Anti-Corruption Office (CBA) in Poland, organized the 12th Summer School for Young Anti-Corruption Practitioners in Southeast Europe, from 3 to 7 July, in Warsaw, Poland. The topic of this year's school was "Cross-border cooperation in property restitution and corruption cases investigation - Innovative mechanisms and tools". Department officials provided support to the Secretariat in ensuring of the participation of two representatives of Montenegrin institutions in this training.

25th RAI Management Group meeting was held on 12 June in Sofia, Bulgaria. Officer of the Department, acting as a deputy of the representative of Montenegro

in that organization, participated in the meeting. At the meeting financial and other reports were reviewed, including the draft of Work Plan (2018-2020).

Bilateral cooperation

- *Implemented project activities in the field of financing of political entities and election campaigns, supported by the Embassy of Great Britain in Montenegro*
- *Proposals of projects done in accordance with the estimated needs for additional strengthening of administrative capacities in all APC work areas in 2017*

UN

- *Fulfilled obligations arising from the work of the Intergovernmental Evaluation Group for the implementation of UNCAC (IRG), and other UN Working Groups for the implementation of the UNCAC Standards*

Through Ministry of Foreign Affairs, the updated list of APC officers was submitted to the UN Office for the Suppression of Drugs and Crime (UNODC), which will be included in the evaluations of the implementation of UNCAC within the second cycle. In communication with other Montenegrin institutions that are involved in the UNCAC evaluation mechanism, Head of Department was appointed as a contact person for evaluations within the second cycle.

The Department Officer participated in the UNCAC Workshop and the Mechanism for Evaluation of the implementation of this Convention, held on 25-27 September in Sarajevo. The workshop was organized by UNODC, with the support from the Austrian Development Agency and the European Bank for Reconstruction and Development. The workshop was attended by around 60 representatives of the governmental and non-governmental sector and academy from Albania, Bosnia and Herzegovina, Montenegro, Serbia, Kosovo, Macedonia and Moldova.

Representative of the Department - member of the Working Group for drafting of the National Report (UN) on the state of human rights, submitted contribution for the report in the field of anti-corruption.

Other activities

Translation of the document from Montenegrin to English language and vice versa, for the needs of APC in everyday work.

OBJECTIVE 12: RAISING OF THE LEVEL PUBLIC AWARENESS ON HARMFULNES OF CORRUPTION, EDUCATION, RESEARCH, CAMPAIGN AND ANALYTICS

Performance Indicators:

- *One campaign on competencies of APC*

Informational campaign on the competencies of APC has been continued.

- *One anti-corruption campaign*

Anti-corruption campaign "Not a Cent for Bribery" has been continued. A 6x3m billboard was prepared on the topic "Report Corruption" that contains APC contacts that can be used to report the endangering of the public interest that indicates to corruption. The billboard will be set from 1 October to 15 October at 15 locations in eight municipalities.

The TV video from the "Not a Cent for Bribery" campaign was broadcasted seven times in specialized broadcasts on two TV stations with national coverage (twice in premieres of the shows and five times in replay of the shows).

- *Number of educational activities for different target groups (lectures, round tables, etc.)*

Five trainings and lectures were organized for different target groups.

- *Number of media announcements about APC activities*

In the third quarter of 2017, there were 266 publications in the media on APC.

- *Number of Analytical Reports*

II quarterly report on work of APC was adopted in 2017; In cooperation with Council of Europe experts, an annual Action Plan for the Implementation of the Communication Strategy of APC is being prepared.

- *One survey of public opinion about the effects of conducted campaigns*

It will be implemented in December 2017.

- *Conducting of campaigns in order to inform general and professional public on the competencies of the Agency*

A flyer was prepared on the topic of "Lobbying" with data on what lobbying is, who can do lobbying, how to become a lobbyist, what is a illegal lobbying, what are the obligations of the lobbied persons. 20,000 leaflets was printed, whose insertion in the daily press is planned for 10 October.

The previous leaflet on the topic of lobbying was distributed during training that was conducted by the Agency in Berane (1,000 pieces) and Petnjica (500 pieces).

A flyer was prepared on the topic "Protection of the whistleblowers and reporting the endangering of the public interest indicating to corruption". The flyer contains information on the ways of filing a report and legal jurisdiction of APC in the area of protection of whistleblowers, an example of good practice and contacts of APC to which the endangering of public interest that indicates to corruption can be reported. 20,000 leaflets was printed, whose insertion in the daily press is scheduled for 14 October.

A 4x3m billboard was prepared on the theme "Lobby Lawfully", which contains APC contacts to which all information about the competencies of APC in that field can be obtained. The billboard will be set in the period from 1 to 15 October at 15 locations in 11 municipalities across Montenegro.

A 4x3m billboard was prepared on the topic "Report Corruption in Public Procurement" that contains contacts of APC and the Public Procurement Administration for corruption reporting. The billboard will be set in the period from 1 - 15 October at 10 locations in the same number of municipalities throughout Montenegro.

The 4th issue of the "Anti-Corruption" Bulletin, which was printed in circulation of 1,050 copies (800 on montenegrin and 250 in english language). The Bulletin contains the results and activities of the APC in the first half of 2017.

In four daily newspapers, a call for applications of candidates for taking of exams for conducting lobbying activities was announced on 16 September.

- *Selection of the agency for the design and creation of complete info-materials for the anti-corruption campaign (TV and radio promos, billboards, city lights, posters, flyers, brochures) and constant communication with the agency during the campaign preparation*

Selected Agency, which prepared during the third quarter a part of the info material for the anti-corruption campaign: three types of billboards and two types of flyers. The rest of the material will be prepared in the fourth quarter.

Selected Agency, which designed in the third quarter the "Anti-Corruption" Bulletin, printed 800 copies on Montenegrin and 250 on English language.

- *Ensuring broadcasting of videos in electronic media, placing of billboards and city lights, distributing of posters, flyers and other info materials*

Video was broadcasted seven times on two TV stations with national coverage.

- *Carrying out of an anti-corruption campaign in cooperation with other state bodies, the civil sector and the media*

APC sent a letter to the Supreme State Prosecution and the Police Administration with a proposal to prepare a joint citylight posters with the contacts of all three institutions to which corruption can be reported. Citylight posters will be placed in 20 locations across Montenegro in the period from 1 to 15 November.

- *Participation in lectures within the training program of Human Resources Management Authority and other state bodies*

The officers of the Department of Integrity and Lobbying participated in a workshop on corruption risk assessment organized by the Regional Anti-Corruption Initiative (RAI) with the support of the Austrian Development Cooperation.

Representatives of the Department for monitoring of the legislation and giving of opinion on Anti-Corruption Regulations and Expert RAI Tilman Hope have at the workshop finalized the document "Methodology on Assessing the corruption susceptibility of legal acts".

The Head of the Department for acting on whistleblower reports and whistleblower protection requests participated in the 12th Summer School for Young Anti-Corruption Practitioners from Southeast Europe, held in Warsaw, Poland. Summer school, which had the theme "Cross-border cooperation in property restitution and corruption cases investigation - Innovative mechanisms and tools", was organized by the RAI Secretariat in cooperation with the Central Anti-Corruption Office (CBA) in Poland.

APC representatives took part in an international donor seminar on the topic "How to come to a well-prepared project & Public Procurement Guide " PRAG ", which was held in Zlatibor, Serbia.

Representatives of APC participated in a seminar organized by the Institute of Certified Accountants of Montenegro. Topics of the seminar are: "Implementation of the amended Law on Tax Administration and the new Law on Administrative

Procedure"; "Amendments to the VAT Law"; and "Amendments to the Law on Public Procurement".

APC officers took part in Human Resources Management Authority seminars: "Public Sector Accountants Training"; "Free access to information"; "Cyber Security"; "Rhetoric".

The representative of APC participated in the Workshop on the UN Convention against corruption and the mechanisms for evaluation of its implementation, organized by the UN Office for the Suppression of Drugs and Crime (UNODC). The aim of this workshop is to improve the capacity of the participants in the implementation of the UNCAC and the mechanism for evaluation of its implementation and to provide a platform for constructive dialogue between civil society, government representatives and the private sector of the countries of South East Europe.

- *Organizing of trainings and lectures, press conferences and round tables on anti-corruption themes*

Representatives of the APC held two trainings on the topic "Competencies of the APC and obligations of authorities and political entities in the implementation of anti-corruption laws". The trainings were held in Berane and Petnjica and were intended for the heads of local self-government bodies, public companies and public institutions from these municipalities. It was attended by 24 persons.

In accordance with the Memorandum of Cooperation between the Agency and the Public Procurement Administration, the representatives of APC were lecturers at the Human Resources Management Seminar on the topic "Integrity and Conflict of Interest". The seminar was intended for public procurement officers. It was attended by 60 participants.

The Head of the Department for acting on whistleblower reportings and protection of whistleblowers was a lecturer at two workshops that were intended for training of persons in local self-government bodies, local self-governments, local public institutions and public enterprises, among which are persons who, in accordance with the provisions of the Law on Prevention of Corruption, designated for the handling on the reports of endangering of the public interest that indicates the existence of corruption in the reporting authority. The training is carried out within the NGO CRNVO project titled "Let your voice be heard". The first training was attended by 16 participants, and second by 17.

- *Continuous presence in the media in order to inform general and expert public about the activities and results on the anti-corruption plan*

In the third quarter of 2017, there were 266 publications in the media on APC. Out of that number, in July there were 120 publications, in August 63, while in September 83 publications were posted in the Agency. Since the beginning of the year there were a total of 1,464 publications about APC.

- *Providing quality information (press releases, statements, answers to questions, etc.) at the request of the media and other interested subjects*

In the third quarter, APC had 19 press releases, which were published on APC website and submitted to the media, and since the beginning of the year it had 88 press releases. The representative of APC was guest in the TV show.

- *Regular publishing of the information on the APC website*

Information is continuously published on the APC website. In the third quarter, 38 news items were published. Also, 67 documents issued by the APC were published, ie that are submitted to this body by the assessee of the laws under the APC jurisdiction.

- *Regular update of the anti-corruption campaign page on social networks*

Regular update of Facebook page on campaign „Not a Cent for Bribery“.

- *Preparation and distribution of the bulletin “Anti-corruption” on Montenegrin and English language, as well as the continuous improvement of the content of this publication*

The newsletter was prepared and printed in circulation of 800 copies on Montenegrin and 250 in English.

- *Marking of the International Anti-Corruption Day*

It is marked in December 2017.

- *Preparation of a monthly analysis on the presence of the APC in the media*

During July, 64 texts related to APC were published in the press. In the same month, 53 texts related to the APC were published in the online media, with three postings on television; In August, there were 36 articles in the newspapers, 23 in the internet media, while on television there were 4 postings related to APC; In September, APC was mentioned 47 times in print media, 32 times in online media, and 4 times on TV stations.

- *Selection of agencies for press clipping services, creation of anti-corruption campaign, leasing and placement of billboards and citylight posters, printing of press releases and info material, and conducting of public opinion research*

Activities were realized in the period from I to III quarter 2017, with the exception of the selection of the Agency for conducting of the public opinion research, which will be done in October.

- *Preparation of quarterly and annual Reports on the work of APC*

A second quarterly report on the work of the APC in 2017 was prepared and on 49th session, which was held on 18 July 2017 adopted by the APC Council.

- *Conducting of annual public opinion polls which are showing the effects of campaigns and give recommendations for future campaigns*

It will be conducted in December 2017.

Other relevant activities:

In the third quarter, APC received 7 requests for a free access to information.

Allowed access to information - 3

Rejected access to information - 3 (Refused due to lack of possession - 2; Refused due to legal restrictions - 1)

Directions to APC website - 1

OBJECTIVE 13: ESTABLISHING THE INFORMATION SYSTEM OF THE AGENCY (EXTERNAL AND INTERNAL SYSTEM)

Activities:

- *Redesign of the Web Site*

The development of a website redesign is in progress, in line with the dynamics of the Information System Development Plan for 2017. It is expected that the new version will be ready for testing and comments by the end of October, and that the final version of the redesigned website will be set up in November.

- *Improving the Website through the development of new functionalities in accordance with the recommendations of all actors (Council, NGO sector, employees of the Agency)*

This activity is implemented along with the redesign of the site itself, in accordance with the dynamics of the Information System Development Plan for 2017. Certain functionality, such as RSS, has already been implemented on the site. Other changes are planned in line with development dynamics by the end of November.

- *Additional equipping of the Agency's server room (procurement of aggregates and additional redundant air conditioner)*

The procurement of a redundant air conditioner was realized and its installation was carried out. The process of procurement of the aggregate was realized, installation on the roof of the building was done, the aggregate was tested and put into operation.

- *Implementation of the next phase of the Agency's application software (Modules for Integrity Plan and Statistics over Integrity Plans, Misdemeanor Procedure, Administrative Procedure)*

The development of integrity plans module with a statistical component is in progress. The project is being developed with the planned dynamics, which should result in putting of the module in the function in early December. Data is being entered through modules administrative and misdemeanor procedures.

- *Planning of the analytics module*

The Agency did not receive support in regards to the TAIEX visit request, which was necessary to realize in relation to this activity. It is necessary to find another way to enable this visit, in order to begin with the realization of this activity.

- *Revision of the information system*

This activity will be realized by the end of November / early December.

- *Planning and development of a specialized module for the control of political entities and monitoring of election campaigns in line with the Report of the Expert of Council of Europe*

A project task was carried out through the engagement of the Council of Europe Expert, which foresees the realization of the Module in 3 phases. By the end of 2017, the Agency will begin to develop certain functionalities from Phase I, and through the possible donation from the US Embassy, try to complete the entire phase by the end of 2017. APC has in the 2018 budget proposal foreseen all the necessary financial resources for the realization of Phase II and III of the Project.

- *Full implementation of the modules for automatic data exchange with the information systems of other state bodies (Tax Administration, Ministry of Interior, Real Estate Administration, Securities Commission)*

The implementation of these activities is in progress, the dynamics of realization is in line with the planned. Connection with the Tax Administration, Ministry of Interior and Real Estate Administration was realized.

In the third quarter, the connection with Central register of business entities (CRBE) was realized.

Connection with CRC - central register of citizens was realized.

The realization of the connection with CDA (Securities Commission) is in progress: a connection has been prepared, a formal approval of Securities Commission and notification of the CDA is expected.

- *Connecting with the Ministry of Justice (Criminal Records Register) for the needs of the Department for the Control of Political Entities and Monitoring of Election Campaigns*

Data Exchange Agreement with the Ministry of Justice was signed and work on linking with the Register of Penal Records as a prerequisite for data access is ongoing. The expected dynamic is that the linking will be done in November.

- *Procurement and integration into the existing system of additional hardware equipment*

Purchase of equipment was realized, installation of equipment and integration into existing infrastructure was carried out.

- *Introduction of new security tools and equipment in order to strengthen information security*

New security tools were realized, as well as equipment which installation is currently in progress. Based on the request for donation that Agency sent to the US Embassy in 2016, we were informed by the Embassy that the donation will be realized by the end of October, which will additionally significantly improve this segment.

- *Training of employees of the Department in accordance with the needs of the Agency, especially in the area of information security through participation in trainings and seminars.*

In the past period there was no activities in this segment, with the exception of participation in the Open Data Conference in Brussels. Realization is required by

the end of the year, especially in the part of training for cyber security, data protection, analytical BI software.

Other activities:

For the purpose of improved reporting, the Methodology was adopted, which should contribute to better quality of reporting for management needs. The Department of Information Technologies and the Department of Analytics will work on the modifications of all Modules and certain functionalities that would enable more quality reporting on all organizational units and would lead to exclusive reporting from the Agency's information system. Meetings with all organizational units are planned in order to realize this activity, which would contribute to the realization of several indicators (Planning and development of statistical reports, improvement of existing modules of application software, improvement of the usable value of the information system.