

September In MANS





In an interview with Television Vijesti, the Executive Director of MANS assesses in which state bodies the biggest obstructions are expected, as well as what challenges the new government will face in addition to the economic crisis and a huge epidemiological problem, in an attempt to obstruct its policy. She sees the opening of institutions as the first necessary step in order to make available the data on where the money was spent and who was involved in corruption and other illegal activities, which is why MANS will offer the new government proposals for key laws that have been worked on for two decades. You can find the entire interview at: https://www.vijesti.me/tv/emisije/468665/calovic-markovic-opstrukcije-ocekujem-u-policiji-anb-centrima-za-socijalni-rad-ministarstvu-finansija



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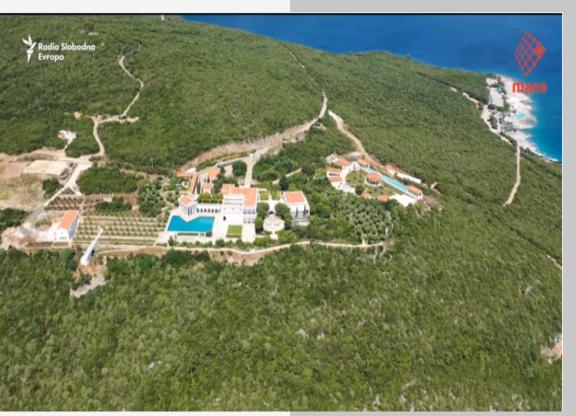
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after further assessment and examination of relevant documents, we come to the conclusion that this case is considered a sanctionable practice. Therefore, we have informed the Employer, ViK Podgorica, that it is not possible to finance this contract out of the KfW loan/EU-WBIF grant. Kind regards Clara Winkler-Tomety Project Manager

KfW Development Bank LEa4 Municipal Infrastructure Participating in the show "Načisto" on TV Vijesti, the Executive Director of MANS pointed out that the results of the parliamentary elections were surprising, and that "it is important that the citizens understand that the government can be changed with a pen." At the same time, she points out that she does not see Duško Knežević as a humanist who fights for society and against the regime, and that "he and the like can only be penitents and cooperating witnesses." According to her, it is very important to find legitimate mechanisms to confiscate property from those who acquired it illegally. Details of the interview and the entire show can be found at the web address below: https://www.youtube.com/watch?v=vPsJLQIJnfQ 17/09/2020

Water supply company from *Podgorica ("Vodovod") will have to terminate the contract* on the construction of the first phase of the secondary sewage system in Podgorica, *worth* € 1.83 *million*, which it concluded with the company "Toškovići", because its owner Ivica Tošković was convicted last year for creating a criminal organization and evading taxes and contributions. After MANS Investigative Centre informed the German KFW Bank about its findings, whose grant is financing this project of Vodovod, they confirmed that there was a violation of the procedure and that further financing of the project in which the company "Toškovići" is involved is no longer possible out of their grant. 18/09/2020 MANS filed a criminal complaint with the Special State Prosecutor's Office against the mayor of the Capital City Podgorica, the executive director of "Vodovod i kanalizacija" Podgorica, and the owner of the company "Toškovići", all because of their involvement in the business affair of construction of the secondary sewage system in Podgorica, which was recently discovered by MANS. The mentioned persons participated in awarding of the contract on the construction of the first phase of the secondary sewage system to Toskovic's company, although it was contrary to the rules of KfW Bank, whose grant financed this project, as well as against domestic legislation. Expected a timely reaction from the State Prosecutor's Office, which will further clarify the relations between mentioned persons and ultimately result in prosecution of all those responsible for breaking the law. 22/09/2020 The Baltic Center for Investigative Journalism (Re:Baltica), in cooperation with the Network for Affirmation of NGO Sector (MANS), investigated data from transaction documents concerning the former owner of the Aluminium Plant Podgorica (KAP), Oleg Deripaska. The findings of that investigation indicate that part of that suspicious money was possibly invested in Montenegro through the purchase of property on Platanumi in the municipality of Kotor, where two companies connected with Deripaska own a luxurious complex. That Deripaska had suspicious transactions is shown by the documentation processed within the investigation of FinCEN, a bureau of the U.S. Department of the Treasury, which deals with the prevention of financial crime. 24/09/2020

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That the business with the *company "Toškovići"* was detrimental to the interest of the citizens of Podgorica, is also shown by the situation on the construction sites where this company performs works. The fact that the High Court in

Podgorica accepted the plea agreement by which *the owner of the company "Toškovići"*, *Ivica Tošković*, confessed creating a criminal organization and tax evasion, did not stop the Agency for Development and Construction of Podgorica from concluding several contracts worth close to two million Euros with this company. *The latest data obtained by the MANS Investigative Centre points out that the last in a series of contracts was concluded three months after he was convicted, and that none of the work was completed on time.*

26/09/2020

September in photos

1.3 Eligibility Criteria

1.3.1 Rules of Nationality and of Origin

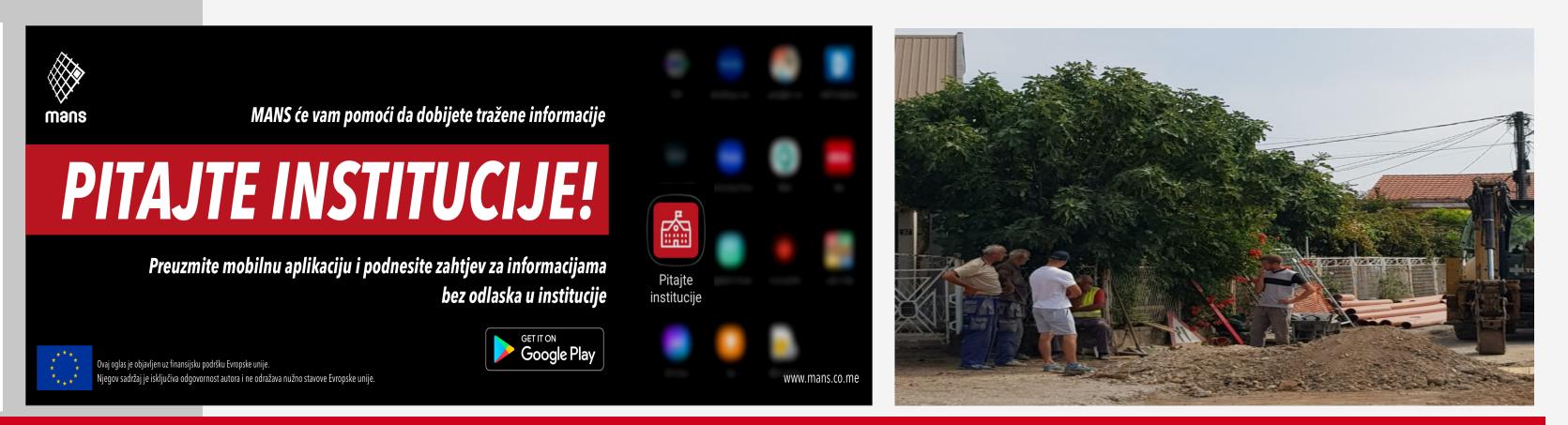
Consulting Services, Works, Goods, Plant and Non-Consulting Services are eligible for KfW financing regardless of the country of origin of the Contractors (including Subcontractors and suppliers for the execution of the Contract), except where an international embargo or sanction by the United Nations, the European Union or the German Government applies.

1.3.2 Grounds for Exclusion

Applicants/Bidders (including all members of a JV and proposed or engaged Subcontractors under the Contract) shall not be awarded a KfW-financed Contract if, on the date of submission of their Application/Offer or on the intended date of Award of Contract, they:

- are bankrupt, being wound up or ceasing their activities, are having their activities administered by courts, have entered into receivership, or are in any analogous situation;
- (2) have be
- a) convicted by a final judgement or a final administrative decision or subject to financial sanctions by the United Nations, the European Union and/or Germany for involvement in a criminal organisation, money laundering, terrorist-related offences, child labour or trafficking in human beings; this criterion of exclusion is also applicable to legal Persons, whose majority of shares are held or factually controlled by natural or legal Persons which themselves are subject to such convictions or sanctions;
- b) convicted by a final court decision or a final administrative decision by a court, the European Union or national authorities in the Partner Country or in Germany for Sanctionable Practise during any Tender Process or the performance of any Contract or for an irregularity affecting the EU's financial interests, unless they provide supporting information together with their DoU which shows that this conviction is not relevant in the context of the respective KfW financed Contract;
- (3) have been subject, within the last five years to a Contract termination fully settled against them for significant or persistent failure to comply with their contractual obligations during Contract performance, unless (i) this termination was challenged and (ii) dispute resolution is still pending or has not confirmed a full settlement against them;

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September, 2020.

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Dear Mr Grdinic,