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**NEWS BY
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ANTI-MONEY LAUNDERING IN ALBANIA – WHAT IS THE ROLE OF THE CIVIL SOCIETY?

On the 25 June 2021, the Institute for Democracy and Mediation organized a forum to discuss how to combat money laundering in Albania. The goal of the forum was to increase awareness of anti-money laundering measures among the media, academics and CSOs that work on combatting grand corruption, state capture and organized crime, as well as giving an opportunity to discuss how Albanian anti-money laundering frameworks and laws could be improved to better align them with the EU acquis as a part of the EU candidate process. The crucial role of civil society and investigative journalism in putting pressure on the implementation of anti-money laundering measures was stressed. The forum was hosted by Mr. Sotirag Hroni, Mrs. Nertila Mosko and Gjergji Vurmo from the IDM, and outside experts, such as senior AML expert Karel Lannoo from CEPS Brussels, international AML expert Dr. Ramandeep Chhina, and Mr. Aurélien Juliard from the EU Delegation to Albania provided further expertise on the topic.

IDM, 1 July 2021

INFORMED MPS - ACCOUNTABLE INSTITUTIONS

On 13 and 14 July 2021, the Institute for Democracy ran a training session on “Informed MPs - Accountable Institutions” for the professional services of anti-corruption institutions.

The purpose of the training session was to strengthen the reporting capacities of professional officers in the State Audit Office, the Inspection Council, the State Commission for Prevention of Corruption, and the Commission for Protection of Competition in the fight against corruption.

Topics focused on improving the ways corruption tends and information are presented and discussed in the Parliament, the tools for investigating corruption including research by civil society organizations being reported to institutions, and preparing evaluation frameworks and policy memoranda.

IDSCS, 19 July 2021

ONE YEAR AFTER THE PARLIAMENTARY ELECTIONS: HOW DO CITIZENS SEE THE POLITICAL INFLUENCE AND OPENNESS OF THE PARLIAMENT?

2021 has seen improvements in the attitudes of North Macedonian citizens regarding the role of the Assembly in the political life of the country, the availability of MPs to the public, and the involvement of citizens in decision-making processes. Namely, this Assembly has been recognised by the public as the most influential in political life and in terms of quality of the normative framework of North Macedonia since 2016. They also consider it to be the Assembly most ready to implement reforms and normalise political life in the country. Citizens also assessed that current MPs are more accessible for communication, and, in comparison to past MPs, are more open to listening to citizens’ concerns. Despite this, these positive trends are in their infancy and additional effort from MPs are necessary to maintain and improve this situation.

IDSCS, 18 July 2021



HOW HIGH WAS THE QUALITY OF DEBATE IN THE NORTH MACEDONIAN ASSEMBLY IN THE FIRST HALF OF 2021?

Since June 2014, the Institute for Democracy has continued to monitor the quality of debates in the Assembly, as well as the work of the Assembly in general. In the period of January - June 2021, monitoring focused on discussions related to items on the parliamentary agenda that fall into the areas of rule of law, human rights and democracy. In general, there has been an improvement in the level of argumentation by Assembly speakers, yet still, in 38% of their speeches, speakers had no arguments, and in 48% they argued poorly. One or more arguments were noted in only 14% of discussions. The report also confirms consistently low attention by MPs given to the rights of marginalized groups. In around 89% of discussions, the rights of marginalized groups, unless specifically raised in the context of a minority rights discussion, were not addressed. Due to a low level of high quality debate which occurs in the North Macedonian Assembly, the report includes several recommendations and tools for MPs to use, in order to improve moving forwards.

IDSCS, July 2021

LOCAL ELECTIONS 2021 AND THE FIGHT AGAINST CORRUPTION AT THE LOCAL LEVEL

Research by the Institute of Democracy has shown that municipalities in North Macedonia need to assess corruption risks in their work in order to develop effective anti-corruption policies. This assessment should focus on identifying weaknesses in the functioning of municipalities, and the gap that arises between procedures on paper and in practice. In this way, municipal authorities can identify areas for improvement and determine the capacities necessary to implement them. Urban planning, economic development, licensing, employment and public procurement are all areas where these anti-corruption policies need to be prescribed in details and these assessments should pave the way for future development based on integrity and anti-corruption.

IDSCS, September 2021

DEMOCRATIZATION AND THE PROMOTION OF HUMAN RIGHTS ARE THE MAIN BENEFITS OF CIVIC ENGAGEMENT IN NORTH MACEDONIA

In the debate “30 years of civil society”, which took place on 29th September 2021 at the Alexander Palace Hotel in Skopje and online via Zoom, a statement by analyst and former civic activist Saso Klekovski highlighted the importance of civil society in catalysing change in the areas of democratisation and human rights. “The key successes of civil society are where it is rooted,” he stated, suggesting that without this, progress would have been much slower.

MCIC, 29 September 2021



JUDICIAL CULTURE AND JUDICIAL SELF-GOVERNANCE DISCUSSED AT EXPERTS' WORKSHOP



IDSCS and CEPRIS co-organised a closed hybrid workshop in Belgrade and online on 23-24 September 2021. The event covered the topics of “Judicial Self-Governance and Judicial Culture” and “Role of Higher Courts in Securing Uniform Application of Law” respectively.

The first day of the workshop was opened and moderated by Miodrag Jovanovic, Full Professor at the University of Belgrade and a Managing Board Director at CEPRIS. In addition, Marko Troshanovski, President of the Institute for Democracy “Societas Civilis” – Skopje (IDSCS) and Bart de Bruijn, Regional Rule of Law Co-ordinator at the Embassy of the Kingdom of the Netherlands in Serbia addressed the participants in their opening remarks. The focus of the second day was placed on the role of higher courts in securing uniform application of law. The panelists included Mirjana Lazarova Trajkovska, Judge at the Supreme Court of North Macedonia and Dragoljub Popovic, Judge at the European Court of Human Rights, who discussed regional perspectives on the topic.

Through the two days of the event, multiple experts shared their views and perspectives on the topics. David Kosar referred to the lessons learnt from the Rise (and Fall) of Judicial Self-Governance in Central Europe, while Snezana Bjelogrić, Member of the High Judicial Council and President of the Judges’ Association of Serbia, and Radovan Lazic, Managing Board Member at CEPRIS discussed the challenges in judicial self-governance in Serbia.

IDSCS, September 2021

CIVICA MOBILITAS FESTIVAL: ‘CIVIL SOCIETY DAY’ - CELEBRATING 30 YEARS OF CIVIC ACTIVISM

On 26 September 2021 about 90 civil society organizations set up their stands in the city park of Skopje to share information regarding their activities and achievements and to talk to the public. The main messages taken from the festival regarded the significant role of civil society in pushing for social change, and the importance of cooperation with the public to continue making progress and building a better society.

MCIC, 27 September 2021

WESTERN BALKANS OFFICIALS MEET TO DISCUSS THE REGIONAL ROADMAP ON ANTI-CORRUPTION AND ILLICIT FINANCE FLOWS



Representatives from the North Macedonian Office of the Prime Minister against Corruption, Sustainable Development and Human Resources together with the Ministry of the Interior hosted an event in Ohrid on the 25 June 2021 to discuss new anti-corruption measures. Representatives from other Western Balkan governments were also invited to attend. A Regional Roadmap on Anti-Corruption and Illicit Finance Flows was adopted to accelerate the progression of several international anti-corruption targets in the Western Balkans, including the implementation of the UN Convention against corruption, GRECO and FATF recommendations, as well as EU directives on anti-money laundering and public procurement. The event was held in response to the technical meeting held with the UN Office on Drugs and Crime in Ohrid from the 21st-23rd of June 2021. The roadmap demonstrates the will of Western Balkan nations to fight corruption and meet international juridical standards.

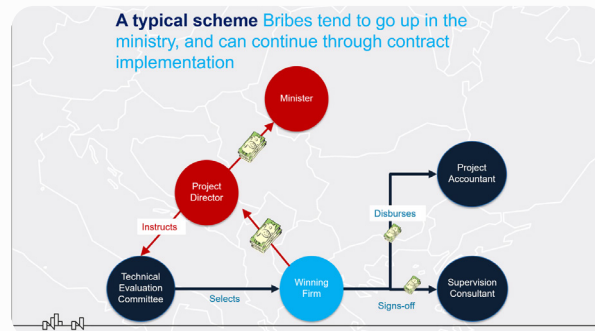
Regional Anti-Corruption Agency, 1 July 2021

IMPROVING JUDICIAL PRACTICES THROUGH INCREASED COOPERATION

The CCI held a two day seminar in Sarajevo for members of the 'Working Group for Improving the Audit Process' on the topic: "Judicial practice in the region and the EU, with a focus on non-transparent public procurement procedures". The role of the Working Group is to identify space for more successful cooperation of relevant institutions at the state level in order to increase the rate of implementation of audit recommendations.

CCI, 21-22 September 2021

ANTICORRUPTION POLICY IMPLEMENTATION AND PUBLIC PROCUREMENT GAPS DISCUSSED IN TRAINING SESSIONS WITH CSOS



A spin-off of the SELDI initiative, the Regional Good Governance Public-Private Partnership Platform (R2G4P) project, held a three-day regional training event on anti-corruption policy measures and public procurement gaps in Southeast Europe. On the first day of the event, experts from the Government Transparency Institute in Hungary introduced the most prevalent integrity issues in public procurement in Southeast European countries, as well as the online platform Opentender.eu. On the second day, CSD and GTI together introduced their practices for state capture monitoring and assessment, including State Capture Assessment Diagnostics (SCAD). On the final day, the focus was on the Monitoring Anticorruption Policy Implementation (MACPI) tool, a diagnostic survey tool to assess corruption pressure within a given institute and the effectiveness of its anti-corruption policies. Recordings of the training sessions can be found through the link provided above.

SELDI, 7-9 July 2021

DISCUSSING THE NEED OF TRANSPARENCY OF PUBLIC COMPANIES IN FBiH



The Centers for Civil Initiatives (CCI) held a conference in Sarajevo, dedicated to the responsibility of public companies in the FBiH to make their financial results public. The conference brought together representatives of legislative institutions, public companies and civil society organizations with the aim of describing current practices within public companies in the FBiH. As part of the conference, two panel discussions were held on measuring the results of work and monitoring the work of public companies.

The CCI states that on the website www.ferzaposljavanje.ba citizens can find a register of all public companies in BiH, alongside a register of executives, reviewed annual reports and a database on business results of public companies with information provided by public companies giving a cross-section of the situation within public companies, as well as business trends over the last decade.

In the upcoming period, the CCI plans to continue to advocate for improving the transparency of public companies and putting the focus on accountability for the results of their work.

CCI, 27 July 2021

ENHANCING THE EFFICIENCY OF AUDITS IN REPUBLIKA SRPSKA

The CCI organised a two-day seminar in Banja Vrućica, near Teslić, at the end of September for members of the parliamentary committees of the National Assembly of Republica Srpska who have the competences and responsibility for overseeing public audit processes. In addition to the Audit Committee, the seminar was attended by representatives of the Committee on Finance and Budget, and the Committee on Children, Youth and Sports of NARS. The primary goal was to work on improving the efficiency of the Audit Committee, but also of other committees and commissions of NARS, who must complete performance audits.

CCI, 23-24 September 2021

STREET ACTION AGAINST THE CONSTRUCTION OF ILLEGAL BUILDINGS IN BIJELI BRIJEG

The main goal of the Civic Initiative “STOP illegal construction in Bijeli Brijeg” is to prevent the legalization of an illegally constructed building in the settlement of Bijeli Brijeg and to stop the construction of a new building that is not in accordance with the Regulatory Plan. Despite the permit almost being granted, the initiative has prevented the construction of the new building, and the sixth floor of the illegally built building has been demolished. The reaction of local people on the street was mostly neutral, implying an indifference to social problems and a need to improve public awareness.

CCI, 28 September 2021

INSTEAD OF UNNECESSARY ACTING POSITIONS, ENSURE COMPLIANCE WITH THE LAW

Institute Alternativa has shown that “ad hoc” and unregulated competitions for positions in ministries unnecessarily postpone and prevent lawful recruitment and reduce managerial accountability in ministries. It has been demonstrated that “acting managers” are more susceptible to undue influence due to the insecurity of their position and employment. Such competitions are currently announced for the positions of 20 acting general directors in the Ministry of Finance and Social Welfare. They were also previously announced by the Ministry of Public Administration, Digital Society and Media and the Ministry of Capital Investment.

IA, 15 September 2021

IMPROVING THE TRANSPARENCY OF GOVERNMENTS IN WESTERN BALKAN COUNTRIES

The Center for Democratic Transition organized a conference on the “Transparency of the Executive Power: Dead End for Information” on 28 September 2021 in Podgorica.

Transparency and openness are among the basic preconditions for a high-performing executive branch of government and should therefore be seen as necessary requirements and not simply a gesture of good will from those in power. A policy of openness must be embraced by all governments in the Western Balkans region, and should be considered just as important as other policies, regardless of the current political mood. Furthermore, it should not be expressed only through strategic documentation, but also through vocal advocacy from those in top-level social and public positions.

In order to ensure a high-quality public dialogue on the challenges facing the achievement of full transparency in the work of government, the conference was held to allow all stakeholders to share their views and to try to come up with common sustainable solutions for making progress in this area. During the conference, topics were discussed by representatives of institutions and the civil sector from Western Balkan countries. Each country in the region has its own specific political environment that reflects on the openness of its government, but it can be observed that through joint regional action, many improvements can be made.

CDT, September, 2021



ANALYSIS SHOWS IMPROVEMENTS IN THE WORK OF THE MONTENEGRIN PARLIAMENT, BUT THERE IS STILL A LONG WAY TO GO

Institut Alternativa has conducted research which has shown that during the first year of the current convocation, the Montenegrin Parliament has considerably opened up its work, but also engaged in legislative activity which was not grounded in sound analysis and legally predictable procedures. Control mechanisms have not been used to push conclusions and tangible recommendations.

IA, 23 Septemehr 2021

“TOMONTENEGRO” DIRECTOR’S CONTRACT PUBLISHED: AN IMPORTANT STEP TOWARDS TRANSPARENCY

Upon the initiative of Institute Alternativa, the contract of the director of the newly established public company, airline ToMontenegro, has been published. There remains a veil of mystery over the earnings of public companies’ directors, and IA is working for more transparency in that regard, as well as in improving compensation regulation and the policy for the management of state-owned enterprises.

IA, 30 September 2021

| Naknade izvršnog direktora ToMontenegro | |
|---|---|
| Neto mjesečna zarada | €4 400 + “početni dio zarade” |
| Mjesečna naknada za zakup stana | do €1000 |
| Jednokratni bonus | €30 000 ukoliko društvo godinu dana od osnivanja započne sa komercijalnom aktivnošću i pružanjem usluga vazdušnog prevoza putnika i robe |
| Otpremnina u slučaju raskida ugovora | 24 prosječne neto zarade (najmanje €105 600) i ostvareni bonusi u prethodnoj godini |

Godišnji bonusi za izvršnog direktora ToMontenegro

| Ako društvo u toku godine preveze: | Isplaćuje se godišnji bonus u iznosu od: |
|------------------------------------|--|
| 20 000 - 50 000 putnika | € 10 000,00 |
| 50 000 - 100 000 putnika | € 20 000,00 |
| 100 000 - 150 000 putnika | € 30 000,00 |
| 150 000 - 300 000 putnika | € 40 000,00 |
| preko 300 000 putnika | € 50 000,00 |

* Air Montenegro je do septembra (u prva tri mjeseca) ostvario preko 800 letova i prevezao 60 000 putnika

ANTI-CORRUPTION NEWS FROM THE SEE REGION

The current section of the Newsletter presents a summary of the latest anti-corruption news from the SEE region, based on consolidated information from multiple sources, such as media outlets and narratives received by the SELDI project partners.

EU CALLS ON MONTENEGRO TO INVESTIGATE FINDINGS OF PANDORA PAPERS

The Delegation of the European Union (EU) in Montenegro has stated, that it expects competent state bodies to adequately investigate the allegations from the “Pandora Papers” affair, according to which Montenegrin President Milo Đukanovic and his son Blažo came to secret agreements regarding the management of their property abroad. The Network for the Affirmation of the Non-Governmental Sector (MANS) announced, as part of the global investigation of offshore companies called “Pandora Papers”, that Milo and Blažo Đukanović signed secret agreements on managing their assets in 2012, hiding behind cited, complicated networks of related companies from the UK, Switzerland, the British Virgin Islands, Panama and Gibraltar.

CDT, September, 2021

EC: SERBIA MUST DO BETTER WHEN IT COMES TO THE FIGHT AGAINST CORRUPTION

Serbia must do more when it comes to integrated border management, the fight against organized crime, and also the fight against corruption, according to the European Commission.

The European Commission presented the results of monitoring the areas of asylum and re-admission, as well of judicial cooperation, public order and security. Among the recommendations, the Commission stated that Serbia should step up efforts to prevent organized crime, corruption and terrorism.

According to the European Commission, records on investigations, indictments and final judgments in high-level corruption cases need to be improved, and an anti-corruption strategy with a realistic action plan and an effective coordination mechanism should be adopted.

EC, August 4, 2021

POLITICAL WILL WILL BE SEEN AS KEY FOR REFORMS IN THE WESTERN BALKANS

The conference “Strengthening the Rule of Law in the Western Balkans: Old tools for new rules?” was held in Tirana in June 2021 as a part of a wider project on improving the rule of law in the Western Balkans to further candidate countries’ EU accession process. The project is implemented by the Politikon Network together with Centre for Contemporary Politics, and is supported by the Dutch Embassies in Serbia and Montenegro. The goal of the initiative is to find ways to improve rule of law mechanisms and to evaluate the effectiveness of implemented measures. The conference concluded that concrete and transparent EU instruments, as well as political will of both candidate states and the EU, are required to achieve true reform. Currently, the EU has no clear standards for reforms, and more expertise and incentives are required to achieve tangible results. Speakers included governmental officials, diplomats and experts from all around the Western Balkans.



European Western Balkans, 15 June 2021

KOSOVO COURT ORDERS DETENTION FOR MEDIA COMMISSION DUO FOR BRIBERY

The Head of the Independent Media Commission, Luan Latifi, and the Director of IMC Finances, Arben Bilalli, were put under court order for 30 days detention after being arrested in Pristina on suspicion of corruption. The IMC is responsible for regulating, managing, and monitoring the broadcasting frequency spectrum in Kosovo, as well as for issuing licenses to both public and private broadcasters. Bilalli was caught as a part of an undercover police operation, and both Latifi and Bilalli are suspected of accepting a bribe.

Balkan Insight, 1 July 2021

ALBANIA ARRESTS RULING PARTY MAYOR FOR ABUSE OF OFFICE



Albania's Special Prosecution has arrested Fatos Tushe, mayor of the city of Lushnja, along with several other administrative officials. The charges include abuse of office and "violating the equality of participants in public tenders or auctions". Furthermore, two private companies are suspected of having forged documents in relations to public tenders. The Special Prosecution and the Special Court against Corruption and Organised Crime were both recently established as a part of the justice reform system in Albania, and the arrest of mayor Tushe is one of the biggest operations performed by the Prosecution so far.

Balkan Insight, 6 July 2021

ALBANIA EX-DEPUTY INTERIOR MINISTER UNDER ARREST ON BRIBERY CHARGES

The former Interior Minister of Albania, Rovena Voda, has been put under house arrest for suspected bribery. The Special Prosecution against Corruption and Organized Crime believes that she accepted monetary and material bribes from two people in exchange for making one of them, Florida Beu, a civil servant. Voda faces the criminal charge of exercising illegal influence on persons exercising public functions. However, the Special Prosecution notes that the investigation is still ongoing.

Balkan Insight, 14 July 2021

THE NEW GOVERNMENT OF ALBANIA, "RAMA 3" SWEARS IN



The new government cabinet in Albania, "Rama 3", was sworn in before the President of the Republic Ilir Meta in September. This was the first official meeting between Prime Minister Rama and President Ilir Meta, since the vote by Parliament to dismiss the previous President. The legality of the president's dismissal is currently under review by the Constitutional Court and a final decision is still to be made on the issue. In its third mandate, 10 ministers of the previous cabinet were re-confirmed into office, while out of 15 ministries, 12 will be headed by female ministers.

Kohajore, 18 September 2021

ALBANIAN DEMOCRATIC PARTY EXPELS FORMER PRIME MINISTER SALI BERISHA FROM PARLIAMENTARY GROUP

After two years of boycotts, the Democratic Party of Albania has returned to Parliament without its historical leader, Sali Berisha, who was expelled from the PD parliamentary group. The decision to expel was taken on 9 September 2021, a day before the start of the new parliamentary session, by the chairman of the Democratic Party, Lulzim Basha. In a public statement, he announced that the former Prime Minister and President Sali Berisha would not be part of the new PD parliamentary group. In May, the US State Department declared Berisha “non grata”, due to “corrupt acts that undermine democracy in Albania”, and was banned from entering the territory of the US territory.

At the end of July, US Ambassador Yuri Kim publicly asked Lulzim Basha for the Democratic Party to distance itself from Mr. Berisha before the start of the new Parliament. Sali Berisha had been elected deputy of the Democratic Party in all parliamentary elections in the 30 years of post-communist Albania, equalling a total of eight legislatures. Following the decision, Mr. Berisha started a national tour of meetings with members of the Democratic Party and has demanded the dismissal of the current chairman Lulezim Basha.

DW, 10 September 2021

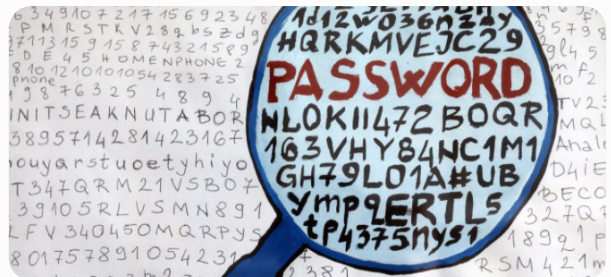
FORMER CHIEF PROSECUTOR CONVICTED OF CONCEALING PROPERTY FLEES ALBANIA



The Albanian Special Court of Appeals decided on the 22 September 2021 to uphold the two-year prison sentence of the former Chief Prosecutor Adriatik Llalla. The former Chief Prosecutor was found guilty of concealing income in connection with expenses connected to the birth of his son in the US, approximated by prosecutors to total USD 7000. Four plots of land on the outskirts of Tirana and an apartment in Durrës have also been seized in connection to the arrest, and are expected to be transferred to state ownership. Llalla was not present at the court hearing, and upon going to his house to execute the SPAK order for his arrest, Mr Llalla could not be found. According to media reports, the former chief prosecutor left Albania 1 week ago.

Euronews, 22 September 2021

NEW LAW ON PERSONAL DATA PROTECTION COMES INTO FORCE IN NORTH MACEDONIA



Beginning on the 24 August 2021, the new Law on Personal Data Protection came into force with full implementation in North Macedonia. According to the Agency for Personal Data Protection, this new law was brought into effect to enable normative and practical harmonization of EU law with Macedonian legislation in the field of protection of human rights. As a consequence, significant adjustments have been required. Most notably, that every company, whether small, medium or large, or institution or organization are now required to operate data protection measures more effectively, as well as to have a personal data protection officer, responsible for taking appropriate action to improve, upgrade and adapt established personal data protection systems.

Sloboden Pecat, August, 2021

NORTH MACEDONIA SET TO USE FINGERPRINT READING TECHNOLOGY IN LOCAL ELECTIONS

The first 250 terminals for reading fingerprints to be used in the local elections on October 17 should arrive this week (ending 25th August 2021), according to an interview conducted by MIA with SEC President Aleksandar Dashtevski. The SEC signed a contract worth EUR 11 million with the German company “Dermalog”, which, in addition to handling the delivery of the terminals, will take care of system functionality and maintenance over the next four election cycles.

“Dermalog” employees will be responsible for technical inspection of the terminals, as well as the creation of user manuals and running of handling training sessions to be given to each president and vice-president of the election board. The terminals will not be connected to the Internet, and the security of citizens’ personal data is guaranteed.

Sloboden Pecat, August, 2021

MEETING HELD IN NORTH MACEDONIA TO DISCUSS CRIME IN THE JUDICIARY

The North Macedonian deputy Prime Minister for the Fight against Corruption and Crime, Sustainable Development and Human Resources Ljupco Nikolovski, alongside the Minister of Justice Bojan Maricic met with members of the civil initiative “Stop Crime in the Judiciary” in August 2021. In a statement following the meeting, Nikolovski stated “Such meetings are an indicator that we are moving in the right direction and that we are restoring the trust of the citizens. My cabinet and I remain available to citizens and we will continue to direct their complaints to the relevant authorities. The very fact that we have seen more judges dismissed in this recent period than ever before indicates that the judiciary is being effectively cleaned following public complaints. The Law on the Origin of Property will not only look at the dismissal of judges but also take a closer look at their property status.”

Sloboden Pecat, August, 2021

CONFERENCE “AFTER OHRID” HELD ON THE TWENTY YEAR ANNIVERSARY OF THE SIGNING OF THE FRAMEWORK AGREEMENT IN SKOPJE



The main commemorative event to mark the 20th anniversary of the signing of the Framework Agreement was organised at the Alexander Palace Hotel in Skopje in August in cooperation with Columbia University in New York. Over 200 guests were invited to the three-panel conference which included, among others, addresses by President Stevo Pendarovski, Prime Minister Zoran Zaev, Parliament Speaker Talat Xhaferi, and DUI leader Ali Ahmeti. Although invited as signatories of the Agreement, former President, Prime Minister and leader of the political party SDSM Branko Crvenkovski and former Prime Minister and President of VM-RO-DPMNE Ljupco Gergievski did not address the event. Javier Solana and George Robertson, ambassadors of the EU, US, NATO and OSCE, as well as Peter Feith, Paul Williams, Brenda Pearson, David Sean, Robert Serry and Veton Surroi, also spoke to attendants.

Sloboden Pecat, August 2021

ACTIONS OF THE MINISTRY OF ECONOMY A THREAT TO PUBLIC ORDER IN SERBIA

Recent actions by the Ministry of Economy have struck a new blow to legal order in Serbia, by showing that those whose terms of office as acting directors of public companies have expired continue to hold their positions. In a report from the public debate on the Draft Law on Amendments to the Law on the Registration Procedure in the Business Register Agency, the ministry stated that the Registrar cannot automatically delete data on persons authorized to represent public companies after the period they were appointed for expires. The report states that in order for their functions to stop, a decision on dismissal by the competent authority is required. Such a response shows disregard by the Ministry of Economy to the Law on Public Enterprises, a law which it itself drafted, and for which it is responsible to supervise its application. The Law explicitly states that a director's function expires at the end of the period for which he was appointed.

Transparency Serbia highlights that, according to their latest research, "out of 34 companies to which the provisions of the Law on Public Enterprises on the election of directors apply, only 8 of them have a director selected through competition, while 18 are headed by acting directors whose term of office has expired. In three of these, acting directors are within the legal deadline, yet in others, acting directors were appointed without competition, or it has proved impossible to determine who is the director and since when."

Transparentnost July 28, 2021

RIGGED PUBLIC BINDING IN BELGRADE

The city of Belgrade has announced an advertisement for the lease of a sports complex, stating conditions which only one company meets. In an advertisement announced on 10 July 2021 by the Commission for Business Premises of the Secretariat for Property and Legal Affairs of the City Administration of Belgrade, bidding rules were listed, which, due to regulations, most are not able to meet.

As Transparency Serbia explained, the Decree on Conditions for Acquisition and Alienation of Real Estate by Direct Agreement and Leasing of Public Property, i.e. Acquisition and Assignment of Use of Other Property Rights, as well as Procedures for Public Tendering and Collection of Written Bids stipulates that the advertisement must prescribe conditions relating to the lease the building, and not prescribe requirements relating to who can lease the land.

However, setting the conditions for who can lease the land is not prohibited by law and the legislator did not envisage a procedure for renting land in which interested persons could challenge unjustifiably discriminatory conditions.

The lease conditions were met only by one company, and the Commission disposed of public funds in a non-competitive manner. Transparency Serbia explained that there were other ways for doing business with the Company in question, but instead of operating in a clean manner, the public tender was rigged.

Transparentnost, August 2, 2021

URSULA VON DER LEYEN AND OLIVÉR VÁRHELYI'S VISIT TO NORTH MACEDONIA DOES NOT DENOTE PROGRESS IN EU ACCESSION

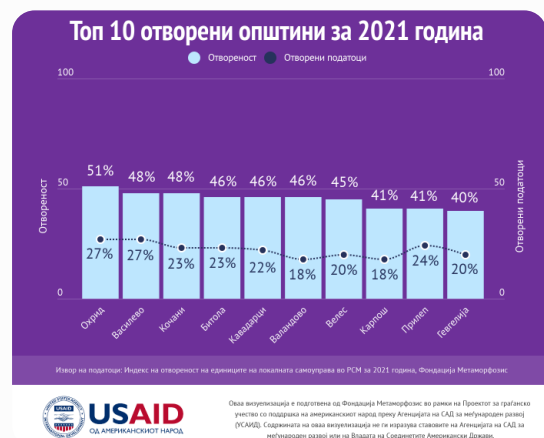
Despite visits from the two top EU politicians could be seen as progress in North Macedonia's EU accession process, this is not the case. While Ms. von der Leyen mentioned the goal of establishing the first intergovernmental conference to mark the official start of EU accession negotiations before the end of the year, it is unlikely to come to fruition.

Meta, September 2021

AVERAGE OPENNESS OF MUNICIPALITIES IN NORTH MACEDONIA IN 2021 STOOD AT 25%

According to research by the Metamorphosis Foundation, in North Macedonia there are municipalities which either have two official websites, or have a website which is not registered with the gov.mk domain. Moreover, the websites of some municipalities, like the municipality of Saraj, do not reach minimum cyber security standards. Even 12 of the country's local self-government units have not published their budgets on their official websites. The majority of these websites don't contain the basic information determined by law, and the average openness of the municipalities in 2021 stood at only 25%.

Meta, September 2021



ILLEGAL CONTINUATION OF ROLES AS ACTING DIRECTOR OF NUCLEAR FACILITIES IN SERBIA

The State Audit Institution of Serbia stated in August nuclear facilities within the country are managed by a person who has held the status of acting director for more than six years, and while the mandate of the president and four members of the Supervisory Board has expired, they continue to perform their duties.

It states that that is not in accordance with the Law on Public Enterprises, which stipulates that the period of performing the function of acting director cannot be held for longer than one year. This institution has already pointed out several irregularities in the state-owned public companies within which it conducted the audit. It gave recommendations for launching appropriate action in accordance with the Law, but according to the available data, the Government of Serbia and the relevant ministries have not reacted to the initiatives so far.

Transparentnost, August 2021

THE BUREAU FOR SOCIAL RESEARCH CALLS ON REPLACING THE MAYOR OF BELGRADE AND HIS DEPUTY

The fact that Belgrade does not have an anti-corruption plan in place and that it has been delaying the process of drafting such a plan for the last four years enables the city government to avoid questions on the price of various projects.

In order to find out such information, it is necessary to have a Local Anti-Corruption Plan in place, alongside an independent anti-corruption body; both of which the city of Belgrade does not have, and has refused to form since 2017. The Bureau for Social Research calls on city councillors to replace the mayor of Belgrade and his deputy, but questions remain regarding the effectiveness of such a measure.

The formation of independent anti-corruption bodies not only in Belgrade but throughout Serbia is Serbia's obligation in line with its commitment to become a member of the European Union.

Transparentnost, July 26, 2021

HEARINGS ORGANIZED IN THE PARLIAMENTARY COMMISSION RESPONSIBLE FOR THE AUDIT OF THE FBiH PARLIAMENT OPEN TO THE PUBLIC FOR THE FIRST TIME

On 13-16 July 2021, several hearings took place with representatives of 15 of the 19 institutions from the “mandatory annual package of financial audits” conducted by the Audit Office of the Institutions in FBiH. Speakers included the President and 2 Vice-Presidents, the General Secretariat of the Government and 12 of the 16 government ministries. At the request of a group of MPs and the NGO Centers for Civic Initiatives, hearings were held before the summer break, before the publication of all reports on the financial audits conducted for the previous year.

CCI, 13 – 16 July 2021



ONLY THREE MINISTRIES IN MONTENEGRO ANNOUNCED PUBLIC DISCUSSIONS FOR THIS YEAR

In 2021, ministries have continued the practice of not publishing their work programmes, as well as the list of acts subject to public discussion throughout the year. Thus, the conditions have not been created for adequate citizen engagement in policy-making processes. More than a half of the ministries have not published their work programme for the current year in accordance with the law, while only three ministries have published a list of laws and strategies to be subject of public discussions in 2021.

IA, 29 September 2021

PARLIAMENT DELIVERS NO RESULTS IN MEETING THE POLITICAL CRITERIA

In the first year of its convocation, the Parliament of Montenegro has failed to become a key political forum for establishing dialogue between the government and the opposition and resolving what is now a dangerous social crisis. Instead, it has taken the same, negative path as the previous assembly. Although a major step forward has been made towards increased transparency of the work of Parliament, and progress has been achieved in strengthening its role as overseer, MPs do not have enough authority to launch a substantive dialogue on complex issues to be decided upon by a majority vote, and Parliament has done little to work on such issues in its first year.

CDT, September, 2021





FORTHCOMING EVENTS



TRAINING ON WHISTLEBLOWER PROTECTION

The Southeast Europe Coalition on Whistleblower Protection is organizing one-day annual meeting of the Southeast Europe Coalition on Whistleblower Protection on 19 November 2021. The annual meeting will be preceded by a two-day Regional Multi-stakeholder Training on Whistleblower Protection which will gather representatives of relevant public institutions and NGOs from the Southeast European region.

RAI, November 19 2021



**REPORTS
AND
ANALYSIS**



PUBLIC OPINION POLL: TRUST IN GOVERNANCE

The Institute for Mediation and Democracy has published its annual opinion poll report “Trust in governance”. These polls have been conducted annually since 2013, and measure Albanian public perception of corruption, transparency, good governance, and citizens’ trust in public institutions based on both survey results and expert opinions. The latest opinion poll, “Trust in Governance 2020” was carried out between November and December 2020 in 61 Albanian municipalities. The poll found that, among Albanian citizens, international organizations, such as the UN and the EU, are considered the most trusted institutions, followed by religious institutions. Political parties, the parliament, the president, and the judicial system were the least trusted institutions in Albania. However, approximately half of those surveyed believe that the ongoing judicial reform will have a positive impact in improving the system.

Institute for Democracy and Mediation, May 2021.



GLOBAL CORRUPTION BAROMETER: EUROPEAN UNION 2021 - CITIZEN'S VIEWS AND EXPERIENCES ON CORRUPTION

The new Global Corruption Barometer by Transparency International reveals that almost one third of EU residents believe that corruption is increasing in their country, and almost half believe that their government is inefficient at combatting corruption. The barometer was conducted between October and December 2020 in all 27 EU countries. In Bulgaria, 48% of those surveyed believe that corruption has increased in their country over the past year. In Croatia, the equivalent number was 41%. Moreover, Bulgaria and Croatia also topped the perception of government corruption ranking with 90% of surveyed in Bulgaria and 92% of surveyed in Croatia stating that they believe that government corruption is a big problem.

Transparency International, 15 June 2021



SMALL STEPS AND UNSOLVED PROBLEMS: THE REPORT ON REFORMS IN THE AREA OF RULE OF LAW IN SERBIA (OCTOBER 2020 – JUNE 2021)

Serbia has stagnated in fulfilling the conditions for EU membership and has not managed to open new negotiation chapters since October 2019, finds the new report by the Centre for Contemporary Politics. There has also been some backsliding in making progress in the field of rule of law and improving its state of democracy. The fight against corruption is one of the areas which has made least progress. New legal changes, frameworks and documents have been adopted but their implementation has, at best, been partial. The appointment of new members of anti-corruption bodies has also been influenced by politics and insufficiently transparent. Moreover, despite corruption scandals among high-level politicians such as ministers, there has been no judicial investigation on the suspicions of corruption.

Centre for Contemporary Politics, 22 June 2021

POLICY INSIGHT: ANTI-MONEY LAUNDERING IN ALBANIA – WHAT IS THE ROLE OF CIVIL SOCIETY?

The latest policy insight by the Institute for Democracy and Mediation focuses on the possible role of civil society in combatting money laundering in Albania. Even though media, academia and certain research organizations have reported on and studied money laundering for years, it is rarely discussed with regards to grand corruption, state capture, increased reporting on organized crime, and the way money laundering intertwines with politics and economics. Combined with the increasingly sophisticated technology available to money launderers, Albanian state institutions working against money laundering need access to new skills and sources of information. Civil society and academia have proven through their initiatives on anti-money laundering and anti-corruption that they have the capacities to assist state institutions in combatting money laundering. Including non-state actors would also enhance public accountability of institutions. Therefore, the policy insight recommends more cooperation with civil society actors and academia.

Institute for Democracy and Mediation, Policy insight No. 1, July 2021

MONTENEGRO NATIONAL REPORT ON CITIZENS' EXPERIENCE WITH CORRUPTION

A new report by MANS analyses the state of corruption and the laws that facilitate state capture in Montenegro and recommends solutions for its improvement. The report reveals how state capture is achieved and maintained through laws that are solely designed to benefit the ruling elite, for instance, in the fields of energy, natural resources, and public procurement. The lenient handling of grand corruption cases by the criminal justice system also contributes to this status quo. The report proposes measures to limit opportunities for adopting laws that benefit only a certain group of people, as well as ways to ensure that grand corruption is rightly prosecuted and punished. These measures include, for example, better checks and balances, more transparency, improving access to information and increasing public consultation and parliamentary scrutiny in the process of adopting laws.

Network for Affirmation of the NGO Sector – MANS, 21 June 2021

BCSDN MONITORING MATRIX REGIONAL REPORT 2020: NARROWING THE CIVIC SPACE IN THE WESTERN BALKANS IN TIMES OF PANDEMIC

According to its findings for 2020, the BCSDN Monitoring Matrix Regional Report has found that severe restrictions and violations were imposed against the freedom of assembly and expression in the Western Balkans during the pandemic. Moreover, public funding has further decreased due to the canceling or postponement of planned calls for proposals and the redirection of funds to crisis relief. CSOs were found not to have been properly included in crisis management bodies, and they lacked acknowledgment for their actions from the governments. Problematic anti-money laundering legislation may have caused registration difficulties and intimidated CSO operations. Due to a lack of tax incentives, individual and corporate giving to the civil sector was insufficient. CSOs are still faced with a lack of public funding and issues concerning transparency of its planning and distribution. The region still faces inadequate employment and volunteering policies. The effectiveness and functioning of cooperation mechanisms have been unsatisfactory as well. Despite playing a vital role in providing social services for a wide range of beneficiaries and protection for vulnerable groups, CSOs are not properly incorporated into the cycle of service development and provision.

Following previous MM reports, the report again offers specific recommendations for national governments, yet introduces recommendations for other stakeholders too: civil society, donors and recommendations regarding the EU integration process.

MCIC, July 2021



FUNDAMENTALS AND THE REGIONAL COOPERATION IN THE WESTERN BALKANS

Various ongoing reports dealing with the state of democracy in the Western Balkans have recorded setbacks in key parameters which affect the rule of law, from the state of the judiciary and the independence of institutions in general, to media freedom. The reasons for this vary but can be largely summarised as an insufficient commitment by political elites in the region to implement key reforms and tackle pervasive corruption, and a lack of reward from the EU for doing so. Thus, incentive to accelerate and nurture structural, and politically difficult reforms does not exist. While there is not much reason for optimism when it comes to these factors, what is encouraging is that, after changes of government in some countries, public awareness of the influence citizens can have on the path to democratic consolidation and the strengthening of rule of law in this part of Europe, despite an uneven playing field and unfair political competition, has grown.

IDSCS, September 2021





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