

AGENCY FOR PREVENTION OF CORRUPTION

## **INTEGRITY PLAN**

**Podgorica, 31 March 2016**

## **INTRODUCTION:**

NAME OF AUTHORITY: Agency for Prevention of Corruption

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NAME AND TITLE OF THE RESPONSIBLE PERSON FOR DEVELOPMENT AND IMPLEMENTATION OF THE INTEGRITY PLAN (INTEGRITY MANAGER):

Mladen Tomovic

DATE AND NUMBER OF THE DECISION ON APPOINTMENT OF THE INTEGRITY MANAGER:

03-02-782/25, dated 2 March 2016

DATE AND NUMBER OF THE DECISION ON THE APPOINTMENT OF MEMBERS OF THE WORKING GROUP FOR DEVELOPMENT OF THE INTEGRITY PLAN:

03-02-782/24, dated 2 March 2016

WORKING GROUP MEMBERS:

- Mladen Tomovic, Head of the Department for Integrity and Lobbying – Head of the Working Group
- Grozdana Lakovic, Head of the Department for prevention of corruption, monitoring of regulations and issuance of opinion on regulations in the area of anticorruption – Member
- Maja Karas Boskovic, Head of the Department for prevention of conflict of interest of public officials – Member
- Dusan Drakic, Head of the Department for implementation of control measures over financing of political entities and election campaigns – Member
- Snezana Pesic, Head of the Department for initiation of misdemeanour proceedings and issuance of misdemeanour orders – Member
- Kristina Braletic, Head of the Department for processing whistleblowers' reports and protection – Member
- Dusan Polovic, Head of the IT Department – Member
- Zorica Cupic, Head of the Office for Financial Affairs – Member

DATE OF COMMENCEMENT OF DEVELOPMENT: 2 March 2016

DATE OF FINALIZATION OF DEVELOPMENT: 29 March 2016

DATE OF ADOPTION OF THE INTEGRITY PLAN: 31 March 2016

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# 1. DECISION ON APPOINTMENT OF THE RESPONSIBLE PERSON FOR DEVELOPMENT AND IMPLEMENTATION OF THE INTEGRITY PLAN



*Montenegro*  
*Agency for Prevention of Corruption*

Ref. no.: 03-02-782/25

Podgorica, 2 March 2016

Pursuant to Article 74 Paragraph 1 of the Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14), the Director of the Agency for Prevention of Corruption hereby adopts the following

## **DECISION**

### **on appointment of the responsible person for development and implementation of the Integrity Plan in the Agency for Prevention of Corruption**

1) **Mladen Tomovic**, graduate of the Faculty of Law, assigned to the work post with the title Head of the Department for Integrity and Lobbying, in the Sector for prevention of corruption, integrity, lobbying and application of international standards, shall be designated as the person responsible for development and implementation of the Integrity Plan (Integrity Manager).

2) The Integrity Manager shall particularly perform the task related to the following:

- Management of the working group for development of the integrity plan;
- Coordination and participation in the preparation of the program for development of the integrity plan;
- Coordination and participation in the analysis of operations of the Agency for Prevention of Corruption, which serves as a basis for risk assessment and development of the integrity plan;
- Supervision of implementation of measures to improve integrity;
- In cooperation with all organizational units, preparation of reports on implementation of the integrity plan.

3) Rights and responsibilities of the designated officer referred to in Item 1 of this Decision shall start running as of 2 March 2016.

## **Explanatory note**

The Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14) introduces the obligation of all authorities to adopt integrity plans, in accordance with the Rules for development and implementation of the integrity plan. In this respect, and pursuant to Article 74, Paragraph 1 of this Law, it is stipulated that the head or the responsible person in the authority shall adopt the decision on the appointment of the Integrity Manager that is responsible for development and implementation of the integrity plan.

Based on the aforementioned it was decided as stipulated in the enacting terms of this Decision.

**LEGAL ADVICE:** An appeal may be lodged against this Decision to the responsible Appeals Commission within 8 days from the date of receipt of the Decision.

**DIRECTOR**  
**Sreten Radonjic**

DELIVERED TO:

- the appointed person
- file
- a/a

## 2. DECISION ON ESTABLISHMENT OF THE WORKING GROUP FOR PREPARATION AND DEVELOPMENT OF THE INTEGRITY PLAN



*Montenegro*  
*Agency for Prevention of Corruption*

Ref.no. 03-02-782/24

Podgorica, 2 March 2016

Pursuant to Article 18 Paragraph 1 Item 7 of the Statute of the Agency for Prevention of Corruption (Official Gazette of MNE no. 66/2015) and Article 7 of the Rules for Development and Implementation of the Integrity Plan (Official Gazette of Montenegro no. 78/2015), the Director of the Agency for Prevention of Corruption hereby adopts the following

### DECISION

#### **on the establishment of the working group for preparation and development of the integrity plan of the Agency for Prevention of Corruption**

1) The working group for preparation and development of the integrity plan of the Agency for Prevention of Corruption is established, with the following composition:

- **Mladen Tomovic**, Head of the Department for Integrity and Lobbying – Head of the Working Group

- **Grozdana Lakovic**, Head of the Department for prevention of corruption, monitoring of regulations and issuance of opinion on regulations in the area of anticorruption – Member

- **Maja Karas Boskovic**, Head of the Department for prevention of conflict of interest of public officials – Member

- **Dusan Drakic**, Head of the Department for implementation of control measures over financing of political entities and election campaigns – Member

- **Snezana Pesic**, Head of the Department for initiation of misdemeanour proceedings and issuance of misdemeanour orders – Member

- **Kristina Braletic**, Head of the Department for processing whistleblowers' reports and protection – Member

- **Dusan Polovic**, Head of the IT Department – Member

- **Zorica Cupic**, Head of the Office for Financial Affairs – Member

### **Explanatory note**

Task of the working group is to prepare a program for development of the integrity plan, and analyse the necessary documentation related to the operations of the Agency for Prevention of Corruption, which serves as a basis for risk assessment and development of the integrity plan, to inform the employees about the need to adopt the integrity plan and to submit the proposal of the integrity plan to the Director of the Agency for Prevention of Corruption for adoption by 30 March 2016.

Based on the aforementioned it was decided as stipulated in the enacting terms of this Decision.

**LEGAL ADVICE:** An appeal may be lodged against this Decision to the responsible Appeals Commission within 8 days from the date of receipt thereof.

**DIRECTOR**  
**Sreten Radonjic**

DELIVERED TO:

- the appointed persons
- file
- a/a

### 3. PROGRAM OF DEVELOPMENT OF THE INTEGRITY PLAN

**AUTHORITY:**

Agency for Prevention of Corruption

**RESPONSIBLE PERSON:**

Mladen Tomovic

**WORKING GROUP MEMBERS:**

- Mladen Tomovic, Head of the Department for Integrity and Lobbying – Head of the Working Group
- Grozdana Lakovic, Head of the Department for prevention of corruption, monitoring of regulations and issuance of opinion on regulations in the area of anticorruption – Member
- Maja Karas Boskovic, Head of the Department for prevention of conflict of interest of public officials – Member
- Dusan Drakic, Head of the Department for implementation of control measures over financing of political entities and election campaigns – Member
- Snezana Pesic, Head of the Department for initiation of misdemeanour proceedings and issuance of misdemeanour orders – Member
- Kristina Braletic, Head of the Department for processing whistleblowers' reports and protection – Member
- Dusan Polovic, Head of the IT Department – Member
- Zorica Cupic, Head of the Office for Financial Affairs – Member

**DATE OF ADOPTION OF THE DECISION:**

2 March 2016

**DATE OF COMMENCEMENT OF DEVELOPMENT:**

2 March 2016

**PHASE 1**

ESTABLISHMENT OF THE WORKING GROUP AND COLLECTION OF INFORMATION

DATE: 2 March 2016.

1. PREPARATORY PHASE

The Head adopts the decision on appointment of the working group (the Head)

No later than by: 2 March 2016



2. Working group collects the necessary documentation, information from employees and prepares the program for development of the integrity plan (Working group)

No later than by: 7 March 2016

3. Informing the employees about the need to adopt the integrity plan (Working group and the Head)

No later than by: 8 March 2016

## PHASE 2

### IDENTIFICATION OF EXISTING MEASURES

DATE: 8 March 2016

### ASSESSMENT OF THE CURRENT SITUATION AND IDENTIFICATION OF INITIAL RISK FACTORS

1. Interviews with employees

2. Assessment of exposure to risks and discussion with employees (Working group)

No later than by: 14 March 2016

## PHASE 3

### PLAN OF MEASURES TO INCREASE THE LEVEL OF INTEGRITY DATE: 15.3.2016.

1. Informing the employees about risks of violation of integrity, assessment of exposure and plan of measures for improvement of integrity (the Head)

2. Filling out of the PI form and preparation of the final report (Working group)

3. Adoption of the developed integrity plan, together with improvement measures (the Head)

4. Development of the integrity plan of the institution finalized no later than by: 30 March 2016

### **3.1. FINAL REPORT ON DEVELOPMENT OF THE INTEGRITY PLAN**

#### **OVERVIEW AND ANALYSIS OF NORMATIVE ACTS**

The working group made an inventory of all normative acts that regulate the work and obligations of the institution, as follows:

1. Law on Prevention of Corruption, Law on financing of political entities and election campaigns, Law on lobbying, Law on civil servants and state employees, Law on prohibition of discrimination, Law on prevention of mobbing, Law on free access to information, Code of Ethics of Civil Servants and State Employees, Rulebook on internal organization and systematization of the Agency, Statute of the Agency for Prevention of Corruption, and Rules for development and implementation of the integrity plan, etc.;
2. Rulebook on more detailed prescription of actions to be taken based on the reports by the whistleblowers regarding violation of public interest that indicate existence of corruption, Rulebook on the manner of keeping records of reports by whistleblowers and records of requests for whistleblower protection, Rulebook on the right to use official cars, Rulebook on the manner of control of political entities and control and supervision during the election campaign, Instruction on the manner and procedure of reporting and decision making on reports filed during the election campaign, Internal rules for drafting of the internal acts, Internal rules for establishment of the working group or other form of work in the Agency for Prevention of Corruption, and Instructions on contacts with the citizens, etc.;
3. Activity Plan of the Agency for Prevention of Corruption for 2016,
4. Action Plan for Chapter 23 - "Judiciary and Fundamental Rights".

#### **OVERVIEW OF ORGANIZATION OF THE INSTITUTION**

With regard to organization, the working group made an initial analysis and inventory of the following:

1. Systematization – organizational structure in the Agency,
2. Budget of the Agency for Prevention of Corruption.

#### **OVERVIEW AND ANALYSIS OF HUMAN RESOURCE CAPACITIES**

With regard to organization, the working group made an initial analysis of the human resources of the institution, by education and description of work posts, and the number of missing civil servants and state employees, as follows:

1. Overview of education – qualifications of the employees,

2. Analysis of behaviour of employees in stressful situations, under pressure of deadlines, relationship with colleagues, and

3. Overview of missing human resource capacities.

The working group implemented the following activities:

1. Processed and analysed motions and complaints regarding the work of the institution, Rulebook on internal organization and systematization of the Agency for Prevention of Corruption and analysis of inter-institutional cooperation,

2. Analysed the risk in work posts and work processes with regard to exposure to corruption and other unacceptable practice.

3. There are 55 posts systematized in the Agency for Prevention of Corruption, and on the date of adoption of the Integrity Plan 40 posts were filled.

## 4. METHODOLOGY FOR ASSESSMENT OF RISK INTENSITY

### LEGEND OF TERMS AND SYMBOLS

Risk intensity is obtained by multiplying the probability and the consequence, using the risk matrix “probability (1-10) x consequence (1-10)” given in the figure below.

<b>CONSEQUENCES</b>	serious	10									
		9									
		8									
	moderate	7									
		6									
		5									
	minor	4									
		3									
		2									
		1									
		1	2	3	4	5	6	7	8	9	10
Risk intensity (consequence x probability)		low			medium			high			
		<b>PROBABILITY</b>									

### Overall assessment of risk of corruption and other forms of violation of integrity

- /H High Intensity Risk – Corruption or other forms of violation of integrity are already present in this process or it is highly probable that they will occur
- /M Medium Intensity Risk – Occurrence of corruption or other forms of violation of integrity in this process is possible, but this risk is managed with the control measures
- /L Low Intensity Risk – There is a small probability of occurrence of corruption or other forms of violation of integrity in this process, due to the existing control measures

### Risk assessment:

Grades range from 1 to 100, and the grades from 1 to 15 represent “minimum probability” of occurrence of corruption or other forms violation of integrity with a “minor” consequence (**low intensity risk**), grades ranging from 16 to 48 represent “medium probability” of occurrence of corruption or other forms of violation of integrity with a “moderate” consequence (**medium**

**intensity risk**), while grades ranging from 49 to 100 involve an “almost certain” occurrence of corruption or other forms of violation of integrity with a “very serious” consequence (**high intensity risk**).

**Status of risk since the previous control**

- ↔ No change
- ↑ Risk increase
- ↓ Risk reduction

**Date of control:**

**Controlled by:**

\*Legend:

\*\*Legend:

Risk assessment	Low	Medium	High
	1-15	16-48	49-100

Progress in risk status since the previous control	No change	Risk increase	Risk reduction
	↔	↑	↓

## 5. INTEGRITY PLAN FORM

RISK INVENTORY			RISK ASSESSMENT AND MEASUREMENT					REACTION TO RISK			OVERVIEW AND REPORTING ON RISKS	
Risk area	Work posts	Basic risks	Existing control measures	Residual risks	Probabl e.	Conseq uences	Asses sment	Proposed measures for reduction/ eradication of risk	Responsible person	Deadline	St.	Short description and assessment of implementation of measure
<b>1. Management and governance</b>	Director	Lack of clear management strategy, mission and vision	Laws and bylaws; Internal acts of the institution; Reports by relevant national and international entities	Inadequate creation of development and management policies (definition of mission, strategies and plans)	4	7	28	Ensure participation of relevant entities and organizational units in creation of development and management policies  Analyse recommendations by relevant entities regarding the development of the Agency	Director	31.12.2016		
	Assistant directors								Assistant directors			
	Heads of departments											
	Director	Inadequate strategic planning	Laws and bylaws; Assignment of tasks;	Deviation in implementation of the Activity Plan of the Agency;  Insufficient and uncoordinated cooperation between organizational units	3	6	18	Regular reporting on implementation of the Activity Plan of the Agency	Director	Continuou s		
Assistant directors	Assistant directors											
Heads of departments	Heads of departments											
	Director	Unlawful influence or other forms of violation of principle of transparency  Adoption of unlawful decisions	Laws and bylaws	Adoption of decision under external pressure, contrary to public interest  Unclear legal provisions and possibility of arbitrary decision-making  Unclear rules, standards or lack of professional experience in assessing facts during the decision-making process	5	7	35	Full transparency of decision-making procedures in the areas under the jurisdiction of the institution  Strengthen measures of legal and professional control in the process of decision-making and, when necessary, organize special consultations and collegiums  Analysis of processes and regular education of staff about the use of regulations, ethical and other standards in the process of preparation for adoption of decisions	Director	Continuou s		
Assistant directors	Assistant directors											
Heads of departments	Heads of departments											

	Director Assistant directors Heads of departments	Violation of integrity of the institution; Violation of the principle of transparency	Internal acts of the institution; laws and bylaws	Negative opinion of the public and loss of trust of the public in the work of the institution, due to insufficient transparency and public information about work of the institution	4	4	16	Proactive publication of information from Article 12 of the Law on Free Access to Information and other information of public interest, with the adequate protection of personal data relevant for privacy and data marked as classified, in accordance with the law.  Enable access and clear presentation of relevant documents on the web page  Continuously improve the web page of the Agency	Director Assistant directors	31.12.2016	
<b>2. HR policy, ethical and professional behaviour of staff</b>	Director Assistant directors	Receipt of prohibited gifts or other prohibited benefit	Law on Prevention of Corruption	Receipt of gifts (by public officials) contrary to the provisions of the Law on Prevention of Corruption  Failure to observe legal obligation to record received gifts and their value	5	7	35	Regularly record received gifts	Director Assistant directors	Continuou s  Continuou s	
	Director Assistant directors	Violation of the principle of transparency	Law on Prevention of Corruption	Untimely and incomplete submission of reports on assets and income of public officials	6	6	36	Regularly submit reports on assets and income of the public officials	Director Assistant directors	Continuou s	
	All staff	Receipt of prohibited gifts or other prohibited benefit	Laws and bylaws	Receipt of presents contrary to the provisions of the law  Insufficient information of the employees regarding the duty to report gifts	5	7	35	Consistently implement the duty to report all gifts	All staff	Continuou s	
	Director Assistant directors	Prohibited influence; violation of integrity due to the lack of transparency and uncertainty of internal communication in this	Internal acts of the institution; obligation to write reports; laws and bylaws	Lack of internal communication and exchange of information about status and other issues of organization, tasks at work and	3	7	21	Exchange of information relevant for the work, education, professional development of staff between sectors  Develop and implement the	Director Assistant directors	Continuou s	

		area		interpersonal relations				training plan for staff regarding ethical standards, integrity and anticorruption measures  Develop a strategy of internal communication, establish periodical collegium meetings for management and periodical working meetings with all employees				
	All staff	Failure to report corruption and other unlawful actions	Training and seminars, Code of Ethics	Insufficiently developed awareness or knowledge of staff to identify and report corruption and other illicit actions within the institution	3	7	21	Education of staff about mechanisms for reporting corruption and other illicit actions within the institution	Director Assistant directors	Continuous		
	Director  Responsible person for receipt and processing of reports by whistleblowers	Failure to report corruption and other unlawful actions  Impeding an officer in detecting and reporting suspicion of corruption and other violations of integrity  Impeding data protection	Law on prevention of corruption  Law on confidential data protection  Law on protection against discrimination at work	Person not designated to receive and process whistleblowers' reports  Inadequate processing of reports related to the work of the APC  Violation of protection of identity and rights of whistleblowers	5	8	40	Designate a person for receipt and processing of whistleblowers' reports  Ensure protection of identity of the person who reported corruption and other irregularities in the Agency  Ensure whistleblower protection against all forms of discrimination and limitation and denial of rights of whistleblowers  Inform whistleblowers about measures taken based on their report	Director and responsible person for receipt and processing of reports by whistleblowers	31.12.2016  1st quarter of 2017  Continuous  Continuous		
	All staff	Abuse, mobbing and other forms of unacceptable behaviour in the relations between employees or by third persons	Law on anti-discrimination at work  Law on prohibition of mobbing at work	Mobbing and other factors of psycho-social risk in the working environment  Lack of mediators and other conditions for removal of psycho-social risks in accordance with the laws and standards of occupational health and safety	4	8	32	Designate a person responsible for mediation in cases of mobbing  Establish the system of protection against discrimination and other forms of mobbing  Continuous promotion of good inter-personal relations and encouraging staff to act ethically and with integrity  Promotion of culture of rejecting discrimination and other forms of	Director  Person responsible for mediation in cases of mobbing			



								unacceptable behaviour, and implementation of measures to strengthen applied ethics and integrity at all levels				
	Director Assistant directors	Inefficient HR policy	Internal acts of the institution	Insufficient HR capacities in particular organizational units	6	6	36	Make an assessment of necessary staff for efficient implementation of tasks in the jurisdiction of the institution  Fill out vacant posts in accordance with the Rulebook on systematization and organization of work posts	Director Assistant directors	31.12.2016		
	All staff	Violation of professional, ethical rules and biased behaviour with minor consequences  Lack of systematic approach and systematic management of knowledge, education and research  Violation of integrity of the institution due to inefficient performance of tasks at work	Training curriculum of the Human Resource Management Authority, internal acts of the institution	Lack of expertise and skills among employees  Lack of knowledge and experience in the performance of tasks at work in concrete examples of prevention of corruption	4	7	28	Ensure regular implementation of the professional training and development curriculum  Develop and implement the training program for staff regarding ethical standards, integrity and anticorruption measures  Develop the curriculum with training programs and mentorship for newly employed staff	Director Assistant directors	Continuou s		
	All staff	Violation of professional, ethical rules and biased behaviour with minor consequences  Violation of integrity of the institution	Code of Ethics of Civil Servants and State Employees	Violations of ethical standards and rules of behaviour of the staff	6	5	30	Adopt the Code of Ethics of the employees in the Agency for Prevention of Corruption  Adopt House Rules  Inform all employees about the contents of the Code of Ethics and the House Rules	Council of the Agency  Director  Head of the General Affairs Service	31.5.2016.		
<b>3. Financial planning and management</b>	Director Head of the Office for Financial Affairs	Inadequate strategic planning and budget execution	Education	Inadequate budget planning	3	7	21	Ensure participation of all relevant entities and units in budget planning  Attend relevant training and seminars regarding budget	Head of the Office for Financial Affairs	31.7.2016.		

								planning and financial transparency			
	Director Head of the Office for Financial Affairs	Inadequate strategic planning and budget execution	Existing laws and bylaws; Reporting;	Inadequate and insufficiently transparent use of budgetary assets	3	7	21	Regular implementation of internal financial control  Acting upon recommendations from the audit report	Director	Continuous	
	Director Public Procurement Officer	Inadequate implementation of the public procurement procedure;  Overstepping and abuse of official duty;  Illicit influence	Laws and bylaws; Obligation to write reports; Public Procurement Contracts	Deviating from the public procurement plan  Deviating from implementation of the activities stipulated in public procurement contracts	3	6	18	Quarterly reporting to management on implementation of the public procurement plan and implementation of signed public procurement contracts	Public Procurement Officer	Quarterly	
	Director Public Procurement Officer	Prohibited influence or other forms of violation of the principle of transparency	Laws and bylaws; Public Procurement Portal; Inspection control.	Insufficient transparency of public procurement	3	4	12	Publish the public procurement plan for the current year  Post contracts on the web page of the Agency  Publish the report on implemented public procurement procedures for the previous year	Director  Public Procurement Officer	31.1.2017/2018  Continuous  28.2.2017/2018	
	Public Procurement Officer  Members of the Committee for Opening and Evaluation of Bids	Adoption of unlawful decisions; use of public duty or official position; conflict of interest; unlawful action and violation of integrity in public procurement procedures	Existing laws and bylaws; possibility to lodge a complaint; duty to write reports; verification by colleagues	Unlawful influence on planning and implementation of public procurement  There is a possibility to give priority to certain companies through non-objective scoring of bids, based on friendly or family relations (clientelism, nepotism, cronyism) or conflict of interest	2	9	18	Incorporate anticorruption clause in all public procurement contracts  Control statements of non-existence of conflict of interest by tender commissions and public procurement officers	Director  Public Procurement Officer	Continuous	
<b>4. Data keeping and security of data and documents</b>	Director, Head of the IT Department	Leakage of information; Abuse of public duty or official duty; Impeding data	Internal acts of the institution; Increased professional and	Insufficient IT security of data	7	7	49	Continuously improve electronic archive and electronic data management  Ensure continuous electronic	Director, Head of the IT Department	31.12.2016	

		protection	official supervision					control and supervision of data held by the Agency, as well as their access and processing  Train staff about safe management of data in electronic form and use of the electronic system for data storage and management				
	Head of the General Affairs Service	Leakage of information; Unconscionable and unprofessional work; Impeding data protection	Increased professional and official supervision	Inadequate management of official documentation and information due to insufficient measures of physical security and technical safety.	3	8	24	Conduct an analysis of whether physical and technical security measures are efficient and feasible  Create conditions for physical security of property  Establish a system and measures for protection of confidential data, personal data and other sensitive data, especially when processing reports and protecting whistleblowers	Head of the General Affairs Service	31.12.2016		
	Head of the General Affairs Service  Archive Office	Leakage of information; Unconscionable and unprofessional work	Education, internal acts of the institution, bylaws	Inadequate or inefficient system of control over receipt and classification of documentation	5	5	25	Perform regular control over receipt and classification of documentation in order to prevent loss, damage or failure to record documentation	Head of the General Affairs Service	Continuous		

## Special Risk Areas

Risk area	Work posts	Basic risks	Existing control measures	Residual risks	Probability	Consequences	Assessment	Proposed measures for reduction/ eradication of risk	Responsible person	Deadline	St.	Short description and assessment of implementation of measure
<b>5. Prevention of conflict of interest of public officials</b>	Officers of the Department for prevention of conflict of interest of public officials	Unconscionable and unprofessional work and untimely performance of entrusted tasks  Adoption of unlawful decisions	Law on prevention of corruption  Rules on the activity of the Agency for Prevention of Corruption regarding prevention of	Untimely initiation of proceedings regarding actions taken by public officials	5	10	50	Conduct periodical controls  Report on the number of submitted lawsuits in the proceedings related to actions taken by public officials	Head of Department	Continuously		

			conflict of interest of public officials								
	Officers of the Department for prevention of conflict of interest of public officials	Failure to report assets and income by public officials and civil servants  Conflict of interest	Public registries of the Agency  Laws and bylaws  Trainings and seminars	Insufficiently developed awareness of public officials on the conflict of interest and importance of its prevention in the performance of public duty  Inadequate filling out of reports on assets and income of public officials, received gifts, sponsorships and donations to the authorities	8	5	40	Periodically implement education of public officials  Inform public officials about execution of legally defined obligations via internet, publications and media or in some other adequate manner	Head of Department	Continuously	
	Officers of the Department for prevention of conflict of interest of public officials	Violation of the principle of transparency  Abuse of public function or official duty  Loss of trust of the citizens in the work of the officers and the institution	Registries  Regular reporting	Out of date or inaccurate records of public officials	4	8	32	Keep and regularly update records of public officials based on the information from the authorities and from official records	Head of Department	Continuously	
	Officers of the Department for prevention of conflict of interest of public officials	Conflict of interest	Laws and bylaws	Possible existence of conflict of interest when deciding on existence of violation of legal provisions	4	9	36	Record existence of conflict of interest and conduct periodical control of requests for exemption	Head of Department	Continuously	
	Officers of the Department for prevention of conflict of interest of public officials	Unlawful influence or other forms of violation of the principle of transparency	Regular reporting	Failure to observe the order established in the annual plan of control reports and the annual plan of control of accuracy and completeness of data in the filed reports	3	7	21	Monitoring of implementation of controls defined in the annual plan	Head of Department	Continuously	

<b>6. Processing whistleblowers' reports and whistleblower protection</b>	Officers of the `Department for processing whistleblowers' reports and whistleblower protection	Loss of trust of the citizens in the officers and institutions  Inefficient and irrational HR policy	Laws and internal acts  Trainings and seminars	Insufficient training of staff working on processing whistleblower reports and protection of whistleblowers  Insufficient number of staff	7	8	56	Provide adequate training for officers responsible for processing and analysis of reports  Fill in the vacant systematized posts in the Department for processing whistleblower reports and protection of whistleblowers in accordance with the Rulebook	Assistant Director  Director	Continuously  31.12.2016	
	Officers of the `Department for processing whistleblowers' reports and whistleblower protection	Unconscionable and unprofessional work and untimely performance of entrusted tasks  Disclosure of confidential data/ Abuse of confidential official data and information	Law on Prevention of Corruption  Law on protection of confidential data  Law on protection against discrimination at the work place  Rulebook on more detailed regulation of actions taken based on the whistleblowers' reports about hindering public interest and indicates the existence of corruption	Inadequate implementation of the Rulebook  Violation of protection of identity and rights of whistleblowers  Insufficient quality of professional minutes taken on the submitted report	4	10	40	Inform the person submitting the report about measures taken based on his report in a legally prescribed manner  Control the validity/ authenticity of data stated in the report in accordance with the Rulebook  Ensure protection of identity and rights of whistleblowers in accordance with the law  Develop a model of official minutes about the submitted report	Head of Department	Continuously	
	Officers of the `Department for processing whistleblowers' reports and whistleblower protection	Unconscionable and unprofessional work and untimely performance of entrusted tasks	Law on Prevention of Corruption  Rulebook on manner of keeping record of whistleblowers' reports and records of requests for whistleblower protection	Out of date and inadequate keeping of records of whistleblower reports and records of requests for whistleblower protection	2	6	12	Perform regular control of records of whistleblower reports and records of requests for whistleblower protection	Head of Department	Continuously	
<b>7. Control of financing of political entities and election</b>	Officers of the Department for control over financing of	Inadequate implementation of plans	Law on financing of political entities and election	Failure to meet the obligations or deviation from the plan of control	5	9	45	Regularly monitor implementation of plans of control and supervision	Assistant Director  Head of	Continuously	

<b>campaigns</b>	political entities and election campaigns	Unlawful influence	campaigns	and supervision				Report on implementation of control and supervision	Department			
	Officers of the Department for control over financing of political entities and election campaigns	Violation of the principle of transparency  Unconscionable and unprofessional work and untimely performance of entrusted tasks	Law and bylaws  Reports and analyses of the NGO sector	Irregular monitoring of execution of obligations by the authorities, and publication of relevant documents on the webpages of the authorities and their submission to the Agency  Out of date webpages of the Agency with respect to control of financing of political entities  Out of date records that the Department is responsible for	5	7	35	Regularly control submitted and posted documents on the webpage of the Agency and the authorities  Regularly control updating of records in the responsibility of the Department	Head of Department	Continuously		
	Officers of the Department for control over financing of political entities and election campaigns	Violation of professional, ethical rules and partial behaviour with minor consequences	Official support  Trainings and seminars  Verification by colleagues/ peer verification	Lack of professional knowledge and skills of the staff in the Department for control over financing of political entities and election campaigns	6	7	42	Ensure continuous education of staff in the Department through expert visits and study visits  Control the obtained knowledge	Head of Department	Continuously		
	Officers of the Department for control over financing of political entities and election campaigns	Overstepping and abuse of official duty  Prohibited influence in the adoption of general and individual legal acts	Laws  Periodical reports on executed misdemeanour orders	Selective approach in issuing misdemeanour orders	2	8	16	Report on the number of initiated misdemeanour orders in comparison to the number of violations of the Law  Regular control of initiated misdemeanour proceedings	Head of Department	Continuously		
	Officers of the Department for control over financing of political entities and election campaigns	Unlawful influence or other forms of violation of the principle of transparency  Adoption of unlawful decisions	Law and bylaws	Untimely and inadequate actions based on contracts	4	8	32	Control grounds for objections and process submitted objections	Head of Department	Continuously		

	Officers of the Department for control over financing of political entities and election campaigns	Violation of the principle of transparency	Webpage of the Agency  Education  Presence of the Agency in the media	Lack of information of the authorities and political entities about the obligations stipulated in the Law	5	6	30	Regularly issue press releases  Inform the professional public about the obligations through the issuance of brochures, publications, organization of training, press conferences, etc.  Discuss possible inclusion of the issue of financing of political entities in the development of campaigns in the Agency	Officers of the Department	Continuously		
<b>8. Monitoring of regulations and issuance of opinions on regulations in the area of anti-corruption</b>	Officers monitoring regulations and issuing opinions on regulations in the field of anti-corruption	Inefficient execution of tasks and harming of public trust in the Agency, responsibility for the lack of anti-corruption measures in regulations or incompatibility of regulations with the mandatory international anti-corruption standards	Monitoring of the normative program of the Government and the Parliament  Monitoring of international documents, binding anti-corruption standards, guidelines	Lack of organizational and technical conditions for monitoring of harmonization of regulations with the anti-corruption standards	6	6	36	Introduce internal process and measures for monitoring of regulations and issuance of opinions in this field  Prepare and implement the plan of training activities for the staff	Head of Department for prevention of corruption, monitoring of regulations and issuance of opinions on regulations in the area of anti-corruption	Continuously		
<b>9. Supervision over implementation of the integrity plans and the Law on lobbying</b>	Officers of the Department for integrity and lobbying	Untimely and out of date performance of entrusted tasks	Law and bylaws	Out of date register of lobbyists (failure to keep the register updated)	3	6	18	Regular control of data registered about lobbyists, legal entities engaged in lobbying, persons requesting lobbying, and lobbyists and legal entities deleted from the register of lobbyists	Head of Department	Continuously		
	Officers of the Department for integrity and lobbying	Lack of professional knowledge and skills	Expert support, training and seminars	Insufficient training of staff	6	6	36	Education of staff in the Department for integrity and lobbying	Head of Department	Continuously		
<b>10. Initiation of misdemeanour proceedings and issuance of misdemeanour orders</b>	Officers of the Department for initiation of misdemeanour proceedings and issuance of misdemeanour orders	Overstepping and abuse of official duty  Unlawful influence in the adoption of individual and general legal acts	Laws  Periodical reports on implemented misdemeanour orders	Selective approach in initiating misdemeanour proceedings	2	8	16	Report on the number of initiated misdemeanour proceedings compared to the number of cases of violation of the Law  Regular control of initiated misdemeanour proceedings	Assistant Director  Head of Department	Continuously		

<b>11. Public relations and prevention of corruption</b>	Director PR Officer  Officers for campaigns and research activities	Violation of the principle of transparency;  Harming the integrity of the institution;  Loss of trust of the citizens in the work of officers and the institution  Failure to implement legally prescribed obligations in the area of prevention of corruption	Existing laws and bylaws;	Insufficient public information about the work of the institution  Insufficient and uncoordinated cooperation between different organizational units, failure to engage in analyses and research and insufficient monitoring of research implemented by local and international organizations regarding corruption	6	6	36	Increase the number of information about the work of the institution at the initiative of the Agency and at the initiative and based on request of the media and the public  Improve the quality and quantity of information on the webpage of the institution  Regularly and timely submit information to the PR department  Develop communication strategy  Regularly conduct internal analyses of research on the issues of corruption  Regularly monitor and analyse media reports about violation of the laws and other regulations by the authorities and submit reports to the relevant departments in the Agency  Conduct public opinion polls regarding the work of the institution	Director PR Officer  Officers for campaigns and research activities	Continuously	
<b>12. Free access to information</b>	Officer for free access to information	Violation of the principle of transparency;	Law on free access to information	Failure to publish data according to the Law on free access to information, and other information relevant for the citizens  Failure to establish a system, registers and records of data stipulated in the Law on Prevention of Corruption, and other laws related to the work of the Agency	5	5	25	Post the Guide for free access to information on the webpage of the Agency  Regularly post and update regulations related to the work of the Agency on the webpage, in accordance with Article 12 of the Law on Free Access to Information  Educate staff about free access to information and data protection	Director  Officer for free access to information	Continuously	
	Officer for free access to information	Adoption of unlawful decisions; Violation of integrity of the institution	Law on free access to information  Guide for free	Ungrounded denial of request for access to information; failure to inform the applicant about the decision on the	6	6	36	Adopt decisions on requests for free access to information within legally prescribed deadline  Report on the number of	Director  Officer for free access to	Continuously	



			access to information	request				submitted and resolved requests	information			
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## 6. DECISION ON ADOPTION AND COMING INTO EFFECT OF THE INTEGRITY PLAN



*Montenegro*  
*Agency for Prevention of Corruption*

Ref. No.: 03-02-782/26

Podgorica, 31 March 2016

Pursuant to Article 71 Paragraph 1 of the Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14), the Director of the Agency for Prevention of Corruption hereby adopts the following

### **DECISION**

- 1) The Integrity Plan of the Agency for Prevention of Corruption is hereby adopted and comes into effect.
- 2) The Integrity Manager is obliged to submit the written report on implementation of measures contained in the Integrity Plan minimum once a year.
- 3) All employees in the authority are obliged to provide, at the request of the Integrity Manager, all the necessary information and documents necessary for efficient implementation of the Integrity Plan.

### **Explanatory note**

The Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14) introduces the obligation of all authorities to adopt integrity plans, in accordance with the Rules for development and implementation of the integrity plan, adopted by the Agency for Prevention of Corruption. With the Decision no. 03-02-782/24, the working group was established to prepare and develop the integrity plan, which worked continuously from 2 March to 30 March 2016, and prepared and submitted to the Director of the Agency the proposal of the Integrity Plan for approval and adoption, which was fully adopted.

Based on the aforementioned it was decided as stipulated in the enacting terms of this Decision.

This Decision comes into effect on the date of adoption thereof.

**LEGAL ADVICE:** An appeal may be lodged against this Decision to the responsible Appeals Commission within 8 days from the date of publication thereof.

**DIRECTOR**  
**Sreten Radonjic**

DELIVERED TO:

- announcement board
- a/a