

Title:

GROUNDING IN CORRUPTION - How the investors captured the state

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GROUNDED IN CORRUPTION

How the investors captured the state

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1. INTRODUCTION

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 illegal construction have not been remedied nor have their key actors been held responsible yet.

First case study deals with building of facilities on the peninsula Zavala; it shows that the competent state institutions are readier to engage in hiding the facts than in protecting the state from crime and illegal affairs whose actors are connected with influential individuals from political structures. This study documents the involvement of the present Deputy Prime Minister Svetozar Marović in illegal building of tourist complexes and reveals a complex network of related persons and companies that could be used not only to eliminate competition and create a building cartel, but also to press institutions to tolerate violation of the law. As soon as MANS revealed these connections, it put pressure on state institutions which resulted with the adoption of the new Law on Spatial Planning and Building of Objects, the change of the Criminal Code and definition of illegal construction as a criminal offence. The official investigation has been going on for two years now but none of the actors has been held responsible yet.

The case “Lipci“, presented in the second study, shows that the state is not capable or willing to protect the world cultural heritage in the territory of Montenegro from tycoons’ devastation motivated only by profit. The ongoing suspension of the law by almost all competent institutions ended in court proceedings in which apart from the investors, instead of responsible persons in competent ministries, only some low-rank staff were subject to court proceedings.

Third case study deals with the devastation of the mouth of the river Bojana, a natural reserve, which is an example of the supremacy of illegal builders over the state apparatus which is taking an active role in violation of laws and regulations. Competent state institutions were silently watching not only the destruction of one of the most beautiful parts of Montenegrin coast but also the deprivation of the state property until MANS brought this question up in public. In response to strong pressure of public opinion, several objects were destroyed but criminal charges brought against responsible persons for devastation of Ada Bojana are still collecting dust in the drawers of public prosecutors.

The examples given in this publication clearly confirm that there is no political will to fight against illegal construction while the corruption at the highest levels is a key obstacle for sustainable development of Montenegro and establishment of the rule of law.

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