



On 9. December 2022 MANS organized **XV National Anti-Corruption Conference**.¹

The Conference is the largest anti-corruption event in the country traditionally organized on International Anti-Corruption Day, and this year the focus was **on the financing of political parties and election campaigns**.

Plans for the reform of the Law on Financing of Political Entities and Election Campaigns and challenges in its application and supervision of the implementation of the Law were the topics we addressed this year. During three panels, we had the opportunity to hear the exchange of opinions and relevant experiences by representatives of political parties, international experts, as well as representatives of State institutions and the civil sector.

At the official opening of the conference, the participants were addressed by President of the Parliament of Montenegro² who pointed out during her opening speech that holding such a gathering was extremely important and thanked MANS for years-long commitment to ensuring that this topic received the necessary attention in our society. According to her, corruption in Montenegrin society is expressed to the extent that it creates negative patterns of behaviour in everyday life, while certain types of corruption leave major consequences on the business sector, thus, they can become a serious obstacle for private and foreign investment and the overall development of the economy. State officials should be an example to citizens and let them know that corruption is not a desirable way of completing any obligations, but only a burden with which we aggravate the already complicated situation in the country and drag it backwards, she pointed out. Corruption is not an individual, but a systemic problem in Montenegrin society, and the fight against it requires a non-selective approach and building of a strong legal framework that will show determination in that fight. Montenegro, which has set accession to the European Union as its strategic priority, can no longer tolerate the existence of corruption, the President of the Parliament concluded.³

In her introduction, U.S. Ambassador to Montenegro⁴ noted importance of the role of political parties in a democracy. Recognizing the importance of transparency and accountability in the context of financing political parties and campaigns, the United States is committed to supporting Montenegro and its responsible officials in their effort to root out violations of Montenegro's political financing laws and regulations.

She called on all political parties and all state institutions whose representatives had vowed to fight corruption to transform their words into action by joining with civil society partners, to increase transparency and accountability in the financing of political parties and campaigns,

¹ The conference organized with the support of the Embassy of Switzerland to the Republic of Serbia and Montenegro, the National Endowment for Democracy (NED), the European Union and the German Foundation for International Legal Cooperation (IRZ).

² Mrs. Danijela Đurović

³ Available on you tube <https://www.youtube.com/watch?v=Y1BHIPRLGzM&t=31s>

⁴ H.E. Judi Rising Reinke



including those recommendations of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) which have not yet been addressed.

European Union Ambassador⁵ pointed out that corruption in political financing, unregulated donations and abuse of state resources threaten the integrity of the elections. She emphasized that importance of transparency in political financing, as it is one of the cornerstones of the European anti-corruption agenda.

In addition, she mentioned the latest report of the European Commission which states that corruption is widespread in Montenegro, including the financing of parties and election campaigns. An effective fight against corruption requires the synergy of all actors in society. The EU wants to see tangible progress and Montenegro implementing reforms in Chapters 23 and 24, the EU Ambassador Popa pointed out.⁶

It is important that political parties do their work in a transparent manner, without covert influence on their policies. German laws stipulate that donations to parties must be transparent in terms of the amount and who donates, German Ambassador stated.⁷ We are all well aware that party finances are highly attractive for potentially corruptive practices. In that sense, constant monitoring and regular adaptation of the rules to changing realities is indispensable, he pointed out. I hope that the conference will contribute to coming up with good new ideas in this field relevant to Montenegro and its political system, so that responsible politicians have food for thought on how to make Montenegro more corruption-proof also in the field of political financing, he concluded at the end.⁸

The fight against corruption should be in the interest of the government, regardless of which party is in power. I call on all actors to put functional institutions before party interests, British Ambassador to Montenegro⁹ announced at the opening ceremony.

She drew attention to the cooperation of the British Embassy and the provision of assistance to the government of Montenegro and the partners with whom they work to strengthen institutions as well as to strengthen the legislative and regulatory framework.

She noted that the fight against corruption should be in the interest of the Government, regardless of which political party is in power, and that a functional Rule of Law system must be a priority.¹⁰

During the three panels, we had the opportunity to hear presentations of representatives of State institutions, political parties i.e. members of the Parliament and civil sector from Montenegro. With a particular regard to international standards and recommendations in

⁵ H.E. Oana Cristina Popa

⁶ Available on you tube <https://www.youtube.com/watch?v=Y1BHIPRLGzM&t=31s>

⁷ H.E. Peter Felten

⁸ Available on you tube <https://www.youtube.com/watch?v=Y1BHIPRLGzM&t=31s>

⁹ H.E. Karen Maddoks

¹⁰ Available on you tube channel <https://www.youtube.com/watch?v=Y1BHIPRLGzM&t=634s>



concrete areas, the representatives of relevant international organizations from the Germany, England, Ukraine and Sweden, shared their experience and provide recommendations.

The Conference gathered representatives of majority of political parties represented in the Parliament, thus in the first panel called **Scope and plans for the reform of the Law on Financing of Political Entities and Election Campaigns** members of Parliament of Montenegro and representative of the Political parties¹¹ took part, and gave promising opinions related to the political crisis in which the parliament finds itself at this moment. They also expressed their willingness to open negotiations and discussions regarding amendments to the Law on financing political parties and election campaign.¹²

After the conference MANS took the opportunity to send an initiative to President of Parliament to initiate the process of amending the Law on the Financing of Political Entities and Election Campaigns. We were encouraged by the opinions and position from the MPs stated during the conference, who expressed their readiness to initiate changes to this important law. Considering the blocked work of the Committee for Electoral Reform, we proposed that the Parliament create another mechanism for amending this Law and form a special working group to cooperate with representatives of the civil sector, as well as with international experts.

The conference created space for all stakeholders to exchange opinions, it provided an opportunity to hear suggestions, good solutions and practices, as well a chance of possible future cooperation. This is the biggest event in Montenegro of this character, and aims to address an important topic about financing political parties in front of all interested parties.

We had opportunity to hear relevant experiences from the international experts. The conference was hybrid, thus, participants from abroad joined online in the second panel called **International experience and recommendations**.

From Germany¹³ experience, we learned about independent control function in financing political parties and we received a recommendation related to the establishment of an independent body which will work with the State Audit Institution. Professor also talked about effective sanctions, were the political parties should not be allowed to run for elections and have an election campaign without clean sheets. According to him, we must work more on improvement political responsibility.¹⁴

¹¹ Branka Bošnjak, Vice-President of the Parliament of Montenegro and MP, Democratic Front - PZP
Milun Zogović, MP, Democratic Front – NOVA, Momo Koprivica, MP, Democratic Montenegro
Miodrag Lekić, MP, DEMOS, Genci Nimanbegu, MP, Albanian List

¹² Available on you tube channel <https://www.youtube.com/watch?v=WQMeqLhS32s>

¹³ Dr. Michael Koss, Professorship for Political System of the Federal Republic of Germany and the EU

¹⁴ Available on YouTube channel <https://www.youtube.com/watch?v=RwOLNtkWduI>



Professor Researcher from England ¹⁵ told us about the widespread links between political interests and general constituency. Money in the form of campaign contributions are pervasive across democracies in the world and over the 179 democracies around the world allow campaign contributions. Consequencies of electing a donor-funded politician and the influence of money in politics must be curbed.¹⁶

Director from the International Foundation for Electoral Systems¹⁷ emphasized the importnace of improvement of capacity, introduction of adequate sanctions, contol function, regulations of donation limits. Before adoption of legislative and its application, it is very important to explain it in practice and introduceall relevant actors with every part of the law, with terms and explanatory note for each proposed reform. ¹⁸

We heard from Sweden¹⁹ about donations and control functions and challenges related to the new area - online campaign. She talked about challenges in digital sphere and issue with legislative procedures regarding the online payment systems and online campaign. This is a new area of donations, and for incompleated systems such is in Montenegro, it is overstated. She also emphasysed importance of supervisions by the CSOs and Media by the even in regular campaign. In many countries, they are very active and they are the first groups in the monitoring of spending the funds and first bring the attention to the Anti-corruption body related to the campaign financing she concludes.²⁰

From International Foundation for Electoral Systems in Ukraine²¹ we heard that political financing legislative reform in that country started in 2015, and that they have had very successful story about financing political parties and campaign. All the rules, which were enforced and related to regulations of the financing from budget and spending of public funds, sanctions and oversight by the National Agency of prevention Corruption, gave results. They have an e-reporting register called POLITDATA, first digital reporting system for political parties.²²

¹⁵ Dr. Nelson A. Ruiz, Head of Political Economy Research Division at the Government Department at the University of Essex, England

¹⁶ Available on YouTube channel <https://www.youtube.com/watch?v=RwOLNtkWduI>

¹⁷ Dr. Magnus Öhman, Director, Regional Europe Office and Senior Political Finance Advisor for the International Foundation for Electoral Systems (IFES)

¹⁸ More available on <https://www.youtube.com/watch?v=RwOLNtkWduI>

¹⁹ Khushbu Agrawal, expert at the International Institute for Democracy and Electoral Assistance (IDEA) in Stockholm, Sweden

²⁰ Available on YouTube channel <https://www.youtube.com/watch?v=RwOLNtkWduI>

²¹ Oleksii Sydorchuk, Senior Project Officer at IFES Ukraine

²² Available on the YouTube channel <https://www.youtube.com/watch?v=RwOLNtkWduI>



Third panel with representatives from State Audit institution²³, CSOs²⁴ and BIRODI²⁵, called **Challenges in the implementation of the Law**

It was concluded by all panel participants that the problem of financing political parties will not be solved only by amending the Law, but by its diligent implementation. As a small country, Montenegro have the largest allocations for political parties in the region. We dont have the strength to deal with some established practices, as a democratic country.

In the fight for votes in election years, political entities do not choose the means to get as many votes as possible. Most often, they spend more in the campaign than is allowed or pay expenses from the account for financing regular work, and that is very non-transparent.

According to the reports of the State Audit Institution, the police and the prosecutor's office should work more. The state auditing institution does not have the possibility of filing criminal charges, but they regularly send reports to the Prosecutor's Office. We expect the Parliamentary Committee to introduce control hearings for political parties that have irregularities. We also need better, more active, in-depth controls of the Anti-Corruption Agency, instead of superficial administrative checking of incoming reports and taking their word for it.

Based on the official data of the Anti-Corruption Agency, it is impossible to determine who finances the elections in Montenegro. Numerous researches have shown that there is much more money in circulation in election campaigns than official documents show, there is also evidence of foreign funding, hidden funding by the business sector.²⁶

The conference was attended by more than 70 participants in the hall and online participants. The event were covered by domestic printed, online and TV media. Conference also was broadcasted live online via Zoom platform, MANS Facebook page and YouTube channel. All video material from the conference was published at MANS YouTube channel²⁷

²³ Nikola Kovačević, Chairman of the Senate of the State Audit Institution

²⁴ Milica Kovačević, Program Director of the Center for Democratic Transition (CDT), Marko Sošić, public policy researcher, Institute Alternative, Dejan Milovac, MANS Investigative Centre director

²⁵ Bureau for social researches is think-thank organization in sociology, which realized survey, makes analyses and develops sustainability solutions in public, civil and private sectors, Serbia

²⁶ Available on YouTube channel <https://www.youtube.com/watch?v=gAXYrKJrWI&t=364s>

²⁷ <https://www.youtube.com/watch?v=Y1BHIPRLGzM&t=640s>