

VISION

Montenegro is a just, open society
of active citizens and governance serving its people.

MISSION

MANS is a non-governmental organization devoted to fighting corruption
and organized crime affecting Montenegro.

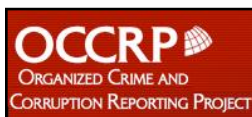
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International network of NGOs against transnational organized crime
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Introduction

The Network for Affirmation of the NGO Sector - MANS is a leading anticorruption advocate in Montenegro, the largest NGO in the country with well established contacts with all stakeholders.

MANS is mobilizing citizens to demand concrete results of reforms and providing free legal aid to victims of corruption. We are investigating cases and reporting them to responsible institutions, while advocating for their prompt actions.

We are monitoring implementation of anticorruption laws and policies and advocating for improvements, including through use of strategic litigation at local and international courts, but also by analyzing and promoting best practices from other countries. We are also monitoring work of prosecution and courts in processing high level corruption cases and analyzing their data to provide realistic picture on results.

MANS is submitting concrete cases to range of anticorruption control bodies and advocating for efficient and successful outcomes affecting laws, policies and their implementation;

We are advocating for improvements of the Freedom of Information Law. We are mobilizing citizens, journalists and CSOs to use FOI, and providing them free legal aid in submitting requests. MANS is filing numerous FOI requests and using all legal mechanisms to obtain information that could possibly disclose corruption. We are advocating for proactive disclosure of information in these areas and ensuring that all data that was made publicly available is published online.

MANS is submitting concrete cases of strategic importance to the Parliament, asking for use of their control mechanisms to reveal information, while promoting good examples from other countries.

This Annual Report is published in order to promote our achievements and activities in 2011 and contribute to transparency of our work.

The first section of this report provides information on MANS mission and the strategic goals and objectives. The second part points out our key achievements in 2011, followed with information on specific activities conducted by each program throughout the year. Our relations with media are also presented in this report as well as data on use of our web site. The last chapter is dedicated to finances and it provides information on our income, expenditures and donors.

1. ABOUT MANS

MANS is a non-governmental organization devoted to fighting corruption and organized crime affecting Montenegro.

Strategic goals and planned outcomes for 2012-2015

1. Reduce High Level Corruption

- 1.1. There are more investigations and convictions for high level corruption cases
- 1.2. Anticorruption legislation and policies are improved
- 1.3. Implementation of anticorruption legislation, policies and control mechanisms of all branches of governance produce concrete results

2. Reduce Opportunities for Organized Crime

- 2.1. More concrete cases on high level organized crime figures are revealed
- 2.2. There are more investigations and court proceedings for cases of high level organized crime
- 3.2. Improved legislation and policies reduce opportunities for legalization of proceeds of crime

3. Increase transparency in areas prone to corruption and organized crime

- 3.1. Improved access to information that could disclose corruption and organized crime
- 3.2. Use of Parliamentary control mechanisms increase transparency of all branches of governance
- 3.3. More information is published upon requests submitted by citizens, journalists, CSOs and business.

2. KEY ACHIEVEMENTS IN 2011

Transparency

1. **After MANS ceased government's efforts to change legislation to limit access to information, we jointly developed improved law proposal**, and contributed to strengthened mechanisms for law enforcement, including appeal and penalty provisions as well as proactive publication of information by all institutions.
2. **We developed good practices within institutions to publish information upon requests, due to extensive and successful use of legal mechanisms for obtaining information.** Institutions published almost 50% of information upon over 12.000 requests submitted by MANS. Over 3.000 appeals submitted to supervisory institutions resulted with over 80% of favorable decisions. We initiated more than 2.000 court cases, 68% of them were resolved, out of which 81% of court rulings were in favor of transparency.
3. **Public institutions and courts are more efficiently maintaining legal procedures upon requests for information, due to our continuous use of all legal mechanisms.** Following more effective court proceedings and MANS advocacy, percentage of requests that were not answered by the authorities showed a considerable decline - in the first four months of 2011 it was 14%, whereas in the next period that percentage dropped down to 9%.
4. **Numerous documents that were previously declared as confidential by the authorities were made available to the public, due to our strategic litigation followed by advocacy campaign - and they raised large public debate.** Final judicial verdicts on corruption and organized crime are declared public by the Supreme Court that increased transparency and accountability of their work. Documents revealing possible illicit enrichment of some members of the Government - reported to relevant institutions; The government published contracts on construction of energy interconnection cable between Italy and Montenegro.
5. **The government is proactively publishing more spatial plans and information on issued construction permits.** Ministry for Spatial Planning and seven local governments more proactively publish spatial plans and information on issued construction and operation permits due to previously created pressure using FOI legislation;

Public Participation

- 1. More information that could help citizens to reveal corruption is publicly available via our web site, including information on illegal construction and law enforcement, public procurements and changes in wealth of the highest public officials.** Information on planned objects, illegal construction and actions of inspections available at our web page, covering 23 locations with severe law violations in seven municipalities¹. Over 150 public contracts and supporting documents on awarding and implementation of contracts for public works is available at our web site. Analyses of changes in wealth of MPs and Members of the Government in last seven years are publicly available.
- 2. The Parliament is more transparent and more open for participation of NGOs due to our permanent monitoring, submission of concrete initiatives and advocacy.** Information on level of Parliament's and each MP's activities, as well as on their expenditures is regularly provided to public throughout 2011, while more information is proactively published by the Parliament. Nine out of 12 committees of the Parliament established practices to invite NGO representatives to participate in discussions on the basis of initiatives submitted by MANS. Voting lists of the Parliament of Montenegro for the last two and a half years are finally made public.
- 3. More citizens are actively participating in development of spatial plans and the government improved several documents due to our public campaign and mobilization of civil society and citizens.** We mobilized over 5000 citizens in seven municipalities to participate at public hearings, and following our expert analysis of more than 40 draft spatial plans and participation at local parliaments' sessions, 11 local plans were improved.

Anti-corruption Policies and Oversight Mechanisms

- 1. We successfully advocated for changes of government's anti-corruption policies and significantly improved their quality in cooperation with the government.** The Government adopted new Action Plan for Fight Against Corruption and Organized Crime (IAP) following our advocacy and on the bases of over 200 MANS recommendations;

¹ Podgorica, Ulcinj, Bar, Budva, Herceg Novi, Tivat and Kotor.

2. **We have improved transparency of implementation of anti-corruption reforms and results of judiciary in fighting corruption.** Following our initiative, since 2011 all sessions of the National Commission for Fight against Corruption and Organized Crime (NC) are public. Factual information on results of implementation of planned reforms are available to public in our bi-lingual shadow reports on implementation of over 450 activities by more than 80 institutions. Remarks from these reports were underlined in the European Commission's Montenegro Progress Report for 2011. We developed the first ever analyses of final judicial verdicts for corruption, exposing numerous shortcomings.
3. **New anti-corruption oversight mechanisms are established and existing are strengthened due to our advocacy.** The Parliament established the National Chapter of Parliamentarians against Corruption following our advocacy campaign. Following our initiative, the National Commission for Fight against Corruption and Organized Crime (NC) is acting upon concrete cases of corruption and organized crime. Upon submission of eight MANS initiatives, the NC requested further activities of the Prosecution and obliged them to report to the NC on the achievement in four cases.
4. **New, improved laws regulating conflict of interest and financing political parties are adopted, following our advocacy and active participation in their development.** Following MANS media campaign, the Parliament improved Law on Prevention of Conflict of Interests in relation to definition of the public officials, prohibition of multiple functions for the MPs, jurisdictions of the Commission to verify reports on incomes and properties of the public officials and procedures for the Commission's members appointment. MANS contributed to improvement of the Law on Political Party Financing, by decreasing opportunity for illegal funding of political parties, stricter control of the public funds and assets abuse and by improving mechanisms for monitoring of the law enforcement.
5. **We have organized the largest anti-corruption events in the country, gathering high level representatives of all stakeholders, expressing their political support to fight against corruption.** Over 100 high level participants of the Fifth Annual Anti-Corruption Conference, organized by MANS, including Prime Minister, Deputy President of the Parliament, Special Prosecutor for Organized Crime, President of the Global Organization of Parliamentarians Against Corruption, members of the Parliament, Government and Judiciary

and numerous ambassadors and international community representatives expressed the political support for fight against corruption and organized crime;

Free Legal Aid and Investigation of Cases

- 1. Hundreds of citizens reported corruption cases to MANS and used our free legal aid to address institutions.** In 2011 citizens reported 20 times more cases to us than to the whole Police Directorate. We received over 900 cases out of which over 550 were possible corruption and we provided almost 80% of them with free legal aid. Following citizens' reports, we submitted over 140 cases to prosecution, but also over 1,200 initiatives to other institutions.
- 2. Use of National Parliament's oversight mechanisms in concrete cases initiated by MANS produced results, and set examples of good practice.** MANS submitted initiative on behalf of 150 citizens which resulted in adoption of concrete recommendations by the Parliament's committees. Parliament's decision on the increase of MPs salaries by two average salaries in Montenegro was nullified and salaries of Parliament's administration were increased following our and Trade Union's advocacy campaign.
- 3. MANS revealed number of grand corruption cases, police and prosecution arrested first public officials upon our appeals and prosecution opened investigations in several cases.** Special prosecutor for organized crime and corruption launched four investigations related to corruption in public procurements and illegal construction upon cases submitted by MANS. Revealed number of possible grand corruption cases. Developed special software for monitoring public procurements with data on over 9.500 tenders used for investigations
- 4. The government nullified privatization tender and significantly changed spatial plan for construction of large objects seriously harming the environment, when we reported irregularities and conducted advocacy.** The government was forced to nullify the tender on long-term lease of the 3.5 millions of square meters of land at Valdanos Bay, after MANS identified and reported irregularities in awarding procedure. The Government lowered capacities of hydro power dams on Moraca River due to strong public campaign we conducted in partnership with other NGOs and 14.000 of citizens mobilized to sign a petition;

3. ACTIVITIES IN 2011

3.1. Free Legal Aid

MANS was providing free legal aid to citizens reporting corruption, illegal construction and requesting information from public institutions. We were maintaining SOS phone line, online form for reporting cases and organizing meetings with citizens².

Citizens were provided with an opportunity to anonymously report cases of corruption, where each of them was given a register number that they can call upon when asking for feedback. On the basis of information obtained from citizens, we submit freedom of information (FOI) requests asking for relevant documents and/or initiatives to inspections, police and prosecution, but also Parliament.

Free Legal Aid Team is receiving cases, maintaining all legal procedures using expertise of other teams in the organization. This service is provided in central office in Podgorica and two Regional Centers, in Bar and Herceg Novi.

In 2010, **citizens reported 911 cases** out of which over 60 % or 560 cases were related to corruption. Compared to 2010, this number nearly doubled, due to extensive campaign in promoting SOS line and large number of high-profile corruption cases disclosed by MANS, which increased citizens' trust in our services.

We acted upon 449 cases, 116 cases are still pending and in 342 cases we couldn't act.

On the basis of reported cases, we submitted **331 initiatives** to range of institutions, obtained answers in 134 cases and forwarded them to citizens.

We were collecting information related to possible corruption cases reported by citizens using Freedom of Information Law. **Acting upon reported cases, we submitted 963 FOI requests**, obtained information in 58% of requests and provided them to citizens.

² Free legal aid includes the following stages: (i) Identification of problem reported by citizens; (ii) Identification of responsible institution and relevant legislative; (iii) Meetings with MANS' legal adviser, suggestions for legal steps; (iv) Support in submitting requests and appeals; and (v) Providing citizens with feedback and further suggestions

We submitted over **170 complaints to supervisory institutions** that were successfully resolved in over 60% of cases. We also submitted 112 appeals to the Administrative Court that made decision in 78 cases, with 90% of them in favor of transparency.

According to law, public prosecutors should act ex-officio upon any information on possible crimes, including those published in media. However, prosecutors in the Montenegro almost never act upon numerous publicly disclosed cases, especially those related to corruption and misuse of power of officials.

In the reporting period MANS submitted **52 initiatives to the prosecutor's office** to act upon the information published in media. Following these initiatives, we also submitted 107 requests to prosecution to provide us with information on status of ongoing cases. The prosecution responded to only seven requests by rejecting submitted cases.

Free Legal Aid was promoted through number of **events** where we provided citizens with information on their rights and invited them to use our services.

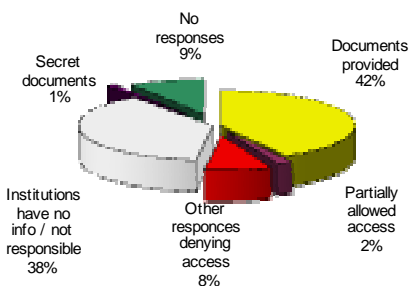
We promoted free legal aid to citizens through paid media advertisements and the web site that also includes online form for reporting corruption cases.

3.2. Free Access to Information

Freedom of Information (FOI), as an integral part of every MANS' program, is one of key prerequisites for scrutinizing transparency and public accountability of the government. Sound implementation of the FAI Law is a vital tool in fight against corruption, which is recognized as the most significant obstacle to the European integration of our country.

MANS monitors implementation of FAI legislative through extensive use of all legal mechanisms to obtain documents from institutions at all levels, mobilization of citizens to use their rights and provision of free legal aid, strategic litigation and advocacy campaigns based upon concrete cases.

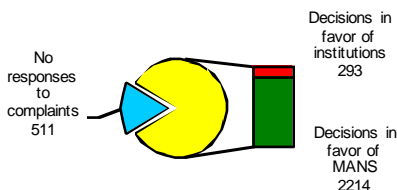
In 2011 we have submitted **over 12.000 FAI requests** and since December 2005, when the Law was adopted, we have filed over 43.000 requests. In 2011 we received 42% of requested documents, and well over three quarters of all requested information were obtained in the course of seven years of Law implementation.



Graph 1: responses to FOI Requests (2011)

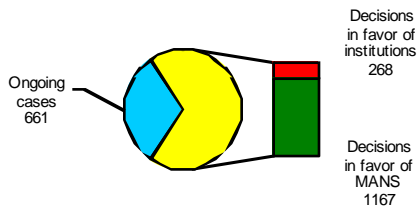
Compared to 2010, we managed to both double the number of sent requests annually, as well as to improve the responsiveness of the institutions.

In 2011 MANS submitted over 3.000 appeals to supervisory institutions. On average, supervisory institutions acted in more than 80% of cases and made over 80% of all the decisions in our favor. Since FOI Law is in force we have submitted over 9.000 appeals.



Graph 2: Responses to complaints (2011)

During reporting period we have submitted over 2.000 cases to the Administrative Court, and over 7.000 in the seven year period. At the same time, in 2011 the Court made decisions in 68% of the submitted cases, out of which 81% of the decisions were in favor of MANS.



Graph 3: Verdicts of the Administrative court (2011)

Since FOI Law is in force, the Court made decisions in 74% of all the cases, and 76% of them were in MANS' favor. We have also submitted over 300 cases to the Supreme Court which made decisions in 95% of cases, and 30% of those decisions were in our favor.

Additionally, in 2011 we have submitted 470 complaints to the Protector of human rights - Ombudsman for the cases where institutions did not comply with the Administrative court verdicts. Ombudsman had acted upon 68% of our urgencies with 95% of favorable decisions, ordering that institutions decide upon court rulings on an expedited basis.

We have also initiated 41 Administrative procedures in front of the Administrative inspection in cases where institutions did not comply with decisions of the second instance bodies. Accordingly, the Administrative inspection acted upon 95% of submitted initiatives out of which 15% were in our favor, while for others the Inspection denied its jurisdiction.

Throughout 2011, MANS organized awareness raising campaigns all across Montenegro in order to mobilize citizens to use the FAI Law. In June, we distributed over 6000 leaflets in seven Montenegrin municipalities.³ On the occasion, citizens were offered to fill in request for information and they were provided with basic legal assistance in requesting information and complaining to supervisory institutions.



³ Podgorica (where performances were organized on four different locations), Budva, Kotor, Nikšić, Cetinje, Pljevlja and Žabljak

MANS organized a set of street performances on 28th and 29th of September 2011, which were held in 20 different municipalities in order to celebrate the International Right to Know Day. On this occasion MANS distributed over 10.000 leaflets on crucial provisions of the FAI Law in terms of citizens' rights, but also we distributed a wide range of campaign materials including, t-shirts, hats umbrellas and key chains with the logo of the campaign. Consequently over 50 citizens submitted over 70 different requests for information.



We also distributed 1500 leaflets that were specifically addressed to civil servants and employees from over 40 public authorities. Leaflets were designed to inform and encourage the employees of those authorities to use the FAI Law and seek answers regarding any aspect of conduct of institutions they work in.

In 2011, we have issued the first Report on the transparency levels of public institutions. The Report presented analysis of institutional capacities to act upon the FAI Law, their willingness to provide information that is both of administrative nature, as well as more substantial information, such as budget spending, employment records, public procurement etc.

The report contains a list of institutions with the most and least capacities in the FAI Law implementation. Consequently, diplomas were given to national and local institutions with the most and least capacities. This report was announced and presented in major national printed and electronic media and was instantaneously commented by various institutions that were covered by the report.

The Ministry of Economy, that was perceived as the national institution with least capacities, expressed their concern and promised to significantly improve their FAI Law implementation in the future.

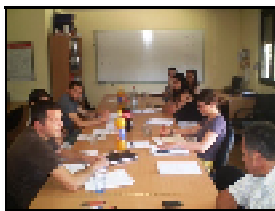
Aiming to give an insight into the current implementation of the FAI Law, MANS issued two bilingual reports that provide basic information about the implementation this Law, and point to specific cases of its violation by state authorities

The screenshot shows a web form titled 'ANETA' (Aneta - Aneta - Aneta) for submitting requests. It includes fields for 'Ime i prezime' (Name and surname), 'E-mail adresa na koju bismo Vas obavestili o rezultatima Vašeg zahteva' (E-mail address to which we will inform you of the results of your request), and a large text area for 'Sadržaj zahteva' (Content of the request). The form is in Albanian and has a 'KREIRAJ' (Create) button at the bottom.

We developed an on-line form, available on MANS' web site⁴, that allows all interested citizens to fill in a request for free access to information. Citizens are encouraged to submit requests using a simple fill-in form. After submitting a request, citizens receive an e-mail that informs them of actions that are taken by our team and are provided with a response as it becomes available.

Also, all requests that are received by this method, as well as responses, are available on our web site. This form was an instant success and, during 2011, was used by more than 100 persons.

MANS established the Network for cooperation which currently consists of sixteen NGOs and eight journalists that have signed a Cooperation agreement with MANS. The network is established with the aim to improve abilities of the civil sector to implement the FAI Law. Regular meetings with NGO Members are held and a mailing list was set up for members of the Network, where everyone involved can share their experiences, questions, seek legal advice etc.



One of the main results of our cooperation is submission of many requests to public authorities, especially by those NGOs and journalists that did not have experience on this matter.

⁴ On line form for submission of requests is available at: <http://www.mans.co.me/pravni-program/pitajte-institucije/>

3.3. Monitoring National Parliament

During 2011 MANS observed **plenary and sessions of all Parliamentary Committees**, collecting and publishing data on the activities and performances of the Parliament and MPs.

In 2011, the Parliament of Montenegro had 83 days of plenary sessions, while parliamentary committees held 313 meetings. MANS' Parliament Team directly observed each of those sessions and collected information on activities of each MP, level of work of the Parliament and its committees, use of the Parliament's oversight mechanisms and other control functions.



In March 2011 MANS has published Annual Report on the work of the new Parliament's Assembly in 2010, while in October 2011 we published the Report regarding Parliament's activities in the first seven months of 2011.

MANS had also monitored implementation of Parliament's Action Plan for Strengthening Legislative and Oversight Role. For that purpose we have developed a shadow report informing domestic and international stakeholders on the level of implementation of the Parliament's Action Plan. We obtained the information on the implementation of the Action Plan by submitting FOI requests and directly monitoring each session of the Parliament and its committees.

Also, we have obtained voting lists through submission of FOI requests, after which the Parliament decided to publish all voting lists in the past two and a half years at Parliament's website.

MANS had in total submitted 316 FOI requests to the Parliament during 2011, obtaining more than 90% of requested information.

In order to improve information sharing between MPs and citizens, in the reporting period MANS distributed 44 weekly newsletters on activities of the Parliament through 19 MANS e-lists with more than 3,400 members, but also to each MP. We informed stakeholders on laws that were in procedure in the Parliament and provided them with assistance to submit analyses, comments and proposed amendments to the MPs.

MANS developed two comparative analyses. The first Comparative Analysis was related to comparative experiences of citizens' participation in the work of parliaments in the region⁵ in 2009 and 2010. The second Comparative Analysis was related to comparison of institutional framework, activities and transparency of parliamentary oversight in the area of security and defense in countries from the region in 2009 and 2010⁶.

We have submitted 11 initiatives to the Parliament's working bodies and Parliament's committees acted upon two of them. We submitted initiatives to Parliament's committees on Agriculture, Ecology, Tourism and Spatial Planning, Security and Defense, Administrative Committee, Committee on Human Rights and Freedoms and Committee on Economy, Finance and Budget. For each submitted initiative we created public pressure through media campaign, necessary for the initiatives to be reviewed by relevant committees. In 2010 relevant Parliament's Committees invited us to participate at nine sessions and provide them with further information related to submitted initiatives.

In February, the Committee on Agriculture, Ecology, Tourism and Spatial Planning revised initiative submitted on behalf of 150 citizens of Niksic⁷, and the Committee session was attended by one of citizens' representatives in this initiative. He explained to the Committee members the problems citizens of Niksic have, regarding the destruction of weapons and ammunition in their town. At the end of the session, Committee adopted eight conclusions to the Executive branch by the majority of votes of the Committee members and recommended to state institutions to provide citizens with the clear information regarding the contract on destruction of ammunition and to evaluate the impact of the procedure of weapon destruction on nature in Niksic.

During June, the President of the Parliament announced MPs' salaries will be increased, although they have failed to conduct many key activities regarding fight against corruption and organized crime and citizens' participation in the parliament's work. Few days after the adoption of the Law on Election of Parliament Members and Councilors in September 2011, MPs prepared and adopted the Decision on the increase of their salaries by two average salaries in Montenegro.

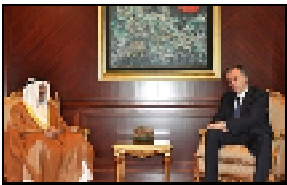
⁵ Croatia, Macedonia, Republic of Srpska and Serbia.

⁶ Serbia, Croatia, Slovenia, Bosnia and Herzegovina, Macedonia and Kosovo.

⁷ The Committee session was held on the 9th of February 2011.

In the beginning of September 2011 MANS has launched media campaign and issued an initiative to the Administrative Committee to withdraw this proposition. Members of the Administrative Committee adopted this decision⁸, after which MANS organized a street performance 'Give me a haircut', bringing a sheep in front of the Parliament symbolizing citizens whose money is being spent by the Parliament with no explanation. This pressure resulted with the withdrawal of the decision of the increase of MPs' salaries, which was done on the 28th of September 2011. Also, the Prime Minister brought a decision to withdraw the decision on bonuses given to the Ministers in the amount of 900 euro as well, which was a chain reaction to the situation in the Parliament.

As a part of our Fifth Annual Anti-Corruption Conference our special guest at the Conference was Dr. Naser Al Sane, chairman of the Global Organization of Parliamentarians Against Corruption (GOPAC).



After the Conference, we organized meetings with the President of Montenegro, Speaker of the Parliament, Deputy Prime Minister and Chairman of the NC and representatives of Parliament's Deputy Groups. During these MANS lobbied for the establishment of the National Chapter of Parliamentarians against Corruption, which was done in September 2011.



In December 2011 MANS prepared Draft Amendments on Spatial Plan of Montenegro until 2020 and submitted them to the Parliament in order to prevent selling of Salt Plant in Ulcinj. These amendments were supported by the opposition parties and one governing party and it was processed to the parliamentary procedure. The Draft Amendments should be revised in the first quarter of 2012.

⁸ The Committee session was held on the 21st of September 2011.

3.4. Monitoring Anti-Corruption policies

MANS is continuously monitoring implementation of anti-corruption policies, since the first such document was adopted. We have prepared amendments on the Draft Decision Amending Rules of Procedure of the NC, as well as on Draft First Report on the Implementation of Activities from the AP. During 2011 the AP was Innovated on MANS' initiative. As members of the NC in 2011 MANS has prepared 220 recommendations for Draft Innovated Action Plan for Fight against Corruption and Organized Crime (IAP), out of which almost all were accepted. The IAP was adopted in June 2011 and started with the implementation from the 1st of July 2011. The IAP has foreseen 372 reforms, almost 100 reforms more than the previous one. After publishing Montenegro Progress Report prepared by the EC, we prepared recommendations for the reporting agencies on the IAP in order to harmonize their activities with the Analytical Report published by the EC.

During 2011, on the basis of all collected information we have developed two Shadow Reports on implementation of the Action Plan (AP) and one short report on the implementation of the Innovated Action Plan, which is in force since July 2011. However, for the first time since we started monitoring implementation of the AP, MANS was invited by the National Commission to jointly evaluate implementation of anticorruption reforms of institutions, therefore significantly increasing credibility of official reports on the AP implementation.

Also, MANS prepared two Shadow Reports on the Implementation of the Action Plan for Implementation of Seven Priorities given by the European Commission in the Analytical Report. Findings from these reports were taken into consideration during the preparation of the Montenegro Progress Report for 2011.

In 2011 we prepared and submitted eight initiatives to the NC, covering 13 topics. We asked from the NC to use its powers and collect information on various topics in order to improve fight against corruption and organized crime. The NC revised most of the initiatives and obliged state institutions to prepare information regarding these topics.

In 2011 MANS submitted requests to all basic courts asking for verdicts for criminal offenses related to corruption and organized crime. Only two courts provided us with their final verdicts in the first instance proceedings, while other courts concealed verdicts as secret or in different ways avoided to disclose those documents. The Ministry of

Justice, as a supervisory institution, was at first supportive of such courts' non transparent behavior, so MANS appealed to Administrative court seeking annulment of the Ministry's decisions.

In the meantime, the Supreme Court began delivering verdicts which reversed earlier decisions prohibiting the access to this information. The Administrative Court, in light of those events, overruled decisions of the Ministry of Justice, so the Ministry brought new decisions in which they annul the previous ones and order courts to disclose all verdicts. Most basic courts finally disclosed their verdicts, while others are expected to do so upon the completion of the administrative dispute.

On the basis of obtained information, we developed publication 'Behind the Statistics' providing analysis of judgments and data on anti-corruption reform outcomes. The publication was developed in an effort to assess the impact of anti-corruption reforms, in particular the work of the judiciary in fight against corruption.

In May 2011, MANS organized the 5th National Conference which significant part was dedicated to the role of Free Access to Information in combating corruption and organized crime. The Conference, which is arguably the biggest event in Montenegro that addresses issues of fighting corruption, gathered about 100 participants representing all branches of power, international community, local NGOs and media. Presenters included Deputy Speaker of the Montenegrin Parliament, four MPs from four parliamentary political parties, chair of Global Organization of Parliamentarians against Corruption (GOPAC), etc.

FOI experts from United Kingdom, Bulgaria, Serbia, Slovenia, as well as domestic experts gave speeches that have emphasized the importance of Free Access to Information in building a transparent and democratic society.

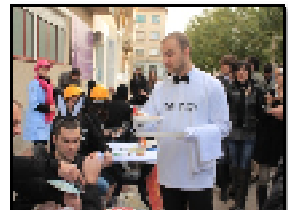
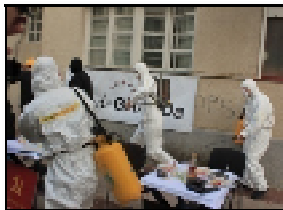
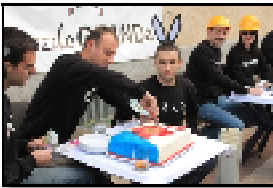


As part of the anti-corruption activities, MANS' representative was a member of the working group to develop Law on Political Parties Financing (LPPF) and Law on State Electoral Commission (LSEC).

In the first half of year , after successful work on developing LPPF , MANS' representative was reappointed at the working group to develop Law on State Electoral Commission.

After two months of engagement at the working group, the Government decided not to adopt a Draft LSEC and reappointed the members of the working group to additionally amend LFPP, which was done in December 2011.

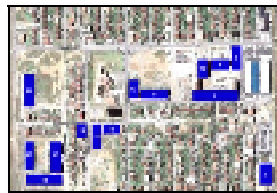
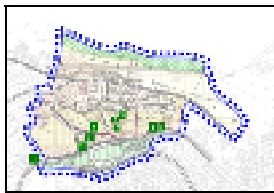
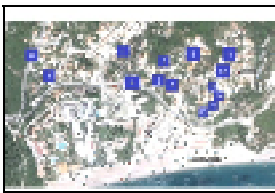
In order to celebrate 9th December - International Anticorruption Day, MANS has organized street performance and invited all branches of power to start much stronger fight against corruption and organized crime, instead of processing administrative corruption to improve statistics.



3.5. Spatial Planning and Construction

MANS continued to shed more light and improve accountability in area of spatial planning and construction in 2011 by monitoring work of responsible institutions, investigating concrete cases of corruption and organized crime and supporting citizens in reporting illegal development and other relevant law violations.

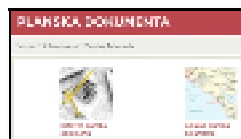
Online maps of illegal development continued to serve both as transparency tool, as well as useful base for investigating particular investor or location. In that manner, during 2011 we manage to cover 23 locations with severe law violations in seven municipalities⁹.



The maps are providing information on planned dimensions and positions of objects, photos of illegally constructed ones, construction permits, initiatives to inspections and their responses, as well as all responses obtained via free access to information act.

Maps were updated based on over 600 requests for information sent to obtain planning documents, construction and usage permits and other relevant planning documents. At the same time, work on maps enabled us to recognize and report law violations so in 2011 we submitted near 400 initiatives for inspection control. We also submitted over 40 criminal appeals, predominately against investors constructing without relevant permits.

In order to further ease transparency of spatial planning in Montenegro, during 2011 we published at our website over 170 local spatial plans and over 20 state-level spatial plans¹⁰. Support to better planning system was also done through analysis of 44 spatial plans in terms of their compliance with plans of higher order.



⁹ Capital Podgorica and municipalities of Ulcinj, Bar, Budva, Herceg Novi, Tivat and Kotor.

¹⁰ <http://www.mans.co.me/odrzivi-razvoj/planska-dokumenta/>

We also assessed 17 plans in term of their compliance with relevant environmental legislation. In doing so, total of 54 sets of comments were developed and submitted to local municipalities.

We also used comments on spatial plans to mobilize citizens to come to public hearings and take participation in decision making, express their needs and propose solutions. In 2011 MANS' representatives participated at 35 public hearings on spatial plans and other planning related documents.

In cooperation with NGO Green Home we organized a separate campaign and mobilized over 5000 citizens around spatial plan for development of underwater energy cable between Italy and Montenegro. After campaign Government was forced to disclose the documents relevant for public discussion on this project.



We also developed a set of comments on the Plan and Strategic Environment Impact Assessment Study and submitted them to the Government.

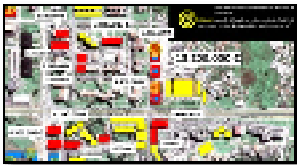
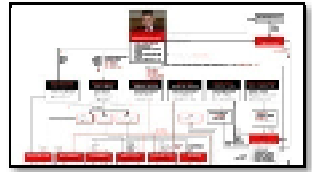
Investigating concrete cases of corruption and organized crime was in our focus also in 2011. The year began with disclosing the role of the ex Minister for urbanism in illegal issuing of several construction permits, including those for infamous "Zavala" case, but also for other objects constructed to his fellows in governing political party and local power players.



Also, we were investigating case involving the new Mayor of Budva, appointed after previous one was arrested in 2010, based on MANS' criminal appeal. According to evidences gathered by MANS, the new Mayor was participating in selling the municipal land based on harmful contract.

Using obtained information in these cases, MANS submitted criminal appeals to Special Prosecutor for Corruption and Organized Crime.

Continuing investigation from 2010, MANS managed to complete the case of Mayor of Bar and to prove existence of very complex network of interest with Mayor on the top such organized structure. Evidence gathered were proving that such structure was used to violate laws and spatial plans in order to gather extra profit to Mayor, but also to a number of companies and individuals close to him.



In addition to this, MANS managed to map down the investments in municipality of Bar done under that network of interests run by the Mayor. The campaign organized around this case was strong enough to force the Special State Prosecutor to invite MANS for consultation which resulted in initiating investigation.

Another cases investigated involved both current and ex Minister of urbanism, suspected of legalizing object of individual informally known as head of organized crime structure in Montenegro. MANS managed to prove that both public officers were involved in spatial plan amending and illegal issuing construction permit and absence of proper inspection control during construction. This case also resulted in submission of criminal appeal to Special State Prosecutor.

At the end of the year MANS discovered that ex Mayor of municipality of Ulcinj signed near to 100 contracts for legalization of objects in total amount of 2.5 millions of Euros. One of the largest beneficiaries of such "services" was Naser Kelmendi informally know as one of the largest drug smugglers in the Balkan region who paid to Mayor over 200.000 Euros for legalization of his objects. Complete documentation was forwarded Special State Prosecutor who initiated the investigation.

In 2011 Government prepared tender documentation for granting concession on Moraca River hydro potential, when MANS discovered that process was compromised by several violations of the Law on Concessions. Namely, the tender was designed on unreliable data and tailored to suit only limited number of interested companies. In that sense, MANS submitted a criminal appeal against public officers in charge for managing the tender documentation. After strong media campaign on this issue, tender was nullified as no one applied for the concessions.

3.6. Privatization

In 2011 we continued to bring more transparency to privatization process in Montenegro by investigating concrete cases and reporting irregularities to responsible institutions.

Government decision to award contract leasing over 3.5 millions of square meters of land at Valdanos Bay was questioned due to both significant lack of transparency of the process, and suspicion to corruptive behavior of responsible public officers.



Investigating this case MANS discovered that company that was awarded the lease contract is not meeting majority of tender conditions, and misrepresented their financial capacity to implement planned investment into touristic development.

Gathered information on this case enabled us to submit a criminal appeal against Vice-Prime Minister who was at the time in charge for this privatization process. Tender was eventually declared as unsuccessful as a result of public pressure to

Government to disclose all relevant information about this agreement.

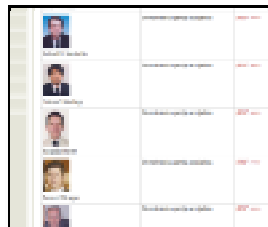
At the end of 2011, MANS was dealing with the case of previously privatized Salt factory in Ulcinj and plans of the new owner to sell company property as construction land.

The factory was sold for under 1 million of Euros, without any obligations of the new owner to invest or improve production of salt. Most of the factory property is placed in extremely attractive investment zone at Montenegro coast, but also within protected bird-watching zone.

Currently, the Government is changing the spatial plan to accommodate profit interests of the new owner, who already valued its property at over 250 millions of Euros. We expressed concern that public interest was not properly protected during privatization of this factory, and we send the initiative to Parliament of Montenegro to revise the Spatial Plan enabling this investor to gain enormous profit on account of both public interest and environment protection.

3.7. Conflict of Interest

MANS continued monitoring of implementation of Law on Prevention of Conflict of Interest in 2011. During this period we have developed analysis on changes in wealth of 81 MPs¹¹ in last six years that was published at MANS' website.



Ime i Prezime	Datum	Status
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK
Marko Milović	2011-01-01	OK

Continuing the investigation from 2010 on the case of Minister of Foreign Affairs bank loan in amount of 100.00 Euro, MANS managed to obtain the Loan contract with one of the commercial banks in Montenegro. According to that document, the Minister repaid this amount in only two years, which was impossible in accordance with his formal incomes that was repaid in only two year. MANS investigative team continued research and since this might be a case of possible illicit enrichment.

After MANS had conducted a media campaign and lobbied for adoption of the Law Amending Law on Prevention of Conflict interests, the Government prepared a Draft Law which was adopted in the Parliament during July 2011. Since the Draft Law was very badly prepared, MANS lobbied the EC to pressure the Government to withdraw this draft proposal.

Adoption of the law was put on hold until the Government submitted amendments on the Law, which were actually based on recommendations provided by MANS. The Law was adopted at the end of July 2011.

¹¹ <http://www.mans.co.me/transparentnost-i-konflikt-interesa/parlament/finansijski-kartoni-poslanika/>

3.8. Public Procurements

In 2011 MANS continued to support more transparent and accountable public procurement in Montenegro, both by monitoring work of responsible institutions and investigating concrete cases of corruption and organized crime in this area.

We continued to collect decisions on awarding public contracts, creating a database that now counts information on over 9000 individual contracts. This amount of data enable us monitor performance of institutions in charge for control of public procurement processes and to identify and report law violations.

In 2011, special focus was given to contracts on public works, having in mind large amounts of funds invested in infrastructure and other similar works. Last year we gathered detailed information on over 150 contracts for public works and supporting documents and publish then at separate page of our website¹².

This information enabled us to investigate contract awarding procedure, but also later contract implementation in terms of meeting deadlines and enforcing penalty provisions when contracts are violated.

In that light, we investigated a case of contract for constructing an apartment building signed between National Post Office of Montenegro and construction company "ZIB", majority owned by Mayor of Bar municipality. Analyzing this case we discovered that mentioned company broke the deadline without any penalty, that Mayor abused his position to change a spatial plan in order to accommodate a bigger building, and that construction started without valid permits.



Another case involving Bar municipality was related to contract for construction of overpass signed with construction company "Bemax". Investigating this case, MANS discovered that contract was granted to this company despite the fact that their offer was not most favorable one. In addition to that,

by monitoring enforcement of such contract we discovered that company violated completion deadline, while no penalty was imposed in accordance with the contract.

¹² <http://www.mans.co.me/odrzivi-razvoj/javni-radovi/>

Finally, the overpass was delivered months after deadline and opened for traffic without valid usage permit. For both of the mentioned cases MANS submitted criminal appeals against responsible public officers to State Prosecutor.

Analyzing contract awarding MANS discovered several cases where Commission for the Control of Public Procurement failed to perform their primary duty - protect public interest and tax payers money in public procurement. Instead of that, this institution openly favored particular companies when deciding on certain public procurements.

Gathering additional information on these cases, MANS managed to compile three individual criminal appeals against members of the Commission for abuse of office and suspected corruptive behavior. Criminal appeals were also submitted against companies' representatives for abuse of commercial powers.

3.9. Other Activities

Supporting Media in Investigating Corruption and Organized Crime

In 2011, MANS continued to support investigative journalism in Montenegro by actively working with journalist on developing stories related to corruption and organized crime.

In the reporting period, in partnership with journalist from Daily "Vijesti" and "Dan", weekly "Monitor", TV Vijesti and Radio Free Europe, MANS developed 13 stories related to corruption in urbanism, concessions management and privatization. Investigative stories also covered work of police and prosecution in combating corruption and organized crime, conflict of interests of public officers, nepotism and abuse of state aid.

All stories were published in Daily "Vijesti" and "Dan", while monthly dossiers were published in weekly "Monitor". In addition to that, investigative stories were also published at our portal¹³ Pod Lupom

Previously established team of journalists from Montenegro, Albania, Macedonia, Kosovo, Serbia, Bosnia and Croatia continued to work on the investigative story related to organized crime, in particular smuggling of cocaine through Balkans.

The team is exchanging information through special listserv to ensure that journalists from each country are cross checking data on members of criminal structures.

Pro-bono support of global law firms

In 2011 MANS has established partnership with four global law firms who expressed their will to help us on a pro-bono basis in order to deliver best practices in different areas to Montenegro.

LATHAM & WATKINS LLP

DEWEY & LeBOEUF

The first cooperation was established with Latham&Watkins who will provide analysis on rulings of the European Court for Human Rights in areas of freedom of information and freedom of speech and will help us to develop concrete cases for ECHR.

¹³ <http://www.podlupom.info>

The Second partnership was established with Dewey & LeBoeuf who is comparing frameworks for operation of German and Montenegrin Parliament in order to improve current practice in the Parliament of Montenegro, while our third partner Sorainen is doing the same but for Estonia.

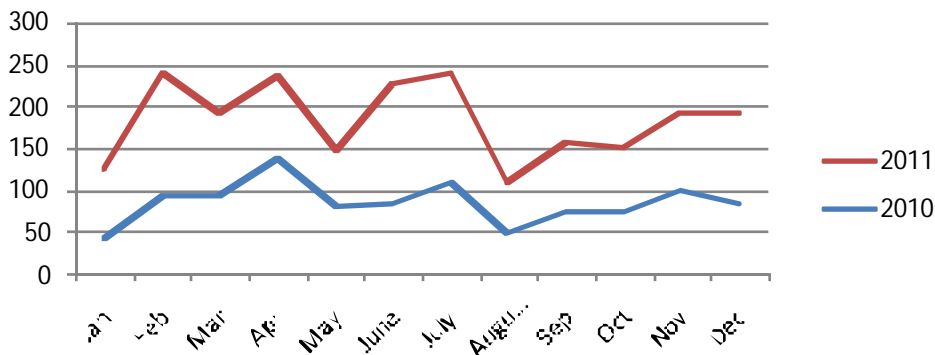


The fourth partnership we have developed with Allan & Overy who will help us to develop proposals for improvement in area of anti-money laundering and more adequate control of Central Bank over commercial banks in Montenegro.

4. PUBLIC RELATIONS

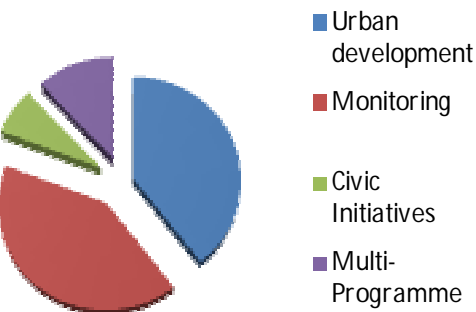
4.1. Media

Media coverage of MANS' activities continued to grow in 2011, with over 1100 articles published in printed media and one news agency, and near 500 TV reports. At the same time, information on MANS got All printed media reported on MANS activities, but Daily "Vijest" and "Dan" are still covering the most of our work.



Graph 4: Number of articles in printed media

Graph 5 is showing the participation of particular MANS programs in total number of published articles.

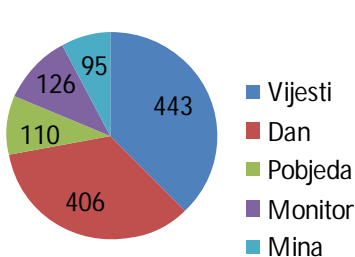


Two programs with most of the media coverage are Urban development combining issues of illegal development and energy, and Monitoring program covering issues of free access to information, anti-corruption policies and parliament monitoring.

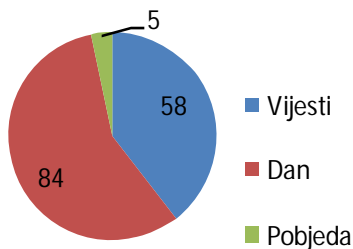
Graph 5: Number of articles by programs

There is a significant increase of media reports on activities that are jointly performed by several MANS' programs (12% of the total number of articles, compared to 4% in 2010).

Daily Vijesti and Dan continued to equally report on our activities, while other media are by far behind these media.

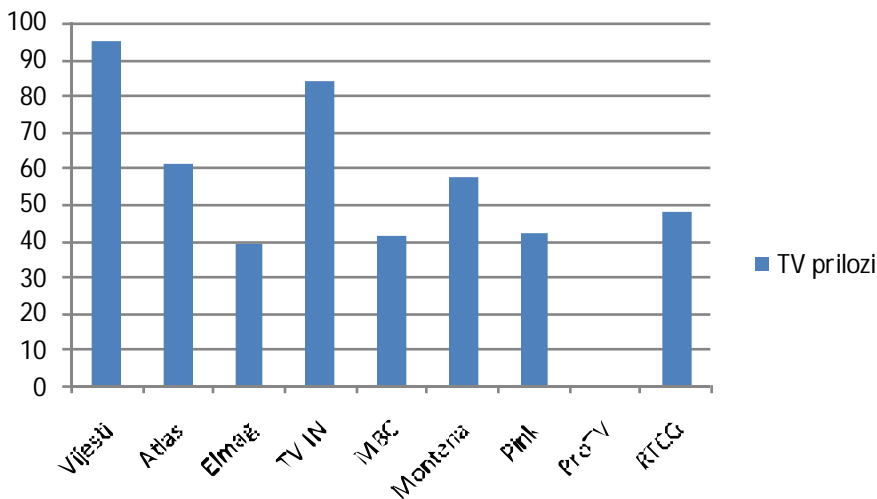


Graph 6:
Number of articles by media



Graph 7
Number of cover pages by media

During 2011 nine TV networks published 467 **news pieces** on MANS activities. Most news pieces on MANS activities were published at TV Vijesti, but significant number was also published at TV IN, Atlas, and Montena networks.



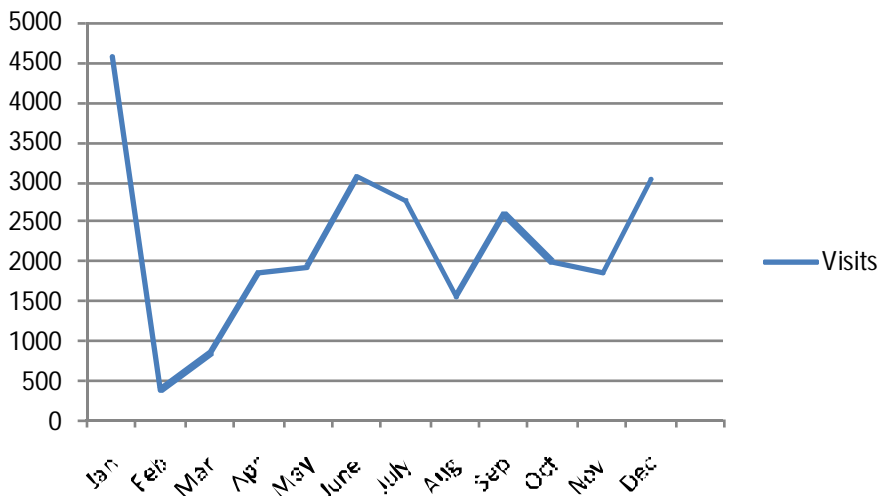
Graph 8:
Number of news pieces by media

Public service (RTCG) is modestly reporting on our activities, while ProTV, MBC and Pink are very rarely publishing stories on MANS work.

4.2. Web site

MANS is maintaining its official web page www.mans.co.me and portal with investigative stories developed by network of journalists www.podlupom.info.

In 2011 MANS official web page was visited by close to **19.000 unique visitors, who loaded over a 100.000 pages** at www.mans.co.me.



Graph 9:
Visits to MANS' website www.mans.co.me

Portal www.podlupom.info, was visited over 10.000 times with over 24.273 pages loaded or 55% more than in 2011.

5. FINANCES

MANS total **expenditures** in 2011 were **630.436,00 euro**.

Cost category	In Euro
Salaries and fees	254.632,65
Taxes and benefits	167.044,18
Office running costs	63.312,46
Fees for consultants	48.471,99
Costs for public awareness campaigns and printed materials	48.932,27
Costs for organizing events	9.858,24
Equipment	16.730,54
Other Costs	21.453,67
Total	630.436,00

Table 1: MANS expenditures in 2011

In last five years, MANS' budget was continuously increasing. The rapid growth of the budget in 2007 and 2008, continued with growth of 33% in 2009, 24% in 2010 % and 18% in 2011.

For implementation of activities in period of 2010-2012 we have signed contracts in total value of **1.026.015,81EUR**.

Donor	Amount
Rockefellers brothers Fund	€ 51.391,23
Transparency International (ALAC SEE)	€ 31.640,00
Charles Stewart MOTT Foundation	€ 36.708,02
Civil Rights Defenders	€ 20.000,00
German Embassy (2 contracts)	€ 103.488,00
British Embassy	€ 104.957,24
Human Right and Governance Grants Program	€ 73.416,05
Delegation of the European Union - Montenegro (2 contracts)	€ 437.834,77
US Embassy in Montenegro, Democracy commission	€ 15.579,56
Balkan Trust for Democracy	€ 23.407,09
East West Management Institute	€ 21.284,00
Embassy of the USA - Democracy Commission	€ 3.601,56
Royal Netherlands Embassy	€ 27.300,00
Microsoft Washington (donation in software)	€ 75.408,29
TOTAL	€1.026.015,81

Table 2: List of donors

Through years, we have developed partnerships and cooperation with numerous donors including:

- Balkan Trust for Democracy,
- British Embassy,
- Catholic Relief Services,
- Center on Budget and Policy Priorities
- Charles Steward Mott Foundation,
- Council of Europe,
- European Union Delegation in Montenegro
- European Union Delegation in Brussels
- German Government, Stability Pact for South East Europe,
- German Embassy,
- HIVOS - Netherlands,
- International Rescue Committee
- Microsoft
- National Endowment for Democracy
- Norwegian People's Aid
- Open Society Institute - Human Rights & Governance Grants Program and Office in Montenegro
- Organization for Security and Cooperation in Europe
- Regional Environmental Center
- Rockefeller Brothers Fund,
- Royal Netherlands Embassy
- Swedish Helsinki Committee for Human Rights,
- UN Development Programme
- USAID / ORT and IRD
- Civil Rights Defenders
- US Embassy in Montenegro (Democracy commission)
- USAID / East West Management Institute

Annex 1: MANS Publications

WHAT IS THE PRICE OF THE FREEDOM OF SPEECH

Freedom of Expression of the Media and the Civil Society: An Analysis of the Legal Framework and the Case Law in Montenegro, 2011



The purpose of this publication is to present legal provisions regarding the Freedom of Speech in Montenegro. It presents the work of judicial bodies in cases against the media and NGOs pertaining to the right to freedom of speech, involving criminal proceedings regarding criminal offences of insult and defamation, and civil proceedings for the indemnification on the account of violation of honor and reputation

BEHIND THE STATISTICS

Review of Judgments and Data on Anti-Corruption Reform Outcomes, 2011



This publication was developed as an effort to assess the impact of anti-corruption reforms, in particular the work of the judiciary in fight against corruption. It contains the review of court judgments for corruption of ten basic courts allowed access to case law, as well as two high courts and Appellate. The publication also refers to the implementation of the Anti-Corruption and Organized Crime Action Plan, approved by the Government.

CITIZEN PARTICIPATION IN THE WORK OF PARLIAMENTS IN THE REGION

Comparative Experiences in period of 2009/2010, 2011



The Analysis contains the data on interaction of parliaments in the region with their respective citizens. This publication was done based on the data procured by the parliaments in the region and their underlying regulations. In order to prepare wider picture, we took the comparative experience of the parliaments of Serbia, Croatia, Macedonia and Republic of Srpska.

PARLIAMENTARY OVERSIGHT IN THE AREA OF SECURITY AND DEFENCE

The Comparison of Institutional Framework, Activities & Transparency, 2011



The publication contains the data of institutional regulation of parliamentary oversight over the security and defense sectors in seven countries from the region: Montenegro, Serbia, Croatia, Slovenia, Bosnia and Herzegovina, Macedonia and Kosovo.

TACKLING CORRUPTION FOR EU INTEGRATION (III)

Implementation of the Action Plan for the Fight Against Corruption and Organized Crime in Montenegro in 2009, 2010



Purpose of this publication is to present the results of implementation of anti-corruption reforms in 2009. The publication is presenting the role of the Parliament of Montenegro in combating organized crime and corruption and best practices of anti-corruption bodies in the region.

SERVING PRIVATE INTEREST

Conflict of Interest Law enforcement in 2008 and adoption of the new law, 2009



This publication highlights lack of political will for quality regulation and application of regulations in the area of conflict of interests among which the key role has the law on combat against corruption at highest levels. It documents the process of drafting, deliberation and adoption of the set of Bills, major objections to the text of the present Law, examples in practice and statistics on Law application.

TACKLING CORRUPTION FOR EU INTEGRATION (II)

Implementation of the Action Plan for the Fight Against Corruption and Organized Crime in Montenegro in 2008, 2009



Purpose of this publication is to point out shortcomings in work of the National Commission and present regional experiences, document shortcomings of the official system for Action Plan monitoring and provide a clearer picture on reforms implementation in 2008, problems in accessing information and attitude towards civil society.

SKADAR LAKE - National park or oasis of illegal construction?

Monitoring illegal development in National Park Skadar Lake, 2009



The publication is summarizing a 6-month experience of monitoring illegal construction in protected zone of Skadar Lake. Publication is bringing description of responsible inspection behavior toward illegal development, case studies of most severe law violations in this area and statistics related to processing cases of illegal construction.

GROUNDING IN CORRUPTION

How the investors captured the state, 2009



This publication shows how the investors together with the decision makers trapped state institutions which eventually led to the destruction of the most precious locations on Montenegrin coast. A series of case studies documents how strong public pressure stopped some illegal activities while the consequences of such construction have not been remedied nor their key actors been held responsible yet.

CAPTURED BY PRIVATE INTERESTS

Adoption and enforcement of the Law on Conflict of Interests in Montenegro, 2008



This publication is documenting our experiences in exposing and preventing conflict of interest from 2004 to 2007 and contains chronology of events related to adoption of the legislation, competences and performance of institutions implementing the legislation and case studies with most frequent law violations.

TACKLING CORRUPTION FOR EU INTEGRATIONS

Implementation of the Action plan for the fight against corruption and organized crime in Montenegro, September 2006-december 2007, 2008



This publication summarizes our experiences gained through participation in the work of the National Commission and monitoring implementation of the Action Plan for the Fight against Corruption and Organized Crime. An integral part of the publication is the shadow Report on implementation of the Action Plan.

DO YOU KNOW THAT YOU HAVE THE RIGHT TO KNOW

Free access to information serving citizens, 2008



This publication incorporates all experiences gathered through raising awareness on public right to information, providing legal assistance to citizens and advocating for the institutions to properly implement the legislation.

THE GREEN MAZE

Access to Information on Environment, 2008



This publication presents key challenges in obtaining information on environment. It includes case studies related to accessing information on assessments of environmental pollution, investments into protection and charges paid by the largest polluters.

EYES WIDE SHUT

or how the state does not punish illegal construction of objects, 2007



Through a series of concrete examples, this publication points out to a lack of political will to resolve problems of illegal construction of objects by enforcing the existing legislation. It includes case studies and data on performance of responsible institutions in three regions with different causes and types of illegal construction.

DO I HAVE THE RIGHT TO KNOW?!

Enforcement of the Law on Free Access to Information in Montenegro, 2007



This publication presents key achievements and main obstacles in accessing information. It consists of a series of case studies referring to the most frequent law violations, judicial practice and experiences with institutions intimidating citizens using their rights to information.

FREE ACCESS TO INFORMATION & SECRECY OF DATA IN MONTENEGRO

Law comments with recommendations, 2007



This publication contains an analysis and recommendations for ensuring that Montenegrin legislation is in compliance with international standards and best practices in establishing secrecy legislation and respecting public rights to access information.

BEHIND THE CLOSED DOOR

Free access to Privatization Information - Case study Aluminum Plant (KAP), 2006



This publication reveals almost complete unwillingness to allow the public to be informed about the conditions under which state-owned companies are privatised. It points out the problems experienced when attempting to access information on privatisation and aims at encouraging changes in legislation and practice.

RIGHT TO KNOW

Experiences in the application of the Law on free access to information: Case study Montenegro, 2006



This publication focuses on the first year of implementation of freedom of information legislation and it includes a number of case studies pointing out early practices of institutions to forbid or avoid providing information as well as the first judicial decisions.

CORRUPTION IN SPATIAL PLANNING AND DEVELOPMENT

Case study - Montenegro, 2005



This publication presents research on causes, consequences and possible forms of corruption in spatial planning and construction. It includes over forty case studies from Montenegro and abroad, showing that the process of planning and construction is controlled by cartels connected to decision makers at the highest levels.

Annex 2: Key Achievements from previous period

Anticorruption Policies and Conflict of Interest

Legislative Changes

- MANS advocacy campaign resulted in adoption of the new and somewhat improved legislation on the conflict of interest (2008).
- MANS established working group for development of the new legislation on conflict of interest holding over 2/3 majority in the National Parliament. (2006-2007)
- Following our initiative, the Constitutional Court decided that members of the Government are no longer able to hold other public functions, and four deputy prime ministers and six ministers were forced to resign from their positions in boards of directors of companies, on the basis of conflict of interest. (2005)
- Publicly presented cases of conflicts of interests at the highest levels of government led to adoption of the Law on Conflict of Interest and public disclosure of property and income reports of public officials. (2004)

Policy Changes

- Strategy for fighting corruption and organized crime is recognizing spatial planning, privatization and public procurements as areas of major risks due to MANS inputs (2010).
- Over 80 high level participants of the Fourth Annual Anti-Corruption Conference, organized by MANS, including Deputy President of the Parliament, Minister of Interior Affairs and Public Administration, numerous ambassadors and international community representatives, members of the Parliament, Government and Judiciary expressed their political support to fight against corruption and organized crime (2010).
- Our recommendations, developed on the basis of the European Commission's Progress Report for 2009, were adopted by consensus of all members of the National Commission for fighting corruption and organized crime, established by the Government, as baseline documents for development of new Strategy and Action Plan (2009).
- Over 80 high level participants of the Third Annual Anti-Corruption Conference, organized by MANS, including Deputy Prime Minister, numerous ambassadors and international community representatives, members of the Parliament, Government and Judiciary expressed their political support to fight against corruption and organized crime (2009).
- The National Commission monitoring implementation of reforms in fighting corruption and organized crime, composed of the highest representatives of competent institutions, reviewed the European Commission's Progress Report on and adopted recommendations for institutions, upon MANS initiative (2008).

- At the National Anticorruption Conference, the largest national event of such kind, organized by MANS, authorities committed themselves to improve monitoring and reporting on reforms implementation. Our advocacy raised awareness on shortcomings of the official system of reporting, while our timely reports provided realistic picture on implementation of reforms (2008).
- Awareness raising and advocacy campaign conducted in partnership with international organizations led to Government developing and adopting the Action Plan for Implementation of the Program for Combating Corruption and Organized Crime and establishing the National Commission for its monitoring. (2007)
- Following our advocacy campaign, the Government established a working group to develop local anti-corruption plans, using our model as baseline materials. (2007)
- Due to advocacy campaign conducted by MANS, the Joint Staff Assessment prepared by the World Bank and the International Monetary Fund requested the Government to respect citizens' opinions and recommended incorporation of anti-corruption policies into the PRSP. (2002 - 2003)

Changes in Practices

- Factual information on results of implementation of planned reforms in fighting corruption and organized crime are available to public in final bi-lingual report and Publication on implementation of over 300 activities by more than 50 institutions (2010).
- Analyses of changes in wealth of Members of the Government in last six years is publicly available (2010).
- Revealed three conflict of interest cases and one possible illicit enrichment of high level officials (2010).
- Factual information on results of implementation of of over 300 planned reforms by more than 50 institutions fighting corruption and organized crime are available to public in four bi-lingual quarterly reports (2009).
- Possible cases of illicit enrichment of members of the Parliament and the Government, judges, prosecutors and key members of all local governments are submitted to the prosecution, on the basis of analyses of their official reports on property and income for last five years (2009).
- The first ever partnership among two daily and one weekly independent printed media established, and joint team of journalists developed series of investigative stories on corruption at high levels (2009).
- Regional team of investigative journalists from Serbia, Bosnia and Herzegovina, Croatia, Macedonia, Kosovo, Albania and Montenegro is developing joint investigative story on narcotic smuggling in Balkans (2009).
- Over 80 public officials were forced to report their property, transfer management rights and resign on multiple public positions including memberships in boards of directors, upon our legal initiatives (2008).

- Upon reviewing over 150 our initiatives, the Commission for conflict of interest reported 23 officials for illegal generation of income and/or force them to resign from positions in boards of directors (2006-2007).

Corruption in Spatial Planning and Construction Industry and Public Procurement

Legislative Changes

- Successful advocacy campaign on a high-scale illegal construction case led to changes of legislation resulting in defining illegal construction as a criminal act (2008).

Policy Changes

- The Government lowered capacities of hydro power dams on Moraca River due to strong public campaign we conducted in partnership with other NGOs and 14.000 of citizens mobilized to sign a petition (2010).
- Media campaign and submission of numerous cases of illegal construction to responsible institutions, resulted with Ministry for Spatial Planning, Police and Prosecution signing Memorandum of Understanding to improve cooperation in fight against corruption and organized crime in construction industry, while the Ministry also started developing special action plan for all responsible institutions (2009).
- Following public petition on subsidies in electricity prices provided to large industrial consumers, signed by almost 30.000 citizens, representing the largest public support obtained for civic initiative, the Government developed a social program for vulnerable groups, while the Regulatory Agency removed oscillations in electricity prices for households, small and medium enterprises. (2007)
- Mobilization of citizens and NGOs in public hearings on the National Spatial Plan decreased number of envisaged large hydro power plants that might affect environment and the Government committed themselves to perform environmental impact assessment. (2007)
- MANS watchdog role led to cessation of human rights violations in resolving problem of illegal developments. (2006)

Changes in Practices

- Police and prosecution made first arrests for organized crime and misuse of office in spatial planning and construction, based on MANS' criminal appeal submitted in 2008 and due to our continuous advocacy campaign (2010).
- Ministry for Spatial Planning and several local governments more proactively publish spatial plans and information on issued construction and operation permits due to previously created pressure using FOI legislation (2010).

- Increased transparency of inspection control and access to information on illegal development in Capital Podgorica and municipalities of Bar and Herceg Novi due to continuous monitoring of public institutions performances (2010).
- Identified main trends in violating public procurements and companies that are most frequently winning tenders, through analyzes of nearly 9.000 procurements (2010).
- Submitted one criminal appeal related to corruption in public procurements involving high level public official (2010).
- Number of initiatives and strong media campaign led to the first trial and the first judicial verdict against investors that significantly devastated protected areas at the coast through large scale illegal construction and against responsible public officers (2009).
- On the basis of MANS criminal complaint, the first case related to organized crime in construction industry is being reviewed by the Special Prosecutor for Corruption and Organized Crime (2008).
- Our media campaign on a large scale illegal construction in protected areas resulted in the first arrests of investors and responsible public officers and the first trials have started (2008).
- Public disclosure of illegal construction in protected areas resulted in the first joint and successful action of the police and inspection (2008).
- Our research in spatial planning and construction led to the first criminal investigations in that area and establishment of indicators for monitoring money laundering. MANS was presented as a credible source of information on corruption and organized crime at the training organized by US Ministry of Justice at the conference for prosecutors and police representatives (2006-2007)
- MANS increased capacities of citizens and their groups in Podgorica Municipality to more independently advocate for their rights and more easily recognize and report corruption in the field of construction. (2006-2007)

Freedom of information

- Institutions published 36% of information upon nearly 6.000 FOI requests; over 2.000 appeals submitted to supervisory institutions resulted with 50% of favorable decisions; more than 1.800 cases were initiated at the Administrative Court, 53% of them were resolved out of which 64% of court rulings were in favor of MANS (2010).
- Documents that were previously declared as confidential by the authorities are available to public due to our strategic litigation followed by advocacy campaign, including the Responses of the Government to the EU Questionnaire; the Contract between the Police and a telecommunication company allowing the Police to illegally collect data on individuals; and the Agreement between owners of the largest company in Montenegro - the Aluminum Plant of Podgorica (KAP) and the Government on over 300 million euro subsidies (2010).

- Reduced duration of court proceedings for cases of silence of administration from average five months to two months needed for a verdict to be brought, due to extensive submission of cases by MANS (2010).
- Police Directorate, the largest public institution in Montenegro and most frequently denying or ignoring FOI request reduced silence of administration from 36% in 2009 to 17% (2010).
- The Government withdrawn changes of Law limiting access to information from the Parliament's procedure following our media campaign and participation in debate in front of the responsible committee of the Parliament (2010).
- Information on privatization of almost 50 companies are publicly available due to advocacy campaign, strategic litigation and mobilization of 150 workers and minority shareholders to submit nearly 500 requests for information (2010)
- Institutions published 50% of information upon almost 10.000 requests; over 1.500 submitted appeals to supervisory institutions resulted with 50% of favorable decisions; more than 1.000 cases were initiated at the Administrative Court, 62% of them were resolved out of which 98% of court rulings were in favor of MANS (2009).
- Extensive and permanent submission of requests for information, numerous judicial verdicts in favor of transparency, and mobilization of citizens to request information resulted with establishment of the web site of the Council for Privatization, more than a decade after privatization started, and publication of 37 contracts, although without annexes (2009).
- Nearly 8.000 requests for information were submitted to public institutions in 2008 out of 16.000 submitted in past three years, resulting in improved practices of institutions providing over 75% of requested information (2008).
- Over 250 complaints submitted to the Administrative Court in 2008 resulted in the development of judicial practice and in over 100 court decisions, out of which 94% were in our favor (2008).
- Created institutional practice in the area of right to free access to information through over 7800 requests for information and 38% of obtained information, published in online database, 70% of decisions upon appeals made in our favor (2006-2007)
- Created judicial practice through 524 decisions of the Administrative Court with 66% of decisions in our favor, and 26 of the Supreme Court, with 50% decisions in favor of MANS (2006-2007)
- The first privatization agreement disclosed after 2-year legal process (2007)
- Following MANS appeal related to free access to information on environment, the first criminal case was initiated against a high level public official refusing to provide information (2007)
- Following the decision of the court reached upon MANS' initiative, the National Security Agency was forced to disclose a number of persons that were subject to secret surveillance during 2005, which was unique case in Europe (2006)

Free Legal Aid

- More than 450 citizens and community groups were provided with free legal assistance, almost 60% of all cases submitted to responsible institutions, more than half of them are completed, out of which over 60% have satisfactory or partially satisfactory outcome (2010).
- Free legal assistance in fighting corruption provided to almost 400 citizens and their groups, and we acted upon two thirds of cases. Over 80 cases submitted to the prosecution, resulting with one investigation (2009).
- The Public Procurement Agency established clear procedures for reporting corruption in public procurement, after MANS submitted dozens of our appeals to the Ministry of Finance (2009);
- Developed capacities of three local offices and provided legal assistance to over 270 citizens and their groups, and initiated legal procedures in nearly 60% of reported cases of corruption (2008).
- Twenty initiatives on corruption cases reported in media submitted to the prosecutor's office resulted in investigations in 20% of cases (2008).
- Provided free legal assistance to over 60 citizens to obtain information held by public institutions (2008).
- Provided assistance to over 200 citizens when obtaining information held by public institutions (2006-2007)

Parliament Operations

- For the first time ever, the Parliament changed a law on the basis of initiative submitted by citizens supported by MANS (2010).
- Five committees of the Parliament established practices to invite NGO representatives to participate in discussions on the basis of initiatives submitted by MANS in relation to issues of freedom of information, privatization and Parliament's operations (2010).
- Information on level of Parliament's and each MP's activities, as well as on this institution expenditures is regularly provided to public, while more information is proactively published by the Parliament (2010).
- The Parliament launched consultation process to define clear procedures for cooperation with citizens based on MANS' initiative submitted to the Deputy President of the Parliament (2010).
- MANS recommendations to improve Parliament's legislative, oversight and representative functions were used by the Secretary General for development of the Parliament's Action Plan for 2011(2010).
- Information on level of activities the Parliament and each MP is available to public in regular intervals as well as the first, detailed information on expenditures of the Parliament and financial reports for each MP (2009).
- Upon our initiative, the Constitutional Court ruled that ex presidents, ministers and MPs are no longer able to enjoy high retirement fees and obtain pensions easier than other citizens (2009).

- The first ever civic initiative, submitted by MANS and human rights NGOs, was reviewed in the Montenegrin Parliament and resulted in recommendations for the Government to change practices influencing disabled persons (2008).
- Four members of the Parliament identified by MANS' watchdog reports as the least active resigned from their positions, while their caucuses committed themselves to introduce a more professional approach in serving the MP position. (2007)
- After pointing out the key shortcomings in transparency of public voting of MPs during plenary sessions, the Parliament Administration initiated procedure for technical improving of the voting procedure by installing the necessary technical equipment. (2007)