

Survey on the Effectiveness of Anticorruption Authorities

Background Information

1. Please enter country name in the space below

Montenegro

2. Name of the agency

Directorate for Anti-Corruption Initiative

3. Date of establishment

January 2001

4. Contact Information

Adress: Rimski trg 46, Podgorica
tel: (+382) 020 234 395
fax: (+382) 020 234 082

5. Website

<http://www.antikorupcija.me/en/>

Legal Framework

6. What are the main anti-corruption laws in your country? (please include year of entry into force)

Criminal Code –2003, last amendments 2013
Criminal Procedure Code – 2011
Law on State Prosecutor – 2003, last amendments 2013
Law on Courts – 2008, last amendments 2013
Law on the Judicial Council – 2008, last amendments 2013
Law on Civil Servants and State Employees – last amendments 2013

Does your Government have a single or primary anti-corruption strategy?

Law on free Access to Information – 2012

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Law on the Prevention of Money Laundering and Terrorism Financing – 2007, last amendments 2012

Law on Public Procurement – 2011

Law on Financing of Political Parties – 2011

Yes, it has single national anti-corruption strategy. It is available at <http://www.antikorupcija.me/en/>, under National Commission section. The Government of Montenegro has regular monitoring system of the anticorruption strategy from 2005.

7. Does your country have freedom of information legislation?

Yes No

8. Does your country have conflict of interest legislation?

Yes No

9. Does your country have a financial disclosure system to help prevent conflicts of interest?

Yes No

10. Does your country have immunity protection legislation?

Yes No

11. Is your agency protected from political interference by law?

Yes No

Institutional Framework

12. What are the main functions and operations of your agency? Please check all that apply

Research Prevention Investigation Prosecution Forensics Accounting Policy

13. Is there one agency in charge of coordinating AC efforts across agencies?

Yes No

If yes, please specify:

14. Does your agency have the ability to share information or data with

(a) Other agencies within your Government, and

Yes No

(b) Government partners from other countries?

Yes No

15. Please enter the current size of permanent staff in the space below.

15

16. Number of prosecutors (if applicable)

17. Number of investigators (if applicable)

18. Number of support staff (if applicable)

19. Number of cases handled annually (if applicable)

(a) Number of complaints received

(b) Number of investigations conducted

(c) Number of cases handled in court

(d) Other please specify

20. Please state the number of complaints received for which your agency did a follow up

21. Please state the prosecution to conviction ratio of your agency (if applicable)

22. Please state the number of learning activities and outreach events organized by your agency (if applicable)

23. Please state the amount of assets recovered by your agency (if applicable)

24. Please enter the names of other agencies with similar functions as this ACA

25. Does your agency have a system to monitor performance of staff?

- Yes No

26. Are human resource management actions, i.e., recruitment, promotion, and termination based primarily on staff integrity and professionalism?

- Yes No

27. Are new vacancies for your own agency announced publically?

- Yes No

28. Are the results of these recruitment processes announced publically by your agency?

- Yes No

29. Who appoints the head of your agency?

The head is selected through public competition procedure, upon which it has been nominated by Minister of Justice and finally approved by the Government of Montenegro.

30. Who has the authority to remove the head of the ACA?

The Government of Montenegro upon the proposal of the Minister of Justice has the authority to remove the head of DACI.

31. To whom does the head of your agency report to?

The Government

32. Is there any term limit for the head of the ACA?

- Yes No

If yes, please specify:

5 years

33. Is the agency subject to judicial review?

- Yes No

34. Is the agency subject to expenditure reviews?

Yes No

35. Does your agency measure "performance"?

Yes No

If yes, against which indicators?

- Number of investigations conducted
- Number of investigations concluded
- Ratio of number of investigations/staff
- Percentage of total budget allocated to outreach activities and communication.
- Number of outreach activities delivered
- Others, please specify

36. In practice is your agency protected from political interference?

Yes No

37. Does your agency keep a comprehensive skill list of its staff?

Yes No

38. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?

Yes No

39. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistleblowing)?

Yes No

40. Does your agency have a communication strategy?

Yes No

41. Does your agency have a comprehensive corporate plan?

Yes No

42. Is there a strategy for formulating a partnership with outside agencies to fight corruption?

Yes No

43. Is there a strategy for dealing with the media?

Yes No

44. In practice does your agency has sufficient powers to carry out its mandate?

Yes No

Resource Mobilization

45. Does your agency have budgetary autonomy?

Yes No

46. What is the annual budget of your agency?

325,241 EUR

47. The annual budget is determined by (please choose the answer(s) that best fit(s) your agency)

<input type="radio"/>	Number of staff
<input type="radio"/>	Number of investigations
<input type="radio"/>	Budget is constitutionally mandated
<input type="radio"/>	Other, please specify

48. How much does it roughly cost to (please enter the dollar amount per stated activity)?

\$	File a case	\$	Manage a paper case	\$	Analyze a case
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49. Is there any donor involvement in your agency in term of budget?

Yes No

50. Does your agency use a computerized system to handle cases?

Yes No

Social Framework

51. Does your agency provide a mechanism for citizens to report complaints anonymously or provide information on corrupt activities?

Yes No

52. Does your agency or government provide a hotline to report corruption?

- Yes No

53. Does your agency produce regular and annual public reports of its activities?

- Yes No

Innovation

54. Does your agency use any IT tools to

- a. Facilitate reporting of corruption and fraud by citizens (like www.Ipaidabribe.org)
- b. Share information with citizens about its own activities
- c. Share and/or obtain information for its own investigations
- d. Other – gathers information from reporting bodies for semi-annual reporting on realization of measures set in the Action Plan for the fight against corruption and organized crime

55. Does your agency use social media to raise awareness on corruption among the public?

- Yes No