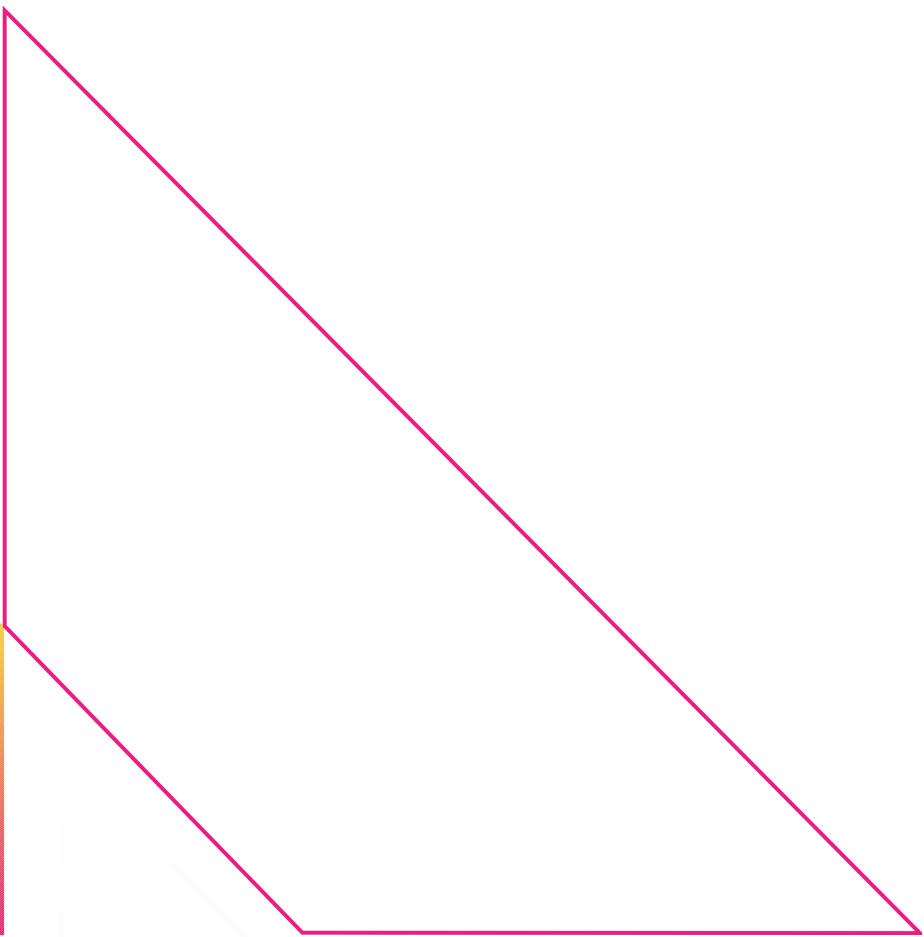




STUDENT PRACTICE IN MONTENEGRO - BETWEEN ASPIRATIONS AND REALITY

*LESSONS LEARNED FROM PROJECT
«ACTIVE STUDENTS FOR SUSTAINABLE DEVELOPMENT»*





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Podgorica, 2017



STUDENT PRACTICE IN MONTENEGRO -BETWEEN ASPIRATIONS AND REALITY
lessons learned from project «Active students for sustainable development»

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Introduction

Youth unemployment is one of the greatest problems which countries of region and Europe are facing. There are numerous reasons for such state. Incompatibility of educational system with needs of labour market results in saturation of certain professions, while highly specialised areas remain in deficit, are only some of those reasons. Global economic crisis, as well as the absence of adequate state intervention do not contribute to resolving the identified challenges.

Centre for Civic Education (CCE) has been indicating for years the negative effects caused by absence of practical work in teaching, especially on the Faculty of Political Sciences of University of Montenegro. Strategy of development of higher education in Montenegro (2016 - 2020¹) notes that *"employers also note that higher education institutions do not provide a sufficient amount of practical knowledge and skills that are relevant for job performance. They confirmed that students who already have working experience, or who have finished their studies abroad, fit easier in companies and master working tasks earlier. Employers believe that formal education primarily provides theoretical knowledge which is necessary for performing future job, accompanied with knowledge of English language and computer work. Practical knowledge, as well as the so called soft skills, such as skills of communication, problem solving, decision-making, conflict resolving skills, teamwork and self-confidence, students do not sufficiently develop during their studies, hence a special focus should be given to them in upcoming period. Even if they do exist, in most cases, internship and practical training are either not structured or graded formally, and are not focused on result!"*. CCE insisted on importance of increasing the practical education through amendments to the Law on Higher Education.² Indeed, the Law on Higher Education³, which amendments were adopted by the end of June 2017, in Article 81, recognises necessity of practical education and obliges that: *"Study programme must contain an outcome of learning for scientific area to which the study programme belongs and practical education. Practical education from paragraph 5 of this article amounts to at least 25% compared to overall student workload per subject, or year, depending on the outcome of learning for individual study programme."* Of course, it would be important if new legal solutions were not simply a dead letter, but to instead bring changes that are necessary in this area.

The surplus of employees in state administration, unstable private sector, lack of possibilities to acquire transferable skills on faculties, too demanding job calls which insist on multi-year work experience overburden young persons in starting a professional career.

This was the basic intention which instigated CCE's team to create the project *"Active students for sustainable development!"*, which was supported by the European Union

1 <http://www.mps.gov.me/ResourceManager/FileDownload.aspx?rId=244534&rType=2>

2 <http://cgo-cce.org/2017/04/02/izmjene-i-dopune-zakona-o-visokom-obrazovanju-da-budu-predmet-sirokog-drustvenog-dijaloga/#.WXX3byN96AJ>

3 <http://www.paragraf.me/propisi-crnegore/zakon-o-visokom-obrazovanju.html>

through the EU Directorate for Financing and Contracting of EU Assistance Funds (CFCU) of Ministry of Finances, within the programme "*Transfer of knowledge among the sectors of higher education, science and industry*". Project was implemented with partners – *Institute Alternative* and company *Daily Press – Vijesti*.

Objective of this project was to contribute to strengthening capacities and cooperation between the system of education, research centres, as well as small and medium sized enterprises. *More specifically*, the project was focused on improvement of skills of students from department of *Journalism* and *Political Science*, through transfer of knowledge within the scientific institutions and small and medium enterprises with the aim of realisation of close bond between the said sectors.

Hence, the selected students went through an intensive programme of training and practical education comprised of study visits to partner organisations and companies, project partners, workshops on independent media reporting and basics of public policies, with professional mentorship and practice in *Institute Alternative* and portal *Vijesti* in duration of one month. Results of practical work are articles, reports and documents related to public policies, which will provide the students of Political Sciences of University of Montenegro a good basis as well as an incentive for later professional improvement and easier adaptation to conditions of labour market.

During the internship, students of Political Sciences were actively working on analysis of public policies of state institutions, expert agencies, regional experiences, etc. in order to transfer theoretical knowledge acquired at the faculty with the mentor support into documents containing assessment of situation in which they have presented these issues in a simple but professional manner, and thus brought them closer to the wider interested public.

Simultaneously, as part of the internship, students of Journalism were expected to monitor, select, edit and prepare reports on social issues around the world in order to inform Montenegrin citizens about global issues and challenges. Thus, their work implied 'going to the field' and dealing with local topics and narratives that we are surrounded with, both in Podgorica and Montenegro, as well as translation and preparation for publication of texts from renowned media. Review of these texts clearly indicates those which have been downloaded and processed, with a reference to the source.

This project of CCE seeks also to contribute to simpler adaptation of students to labour market through stimulation of educational institutions to provide practical education themselves, and consequently to part ways with current approach according to which enrolment policies were focused on teaching staff and their needs, and not on students. Such and projects alike can significantly reduce "*brain drain*" of the most precious resource that a state can have.

Project offered an innovative approach which could be considered as a proposal to Government on how to position itself in relation to the ever-increasing number of unemployed university graduates. Simultaneously, project paves the road for flexible re-modelling of crude approach by the Government of Montenegro which dominated this field so far. Adaptation of educational system to European standards, as well as implementation of best practices from region and EU implies a broad coalition of all social actors who would work on achieving this goal.

Higher education and faculty of political sciences in Montenegro - facts

Montenegro has four universities: state University of Montenegro (UoM), and three private universities – University of Donja Gorica (UDG), University of Mediterranean and Adriatic University⁴. In addition, there are four independent faculty units that provide services of higher education: Faculty for Business Management (Bar), Faculty for State and European Studies (Podgorica), Faculty for Management in Transport and Communications (Berane) and the International Management in Tourism and Hotel Industry (Miločer).

Student population in 2016/17 consisted of 24 913 students, out of whom the majority (18 771) studied at UoM.

UoM consists of 19 faculty units and two institutes with a total of 160 study programmes, out of which 114 are undergraduate and master programmes. UoM has also 14 applied study programmes, 25 study programmes of doctoral studies, out of which one is interdisciplinary, and seven new interdisciplinary study programmes. UDG has 12 faculty units with 30 study programmes. University of Mediterranean consists of 6 faculty units with 16 study programmes.

Faculty of Political Sciences, whose students were target group of project "Active students for sustainable development" was founded on 3 May 2006, while until then this faculty was a department within the Faculty of Law at the University of Montenegro. This Faculty also enrolled the first generation of students in new department – European Studies – in 2006/07.



Source of photography: www.ucg.ac.me

As the site of FPS states "First generation of students began their studies in accordance with the old system of studies. However, the curricula and programme

⁴ Licenced in 2017, it is composed of several licensed and accredited independent faculties: Faculty of Maritime Studies Bar, Faculty for Business Economy Bar, Faculty for Business and Tourism Budva, Faculty for Mediterranean Business Studies Tivat, Faculty for Mediterranean Business Studies Ulcinj, Faculty for Mediterranean Business Studies Tivat – department in Nikšić, Faculty for Management Herceg-Novi.

changed already on second year, as well as study regime for that generation, according to provision on equivalence of Statute of University of Montenegro in line with the Bologna declaration. Thus, currently, all enrolled generations are studying according to new rules of study and the entire teaching process takes place according to Bologna system."

According to the information from the site of FPS⁵, permanent teaching staff includes 17 lecturers, out of whom 11 are regular, while six are professional associates. Additional eight professors are hired through supplementary work, as well as five external associates.

Teaching is currently taking place via undergraduate studies which consist of study programmes (*Political Science, Social Policy and Social work, International Relations, Journalism, European Studies*), accompanied with specialist studies and master studies with identical study programmes. Faculty of Political Sciences in Podgorica also organises doctoral studies. Reform of study programmes on Faculty of Political Sciences has passed a new curricula which includes three study programmes: *Political Science, Communication, Social Policy and Social Work*, and their realisation will begin from September 2017.

When it comes to legal framework, Constitution of Montenegro guarantees autonomy of universities, higher education and scientific institutions, as well as the right to education under equal conditions.

Laws which regulate higher education include the Law on Higher Education, Law on Scientific and Research Activity, Law on Recognition of International Educational Documents and Equalisation of Qualifications, Law on Recognition of International Qualifications for Performance of Regulated Profession, Law on National and Professional Qualifications, Law on Inspection Control, Law on Educational Inspection, Criminal Code, Law on Copyright and Related Rights, and Law on Vocational Training of Persons with Higher Education. Other important laws include the Law on Budget, Law on Public Procurement and Law on Free Access to Information, which regulate different aspects of work of higher education institutions and which application can be an indicator of legality and transparency of work of higher education institutions.

⁵ <http://www.ucg.ac.me/osoblje/fpn>



YOUTH – important potential of a country's development

Characteristics, lifestyle, as well as challenges which young people in Montenegro face, were all researched in October 2016 by CCE in cooperation with agency *Ipsos Strategic Marketing*, with the support of *Friedrich Ebert Foundation*⁶. Education and employment were particularly analysed which could be of interest also for the subject of this publication.

Professional development of an individual does not begin with commencement of work engagement, but during their studies. Therefore, higher education institutions have a role to create responsible, open-minded individuals, with solid theoretical background and ability of practical application of knowledge.

Furthermore, life-long learning represents one of the basic postulates of professional development of an individual. Today, opinion that formal education itself is sufficient for employment is rendered obsolete. In their search for job, many young people in Montenegro and elsewhere are additionally training, learning and developing different skills in order to ease their search for job. Certainly, in the end, not even this can guarantee employment, thus young people are one of the vulnerable groups, and due to high level of unemployment they often end up being socially excluded. This is particularly important when we consider the fact that age criteria for pension conditions are increasing, whereby mid-aged and older generations extend their working engagement, while there are no new jobs and opportunities being opened for young people.

Situation in Montenegro is also encumbered by hard socio-economic situation, accompanied by justified dissatisfaction of citizens with system of education which despite its numerous reforms does not seem enough prepared to cope with contemporary challenges. CCE's research from October 2016 indicated that only 30% of young people are very satisfied, or satisfied enough, with quality of education in Montenegro, while 20% of them are either dissatisfied or very dissatisfied. 50% of young people are averagely satisfied with quality of education.⁷



Source of illustration: www.cgo-cce.org

⁶ <http://media.cgo-cce.org/2016/12/Mladi-drustveni-dekor-ili-drustveni-kapital.pdf>

⁷ *Ibid*

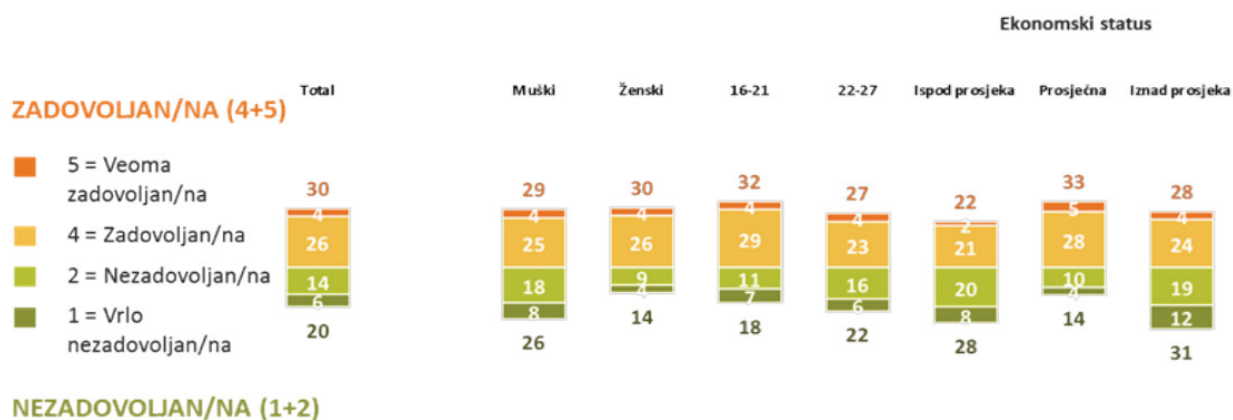


Chart 1: How are you satisfied with quality of education in Montenegro in general?

Programme of professional training, implemented by the Government of Montenegro, certainly represents a plus for training of young people on their path to further improvement. However, large number of them do not keep their jobs due to limited capacities of employers, and also due to other flaws of this programme. A research⁸ that was conducted by ADP Zid in November 2016, states that 23% of participants have continued their engagement with employer where they did their professional training, 21% of respondents stated that they have continued their engagement with some other employer in their line of profession, 12% of respondents said that they began engagement with some other employer out of their line of profession, while 42% of respondents have still not found employment.

Simultaneously, employers often demand previous working experience for initiation of new working engagement, which discourages young individuals to even apply for the job. Hence the fathomless maze of finding a first working engagement reaches its new dimension. Volunteerism and practice, in this regard, represent some sort of a shortcut to eventual consideration of employment. One of the benefits of volunteerism in certain European states is that it is accounted as working experience, regardless of not being paid. This is not still prevailing in Montenegro. Law on Volunteering⁹ poorly defines mutual rights and obligations of organisers and users of volunteering service, with possibility of a volunteer to receive a confirmation of volunteering experience at the end of the same. Volunteerism in developed countries of EU and Montenegro is rather different, of which there are experiences of students. While volunteerism in EU is time limited and suitable for acquisition of new knowledge and skills, in Montenegro, in large number of cases, it turns into a long and uncertain waiting for contract. Of course, there are always examples of good practice, as well as employers who appreciate dedication and persistence of individuals, and value the same adequately.

Hence, it is not a surprise that even 62% of young people responded negatively on the question "Have you participated in some form of charity/volunteer work during past 12 months?".

8 https://issuu.com/adp-zid/docs/izvjestaj_o_aktivnim_mjerama_zaposl

9 <https://www.google.me/>

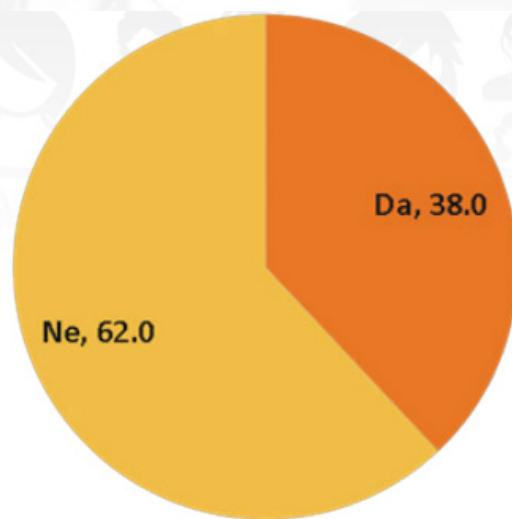


Chart 2: Have you participated in some form of charity/volunteer work during past 12 months?¹⁰

If number of students who were able to find a job in a short duration is taken as an indicator of success of a certain faculty, then numerous higher education institutions would not have anything to boast about. Students of social sciences have a particular problem.

The unemployment percentage is increasing for years, while systematic approach aimed to tackle this issue lacks. Data show that graduates, in average, are waiting 10,8 months for a first stable or satisfying job, while those with high school diploma wait almost two years (23,8 months), and those with primary school even 61,1 month. In average, young people are waiting two years for work.¹¹

¹⁰ <http://media.cgo-cce.org/2016/12/Mladi-drustveni-dekor-ili-drustveni-kapital.pdf>

¹¹ http://www.monitor.co.me/index.php?option=com_content&view=article&id=6833:novi-podaci-o-mladima-na-tritu-rada-meu-najgorima-i-u-regionu-&catid=4720:broj-1333&Itemid=6066

ČEKANJE DO PRVOG STABILNOG ILI ZADOVOLJAVAJUĆEG ZAPOSLENJA

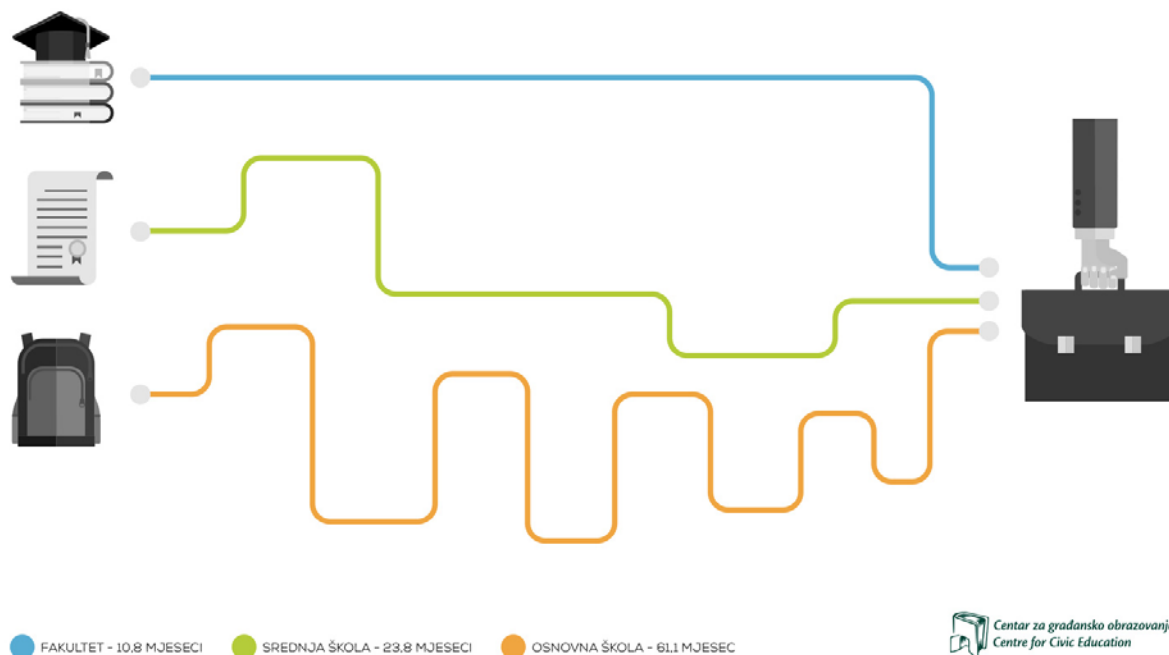


Chart 3: Period of time before the first stable or satisfying employment

As the result of the above stated, not only in Montenegro, but in Europe as well, we have a situation where young people less often opt for independent life due to lack of financial resources. Notwithstanding the wish of one part, the commodity that the other side sees in cohabitation with parents does not ensure development of independent individuals who contribute to community. The responsibility is of the system as a whole, mostly on executive authorities, to create conditions for young people to have a choice of which path they want to take.

Research has also shown that more than half of young people would rather work in state sector (51%), and though it guarantees some form of security, it does not guarantee competitive income like in private sector, which can also be one of the indicators of social characteristics of young people in Montenegro. Only more than a fifth would work in private sector (22%), and nearly a fifth would work in international organisations (19%).

Precisely this surplus of employees in public sector is what international reports on Montenegro find as troublesome, especially the reports of European Commission for Montenegro¹². CCE's research also identified a high level of nepotism, or that nearly 40% of young people define personal connections, ties and political ties as important when finding a job. Expertise as a manner of finding job in Montenegro is deemed important by 28%, while the level of education by 23%.

¹² <http://www.delmne.ec.europa.eu/upload/izvjestaj.pdf>

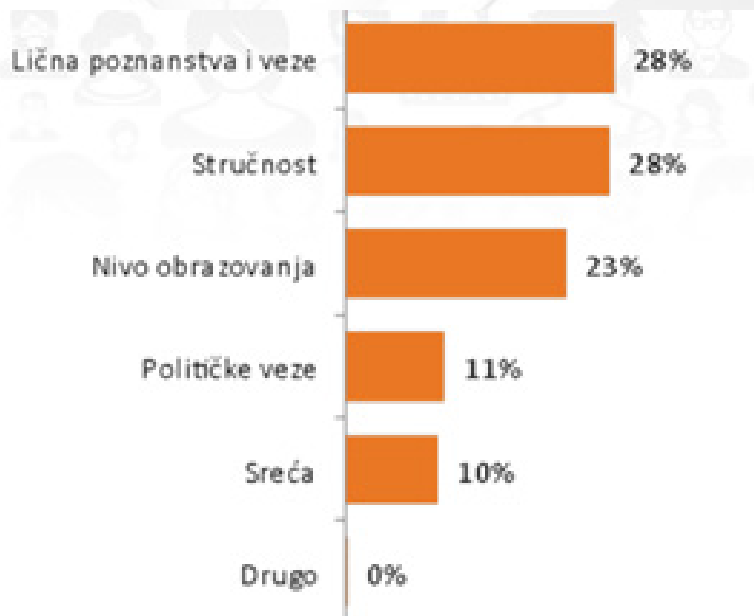


Chart 4: Which of the following factors do you consider most important for finding a job in Montenegro?

It is interesting to point out that 10% of respondents believe that luck is important in the search of a job. Authors of report stated that: *"Luck as a factor speaks of an important percentage of young people who have a fatalist view of future, and one could say even apathetic."*¹³

Ultimately, research discovered that even 50% of young people want to leave Montenegro, which indicates a dissatisfaction of young people with current state of affairs in the country. Three crucial reasons for which they would leave Montenegro are better living standards (36%), easier employment (32%) and better education (13%).

Role of the state is to create conditions for prevention of "brain drain" through strengthening credibility of higher education institutions, which would ensure equal opportunities for everyone, regardless of political, national, religious, gender affiliation or material wealth, as well as conditions for young people to obtain knowledge and skills for professional advancement.

13 <http://media.cgo-cce.org/2016/12/Mladi-drustveni-dekor-ili-drustveni-kapital.pdf>

Active students for sustainable development – activities

After undertaking obligations under agreement signed with CFCU¹⁴, CCE began implementation of a project, which was a natural continuation of numerous activities and initiatives which CCE has been conducting for 15 years already. In this regard, project "Active students for sustainable development" is another indicator of CCE's connection with student population, as well as with topics of higher education in Montenegro.



During the initial stage, CCE, as a project applicant, signed agreements with partners – Vijesti and Institute Alternative (IA), formed the project team, organised an initial meeting where further activities and planned dynamics were discussed. Project team also discussed the key items of *Memorandum of Cooperation* with the Faculty of Political Sciences.

In order to stimulate the cooperation and exchange of knowledge and experience between the organisations involved in action and Faculty of Political Sciences, as faculty which students are in the focus of project, plan was to sign a Memorandum

¹⁴ Directorate for the Financing and Contracting of EU assistance funds

of Cooperation between CCE and Faculty of Political Sciences. On that occasion, a preliminary meeting was held on 12 October 2016, between project coordinator, Damir Nikočević, and dean of Faculty of Political Sciences, PhD Saša Knežević, whereby the dean proposed that CCE sends a formal request for cooperation to the Council of Faculty of Political Sciences, explaining that this decision is made by the Council of Faculty of Political Sciences, and not by him personally. CCE addressed a letter to Council of Faculty of Political Sciences on 24 October 2016, along with a draft of Memorandum on formalisation of cooperation in the provision of additional training and internship for students. The Council responded negatively to the request, stating that they will *"uphold the principle according to which they choose not to participate in projects led by non-governmental organisations"*, and thus emphasised that they had previously turned down similar initiatives, even though they principally have positive opinion with regards to such initiatives.

CCE long insisted on precise answer regarding the FPS's refusal to participate in project which unquestionably benefits the students of this faculty. Agency for Protection of Personal Information and Free Access to Information then interfered became involved between CCE and FPS, which is still assessing whether the response by FPS was adequate and sufficient to the request which CCE sent to FPS under the Law on Free Access to Information. It is important to note that despite aforementioned, it did not have any greater impact on implementation of project, but it surely indicates that managements and teaching staff of higher education institutions, in this case of FPS, put their individual interests above interests of students.

First call for students was published in November of 2016, on every social media and websites of lead applicant (CCE) and partners on project Institute Alternative. Finally, portal www.vijesti.me, most read portal in Montenegro, published banners related to project. Non-standard visual formats, such as gif were used as well, which drew attention of large part of younger population.

Second call was published in January 2017, on every social media and websites of project applicant and partners. An intensive campaign was conducted on social media and television. Project coordinator presented the project on *"Dobro jutro Crna Goro"*, and on student show *"Index"* on RTCG, and additionally on TV Vijesti on the show *"Boje jutra"*.

Though it was not a formal part of the project, FPS gave the permission to project team of CCE to put the posters throughout the faculty during the second call. Information related to project were posted on website of faculty, as well as on FB page. It is important to emphasise that the call was rather specific and precise in



terms of target group (students of two study programmes of Faculty of Political Sciences from third and fourth year of studies). Commission that was formed after the first call chose ten students to be participants of programme, after which they attended initial meeting. Thus the following students became part of the project "Active students for sustainable development":

- **Andrea Lekić (Vijesti)**
- **Andrijana Radević (IA)**
- **Anđela Nenadić (IA)**
- **Bojan Vukojić (IA)**
- **Dušan Pejaković (IA)**
- **Jelena Kontić (Vijesti)**
- **Marija Bulatović (IA)**
- **Nina Đuranović (Vijesti)**
- **Rajko Vučetić (Vijesti)**
- **Vanja Đikanović (Vijesti)**



During the visit to Institute Alternative (10 February 2016), interns were welcomed by Stevo Muk, president of Management Board, who pointed out contribution of civil sector in advocating for a more transparent society, and spoke about initiatives which Institute Alternative had in that regard. Željko Ivanović, executive director and Srđan Kosović, chief editor of portal Vijesti, addressed the interns on behalf of daily and portal Vijesti (17 February 2017). They took opportunity to reflect on environment in which media in transitional societies work, development of company Vijesti, with focus on portal Vijesti, as leading news portal in Montenegro.



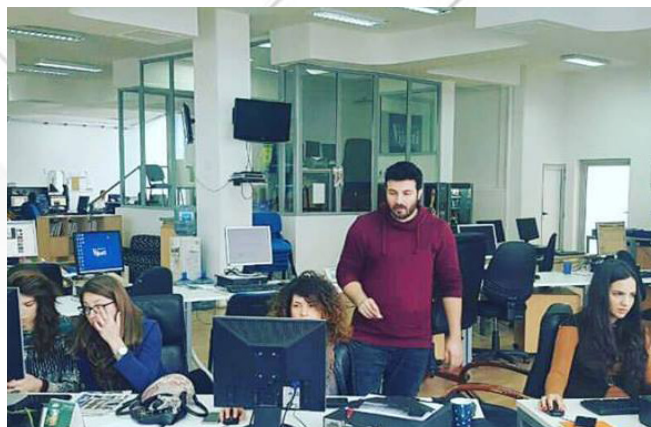
Workshop for students of Journalism was held in Podgorica on 21 February 2017. Participants discussed techniques of journalism with chief editor of daily Vijesti, Mihailo Jovović, as well as objectives and investigative journalism with prominent journalist of this daily, Olivera Lakić. Workshop consisted of series of practical tasks, lectures and transfer of experience which aimed to familiarise the students with their future journalist work. Apart from that, lecturers presented their long-standing experience in media, challenges and obstacles they often face in everyday work.



Experienced lecturers from Institute Alternative Dina Bajramspahić and Marko Sošić – public policy researchers, previously held lectures in Podgorica on 17 February 2017 on the subject of public policies. They focused on monitoring of work of state institutions, as well as supervision of state and local

budgets and their good-mannered usage. Prior to mentorship and policy papers writing, participants were informed on the manner in which they should prepare a research concept. Intensive workshop covered practical and theoretical part with the aim of facilitating easier adaptation to future project activities.

After the completion of workshops, five selected students from Journalism have begun their one-month practice in daily and portal "Vijesti", under the mentorship of Srđan Kosović. Students have performed daily journalist tasks, prepared texts, searched for information, interviewed citizens, helped their older colleagues with production of daily reports and other stories. Results of their work are measured with series of texts that they wrote, which were edited



by mentor and posted on the portal of Vijesti.me. They were particularly engaged in media coverage of an event known as "Mother's protest", which drew the attention of Montenegrin public for a long and continued period of time. Despite tense conditions, students were able to report adequately from the field and thus create stories and news which were, at that point, the most popular in the country. Due to nature of journalistic work, students were organised in two shifts. During one-month period practice, students submitted weekly reports on their performance.



Simultaneously, five selected students from department of Political Science began their one-month practice in Institute Alternative, under the mentorship of Stevo Muk, president of MB of Institute Alternative. There they had opportunity to inform on work of one of the most influential *think tank* organisations in this part of Europe. Students dealt with topics related to Montenegrin everyday life

through collection of information, public policy analysis, comparative experience and identification of good practices in region and beyond. Furthermore, their focus was also on other issues from domain of public procurement, financing of local self-governments, security sector, employment in state administration and reform of state administration. Apart from that, students participated in numerous conferences organised by Institute Alternative. Students who

Results of practice in Vijesti surpassed the initially set goals. Instead of ten texts, students wrote 24 (in average 5 per student), which altogether makes 140% more than planned. Texts cover various topics, ranging from politics, social and economic to local issues, as well as the area of culture, entertainment and news from world.

Writing policy papers is not easy, however, students who performed their practice in Institute Alternative wrote five documents on the subject of public procurement, financing of local governments, security sector, employment in state administration and reform of state administration.

All works by participants of this project can be found at the end of this publication.

Experience of participants



One of the envisaged activities was evaluation of participants and their experience during the project. They also had the opportunity to evaluate dedication of CCE and partners on project through interviews and anonymous questionnaires. During the period from 25 May to 12 June 2017, 10 live interviews were conducted with accompanying anonymous questionnaires.

Students' expectations from this project were high, as they pointed out during interviews. Students sought to improve the knowledge they obtained on Faculty of Political Sciences through practical work since the same lacked during their studies. Initial intention was to gain important connections through familiarisation with civil sector (NGOs and media), to gain insight in everyday functioning and to apply knowledge through journalistic work, research and paper policy writing. According to their testimonials, project was appealing also because of their expectations to have the freedom to propose topics and elaborate them in agreement with their mentors. This opinion was particularly expressed by students from department of Journalism. According to them, applying for this project was also conditioned by prominence of organisations such as Institute Alternative and company Daily Press with the leading informative portal www.vijesti.me.

From positive experience pointed out by students, the opportunity to improve their theoretical knowledge through practice is mostly distinguished, and what is most important, practice was very useful for their further improvement. Students had the opportunity to propose their own manners of elaboration of topics and work on their own, as it was the case of the pressing issue of "Mother's protest" in front of the Parliament of Montenegro in that period. Within the practice, programme participants had the opportunity to try out all journalistic forms which is particularly important in order to acquire a journalistic routine. According to students, mentors were highly dedicated and willing to explain and help. Interns in Institute Alternative also emphasised opportunity to attend other seminars and workshops, and estimated that weekly reports, that they wrote per request of project coordinator, were very useful for their self-evaluation.

According to students, major disadvantage of this project is the short duration of practice. Part of them believes that they could have better developed their capacities through longer internship, considering that the initial period was focused on acquainting with manner of work and adaptation. Lack of formal participation from FPS on this project was emphasised as one of the flaws. Despite great level of



interest for online journalism, which is gaining on primacy, they pointed out that the focus was more on portal compared to printed part of company Daily Press, i.e. daily Vijesti. Finally, they pointed out that it would be an additional motivation if practice, or similar projects, was paid.

On the other hand, mentors had the opportunity to evaluate the participants through questionnaires. Mentors have shown an enviable level of satisfaction with dedication of students which further affirms the value of this project. Confirmation of above mentioned reflects in excellent evaluation of CCE as project applicant.

CCE believes that these evaluations can help in better implementation of similar and related projects which aim at networking of academic, civil and private sector. CCE will review with due respect all suggestions and identified flaws and acknowledge them in future activities.



Conclusions and recommendations

- Implemented project "*Active students for sustainable development*" emphasized the **necessity of networking of different segments of society with the aim of improving the status of student population and their easier transition from formal education to employment**. In this regard, the project can represent a good model which aims to induce further networking of academic, NGO and private sector for the purpose of easier adaptation of students to labour market.
- Lesson of this project show us the **closed nature of university units, more specifically of Faculty of Political Sciences, which refused cooperation on this project that was financed by the EU**, justifying it unconvincingly with a previous attitude that they do not participate in projects led by NGOs. Apart from the initial positive stance, FPS explained the refusal in the following manner: "*We believe that this cooperation could severely harm the problematization of established partnerships, as well as the issues and dilemmas related to organisational, functional, personal or some other aspects of cooperation, in spite of the benefits it may have yielded in this context to academic community.*" Considering the fact that key project target group were the students of FPS, it is clear that FPS was not guided by interests of student population, but unclear established criteria that are result of conflicted sides on that very faculty and relations toward critically-oriented NGO and media, which only bring harm to students. **Unfortunately, such approach of FPS in this respect creates a distance in relation to other social actors, all to the detriment of interest of student population which requires more than practical work, which was previously proved by earlier researches of CCE, and which was, once again, affirmed by this project through experience of its participants.** Nonetheless, this fact did not influence the undisrupted implementation of project, even though, it would have a better influence, and more relaxed one for students, should this university unit at least have signed the *Memorandum on cooperation* thus showing the basic level of openness.
- It is especially indicative **dedication of mentors**, who worked daily with participants, took part in preparation of texts and policy papers. Unfortunately, such form of mentorship is rare and in the majority of cases beginners are left on their own without support with an understandable sense of initial confusion. **CCE points out that mentorship is a precondition for faster professional advancement**, and that, without dedication to a newly employed young person, any staff that would affect the processes in due time within their employer can hardly be expected. As a result, we have five solid documents related to public policies, and 24 journalistic texts, out of which 10 were chosen for the purpose of this

publication in order to give a credible presentation of topics which students of Journalism covered during practice in Vijesti.

- Students' experience after conducted questionnaires and interviews has confirmed that **this form of practice was highly beneficial for them and significantly different compared to what they are taught theoretically on the Faculty of Political Sciences**. Of especially significant importance is going daily to work, as well as work in shifts, adaptation to colleagues, field work, research and etc. All of this cannot be covered with formal education and theory. This is why participants of this programme are in advantage compared to other colleagues when it comes to techniques, knowledge and skills they adopted during their month-long practice and conducted trainings. CCE will, in cooperation with partners, continue to create conditions for realisation of similar initiatives even after completion of this project, to the satisfaction and benefit of student population, and potential employers and partners.
- **Part of the participants mentioned duration of practice as its, conditionally speaking, flaw**. Though the majority believes that it is possible to adopt basic knowledge during the provided period, students indicated that they have the impression that only after a month they started adopting a certain routine which their mentors and older colleagues already have. **Hence, one of the recommendations is to extend duration of practice in case of future similar projects and, if possible, provide a compensation for it in order to cover at least part of daily costs which participants have during their working day**.
- **Two out of 10 participants (20%) began their work engagement upon completion of practice with two legal entities that were partners on project**. **Andrijana Radević**, student on study programme *Political Science* was engaged as project associate on project in Institute Alternative, while **Jelena Kontić**, student of study programme *Journalism* was engaged as journalist in daily *Vijesti* and on portal *Vijesti* (Daily press). This is beyond any **envisaged outcomes and undoubtedly testifies of a special quality of project "Active students for sustainable development"**. Of course, this does not mean that their colleagues proved to be worse, on the contrary, it was just a set of circumstances that allowed only these two participants to retain some form of professional engagement. All 10 participants will be involved in future in project activities and initiatives of CCE, in the extent of their interest. Networking of contacts acquired through this project can present an additional value and incentive for future efforts of CCE to influence creation of better conditions for all students in Montenegro who are waiting for their right of employment.
- In the end, this publication provides the cross section of project, as well as the **lessons learned, results achieved and examples of good practice that contributed to advancement in the process of faster and easier employment of young people**.

Damir Nikočević, coordinator of project «Active students for sustainable development» and coordinator for development in Centre for Civic Educati



Works of participants of programme 'Active students for sustainable development'

Andjela Nenadic, student. Completed an internship in Institute Alternative

Un/regulated process of employment in public administration of Montenegro

Montenegro, as a country that strives to join the European Union, has an objective not only to harmonize its legislation with the EU acquis, but also its proper application. This certainly requires deep changes in the country in order to respond to demands set by the EU for its future members. As in all other, thus in public administration as well, Montenegro requires significant changes in the process of application and control over laws in the area of employment in the public sector.

SIGMA, as a joint initiative of the European Union and the Organization for Economic Co-operation and Development (OECD), aims to support the reform of administration of countries that are in the process of accession to the European Union. One of key guidelines for countries seeking integration in this union is document entitled 'European Principles of Public Administration' which provides a detailed overview of six key areas of reform.¹⁵ In the part relating to civil service system, countries seeking EU accession need to ensure independent civil service and a fair and transparent system of employment, taking into account experience and professional qualifications, without discrimination or restrictions on any impermissible basis.

In the part relating to the Public Service and Personnel Management, one of the main requirements is that scope of application of special laws governing civil service relations in public administration is precise and applicable in practice.

It is sufficient to look upon situation in Montenegro through one of indicators of quantity - perception of citizens when it comes to integrity and trust in the work of the public service, and we can conclude that these requirements are not being complied with.

According to IA assessments, regulations on civil servants and state employees that envisage certain, although imperfect, standards of employment and promotion, refer merely to **seventh** part of Montenegrin public sector - around 8,000 employees, mainly in the state administration bodies and in administration of the judiciary, the prosecution,

¹⁵ Principles of Public Administration, SIGMA, OECD

the Parliament and the President, and in other state bodies. The remainder of public sector, which, according to the latest data, enumerates around 56,000 employees, is unregulated, especially in the areas of employment and promotion, which, according to the so far practices, represent areas particularly susceptible to corruption, nepotism and illicit political influence.¹⁶

Furtheron, we will present a comparative analysis of the employment process in the public administrations of countries from the region: Serbia, Croatia and Bosnia and Herzegovina, in order to see examples of good practice that can be applied to regulation of the civil service system in Montenegro.

We have examined these practices through analysis of regulations and secondary sources of information, which showed that there are good practices of application of special laws related to employment of civil servants and state employees at the local level, as well as practice of the Republic of Croatia wherein the Ministry of Finance estimates fiscal burden on additional employment at the state level, whereby financial aspect is also taken into account at the local level.

First part of the analysis deals with legal framework of employment in state administration, after which we will look upon local level and good practices of application of special laws. Overview of organization of regulatory agencies follows, after which we present basic conclusions of the review of regulations, with particular reference to examples of good practices that may be applied to the case of Montenegro.

Employment in state administration

Civil servants and state employees, persons who base their employment in state bodies, have a regulated status in the Law on Civil Servants and State Employees of Montenegro, the Laws on Civil Servants of Serbia and Croatia, and the Law on Civil Service in the Institutions of BIH.

Their rights, duties and responsibilities are determined in a similar manner, and there are no significant differences in the very process of employment based on these laws, which also determine in which manner the procedure must be public and correct. Before every new employment, the laws on civil servants (all four countries) envisage filling vacancies with internal resources, then through an internal advertisement, and only afterwards public advertisement process is being initiated.

Basic provisions of the Law on Civil Servants and State Employees of **Montenegro**¹⁷ define a civil servant or state employee as a person who has established a working relationship in a state body, whereby the state body is deemed a ministry, administration body, the service of the President of Montenegro, the Parliament of Montenegro, the Government of Montenegro, the Constitutional Court of Montenegro, the court and the state prosecution. This law applies to employees in the Pension and Disability Insurance Fund of Montenegro, the Health Insurance Fund of Montenegro, the Employment Agency of Montenegro, the Labour Fund and the Agency for Peaceful Resolution of Labour Disputes. **This law also applies to employees in other organs, regulatory and independent bodies, if such is**

¹⁶ <http://mojaprava.me/saopstenje-javna-preduzeca-ustanove-van-domasaja-reformi/>

¹⁷ Law on Civil Servants and State Employees, Official Gazette of Montenegro

prescribed by a special law.¹⁸ Any new employment of a civil servant or employee shall be carried out in accordance with the *prescribed public advertisement procedure and general labour regulations*. Employment of managerial staff is carried out in accordance with the *public call procedure and general labour regulations*.¹⁹

SIGMA has established that, although formally there are procedures for employment based on abilities, there is still no reliable system for a transparent selection based exclusively on professional criteria (competences). As in many other countries of the region, there remains the challenge of defining (in advance) the competences required for specific jobs and conducting selection on the basis of assessment of candidates' competences.²⁰

Final decision on selection of candidates from the list of five best rated, submitted by the Human Resources Management Authority to a certain administrative body has the head of a state body. Such discretionary authority of ministers leaves space for doubt that the best ones do not get the job and that there is a political influence, which renders inadequate the employment process organized in this manner.

Civil Servants Act of **Republic of Croatia** applies to civil servants in state administration bodies, judicial bodies, penitentiary bodies, professional service of the Croatian Parliament, the Cabinet of the President of the Republic of Croatia, the professional service and cabinets of the Government of Republic of Croatia, the professional service of the Constitutional Court of Republic of Croatia, the professional service Protector of Human Rights for gender equality, the State Audit Office and other bodies established for performance of civil service.²¹ This law also defines that issues which are not regulated by this or a special law, regulations of the Government of the Republic of Croatia or other regulations adopted on the basis of the Constitution and the law or collective agreement, shall be subject to the general labour regulations.²²

Website of the Ministry of Administration of the Republic of Croatia highlights that the plan for admission to civil service must be aligned with the state budget for that year. Therefore, adoption of the employment plan is always preceded by the approval of the **Ministry of Finance**, by which it confirms that financial resources are foreseen for the required employment.

In Croatia, unlike Montenegro, provisions of the Law on Civil Servants are not being applied in employment of state employees working on auxiliary-technical affairs in state bodies but provisions of Labour Law.²³

The Law on Civil Servants of the **Republic of Serbia** regulates rights and duties of civil servants and certain rights and duties of employees. In addition to civil servants, other persons work in state bodies who do not have such status, thus the special legal regime of the Civil Servants Act is not being applied for them, i.e. they are not a part of civil service system. On one hand, they are functionaries who come to position by election or

18 Law on Civil Servants and State Employees, Official Gazette of Montenegro

19 <http://www.uzk.co.me/stari/kupravljanje/zaposljavanje.htm>

20 Strategy of Public Administration Reform in Montenegro, July 2016, Chapter 2.3.

21 Civil Servants Act, Zakon.hr

22 Civil Servants Act, Zakon.hr

23 <https://uprava.gov.hr/vijesti/priopcenje-ministarstva-uprave-o-zaposljavanju-u-drzavnoj-sluzbi/14484>

appointment (eg. members of the Government, MPs, judges, public prosecutors, citizens' protector and other persons elected to the office by the Parliament or appointed by the Government), and on the other, employees who carry out accompanying auxiliary-technical tasks in state bodies. The status of employees is determined by the Labour Act, while the position of officials is regulated by special regulations that regulate their choice or appointment and mandate.²⁴

The Civil Servants Act envisages a different procedure for employment of civil servants in the position and executors. When it comes to the positions to which it appoints, an internal competition is first published, on which can participate only civil servants from state administration bodies and Government services. If an internal competition does not succeed, a public call is launched that is open to all persons who meet the criteria. Both types of tenders are conducted by a selection commission appointed by the High Officials' Council²⁵. The Commission performs selection of candidates and drafts a list of up to three candidates who best meet the envisaged requirements and submits it to the head of the body that proposes to the Government a candidate for appointment to the position. An appeal against the Government's decision on the appointment is not permitted, but administrative dispute can be conducted. The manner of conducting the competition, both for positions and executive posts, is regulated in more detail by Government's regulation.

Employment for executive work positions in state administration bodies and services of the Government is carried out by a selection commission appointed by the head of the body, with a mandatory one member from the Personnel Management Service. The Commission drafts a list of eligible candidates and conducts a selection via written verification, oral interviews and other methods, and ultimately compiles a selection list. From the list made by the selection commission, the head of the body selects a candidate and makes a decision on admission to employment. Decision is submitted to all contestants and they can lodge an appeal within eight days.²⁶

Law on Civil Service in the institutions of **Bosnia and Herzegovina** regulates the legal status of civil servants in ministries, independent administrative organizations and administrative organizations within the ministries, as well as other institutions of Bosnia and Herzegovina established by a special law or entrusted with performance of tasks of administration by a special law. Employment and promotion of the professional career of a civil servant is based on a public competition and professional ability.²⁷

Employment in the services of local self-governments

At the **local level**, the Law on Local Self-Government of Montenegro stipulates that with regard to the legal status of local functionaries, local officials and employees, the Law on Civil Servants and State Employees shall be applied accordingly, the Law on Local Self-Government in BiH, while Serbia and Croatia have special laws on employees in units of local self-government.

24 Analysis of legal and institutional framework in regards to employment in the public sector, Transparently to the Job, CeSID, BIRN, PALGO, Belgrade, March, 2015.

25 http://www.suk.gov.rs/sr/visoki_sluzbenicki_savet/delokrug_rada.dot

26 Analysis of legal and institutional framework in regards to employment in the public sector, Transparently to the Job, CeSID, BIRN, PALGO, Belgrade, March, 2015.

27 Law on Civil Service in Institutions of Bosnia and Herzegovina, Agency for State Service BiH



Employees in local government bodies of **Montenegro** are local officials and employees who professionally perform tasks within the jurisdiction of local self-government, and they are employed on the basis of public advertisement.²⁸

In **Croatia**, the process of employment in local self-government is regulated by a separate Law on Civil Servants and State Employees in Local and Regional Self-Government. When it comes to preparation and adoption of a recruitment to service plan, the procedure is clearly outlined:

- 1) People who are at the head of local unit's administrative bodies prepare proposals for a recruitment to service plan at the time when **the draft local unit's budget for the next calendar year is being prepared**, in a manner that is consistent with it.
- 2) On the basis of the collected proposals, and taking into account needs of the administrative bodies and the **available financial resources, chief of the municipality, the mayor determines the plan of recruitment to service to the administrative bodies of the local unit.**²⁹

This Law defines also the rules for publishing a competition³⁰:

- Competition is published by a person at the head of the administration body
- Competition for appointment of a person from administration body is published by municipal chief, mayor.
- **For filling the work position resources in the budget calculation of local unit must be provided.**³¹

The Government of the **Federation of Bosnia and Herzegovina** created the Draft Law on Employees in Local Self-Government Units³² in October 2012, but the Draft Law has not yet been adopted. The Law on the Principles of Local Self-Government in the Federation of Bosnia and Herzegovina does not prescribe anything about the employment process itself.

In **Republic of Srpska**, the employment process is regulated by a separate Law on Local Self-Government. A vacant post in the administrative service of a local self-government unit is filled by a public competition. When implementing the procedure for the receipt of officials, the assembly of a local self-government unit, on the proposal of the chief or the mayor, appoints special and **impartial commissions**. The Commission comprises of at least five members, of which at least two members are officials having professional experience, while three members are appointed from the list of experts determined by the assembly of the local self-government unit. In conducting the procedure for selection of officials, the commission checks and determines the order of candidates on the basis

28 <http://uom.me/2015/02/zakon-o-lokalnoj-samoupravi/>

29 Law on Civil Servants and State Employees in Local and Regional Self-Government. Official Gazette of Republic of Croatia

30 Article 19.

31 Law on Civil Servants and State Employees in Local and Regional Self-Government. Official Gazette of Republic of Croatia

32 http://www.parlamentfbih.gov.ba/dom_naroda/bos/parlament/propisi/El_materijali/Zakon%20o%20zaposlenicima%20o%20organima%20jedinica%20lokalne%20smaouprave.pdf

of professional competences. Decision on selection of candidates is made by the chief of municipality, i.e. the mayor.³³

In **Serbia**, this process is regulated by the Law on Employees in Autonomous Provinces and Units of Local Self-Government. Article 6, which refers to application of general labour regulations and collective agreements, emphasizes that general labour regulations and a special collective agreement for units of local self-government shall be applied for rights and duties of functionaries and officials not regulated by this or a separate law or other regulation, as well as a collective agreement with the employer.³⁴

When it comes to the position of officials, their election, appointment, placement, as well as dismissal of officials in local self-government units, it is carried out in accordance with special regulations and this law, the statute of the local self-government unit and decisions of the local self-government unit that regulate the establishment of services and organizations.³⁵

Regulatory agencies

Montenegro does not have a single legal framework for the system and position of organizations that exercise public authorities. Agencies and other organizations exercising public authorities have the status of a legal person of public law, and their employees do not have the status of civil servants in the sense of the Law on Civil Servants and State Employees. Therefore, the Law on Labour, as a general regulation in that field, applies to the labour rights, obligations and responsibilities of employees in these organizations.³⁶

We will examine the situation through analysis of regulations related to regulatory bodies, i.e. agencies in the field of energy, electronic media, insurance agencies and civil aviation agencies.

Regarding the energy sector in **Montenegro, the regulator is the Energy Regulatory Agency**. The work of the Agency is regulated by the laws of Montenegro, first of all the Law on Energy by which it was founded. Agency adopts internal acts regulating internal organization, mode of operation and business.³⁷

The Law on Energy defines the procedure for appointing members of the Board of the Agency, whereby the President and members of the Committee are appointed by the Parliament on the proposal of the Government after conducted public competition in accordance with the statute of Agency.³⁸ The ranking of candidates is carried out by a special ranking commission appointed by the Government.

Executive Director and Deputy Executive Director of the Agency shall be elected by the Agency's Board with the prior opinion of the Government in a procedure conducted after public announcement, and this decision shall then be published

33 Law on Local Self-Government, Republic of Srpska

34 Law on Employees in Autonomous Provinces and Units of Local Self-Government, paragraf.rs

35 Law on Employees in Autonomous Provinces and Units of Local Self-Government, paragraf.rs

36 Strategy of Public Administration Reform in Montenegro Crnoj Gori 2016 – 2020

37 Article 30, <http://regagen.co.me/>

38 Law on Energy, Montenegro, 2003.



in the 'Official Gazette of Montenegro'.³⁹

In Serbia, the **Energy Agency of the Republic of Serbia** has been established as a regulatory body in this field by the Law on Energy.

The Agency is managed by the Council of the Agency, which has a president and four members, elected from the ranks of prominent experts in the field of energy and other areas of importance for performance of Agency's activities.

Article 18 of the Law on Energy prescribes that the president and members of the Council shall be elected by the National Assembly upon a proposal of the Government of the Republic of Serbia. The President, members of the Council and employees of the Agency exercise rights and obligations arising from employment in accordance with the law governing rights and obligations on the basis of work.⁴⁰

Croatian Energy Regulatory Agency (CERA) was established by the Law on Regulation of Energy Activities (2004) and continued its operation in accordance with the provisions of the Law on the Regulation of Energy Activities (2012). The Croatian Parliament appoints the President of the Governing Council which manages the Agency's work, whereby a public call is published for nominating candidates, and the ministry is responsible for collecting candidacies⁴¹.

Insurance Supervision Agency of Montenegro was established in 2007 in accordance with the Law on Insurance. Based on Art. 60 of the Law on Insurance⁴², the Ministry of Finance passed a rulebook on content and method of taking an expert exam for carrying out mediation i.e. insurance representation activities. This rulebook prescribes content and method of taking of an expert exam for carrying out mediation activities or representation in insurance.

Article 6 prescribes - the professional exam is taken before the Commission for taking the professional exam. Commission is appointed by the Agency. Commission has a president and two members, who have deputies, and a secretary who carries out expert tasks for the Commission. Commission for Labour is entitled to a fee determined by decision of the Agency.

Insurance Agency in Bosnia and Herzegovina was established in 2004 by the Law on Insurance Agency in Bosnia and Herzegovina. One of the main tasks of the Insurance Agency is to ensure the uniform application of insurance laws between entities, as well as ensuring smooth and effective cooperation between insurance supervision agencies in the Federation of Bosnia and Herzegovina and the Republic of Srpska, and ensuring that Entity laws are applied and interpreted on a fair basis.⁴³

In Article 3 of the Law on Insurance Agency of Bosnia and Herzegovina, it was highlighted that the President of the Agency's Management Board is an expert in

39 Law on Energy, Montenegro, 2003

40 Law on Energy, Paragraf.rs

41 http://narodne-novine.nn.hr/clanci/sluzbeni/2004_12_177_3077.html

42 'Official Gazette of RMNE', No. 78/06

43 http://www.azobih.gov.ba/cms/index.php?option=com_content&task=blogsection&id=7&Itemid=121

the field of finance, with specialization and experience in the field of insurance and appointed by the Council of Ministers of Bosnia and Herzegovina. Council of Ministers of Bosnia and Herzegovina appoints the President of Management Board of the Agency and two other members of Management Board of the Agency, one of which is a representative of Ministry of Finance, and one representative in the field of insurance, in the manner that members appointed by the Council of Ministers of Bosnia and Herzegovina should represent the constituent peoples in Bosnia and Herzegovina Herzegovina.⁴⁴

Supervision in the field of insurance in the **Republic of Serbia is performed by the National Bank of Serbia**, while in the Republic of Croatia this role has **Croatian Financial Services Supervisory Agency**. The scope and jurisdiction of the Croatian Financial Services Supervisory Agency in this area are regulated by the Law on Insurance, the Law on Obligatory Traffic Insurance and relevant bylaws.

Civil Aviation Agency of Montenegro was established in 2009, pursuant to Article 5 paragraph 1 of the Law on Air Transport,⁴⁵ for the purpose of performing public interest tasks in the field of air traffic.

Agency has the status of a legal entity and in accordance with the Law on Air Transport and the Law on Amendments to the Law on Inspection Control performs inspection supervision tasks. The provisions of the Law on Air Traffic stipulate that Agency performs inspection and continuous control carried out by experts and inspectors who have the authority prescribed by the Law on Air Traffic and the Law on Inspection Control.⁴⁶ Labour Law is in the basis of this Agency's functioning.

Civil Aviation Directorate of the Republic of Serbia is a public agency on which the Government has founding rights on behalf of the Republic of Serbia and which carries out the tasks of state administration which are entrusted to it by the Law on Air Transport of the Republic of Serbia. Legal position of the Civil Aviation Directorate is defined by the Law on Air Traffic.

Croatian Civil Aviation Agency was established by the Law on Amendments to the Air Traffic Act, which was passed by the Croatian Parliament in 2007. Founder of the Agency is Republic of Croatia, and the founding rights in accordance with the provisions of this Law are performed by the Government of the Republic of Croatia. Agency is an independent and non-profit legal entity which carries out affairs of interest to the Republic of Croatia within the framework defined by the Air Traffic Act and the Agency's Statute, and is responsible for its work to the Government of the Republic of Croatia to which it submits Annual work report.⁴⁷

Legal position of employees in the Agency, employment rights, conditions for employment, salaries and other issues related to employment, which are not regulated by the Law and this Statute, are regulated by labour regulations, the Rules of Procedure and other general acts of the Agency in accordance with general labour regulations.⁴⁸

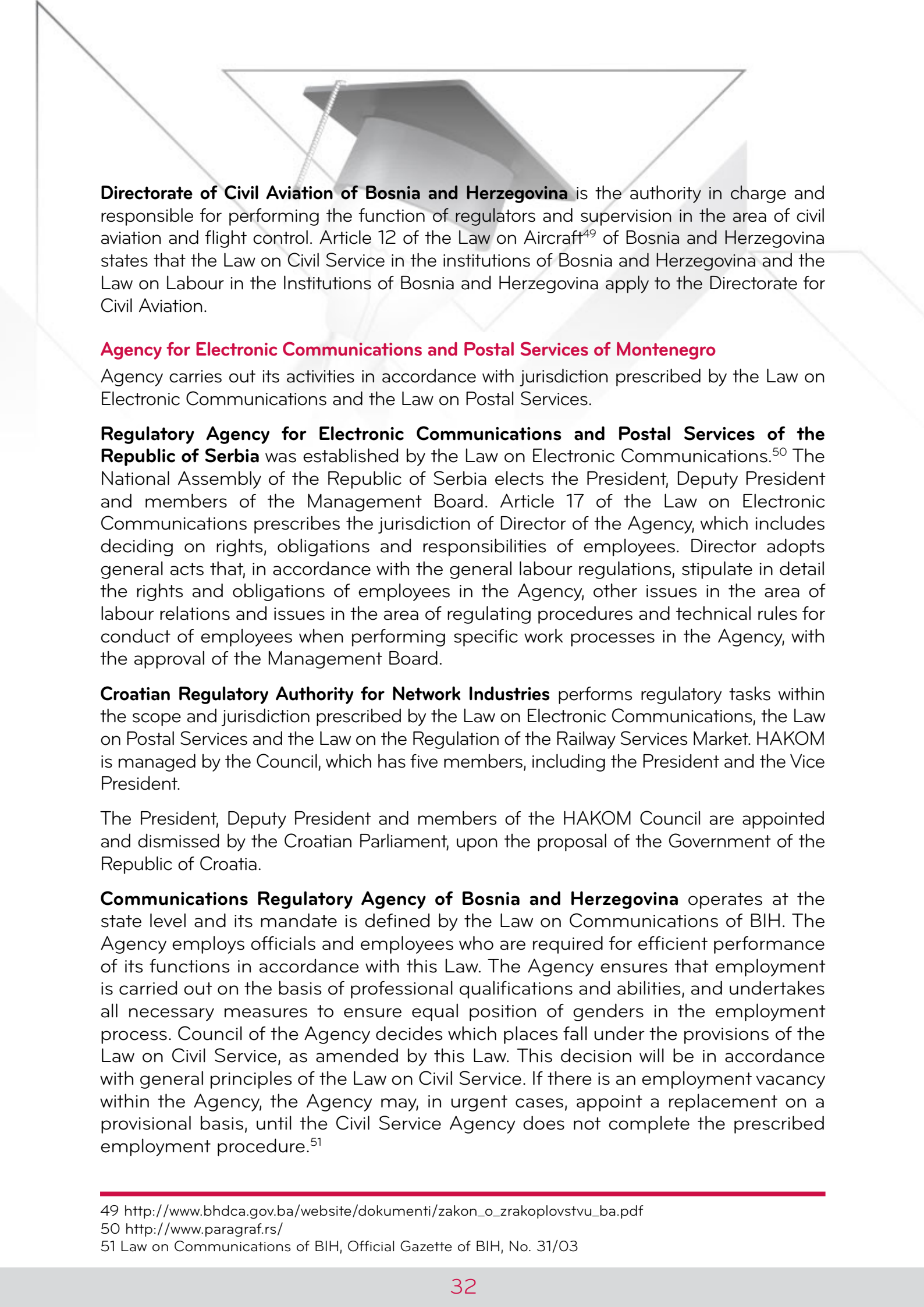
44 https://www.advokat-prnjavorac.com/zakoni/Zakon_o_Agenciji_za_osiguranje_BiH.pdf

45 Official Gazette of MNE 66/08

46 <http://www.caa.me/>

47 <http://www.ccaa.hr/>

48 Statute of Croatian Civil Aviation Agency



Directorate of Civil Aviation of Bosnia and Herzegovina is the authority in charge and responsible for performing the function of regulators and supervision in the area of civil aviation and flight control. Article 12 of the Law on Aircraft⁴⁹ of Bosnia and Herzegovina states that the Law on Civil Service in the institutions of Bosnia and Herzegovina and the Law on Labour in the Institutions of Bosnia and Herzegovina apply to the Directorate for Civil Aviation.

Agency for Electronic Communications and Postal Services of Montenegro

Agency carries out its activities in accordance with jurisdiction prescribed by the Law on Electronic Communications and the Law on Postal Services.

Regulatory Agency for Electronic Communications and Postal Services of the Republic of Serbia was established by the Law on Electronic Communications.⁵⁰ The National Assembly of the Republic of Serbia elects the President, Deputy President and members of the Management Board. Article 17 of the Law on Electronic Communications prescribes the jurisdiction of Director of the Agency, which includes deciding on rights, obligations and responsibilities of employees. Director adopts general acts that, in accordance with the general labour regulations, stipulate in detail the rights and obligations of employees in the Agency, other issues in the area of labour relations and issues in the area of regulating procedures and technical rules for conduct of employees when performing specific work processes in the Agency, with the approval of the Management Board.

Croatian Regulatory Authority for Network Industries performs regulatory tasks within the scope and jurisdiction prescribed by the Law on Electronic Communications, the Law on Postal Services and the Law on the Regulation of the Railway Services Market. HAKOM is managed by the Council, which has five members, including the President and the Vice President.

The President, Deputy President and members of the HAKOM Council are appointed and dismissed by the Croatian Parliament, upon the proposal of the Government of the Republic of Croatia.

Communications Regulatory Agency of Bosnia and Herzegovina operates at the state level and its mandate is defined by the Law on Communications of BIH. The Agency employs officials and employees who are required for efficient performance of its functions in accordance with this Law. The Agency ensures that employment is carried out on the basis of professional qualifications and abilities, and undertakes all necessary measures to ensure equal position of genders in the employment process. Council of the Agency decides which places fall under the provisions of the Law on Civil Service, as amended by this Law. This decision will be in accordance with general principles of the Law on Civil Service. If there is an employment vacancy within the Agency, the Agency may, in urgent cases, appoint a replacement on a provisional basis, until the Civil Service Agency does not complete the prescribed employment procedure.⁵¹

49 http://www.bhdca.gov.ba/website/dokumenti/zakon_o_zrakoplovstvu_ba.pdf

50 <http://www.paragraf.rs/>

51 Law on Communications of BIH, Official Gazette of BIH, No. 31/03

Conclusions and recommendations


The very process of employment in state administration of Montenegro and countries of region does not differ substantially in many things, while legal regulation of functioning of local self-governments varies considerably. However, what would make this process even more transparent, and strengthen the trust of citizens in the state administration itself, is abolition of discretionary powers of head of a state body in the selection of candidates. This would mean removing the suspicion that those who are best rated, by checking the ability of candidates,⁵² do not acquire the job.

As we have previously pointed out, the Law on Local Self-Government of Montenegro stipulates that in regard to the legal status of local functionaries, local officials and employees, the Law on Civil Servants and State Employees shall be applied accordingly. In Croatia, this process is regulated by the Law on Civil Servants and Employees in Local and Regional Self-Governments, wherein it was pointed out that funds must be provided in the budget of the local unit prior to announcing the advertisement of the vacancy.

Legal procedure of the Republic of Croatia also covers an adequate solution to this problem. The Law regulating employment in the local self-government of this country points out that the plan of admission to the service is being prepared at the same time as the local unit budget for the next calendar year is being prepared in order to be harmonized with it.

In this regard, there is a problem in Montenegro that is clearly seen in the picture of situation in which many Montenegrin municipalities have been in for a long time. In addition to unsettled tax liabilities, debts to banks, one of the major problems is surplus of employees and the constant tendency for over-employment.

⁵² Pursuant to Article 23 paragraph 3 of the Law on Civil Servants and Employees ('Official Gazette of the Republic of Croatia', No. 27/004), the Human Resources Management Authority issues the Rules on form and method of checking the eligibility of applicants for public affairs in state bodies



Andrijana Radević, student. Completed an internship at Institute Alternative

Parliamentary Oversight in the Field of the Security and Defence - Monitoring report for 2015 and 2016 -

Introduction

After almost three years from the initial idea of the necessity of passing this Law, Parliament of Montenegro unanimously adopted the Law on Parliamentary Oversight in the Field of Security and Defence, in December 2010. The basic objective of the law was to enable Parliament of Montenegro, directly and through the Security and Defense Committee, as well as through the oversight of security and defense authorities, to protect the freedom and rights of citizens from possible abuses, and to contribute to the building of a comprehensive and modern defence system in Montenegro. This Law defines the manner of conducting parliamentary oversight over the work of bodies and institutions dealing with security and defense affairs, their duties, as well as the relation between the Security and Defense Committee and the Parliament of Montenegro and the Government of Montenegro. One of the goals of creating a special Law on Parliamentary Oversight in the field of Security and Defense is to strengthen the role of the Parliament of Montenegro and to improve the oversight of the security and defense field, taking into account its repressive nature.

After five years of implementation of the Law on the Parliamentary Oversight in this field, we tried to measure the impact of the work of the Committee responsible for the parliamentary oversight, with the aim of giving recommendations for improvement.

The report contains not only statistical data, but also a qualitative analysis of the impact of the activities of the Security and Defense Committee's work.

Summary - work of the Committee in 2015 and 2016

During 2015, the Security and Defense Committee held 19 sessions, considered 41 items of the agenda (including "current issues"⁵³), considered two information upon the Committee's request, held two consultative hearings and considered six proposals for the laws. The total duration of all meetings of the Committee is 37 hours and 55 minutes.⁵⁴

Most of the Committee's activities in 2015 included consideration of the annual reports on work of the security and defense sector bodies, in accordance with the statutory obligation the committee considered a total of eleven reports. A total of 58 Committee conclusions were made in 2015.

During 2016, the Security and Defense Committee held 8 sessions, considered 25 points of agenda, including current issues. The Committee held one control hearing, one consultative hearing, and considered five proposals for the laws. The total duration of all sessions of the Committee is 11 hours and 10 minutes.⁵⁵

53 Which most often refers to the adoption of the minutes of the session, agreements on the conference attendance, etc

54 Information from the 2015 Committee's Work Report

55 Information from the 2016 Committee's Work Report

Most of the Committee's activities in 2016 included consideration of the annual reports on work of the security and defense sector bodies, in accordance with the statutory obligation. The Committee considered a total of six reports. A total of 21 Committee conclusions were made in 2015.

In 2015, the Committee addressed the budget of the institutions and bodies belonging to this sector, while in 2016 there was no more detailed dealing with this issue, but only within the second session of the new Parliamentary Assembly, Proposal for a Law on the Final Budget Account for 2015 was considered, with State Audit Institution's Report on the Final Budget Account of Montenegro for 2015 which envisaged consumer units from this field.

However, no progress has been made in terms of active implementation of control mechanisms provided by the law. On the contrary, the number stagnates on the number it was before the adoption of this law, although the main purpose of the law itself is to upsurge and enhance parliamentary oversight of the security sector. No control hearings were conducted during 2015, although we know that the protest organized by Democratic front marked the entire 2015.

By the end of 2015, the Committee did not implement 5 out of 17 activities out of its Plan of Parliamentary Oversight.

2015. in numbers:

| | | | | | | | |
|------------------|----------------------------------|---------------------|-------------------------|-------------------------------------|----------------------------------|---------------------------------------|----------------|
| 19 sessions held | 41 item of the Agenda considered | No control hearings | 2 consultative hearings | 6 considered proposals for the laws | 11 considered performance report | 1 considered proposal for appointment | 58 conclusions |
|------------------|----------------------------------|---------------------|-------------------------|-------------------------------------|----------------------------------|---------------------------------------|----------------|

It seems that the adoption of the Law on Parliamentary Oversight somehow seemed to be an incentive for more active and updated work of the Committee, although it has been still characterized by insufficient use of control mechanisms available and the uncertain results of parliamentary oversight.

Progress in terms of active implementation has not been made during 2016 neither, one control hearing was held, while the second, which was of great importance, wasn't held due to the inability of the institutions representatives to attend the session. The applicants of the initiative were entitled to initiate sanctions towards representatives of the institutions for not coming to the session, but did not exercise that right.

By the end of 2016, the Committee did not implement 9 out of 17 activities out of its Plan of Parliamentary Oversight.

2016. in numbers:

| | | | | | | | |
|-----------------|-----------------------------------|-------------------|------------------------|-------------------------------------|---------------------------------|------------------------------|----------------|
| 8 sessions held | 25 items of the Agenda considered | 1 control hearing | 1 consultative hearing | 5 considered proposals for the laws | 6 considered performance report | No proposals for appointment | 21 conclusions |
|-----------------|-----------------------------------|-------------------|------------------------|-------------------------------------|---------------------------------|------------------------------|----------------|


Overview of the meetings of Defence and Security Committee in 2015

| | |
|----------|---|
| February | 32. meeting – 6/2 – consideration of the Proposal to the Law on Arms |
| | 33. meeting – 4/2 – consideration of (3) amendments to the Proposal for a Law on Amendments for the Law on National Security Agency |
| | 34. meeting – 17/2 – consideration of (5) amendments to the Proposal for a Law on Amendments for the Law on National Security Agency. |
| | 35. meeting – 27/2 – consideration of the information related to organized crime, usury and other issues from the area of security |
| | 36. meeting – 25/2 – consideration of (5) amendments to the Proposal for a Law on Arms |
| March | 37. meeting – 23/3 – consideration of the Report on results of consultative hearing of the Minister of Foreign Affairs and European Integrations on Progress Report on implementation of the Membership Action Plan (2013-2014) |
| May | 38. meeting – 8/5 – 1. Adoption of the Decision on holding a control hearing of the Supreme State Prosecutor, Minister of the Interior and the acting director of the National Security Agency on unsolved murders in Montenegro, 2. Consultative hearing on "Consideration of the situation in the field of security in air traffic and airspace", 3. Proposal for the Law on Amendments to the Law on Data Secrecy |
| | 39. meeting – 29/5 – consideration of three reports: Performance and Status Report on administrative domains within the jurisdiction of the Ministry of Defence for 2014, Status Report of the Army of Montenegro in 2014, Report on Performance of the Defence and Security Committee, |
| | 40. meeting – 29/5 – consideration of the Report on the participation of the members of the Army of Montenegro in the international forces, peacekeeping missions and other activities abroad in 2014, |
| June | 41. meeting – 12/6 – consideration on two reports: Performance and Status Report on administrative fields by the Ministry of Interior and 2014 Status Report on the protection and rescue system in Montenegro |
| July | 42. meeting – 10/7 – consideration of the 2014 Performance Report on National Security Agency |
| | 43. meeting – 28/7 – consideration of (4) amendments to the Proposal for the Law on Data Secrecy |
| | 44. meeting – 30/7 – consideration of the Proposal for the appointment of director of the National Security Agency |
| | 45. meeting – 30/7 – consideration of the amendments submitted by the Government of Montenegro to the Proposal for Law on Amendments to the Law on Data Secrecy |
| October | 46. meeting – 18/10 – consideration of the current security situation in Montenegro |
| | 47. meeting – 20/10 – consideration of the information on current security situation in Montenegro |
| | 48. meeting – 25/10 – consideration of the current security situation in Montenegro regarding the events on protests on 2 October 2015 |
| November | 49. meeting – 23/11 – consideration of the Proposal of the to the Law on Amendments to the Law on informational safety; consideration of the Proposal for the Law on Amendments to the Law on the protection and rescue system; consideration of the 2014 Annual Report on foreign trade of the controlled goods |

| | |
|-----------------|---|
| December | <p>50. meeting – 4/12 14/12 1. Consideration of the Proposal for the Law on the Final Budget Account for 2014 with the Report on revision of the Proposal to the Law on Final Budget Account for 2014 relating to the consumer units:</p> <ul style="list-style-type: none"> - Ministry of Defence, - Ministry of the Interior, - National Security Agency. <p>2. consideration of the Final State Audit Institution's Audit Report on the Final Budget Account of Montenegro for 2014 of the Ministry of Interior.</p> <p>3. consideration of the Proposal for the Law on Budget of Montenegro for 2016 relating to the consumer units::</p> <ul style="list-style-type: none"> - Ministry of Defence, - Ministry of the Interior, - National Security Agency |
|-----------------|---|

Overview of the meetings of Defence and Security Committee in 2015

| | |
|-------------|---|
| May | <p>51. meeting – 9/5 – 1. consideration of the Report on the participation of the members of the Army of Montenegro in the international forces, peacekeeping missions and other activities abroad in 2015,</p> <p>2. consideration of the Proposal of the Decision of Deployment of the Armed Forces of Montenegro Units to UN Mission for referendum in Western Sahara (United Nations Mission for the Referendum in Western Sahara – MINURSO)</p> |
| June | <p>52. meeting - 27/6 – 1. Consideration of three reports: Performance and Status Report on administrative domains within the jurisdiction of the Ministry of Defence for 2015, Status Report of the Army of Montenegro for 2015, Report on Performance of the Defence and Security Committee for 2015,</p> <p>2. consideration of the Proposal of the Decision of Deployment of the members of Army of Montenegro to the EU peacekeeping operation „EU NAVFOR – A TALANTA“.</p> <p>3. Consideration of the Parliamentary Oversight Plan for 2016</p> |
| July | <p>53. meeting – 1/7 – 1. Control hearing of the Supreme State Prosecutor, Minister of the Interior and the acting director of the National Security Agency on unsolved murders in Montenegro,</p> <p>2. Consideration of information on the current security situation in the Municipality of Kotor and the activities undertaken by the competent state authorities in this regard.</p> <hr/> <p>54. meeting – 19/7 – consideration of the Performance Report of the National Security Agency for 2015</p> <hr/> <p>55. meeting – POSTPONED</p> <hr/> <p>56. meeting – 28/7 – 1. consideration of the Proposal for the Law on Amendments of the Law on the participation of the members of the Army of Montenegro in the international forces and participation of the members of civil protection, police and employees in the state administration bodies in peacekeeping missions and other activities abroad;</p> <p>2. a consultative hearing of the Military Diplomatic Representative of Montenegro, Lieutenant Colonel Mitar Klikovac, was conducted prior to taking the office,</p> <p>3. consideration of the Amendments (5) to Proposal for the Law on amendments on the protection and rescue system</p> <hr/> <p>57. meeting – 30/7 – consideration of the Amendments (1) to Proposal for the Law on amendments on the protection and rescue system</p> |



New Parliament

| | |
|-----------------|--|
| December | <p>1. meeting – 21/12 –</p> <ol style="list-style-type: none"> 1. Consideration of the Proposal for the Law on Amendments of the Law on Defence 2. Consideration of the Proposal for the Law on Amendments of the Law on deployment of units of Montenegrin Army within international forces and participation of members of the civil protection, police and employees in state bodies in peace missions and other activities in abroad. 3. Plan of Parliamentary Oversight for 2017 |
| | <p>2. meeting – 23/12 –</p> <ol style="list-style-type: none"> 1. Consideration of the Proposal for the Law on Final Account of Montenegro for 2015 in part related to units as follows: <ul style="list-style-type: none"> - Ministry of Defence - Ministry of Interior - State Security Agency 2. Consideration of the final report of the State Audit Institution on audit of Annual financial report of the State Security Agency for 2015 3. Consideration of the Proposal for the Law on Budget of Montenegro for 2017 in part related to units as follows: <ul style="list-style-type: none"> - Ministry of Defence - Ministry of Interior, and - State Security Agency |

Consideration of annual work reports

Consideration of the annual reports on the work falls into one of the most common activities of the Committee which has continuity, and in 2015 it was considered a total of eleven, while during 2016, considered a total of six reports. Institutions and bodies are obliged, according to the law, to submit their reports by the end of the first quarter of the current for the previous year, ie when this year in question, by the end of March 2017 for work in 2016.

During 2015⁵⁶, the Committee considered:

- the Report on results of consultative hearing of the Minister of Foreign Affairs and European Integrations on Progress Report on implementation of the Membership Action Plan (2013-2014);
- Performance and Status Report on administrative domains within the jurisdiction of the Ministry of Defence in 2014;
- Status Report of the Army of Montenegro in 2014;
- Report on Performance of the Defence and Security Committee for 2014;
- Report on participation of members of the Army of Montenegro in the international forces, peacekeeping missions and other activities abroad in 2014;
- Performance and Status Report on administrative fields by the Ministry of Interior for 2014; Status Report on the protection and rescue system in Montenegro
- Status Report on the protection and rescue system in Montenegro for 2014;
- Performance Report of the National Security Agency for 2014;
- Annual report on foreign trade of the controlled goods for 2014;
- Report on the revision of the Proposal for the Law on Final Budget Account for 2014 related to the consumer units of: Ministry of Defence, Ministry of Interior and National

56 On the meetings held on 23 March, 29 May, 12 June, 10 July, 23 November, 4 and 14 December

Security Agency;

- Final State Audit Institution's Report on revision of the Annual Financial Statement of the Ministry of the Interior for 2014.

During 2015⁵⁷:

- Report on participation of members of the Army of Montenegro in the international forces, peacekeeping missions and other activities abroad in 2015;
- Performance and Status Report on administrative domains within the jurisdiction of the Ministry of Defence in 2015;
- Status Report of the Army of Montenegro in 2015;
- Report on Performance of the Defence and Security Committee for 2015;
- Performance Report of the National Security Agency for 2015;
- Final State Audit Institution's Report on revision of the Annual Financial Statement of the Ministry of the Interior for 2014.

Control hearings

The Committee did not conduct **any** control hearing in 2015 but within its 38th session, held on 8 May, a decision was made on the control hearing of the Supreme State Prosecutor, the Minister of the Interior and the acting Director of the National Security Agency on unsolved murders in Montenegro, which was conducted during 2016. During 2015, **two** information were considered:

- Information on Organized Crime, Usury and Other Security Issues
- Information on the current security situation in Montenegro

Pursuant to Article 9, paragraph 2, of the Law on Parliamentary Oversight of the Security and Defense, Committee unanimously adopted the Decision on the control hearing of the Supreme Public Prosecutor, Minister of the Interior and the Acting Director of the Agency for National Security on the topic of unsolved murders in Montenegro. It was also agreed that the term of the session would be subsequently determined.

The control hearing was conducted at the 53rd session, held on 1 July 2016.

With the participation of the Supreme State Prosecutor, the Minister of the Interior, the Director of the Police Administration and the Director of the National Security Agency, the Committee was briefed on information on the activities of these bodies in cases of unsolved murders in Montenegro, with special attention focused on issues of mutual cooperation and coordination of the authorities in methods of resolving those crimes. In the context of the discussion on this topic, the Committee also discussed, through a constructive discussion, information on the current security situation in the Municipality of Kotor and the activities undertaken by the relevant state authorities in this regard.

After conducting a comprehensive discussion on the case, the Committee adopted the proposed conclusions by majority of votes. The conclusions of the Committee were as follows: the request to continue the activities in order to achieve better results in solving all existing cases; the need for inter-institutional cooperation between the Supreme State

⁵⁷ On the meetings held on 9 May, 27 June, 19 July and 23 December

Prosecutor's Office, the Ministry of the Interior, the National Security Agency and other state bodies in resolving these criminal offenses; the necessity of improvement of the overall capacities of state bodies competent in the area concerned and Committee to insist on timely planning of financial resources for the improvement of material and human resources that will contribute to achieving better results⁵⁸

Consideration of information upon request of the Committee

At its 35th meeting, held on 27 February, 2015, information on organized crime, usury and other security issues was discussed. In the presence of Minister of Internal Affairs, the Supreme State Prosecutor, representative of the Supreme Court of Montenegro and coordinator of the National Security Agency, the Committee was informed about the actions of the competent authorities and institutions to combat, detect and prosecute members of organized criminal groups as well as the course and outcome of legal proceedings in relation to that.

In addition to information on the main activities of organized criminal groups in Montenegro, members of the Committee were introduced to the "Action Plan for Combating Heavy and Organized Crime 2014-2015" which is the basis for taking specific preventive, intelligence and operational-investigative activities. The Committee made special remarks on the activities of representatives of the competent institutions in combating criminal acts of usury and knowledge of individuals and groups engaged in these activities, as well as their potential connections with criminal groups in the region and beyond. At the 47th session, held on 20 October 2015, the Committee considered the information about the measures and actions taken from the competent institutions in relation to security situation in Montenegro, adopted all proposed conclusions which were mainly related to the respect of the principle of the rule of law by majority of the votes, as it is the foundation of every democratic state, and the Committee itself called for and provided full support to the competent institutions to ensure consistent law enforcement and the preservation of the constitutionally guaranteed rights and freedoms of citizens in accordance with their constitutional and legal powers.⁵⁹

The number of control hearings each year:

| 2010 | 2011 ⁶⁰ | 2012 | 2013 | 2014 | 2015 | 2016 |
|------|--------------------|------|------|------|------|------|
| 1 | 2 | 2 | 1 | 2 | / | 1 |

Consultative hearings

At its 38th meeting, held on 8 May 2015, a consultative hearing on "Consideration of the situation in the field of security in air traffic and airspace" was held. Prior to the discussion, Mevludin Nuhodžić, Chairman of the Committee, recalled earlier initiative of the MPs Borislav Banovic to address this issue at the meeting of this

58 Committee Report available as a whole at: <http://www.skupstina.me/zakoni/web/dokumenta/sjednice-radnih-tijela/1477/3651-00-63-4-16-18-3.pdf>

59 Committee Report available as a whole at: <http://www.skupstina.me/zakoni/web/dokumenta/sjednice-radnih-tijela/1257/2980-00-63-4-15-35-10.pdf>

60 Date of commencement of the implementation of the Law on Parliamentary Oversight

working body and pointed out that, in accordance with the provisions of the Law on Parliamentary Oversight in the Field of Security and Defense, and upon request, information on on the issue of air traffic safety and airspace from the jurisdiction of the Ministry of Transport and Maritime Affairs, the Ministry of the Interior and the Ministry of Defense, were provided to the Committee ⁶¹

At the 56th meeting held on July 28, 2016, a consultative hearing of the Military Diplomatic Representative of Montenegro, Lieutenant Colonel Mitar Klikovac, was conducted prior to his taking the office. Prior to the discussion on the topic, the Security and Defense Committee noted that the Defense and Security Council, pursuant to Article 13, paragraph 2 of the Law on Armed Forces of Montenegro ("Official Gazette of Montenegro", No.88 / 09, 75/10 , 40/11 and 32/14) issued a **Decision**, No.80 / 01.16.33 / 2 of 26 July 2016 **on the appointment** of Lieutenant Colonel Mitar Klikovac as an envoy of Defense in the United States on a residential basis, as well as delegates defense for Canada and Iceland on a non-resident basis. In the context of introductory remarks Lt. Col. Mitar Klikovac informed members of the Committee about the basic duties to be performed as an envoy of the United States in accordance with the Act of the internal organization and job description of the Ministry of Defense of Montenegro.⁶²

Number of consultative hearings

| 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|------|------|------|------|------|------|------|
| 0 | 2 | 1 | 1 | 0 | 2 | 1 |

Monitoring of Measures of Secret Surveillance

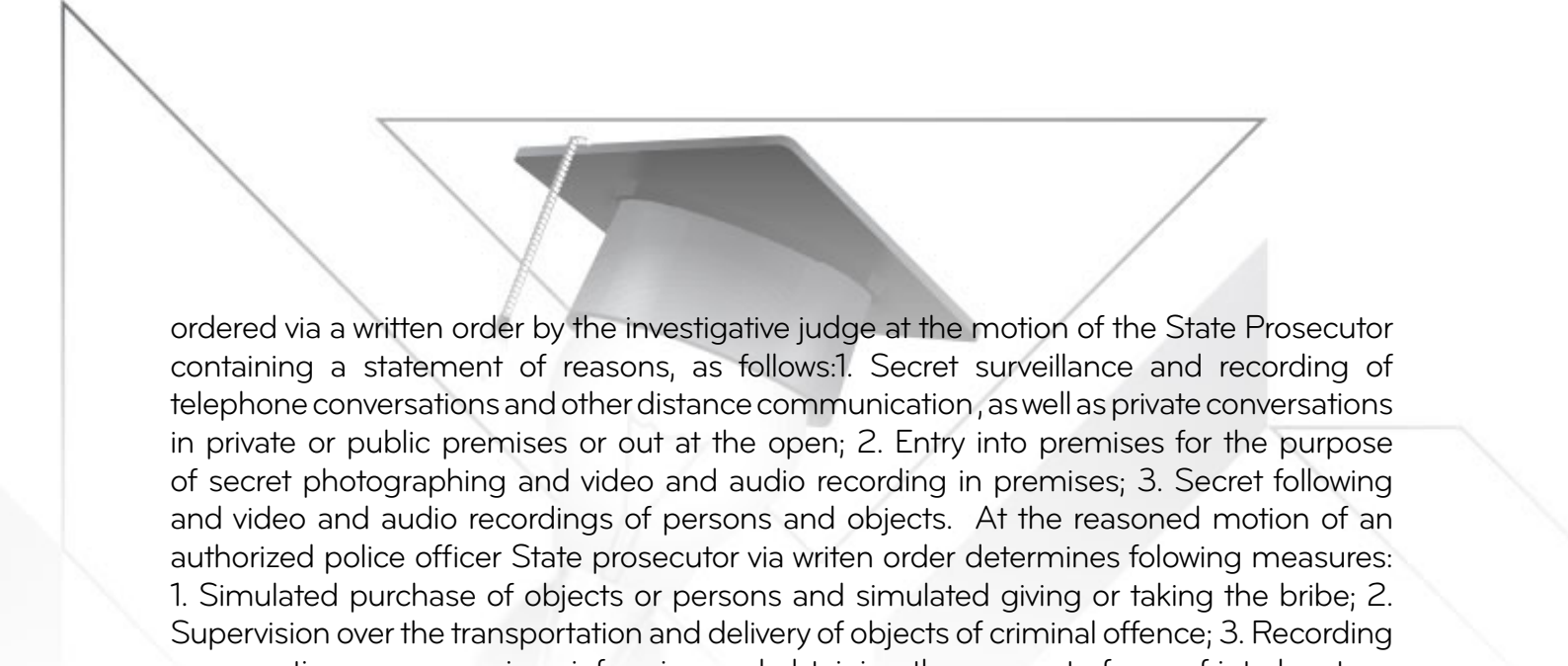
Measures of Secret Surveillance (MTNs) applied in criminal proceedings represent a temporary restriction of the rights guaranteed by the Constitution of Montenegro and the European Convention on Human Rights with a view to countering the serious criminal offenses and instrument for combating corruption and organized crime. However, given the great potential for misuse of SSM, it is of utmost importance to maintain constant control and to develop mechanisms for monitoring their application. Nevertheless, MTNs used in criminal proceedings are completely outside the sphere of interests of all levels of control, and therefore all forms of responsibility.

SSMs in criminal proceedings are being applied with the aim of proving precisely defined criminal offenses for which the measures can be determined. They are prescribed by Criminal Procedure Code⁶³, which states that – measures of secret surveillance shall be

61 Committee Report available as a whole at: <http://www.skupstina.me/zakoni/web/dokumenta/sjednice-radnih-tijela/1051/3446-.pdf>

62 Committee Report available as a whole at: <http://www.skupstina.me/zakoni/web/dokumenta/sjednice-radnih-tijela/1539/3821-00-63-4-16-26-4.pdf>

63 Articles 157-162 of the Criminal Procedure Code ("Official Gazette of Montenegro", No.57 / 09 of 18 August 2009, 49/10 of 13 August 2010) - The Criminal Procedure Code is implemented in whole as of 1 September 2011. one year earlier, the implementation of the provisions relating to the application of the SSM under the Special Prosecutor's Office for the Suppression of Organized Crime, Terrorism and War Crimes has begun, Article 158, which extends the number of criminal offenses for which SSM may be ordered apply from the date of entry into force of the Code.



ordered via a written order by the investigative judge at the motion of the State Prosecutor containing a statement of reasons, as follows: 1. Secret surveillance and recording of telephone conversations and other distance communication, as well as private conversations in private or public premises or out at the open; 2. Entry into premises for the purpose of secret photographing and video and audio recording in premises; 3. Secret following and video and audio recordings of persons and objects. At the reasoned motion of an authorized police officer State prosecutor via written order determines following measures: 1. Simulated purchase of objects or persons and simulated giving or taking the bribe; 2. Supervision over the transportation and delivery of objects of criminal offence; 3. Recording conversations upon previous informing and obtaining the consent of one of interlocutors; 4. Hiring undercover investigators and collaborators.⁶⁴

SSMs, applied by the Police Department in 2015 and 2016

During 2013, for the first time in its work, the Committee supervised the implementation of the SSM which, in accordance with the Code, has been applying the Police since 2007.

In 2015, the Committee held 19 meetings in course of which the work of the police was considered within 8 items of the agenda, while in 2016 it held only 8 meetings and discussed 5 points on the work of the police. During 2015, the Committee was more active in controlling police work. The reason for this were multi-day protests in Podgorica, organized by the Democratic Front, so the Security Sector Committee held three meetings and adopted 17 conclusions in this regard.

In the course of 2015, the Police applied SSM over 97 users, based on the order of the investigating judge and the relevant prosecutors. In the first round, 39 users were heard, with so-called "fishing", and as far as these persons were concerned, the police and the prosecution came to the name of 60 more suspects. As announced, there should be arrests even of some civil servants.⁶⁵

Budget control in 2015 and 2016

The Security and Defense Committee, as in previous years, paid special attention to the budget of the institutions and bodies belonging to this sector.

In connection with the supervision of the budget in 2015, the Committee considered the Proposal for the Law on the Final Budget Account for 2014 with the report on the revision of Proposal for the Law on the Final Budget Account for 2014 in the part relating to consumer units: Ministry of Defense, Ministry of Interior and National Security Agency, final Report of the State Audit Institution on the audit of the Annual financial report for 2014 of the Ministry of Interior, as well as the Proposal for the Law on budget of Montenegro for 2016. Related to the stated consumer units on the 50th meeting held in December 2015. In 2016, the Committee considered Proposal for the Law on the Final Budget Account for 2015 in the section concerning the units of the Ministry of Defense, Ministry of Interior and

64 *Institut Alternativa*, Measures of Secret Surveillance, 2012, available at http://media.institut-alternativa.org/2012/10/institut_alternativa-mjere-tajnog-nadzora-u-krivicnom-postupku.pdf

65 Newspaper article "Measures of Secret Surveillance", *Dnevne novine Dan* (8.8.2015), available at: <http://www.dan.co.me/?nivo=3&rubrika=Vijest%20dana&datum=2015-08-08&clanak=504695>

National Security Agency. The Report on the Consideration of the Final Annual Report of the State Audit Institutions on Revision of the Annual Financial Report of the National Security Agency for 2015, as well as the Proposal of the Law on budget of Montenegro for 2017 in the section relating to Consumer Units: Ministry of Interior and National Security Agency. All three items were processed at the second session of the new Assembly in December 2016.

Discussion on the Final Account in 2015 and 2016

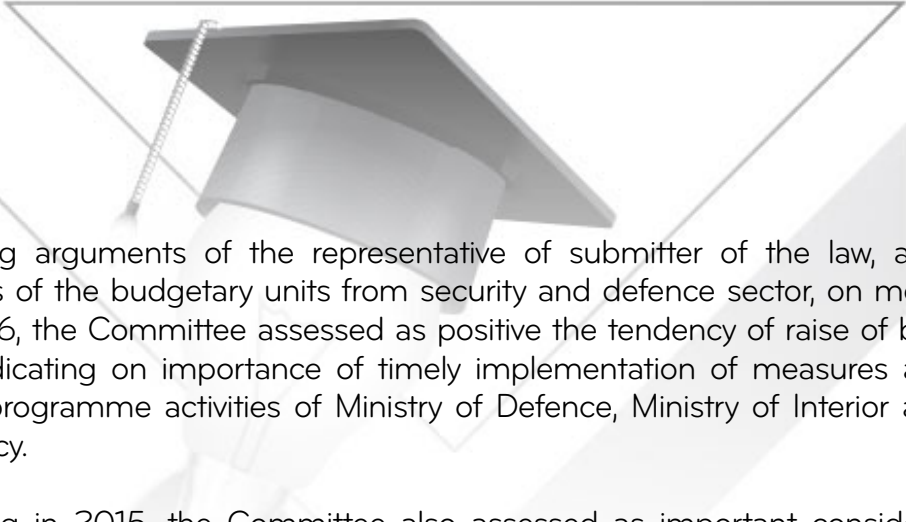
The Security and Defense Committee is the only working body that, apart from the Committee on Economy, Finance and Budget, considers Proposal for the Law on Final Budget Account with the audit report prepared by the State Audit Institution (DRI). The Committee considered these documents in the section relating to consumer units: the Ministry of Defense, the Ministry of the Interior and the National Security Agency, in the presence of representatives of DRI (whose attendance at the meetings is also an exception in relation to other working bodies except the Committee on Budget) as well as the Ministry of Finance. At meetings, both in 2015 and 2016, representatives of the institutions presented budget execution during the previous year. After the 2014 Final Account Debate held in 2015, the Report on the Consideration of the Act was adopted, previously proposed by the Parliament. Based on the discussions held in December 2016, with the participation of representatives of proposers of the Law, as well as representatives of the Ministry of Defense, the Ministry of the Interior and the National Security Agency and the State Audit Institutions, the Committee noted that the primary objective of the fiscal policy of the Montenegrin Government in 2015 was to reduce current consumption and increase investment in infrastructure for the purpose of financing public debt from economic growth with the intention of establishing its declining trend. After the hearing, the Report on the Consideration of the Act¹⁶ was adopted, upon being proposed by the Parliament.

Discussion of the Budget Proposal

In accordance with the jurisdictions established by the Law on parliamentary oversight of the field of Security and Defense, and the Rules of Procedure of the Parliament of Montenegro, the Security and Defense Committee discussed the Proposal for the Law on budget of Montenegro for 2016 in the section on the Consumer Units of the Ministry of Defense, the Ministry of the Interior and the National Security Agency.

During the discussion in 2015, in the context of the topic, and bearing in mind the importance of efficient and effective alignment of the measures and tasks of the bodies and institutions in this area, the members of the Committee paid particular attention to the evaluation made in the light of the planning and commitment of the resources needed for the realization of program activities, strategic priorities of Montenegro and the implementation of established policies in this regard, during the discussion in 2015.

In 2016, during the discussion, assessing as important the continuation of investments into modernization of overall security and defence sector with focus on advancement of current capacities and abilities within European and EuroAtlantic integration, members of the Committee allocated special attention to planned activities and project tasks of budgetary units within this field.



Also, accepting arguments of the representative of submitter of the law, as well as representatives of the budgetary units from security and defence sector, on meetings in 2015 and 2016, the Committee assessed as positive the tendency of raise of budgetary allocations, indicating on importance of timely implementation of measures and tasks contained in programme activities of Ministry of Defence, Ministry of Interior and State Security Agency.

At the meeting in 2015, the Committee also assessed as important consideration of possibilities in direction of finding solutions for modernisation of Air-chopper unit in the Ministry of Interior. Especially acknowledging the importance of preventive acting in decreasing risks from fires, the Committee pointed out to the necessity of allocation of additional financial means for procurement of airplanes for mitigating fires in comparison to the means allocated for budgetary unit Ministry of Interior for 2016. Upon comprehensive discussion, the Committee passed by majority the Opinion that means for budgetary units in security and defence sector within Proposal of the Law on Budget for 2016 are realistically assessed and hence provide work within defined authority. For the entire report following MPs voted: Mevludin Nuhodžić, Radivoje Nikčević, Obrad Mišo Stanišić, Luid Ljubo Škrelja, Suljo Mustafić and Milorad Vuletić, whereas MP Snežana Jonica was sustained.

At the meeting in 2016, acknowledging authority and programme tasks of the Ministry of Defence, the Committee underlined the importance of investements into further modernization of units of Army of Montenegro, as well as advancement of existing ICT structure. Moreover, the Committee supported further implementation of Strategy for Integrated Border Management, assessing as effective continuation of implementation of project activities aiming to strenghten overall capacities of the Ministry of Interior. The Committee also assessed as positive the activities of the State Security Agency in context of planned means for advancement and modernisation of existing system in line with modern accomplishments and prescribed NATO standards.

The Committee unanimously passed the Opinion that means for budgetary units within security and defense sector in Proposal of the Law on Budget of Montenegro for 2017 have been realistically defined and hence provide work within defined authority.

Reporting on conducted Parliamentary Oversight

According to the Law on Parliamentary Oversight, the Committee submits to the Parliament the report on conducted oversight, and report can contain conclusion, recommendation, as well as proposal of measures which are to be undertaken in relation to issues which are in its focus.⁶⁶

During 2015, the Committee submitted seventeen reports to the Parliament (excluding reports on the consideration of the laws proposals and amendments to the laws proposals), as follows:

- Report on review of Information Regarding Organized Crime, Loan Sharking, and Other Issues in the Field of Security;

⁶⁶ Article 21, Law on Parliamentary Oversight in the field of security and defense

- Report on the review of the Report on the results of the consultative hearing of the Minister of Foreign Affairs and European Integration on the Progress Report of Montenegro in relation to the implementation of the accession Action Plan (2013-2014);
- Report on the adoption of a decision on the control hearing of the State Supreme Prosecutor, the Minister of the Interior and the Acting Director of the State Security Agency on the topic of unsolved murders in Montenegro;
- Report on the consultative hearing on the topic "Review of the situation in the field of air traffic safety and airspace";
- Report on the review of the Report on Work and Status in Administrative Areas under the competence of the Ministry of Defense for 2014;
- Report on the review of the Report on the state of affairs in the Army of Montenegro in 2014;
- Report on the review of the Work Report of the Committee for Security and Defense for 2014;
- Report on the review of the Report on the participation of members of the Army of Montenegro in international forces, peacekeeping missions and other activities abroad in 2014;
- Report on the review of the Work Report of the Ministry of Internal Affairs and situation in the administrative areas for 2014;
- Report on the review of the report on the state of the protection and rescue system in Montenegro in 2014;
- Report on the review of the Work Report of the State Security Agency for 2014;
- Report on the review of the Proposal for the appointment of the Director of the State Security Agency;
- Report on the review of the current security situation in Montenegro;
- Report on the review of information regarding the current security situation in Montenegro;
- Report on the review of the current security situation regarding the events at the protests of 24 October 2015;
- Report on the Review of the Annual Report on Foreign Trade of Controlled Goods for 2014;
- Report on the review of the final report of the State Audit Institution on the revision of the 2014 Annual Financial Report of the Ministry of Internal Affairs.

During 2016, the Committee submitted eleven reports to the Parliament, as follows:

- Report on the review of the Report on the participation of members of the Army of Montenegro in international forces, peacekeeping missions and other activities abroad in 2015;
- Report on the review of the Proposal of the Decision on sending members of the Army of Montenegro to the UN Mission for the Referendum in Western Sahara (MINURSO);

- Report on the review of the Work Report and status in administrative areas under the competence of the Ministry of Defense for 2015;
- Report on the review of the Report on the situation in the Army of Montenegro in 2015;
- Report on the review of the Work Report of the Committee for Security and Defense for 2015;
- Report on the review of the Proposal of the Decision on sending members of the Army of Montenegro to the EU peacekeeping operation, EU NAVFOR - A TALANTA;
- Report on the control hearing of the State Supreme Prosecutor, the Minister of the Internal Affairs and the Director of the State Security Agency on the topic of unsolved murders in Montenegro;
- Report on the review of information on the current security situation in the Kotor municipality and the undertaken activities of the competent state authorities in this regard;
- Report on the review of the Work Report of the State Security Agency for 2015;
- Report on the consultative hearing of the military-diplomatic representative of Montenegro, Colonel Mitar Klikovac, before taking office;
- Report on the review of the final report of the State Audit Institution on the revision of the Annual Financial Report of the National Security Agency for 2015.

Legislative activity

During 2015, the Committee considered six draft laws, as follows:

- Draft Law on weapons
- Draft Law Amending the Law on Data Secrecy
- Draft Law Amending the Law on Information Security
- Draft Law Amending the Law on Protection and Rescue
- Draft Law on the Final Account of the Budget of Montenegro for 2014 with the Report on the Revision of the Draft Law on the Final Account of the Budget of Montenegro for 2014, in the part referring to budgetary units: Ministry of Defense, Ministry of Interior and State Security Agency
- Draft Law on Budget of Montenegro for 2016 in the part referring to the budgetary units: Ministry of Defense, Ministry of Interior and State Security Agency

During 2016, five draft laws were considered, as follows:

- Draft Law Amending the Law on the Use of the Army of Montenegro Units in International Forces and Participation of Members of Civil Protection, Police, Civil Servants in Peacekeeping Missions and Other Activities Abroad
- Draft Law Amending the Law on Defense
- Draft Law Amending the Law on the Use of the Army of Montenegro Units in International Forces and Participation of Members of Civil Protection, Police, Civil Servants in Peacekeeping Missions and Other Activities Abroad
- Draft Budget Law of Montenegro for 2017 in the part referring to consumer units: Ministry of Defense, Ministry of Interior and State Security Agency

- Draft Law on the Final Account of the Budget of Montenegro for 2015 in the part referring to budgetary units: Ministry of Defense, Ministry of Interior and State Security Agency

Planning of Parliamentary Oversight

The Law stipulates the obligation to determine the annual plan of Parliamentary Oversight for the next year⁶⁷. According to the provision of the Law, the Committee is obliged to "adopt the annual plan of Parliamentary Oversight for the next year by the end of the calendar year". Nevertheless, the Committee was late in planning, both in 2015 and 2016, and the Parliamentary Oversight Plan for 2015 was adopted by the end of February 2015, and 2016 at the end of June 2016.

At the end of the year, efforts were made in order to overcome these omissions, therefore the Parliamentary Oversight Plan was discussed at the first meeting of the Committee in the new convocation, which was at the same time the latter meeting in 2016.

Transparency of work

Out of 19 meetings held in 2015, five sessions were closed to the public⁶⁸. Behind the closed door, in a room for reviewing materials labeled with a classification degree, a consultative hearing of the Minister of Foreign Affairs and European Integration on the Progress report of Montenegro with regard to the implementation of the accession Action Plan (2013-2014) was held, information on organized crime, lean sharking and other issues in the area of security and information regarding the current security situation in Montenegro was considered, and the work reports of the State Security Agency for 2014 and the report on the participation of members of the Army of Montenegro in international forces, peacekeeping missions and other activities abroad in 2014 year were considered.

In 2016, out of 7 meetings (5 in the old convocation, 2 in the new one), three sessions were closed to the public⁶⁹. At these meetings, a control hearing of the State Supreme Prosecutor, the Minister of the Interior, and the Director of the State Security Agency was held on the topic of unresolved murders in Montenegro, and the report on the work of the State Security Agency for 2015 and the report on the participation of members of the Army of Montenegro in international forces, peacekeeping missions and other activities abroad in 2015 year were considered.

Composition of the Committee and expert service of the Committee

In 2015, the Committee continued to work in the same composition as the previous year, until November 2016, when the 26th convocation of the Parliament was constituted. The number of members of the Committee on Security and Defense has changed considerably, now the Council has seven members, while the previous one had thirteen. All seven members are from the ruling coalition. There was no change in the representation

67 Article 12 of the Law on Parliamentary Oversight in the field of security and defense: "Parliamentary Oversight will be regularly performed in line with annual plan passed by the Committee and extraordinary based on specific need. The Committee will adopt the annual plan of parliamentary supervision for the next year by the end of the calendar year."

68 35th, 37th, 40th, 42th and 47th meeting of the Committee

69 51st, 53rd and 54th meeting of the Committee

of women in the membership of the Council: in a new convocation, only one woman is a member of the Council - MP Marta Šćepanović.

International and other activities of members and expert service of the Committee

The president and members of the Committee, as well as members of the expert service, participated in numerous conferences, seminars and study visits during 2015 and 2016. In 2015, the Committee organized the XVII Cetinje Parliamentary Forum. Other activities of the Committee in 2015 were:

- participation in a resident training capacity building programme in the security sector,⁷⁰
- meeting of the Committee representatives with Eduard Auer, Head of Division for Western Balkans at EEAS;
- a meeting of the Committee representatives with Chris Socha, Chief Legal Adviser to the US Senate;
- Interparliamentary meeting "Smart Borders; European challenges, national experiences, way ahead"⁷¹;
- Participation in a resident training programme on "Terrorism and Security Studies" (PTSS 15-03);
- participation in the final conference of the "National Convention on European Integration of Montenegro" (NKEI);
- meeting of the President and members of the Committee with members of the Belgian Parliamentary Friendship Group for Cooperation with Bosnia and Herzegovina, Montenegro and Serbia;
- participation in the conference "Merging available data for the purpose of making effective public policies";
- participation in the conference "Benefits of Montenegro's membership in NATO";
- meeting of Committee members with Jerzy Wenderlich, Vice President of the Parliament of the Republic of Poland;
- The fifth 2BS forum entitled "The Future Perspectives of the Global Security Architecture";
- Meeting of the Committee President with Tamas Szunyog, Director of the Security Policy Committee of the Ministry of Foreign Affairs of the Czech Republic;
- annual meeting of representatives of the Parliamentary Security and Defense Committees of South-East Europe;
- a seminar for MPs "Transnational Security Challenges in the 21st Century: The Role of Parliament"⁷²;
- participation in the fourth annual discussion on the implementation of the code of conduct in the political-military aspects of security⁷³;
- Presentation of the results of the public opinion poll on the integrity of the police "Citizens' attitudes on the responsibility of the police";
- Third Annual Workshop of the Marshall Center Alumni Association for the Security of

70 Held from 22 January – 12 February 2015, in Garmisch-Partenkirchen, FR Germany, in the organisation of the George C. Marshall– European Centre for Security Studies.

71 Held on 23 and 24 February 2015, in Brussels, Kingdom of Belgium, in the organization of Committee for Human Rights, Justice and Home Affairs of the European Parliament

72 Held on 30 June and 1 July 2015, in Garmisch-Partenkirchen, FR Germany, in the organisation of the George C. Marshall.

73 Held on 8 July 2015, in Vienna, Austria, in the organization of OSCE Mission in Montenegro

Southeastern Europe on the topic "New Security Challenges in South East Europe and the Central Sea Region";⁷⁴

- Ninth cycle of training programmes in the field of common security and defense policy;
- Working breakfast of the members of the Committee with the representatives of the NGO Alfa Center;
- Reflection seminar - Third module of the ninth cycle of training programmes in the field of common security and defense policy;
- Presentation of a OSCE study on national action plans for the implementation of UN Security Council resolution 1325;
- participation in the OSCE Workshop on the topic "Code of Conduct in Politico-Military Aspects of Security - Overview and Perspective: Establishing Norms, Implementation, Parliamentary Control and Outreach";⁷⁵
- Regional UNODC Workshop "Challenges and Criminal Legal Preventions in the Fight against Terrorism and Foreign Fighters";
- second and third online seminars within the YFN 2015 program on the topic "Use and abuse of the electronic surveillance system";
- conference on "Media reporting on terrorism";
- the tenth meeting of the working group for preparation of the negotiations on the accession of Montenegro to the European Union in the field of the *acquis communautaire* relating to negotiation Chapter 31 - foreign, security and defense policy;
- presentation of the results of the research "Police Integrity in Montenegro".

International activities of the Committee in 2016:

- Participation in a regional workshop on the topic "Budget analysis in the defense sector";
- Participation in the Resident Training Programme, George Marshall - European Center for Security Studies SRS 16-04 (Seminar on Regional Security), organized by George Marshall - European Center for Security Studies⁷⁶;
- participation in the NATO Advanced Training Program on the topic of "Countering Terrorism in South Eastern Europe", in Ohrid, Macedonia, organized by the Norwich University from the United States of America and the Military Academy "General Mihailo Apostolski" from Skopje.
- Visit to the Directorate for Emergency Situations of the Ministry of Internal Affairs;
- Round table "Perspective of the Army of Montenegro as a member of NATO";
- Participation in an inter-parliamentary conference on common foreign and security policy and a common security and defense policy⁷⁷;
- Participation in the NATO Advanced Research Workshop on the "Framework for the development of a military strategy for cyber defense"⁷⁸;

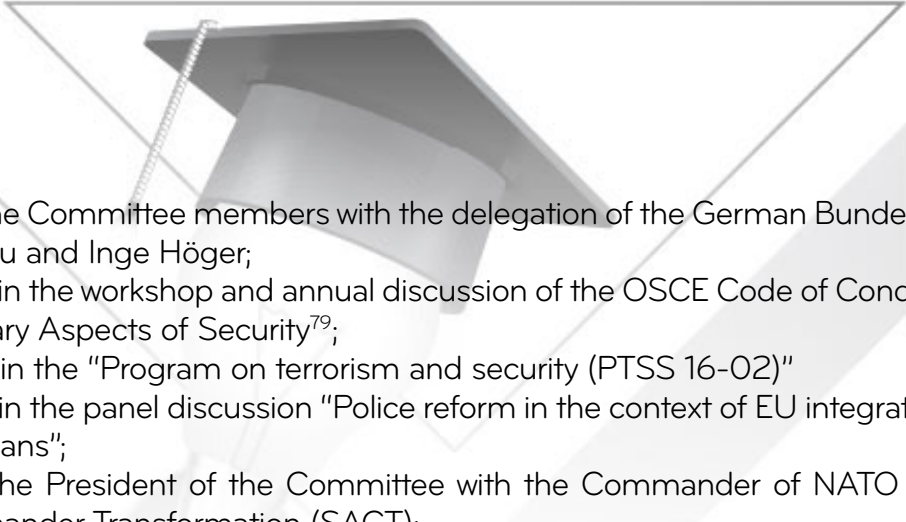
74 Held on 23 – 25 September 2015, in Bucharest, Romania, in the organisation of the George C. Marshall from Garmisch-Partenkirchen with support of Marshall Centre Alumni –Association in Romania and Intelligence-security agency of Romania.

75 Held on 6–9 October 2015, in Belgrade, Republic of Serbia, in the organization of OSCE Mission in Republic of Serbia

76 Held on 19 January to 12 February 2016, in Garmisch-Partenkirchen, FR Germany

77 Held on 6 – 8 April 2016, in Hague, Kingdom of Netherlands, in the organization of Senate and House of Representatives in Kingdom of Netherlands.

78 Held on 11 – 13 April 2016, in Norfolk, Virginia, USA, in the organisation of University of Old Dominion from USA in cooperation with Military Academy from Macedonia and University in Kiev, within NATO programme „Science for Peace and Security“.

- 
- meeting of the Committee members with the delegation of the German Bundestag, MPs Alexandre Neu and Inge Höger;
 - Participation in the workshop and annual discussion of the OSCE Code of Conduct in the Politico-Military Aspects of Security⁷⁹;
 - Participation in the "Program on terrorism and security (PTSS 16-02)"
 - Participation in the panel discussion "Police reform in the context of EU integration of the Western Balkans";
 - Meeting of the President of the Committee with the Commander of NATO Supreme Allied Commander Transformation (SACT);
 - The participation of the President of the Committee at the OSCE Regional Workshop;
 - A round table on "Internal control of the police - independence, strategies and methods";
 - X regional political scientist seminar on "American elections 2016";
 - Participation in the seminar on "Development of strategic policies in the field of cyber security in the area of South East Europe".

Recommendations for improvement:

1. The Security and Defense Committee should introduce the practice of adopting annual plans for parliamentary oversight by the end of the current year for the next year in order to maximize the use of the mechanisms at available for oversight over security and defense sector;
2. Amendments to the Law on Parliamentary Oversight in the Area of Security and Defense shall prescribe reviews of key strategic documents concerning the work of the police by the Security and Defense Committee as mandatory;
3. It is necessary to define the mechanism of visits to the institutions more precisely. Information on visits should be compiled and published in the form of reports with conclusions and recommendations;
4. President of the Security and Defense Committee from the opposition should be appointed, in order to enable the Committee to be more active and to encourage the opposition to a number of initiatives to control the security sector.
5. It is necessary to avoid the practice of merging discussions on the various reports the Committee receives from the subjects of supervision, in order to give each report the utmost attention. It is also necessary to introduce the practice of segmented thematic discussions on the work of the institutions according to the points of competence.
6. Practice of making shorthand records from each Committee meeting and publishing shorthand notes from those meetings that were open to the public should be introduced.
7. All minutes of the Committee's meetings that were open to the public should be published and special minutes from closed meetings, which should contain basic information on the work at those sessions should be compiled and published.

Regarding the recommendations for changing the competencies of the Committee, it should be emphasized that it is necessary:

⁷⁹ Held on 21-22 June 2016, in Vienna, Republic of Austria, in the organization of OSCE

- to divide the existing Security and Defense Committee into two new working bodies: the Defense Committee and the Security and Intelligence Committee;
- Amendments to the existing legal framework should expand the competencies of the working bodies responsible for supervision of this sector in order to ensure the monitoring of the implementation of all strategies and action plans relevant to this sector, as well as the handling of complaints of citizens.
- to consider the possibility of involving independent experts in the work, as permanent members or as occasional participants in the discussions.

Appendix: Review of the execution of the Parliamentary Supervision Plan in 2015 and 2016

The parliamentary oversight plan is a document setting out the objectives of the work, but also creating transient indicators on the basis of which the work of the Committee can be evaluated at the end of the calendar year. The parliamentary oversight plan for 2015 was adopted at the 35th meeting of the Committee, held on 27 February 2015, which was closed to the public, because in addition to reviewing the Plan, the second item on the agenda was review of information related to organized crime, loan sharking and other security issues. For 2016, the parliamentary oversight plan was adopted only at the end of the sixth month, resulting in losing half of a year for the execution of the obligation of oversight the work of the police and other institutions of the security sector.

Three activities that were not implemented in 2014, but did not find a place in the plans for 2015 and 2016 as follows:

- Consideration of the information of the inter-ministerial working group of the Government of Montenegro for the establishment of an integrated control, surveillance and protection of the sea system on the most optimal solution for the improvement of maritime safety in Montenegro, with special emphasis on the advantages and disadvantages of setting up a coast guard, cost benefit analysis, etc.
- Consideration of the Report submitted by the Army of Montenegro to the Government, which deals with the issue of an efficient integrated maritime safety system.
- Consideration of the European Commission Report on monitoring the results of the fight against corruption and organized crime in accordance with the criteria of Chapter 23 and 24⁸⁰ of negotiations with the EU, as a matter of the interest of the Council.

Most of the activities of the Council from the plans for 2015 and 2016 were identical to the activities of 2014, bearing in mind that the Council mainly dealt with legislation and consideration of reports on the work of security institutions, including the control of the budget of institutions dealing with business security and defense. Parliamentary supervision plans for 2015 and 2016 do not contain any novelty in relation to the 2014 Plan.

80 Chapter 23 - Judiciary and Fundamental Rights and Chapter 24 - Justice, Freedom and Security.

Five activities from the 2015 Parliamentary Oversight plan were not implemented, while nine activities were not implemented from the 2016 Plan.

Legend: R – realized, N – not realized

| | 2015 | 2016 |
|--|-------|-----------------|
| Monitoring of the activities of the bodies and institutions in the field of security and defense in Montenegro in order to inspect the implementation of the established policy in these areas and to submit requests for submission of information on activities and measures undertaken on any issue within the scope of their work. | R | R |
| Supervising the respect of political, ideological and interest neutrality in the work of bodies and institutions referred to in Article 3, paragraph 1 of the Law on Parliamentary Oversight in the Area of Security and Defense. | N | N |
| Review of the Work Report of the Ministry of Defense and the Army of Montenegro for 2014 and 2015. | R | R |
| Review of the Work Report of the Ministry of Interior for 2014 and 2015. | R | N |
| Review of the Work Report of the State Security Agency in 2014 and 2015 | R | R |
| Review of the Report on the state of protection and rescue in 2014 and 2015. | R | N |
| Review of the Annual Report on Foreign Trade of Controlled Goods for 2014 and 2015. | R | N |
| Review of the Report on the participation of members of the Army of Montenegro and participation of Members of Civil Protection, Police and Civil Servants in Peacekeeping Missions and Other Activities Abroad. | R | R |
| Reviewing information on the execution of the budget for 2014 and 2015 in the part related to funds allocated for the work of the bodies and institutions referred to in Article 3, paragraph 1 of the Law on Parliamentary Oversight in the Area of Security and Defense. | R | R |
| Review of the Report of the State Audit Institution for 2014 and 2015 on the financial operations of the bodies and institutions referred to in Article 2, paragraph 1 of the Law on Parliamentary Oversight in the Area of Security and Defense. | R | R |
| Review of the Draft Budget Law of Montenegro for 2016 and 2017 as stakeholder. | R | R |
| Review of the Report on the application of the measures of secret oversight by the bodies and institutions referred to in Article 3, paragraph 1 of the Law on Parliamentary Oversight in the area of Security and Defense, which occasionally limit rights and freedoms guaranteed by the Constitution. | N | N |
| Organizing and conducting consultative and control hearings and initiating parliamentary investigations. | R N N | R R N |
| Holding a meeting of the Council at the request of one-third of the members of the Committee, with one topic on the agenda. | N | N ⁸¹ |
| Reviewing the propositions of candidates for appointment to senior duties in the area of security and defense, for which the special law prescribes that the Assembly gives opinions on them. | R | Didn't exist |
| Review of the Progress Report on Montenegro in the Membership Action Plan (MAP). | R | N |

The control hearing of the President of the National Security Council Milo Djukanovic, the coordinator of the Bureau for Operational Coordination of Security Services Dusko Markovic, State Supreme Prosecutor Ivica Stankovic and Chief Special Prosecutor Milivoje Katnic was scheduled for 29 July 2016, and it was

81 Opposition MPs tried to exercise their right to hold a control hearing at the request of one-third of the members, but they were prevented because representatives of institutions – supervision subjects, due to alleged impossibility, did not attend the scheduled meeting.

due to be held on the occasion of reviews and attitudes contained in the Report of the National Security Council. Although according to Art. 22 of the Law on Parliamentary Oversight in the Area of Security and Defense, the Committee may impose a fine on the employees of the bodies and institutions if, at the request of the Committee, they do not participate in the meeting, the Committee did not take additional measures and actions, and the meeting was postponed until further notice. During 2015 and 2014, there were no initiatives of one-third of the members of the Committee to hold control hearings.

The ratio of representatives of the ruling parties and the opposition in the Security and Defense Committee, in the old convocation was seven in relation to six, in favor of representatives of the parties in power. Most of the working bodies that deal with this area in the countries of the region are chaired by independent or opposition parties.

Legislative function of the Committee from year to year

| | | 2015 | 2016 |
|----------------------------------|-----------------------|------|------|
| Number of reviewed law proposals | | 6 | 4 |
| Number of reviewed amendments | | 38 | 6 |
| Number of adopted amendments | Accepted by proposers | 6 | 3 |
| | Unaccepted | | |

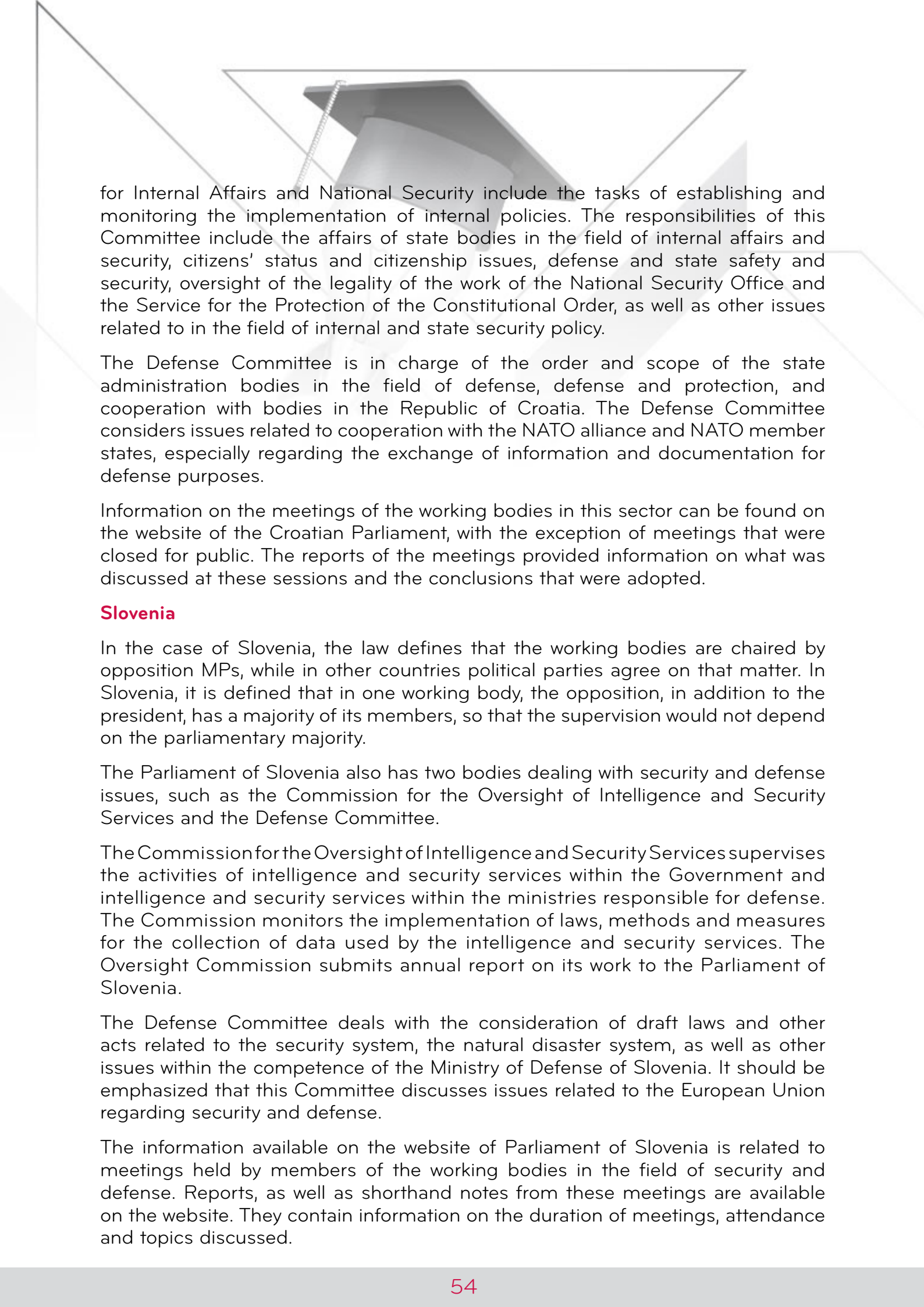
Comparative Practice: Parliamentary Oversight of the security and defense sector in Slovenia and Croatia

The conducted analysis shows that, unlike Croatia and Slovenia that have two working bodies dealing with oversight of the security and defense sector, Montenegro has only one working body that supervises the entire sector. In Slovenia, as well as in Croatia, all parliamentary working bodies dealing with the security and defense sector are chaired by opposition MPs. In Montenegro, the ruling parties are leading bodies in this field. Particularly interesting is the solution of Croatia which, in addition to the MPs, appoints both scientific and professional staff as permanent members in one working body, in order to improve the quality of the work of councils.

Croatia

According to the Constitution, the Croatian Parliament exercises civil oversight of the security services of the Republic of Croatia. The Croatian Parliament conducts oversight of security-intelligence agencies directly through the parliamentary council responsible for national security, and through the Committee, the civil supervision of security-intelligence agencies.

Croatia has two working bodies: the Committee for Internal Affairs and National Security and the Committee for Defense. The responsibilities of the Committee



for Internal Affairs and National Security include the tasks of establishing and monitoring the implementation of internal policies. The responsibilities of this Committee include the affairs of state bodies in the field of internal affairs and security, citizens' status and citizenship issues, defense and state safety and security, oversight of the legality of the work of the National Security Office and the Service for the Protection of the Constitutional Order, as well as other issues related to in the field of internal and state security policy.

The Defense Committee is in charge of the order and scope of the state administration bodies in the field of defense, defense and protection, and cooperation with bodies in the Republic of Croatia. The Defense Committee considers issues related to cooperation with the NATO alliance and NATO member states, especially regarding the exchange of information and documentation for defense purposes.

Information on the meetings of the working bodies in this sector can be found on the website of the Croatian Parliament, with the exception of meetings that were closed for public. The reports of the meetings provided information on what was discussed at these sessions and the conclusions that were adopted.

Slovenia


In the case of Slovenia, the law defines that the working bodies are chaired by opposition MPs, while in other countries political parties agree on that matter. In Slovenia, it is defined that in one working body, the opposition, in addition to the president, has a majority of its members, so that the supervision would not depend on the parliamentary majority.

The Parliament of Slovenia also has two bodies dealing with security and defense issues, such as the Commission for the Oversight of Intelligence and Security Services and the Defense Committee.

The Commission for the Oversight of Intelligence and Security Services supervises the activities of intelligence and security services within the Government and intelligence and security services within the ministries responsible for defense. The Commission monitors the implementation of laws, methods and measures for the collection of data used by the intelligence and security services. The Oversight Commission submits annual report on its work to the Parliament of Slovenia.

The Defense Committee deals with the consideration of draft laws and other acts related to the security system, the natural disaster system, as well as other issues within the competence of the Ministry of Defense of Slovenia. It should be emphasized that this Committee discusses issues related to the European Union regarding security and defense.

The information available on the website of Parliament of Slovenia is related to meetings held by members of the working bodies in the field of security and defense. Reports, as well as shorthand notes from these meetings are available on the website. They contain information on the duration of meetings, attendance and topics discussed.



All countries in the region, except Montenegro, monitor the implementation of strategies and action plans in the field of security, defense and the fight against corruption and organized crime.



Bojan Vukojičić, student. Obavljao praksu u Institutu Alternativa

Reform of public administration in Montenegro

Introduction

Good public administration functioning is a prerequisite for transparent and effective democratic governance. Public administration determines ability of the government to provide public services and stimulate economic growth and has an important role in the process of European integration by enabling the implementation of crucial reforms.⁸² Therefore, public administration reform is one of the most important structural reforms our country needs to implement, and monitoring (observation) and evaluation (assessment) of effects and outputs as necessary prerequisites for improving the efficiency and effectiveness of policies in implementing the set objectives are among key activities on which in this process should be paid attention.

The aim of this research is to show that, in accordance with the European Public Administration Principles as standards for this field, the process of public administration reform has so far functioned in Montenegro, namely, to answer the questions how the management and coordination of the reforms are taking place, how monitoring evaluation of the process have been functioning, what are advantages and disadvantages of adopted strategic documents and which are key areas of reform, with a special emphasis on role of civil society, primarily non-governmental organizations, both in planning and drafting process, as well as in the process of monitoring and evaluation of the reform.

Additionally, we will perform a comparative analysis with the countries of region and explore how these processes take place in countries with which we share similar legacies of the past, but also walk together towards the European future. As an example of good practice, we can certainly use the experience of countries that have already gone through a period of turbulent transition and become members of the EU, such as Estonia, which stand for the 'champion of reforms' in this area. Finally, we will draw conclusions and make recommendations that we consider to be helpful for our country in this most important process.

Reform of public administration in Montenegro

Reform from 1998-2003

The process of transformation of state administration system in Montenegro begins in the late 1990s, when, due to strategic commitment for European integration, modernization of public administration and its harmonization with European standards have found their place among national priorities. However, due to complex political and economic situation in the country, implementation of concrete reforms has stagnated until 2003, when the strategic

framework for public administration reform is adopted, thus formally starting the process of adaptation to European principles (rules applicable in the European Administrative Area).

In the period from 1998-2003 which is recognized as the first phase in development of state administration in Montenegro, the reform process was coordinated by the Ministry of Justice. This ministry has established an expert team that conducted a series of interviews, produced studies and prepared statistical data that provided the basis for preparation of a future public administration reform strategy. Although involvement of working groups and expert teams was a positive feature of this phase, absence of significant changes is noticeable, mainly due to the lack of financial resources, led to preparation of a comprehensive strategic document that would form the basis of the reform of state administration.

Strategy of state administration reform in Montenegro 2002-2009

Administrative Reform Strategy in Montenegro 2002-2009, as main reasons for the reform, states: 'Increasing the internal efficiency of functioning of state administrative system; change of administration in order to involve it in wider social systems.'⁸³

The strategy foresaw three phases of administrative reform: during the first of 2003-2004, legislative framework for reform was to be completed, while the second and third phases (2004-2006 and 2007-2009) were designed to implement laws and adopt new procedures, communication and cooperation with the administrative systems of the EU member states. Progress was somewhat depicted in a normative sense, bearing in mind that some key laws in this area were adopted (*Law on State Administration, Law on Local Self-Government, Law on Ombudsman, Law on Civil Servants and State Employees*), however, for the successful implementation of these it was necessary to strengthen the institutional system.

Strategy highlights that the Government will give a high priority to the issue of whether the applicable but also new regulations are consistently applied in practice. Even the highest quality regulations do not mean much if they do not come to life in real social practice. In this context, the Government wants to ensure the consistent application of laws and other regulations, or their uncompromising implementation.⁸⁴ Bearing this in mind, as one of the objectives of administrative reform 'strengthening the directional function of monitoring of functioning of the administrative system'⁸⁵ is stated, while as one of the priority activities to be undertaken within the reform 'informing and involving the expert and the general public in the process of drafting regulations' is stated.⁸⁶

In the process of managing the public administration reform, the Strategy 2002-2009 opted for 'establishing a **forum for coordination of administrative reform at the Government level** with the aim of clear and permanent support to the reform process (headed by the President of the Government, the Minister of Justice and ministers of the most important departments for this area).⁸⁷ All projects in this area will be prepared by an **inter-ministerial**

83 Strategy of administration reform in Montenegro, March 2003, page 14.

84 Strategy of administration reform in Montenegro, March 2003, page 13.

85 Ibid, page 17.

86 Ibid, page 26.

87 Ibid, page 34-35.

working group, coordinated by the Assistant Minister of Justice, while the **Council of the Ministry of Justice for Public Administration Reform** was formed as an external strategic and advisory body. The Council had a jurisdiction to 'consider, take positions and give expert opinions on all public administration issues related to reform in this area'.⁸⁸

The council had a president and twelve members. It is commendable that representatives of the universities, the judiciary, the Union of Municipalities, NGOs, experts and representatives of donor organizations have also been appointed to this body.

When it comes to monitoring and evaluation, the government and administration, as the bearers of reform, committed themselves to operationalization of the strategy, followed by systematic monitoring and evaluation of effectiveness of implementation of measures, and, in particular, comparison of the achieved results with the expected ones, as well as the substantive correction of the adopted and implemented measures.⁸⁹

In methodological and organizational terms, one of the key issues on which the success of the entire reform depends is creation of clear benchmarks for success of administrative reform performance.⁹⁰ With this, the political level, as well as the general public, would be able to constantly monitor and evaluate the success of the entire reform process. 'An objective assessment of the success and actual scope of the reform process is only possible if the process of critical evaluation of the performed activities and assessment of reality of the planned programme and project tasks is ensured, as well as the possibility of continuous monitoring of success of the undertaken activities', as it is stated in the Strategy.⁹¹

During monitoring of administrative reform, the Government considered informative-analytical materials and annual reports on work of ministries and other state administration bodies, however, quality of these reports and materials was not at an enviable level. 'The materials considered by the Government lacked numerous data, but also analyses of changes, functioning and results that legal norms achieve in practice'.⁹²

Therefore, what is recognized as one of the problems is precisely the lack of an organized and competent institution, which, from the standpoint of a professional scientific-methodological approach, would monitor the process and be support and logistics in the revitalization of the Strategy.⁹³

We can conclude that this first phase in implementation of the public administration reform in Montenegro had had positive sides such as involving all relevant subjects from the very beginning (non-governmental and entire civil sector, trade union, university), especially when it comes to participation in the drafting of regulations (although reach of Council of the Ministry of Justice was limited). However, the Government has mostly taken over the process of monitoring and evaluation and, unfortunately, it has not been properly

88 Decision on establishment of Council of Ministry of Justice for Public Administration Reform, Off. Gazette of RMNE, 13/03

89 Strategy of administration reform in Montenegro, March 2003, page 40.

90 Ibid, page 42.

91 Ibid, page 43.

92 State administration reform in MNE – between ambitious plans and real possibilities, Institute Alternative, 2012.

93 Conference on state administration reform in MNE and challenges, presentation of Stana Pajovic, assistant of Minister of Interior, Budva, March 2009

implemented.

It should also be noted that in 2006, after restoration of independence and formation of a new Government, a **change in the governance structure** has also occurred, thus public administration jobs were transferred from the Ministry of Justice to the **Ministry of Interior**, which thus became the Ministry of Interior and Public Administration. The Council of the Ministry of Justice, consequently, ceased to exist, while appropriate advisory body in charge of public administration affairs in the new ministry has never been formed. In the forthcoming period (pending the adoption of the new Strategy in 2011), there was no adequate staffing potential established in this ministry, and as the end of EU financial support came and the general Government's interest in public administration reform was reduced, the quality of reporting on the reform process was limited.

Strategy of public administration reform 'Aurum', 2011-2016

Preparation of the new strategic document started only in 2009. Since the process of evaluating the so far reform process was not of good quality, neither the preparation of a new strategic document was based on a document that would show all the flaws and problems in applying the previous Strategy. Thus, we conclude that lack of quality analytical material remains a permanent problem in development of each strategic document. Work on the preparation of the new Strategy was also accelerated by the European Commission, which in 2010 classified the 'essential steps in the reform of the state administration' among the priorities that represented preconditions for initiation of EU membership negotiations, with assessment that 'state administration remains weak and highly politicized'.⁹⁴

Public Administration Reform Strategy, AURUM, for the period 2011-2016, was adopted only in March 2011. Key objectives of Strategy are: strengthening the rule of law and accountability of the public administration, institutional stability, functionality and flexibility of the public administration system, improvement of the business environment by raising the level of quality of public services, increasing transparency and ethical level in public administration, and further inclusion of Montenegro in the European administrative space.⁹⁵

It was a plan that European standards for employment are adopted by Strategy as well as improvement of efficiency of state administration, followed by reduction of the number of employees, improvement of the system of earnings and career advancement based on the results of the work, which should contribute to significant budget savings.

In order to obtain a date for initiation of negotiations on EU membership, all activities related to state administration in 2011 have been realized, thus normative and legislative frameworks for the state administration area have been further

94 Opinion of Commission on request of Montenegro for membership to the European Union, Brussels, 9 November 2010, 67, page 11

95 Strategy of public administration reform in Montenegro for period 2011-2016 'AURUM', Podgorica, March 2011



improved.⁹⁶

The 'Aurum' draft of 2010 prescribed that strategic management of the reform will be entrusted to the Government's Public Administration Reform Council. It is planned that the Council is an advisory body of the highest level that will 'organize and synchronize activities of state administration bodies with a purpose of reforming public administration; to stimulate cooperation between state authorities, municipalities, non-governmental sector, international organizations and other participants in the process; monitor the implementation of certain legal solutions in this area; evaluate progress of the reform and put forward proposals for concrete actions to determine direction of the reform'.⁹⁷ The Council consists of prominent experts and representatives of civil society as well as donors, and the leadership function was envisaged for the Deputy President of the Government for the political system, internal and foreign policy.

In order to effectively implement the Strategy, the Council was supposed to set up an Operational Team for Public Administration Reform, that would consist of officials from departmental ministries responsible for specific areas. Task of the team was to report to the Public Administration Reform Council on implementation of activities envisaged by the Strategy.

The adopted Strategy indicates that it is necessary to establish institutional framework for its implementation, in order to ensure existence of clearly defined mechanism for managing the changes. Also, it is necessary to establish a monitoring and evaluation system that will enable monitoring of fulfilment of objectives projected the Strategy, by all stakeholders in this process (government, state administration and local self-government bodies, civil sector, trade unions, business associations, etc.). Data and analysis resulting from monitoring and evaluation will help decision makers in the public administration to improve policy content, allocate resources to optimal levels, and adjust planned activities in accordance with the circumstances.⁹⁸

Nevertheless, strategic management of the reform has been entrusted to the existing **Council for Regulatory Reform and Improvement of the Business Environment** that will monitor the state administration reform.

The Council will, inter alia: - monitor and coordinate activities of administrative bodies in order to monitor the implementation of public administration reform; - stimulate cooperation between state bodies, municipalities, non-governmental sector, international organizations and other participants in the process; - monitor implementation of certain legal solutions in the area under their jurisdiction; - evaluate progress of the reform in the area of public administration reform and give proposals for concrete activities in order to determine direction of reforms.⁹⁹ We can notice that responsibilities of the Council for Regulatory Reform and the

96 State Administration Reform in MNE – between ambitious plans and real possibilities, Institute Alternative, 2012

97 Government of Montenegro, Agenda of public administration reform in Montenegro for 2010-2014, Aurum, March 2010, Draft

98 Strategy of public administration reform in Montenegro for period 2011-2016 'AURUM', Podgorica, March 2011, page 52.

99 Ibid, pages 52, 53.

Improvement of the Business Environment in this area are defined identically to those that the planned Public Administration Reform Council should have had.

Bodies-bearers of certain activities envisaged by the Action Plan are obliged to report to the Council for Regulatory Reform and Improvement of the Business Environment on a six-month basis, as well as to the Local Government Reform Coordination Committee, on implementation of activities through the bodies that perform administrative tasks for the purposes of the above mentioned bodies. Finally, the Council and the Coordination Committee will report to the Government on a six-month basis on the status of implementation of activities defined in this strategy.

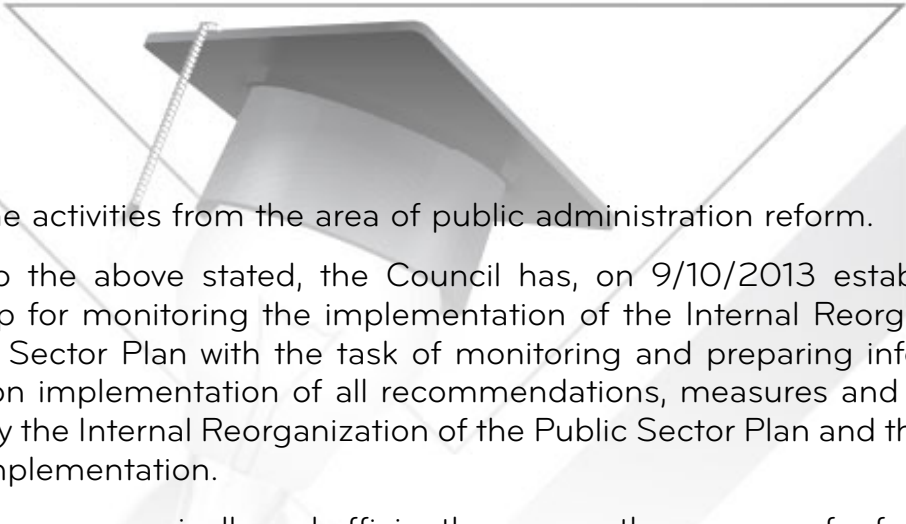
Council for Regulatory Reform and Improvement of the Business Environment, a body that 'monitors public administration reform,' initially had sixteen members only to have 23 members from 2013.

Members include: two Deputy Presidents of Government, seven ministers, Head of the Cabinet of President of the Government, Director of Administration for Inspection Affairs, Advisor to the Deputy President of Government for Economic Policy and Financial System, Director of the Department of Public Revenues, Secretary of the Secretariat for Legislation, Advisor to the Deputy President of Government of Montenegro, Advisor to the President of Government for legal issues, an MP of the Parliament of Montenegro, the President of the Montenegrin Chamber of Commerce, the Director of the American Chamber of Commerce, representative of the Union of Municipalities of Montenegro, the President of the Union of Employers of Montenegro, the President of the Montenegro Business Alliance and the Assistant Minister of Finance for financial system and improvement of the business environment.¹⁰⁰ It seems that composition of this body does not fully correspond to the task of coordinating the process of public administration reform, since it is mainly dedicated to economic sector and financial issues of the state and business relations, thus reflecting the needs of previous Council for elimination of the business barriers that the new Council inherited.

In the first two and a half years since adoption of the Strategy, problems in monitoring of its implementation were more than evident, as no six-month report for the Government was made. And even when the reports were passed, there was a noticeable delay in their adoption. For example, the Council adopted a report on implementation of the Strategy for Public Administration Reform for 2014 in late May 2015 (in an electronic session), and the Government has broken deadline for its adoption. Thus, half of the implementation of the Strategy was marked by absence of any information on implementation of activities, which sufficiently indicates that coordination of the entire process was rather chaotic.

On December 25, 2013, the Coordinating Body for monitoring implementation of the Public Administration Reform Strategy in the part relating to the field of public administration was formed, with the task of monitoring and coordinating activities of administrative bodies and other relevant institutions in their areas in order to

100 Decision on establishment of Council for Improvement of Business Environment, Regulatory and Structural Reforms, from 23/3/2013



implement the activities from the area of public administration reform.

In addition to the above stated, the Council has, on 9/10/2013 established a Special Group for monitoring the implementation of the Internal Reorganization of the Public Sector Plan with the task of monitoring and preparing information and reports on implementation of all recommendations, measures and activities established by the Internal Reorganization of the Public Sector Plan and the Action Plan for its implementation.

In order to more economically and efficiently manage the process of reform in the field of state administration, as well as monitoring the implementation of activities identified by relevant strategic documents in this area, the Council issued a decision establishing a unique team - **Coordination Body for monitoring implementation of the Public Administration Reform Strategy and the Internal Reorganization of the Public Sector Plan.**

Also, at the initiative of the European Commission, a joint **Special Group for Public Administration Reform of the EC and Montenegro** was established, whose task is to improve the system of monitoring the implementation of AURUM, the accompanying Action Plan, as well as the Internal Reorganization of the Public Sector Plan.¹⁰¹

Formation of these bodies has, to some extent, improved coordination mechanisms for monitoring the state administration reform.

Nevertheless, the Council did not give any better results even in the following period. The SAI, by revision of regularity and effects of the activities of the Council, determined that Council did not hold a single session in 2016, although the fees were not being paid to members properly. The Council did not propose to the Government a plan for improving the business environment, regulatory and structural reforms for 2016, although this was its task.¹⁰²

All of this has contributed that the work of this Council is assessed in a highly negative manner.¹⁰³¹⁰⁴

By analysing the available data, we can generally conclude that limited effects have been achieved in the AURUM implementation process. Most of the activities implemented are of normative or strategic character, and very often there is no consistent application of reform solutions in practice.¹⁰⁵

When it comes to monitoring, evaluation and management of the process, we conclude that the practice of poor reporting on reform continues and that poor

101 Analysis of effects of implementation of Strategy of Public Administration Reform (AURUM) achieved in period of 2011-2014, Ministry of Interior, Podgorica, May, 2015

102 Report on revision of activities of Council for Improvement of Business Environment, Regulatory and Structural Reforms, SAI, No. 40116/16-024-1363/16, Podgorica, 18/11/2016

103 <http://www.vijesti.me/vijesti/nisu-se-sastajali-a-podijelili-36340-eura-913194>

104 <http://www.dan.co.me/indexss.php?nivo=3&datum=2016-11-25&rubrika=Ekonomija&najdatum=2016-11-24&clanak=574616&naslov=Primali%20naknade%20iako%20Savjet%20nije%20radio>

105 Analysis of effects of implementation of Strategy of Public Administration Reform (AURUM) achieved in period 2011-2014, Ministry of Interior, Podgorica, May, 2015

coordination of the process remains a permanent characteristic of the reform. Representatives of the civil sector are not, at least not sufficiently, involved in the process of drafting strategic documents, as well as in the composition of the coordinating bodies that monitor their implementation, which additionally contributes to non-transparency.

In support of this conclusion are also comments of the World Bank on Draft of Aurum. The World Bank, as flaws in the Strategy, sees insufficiently precise goals, undefined indicators that could measure the success of public administration reform and non-identification of possible risks or obstacles in the way of achieving outcomes as well as measures for their elimination. Also, at the highest political level of reform management, the participation of prominent NGO representatives is proposed.¹⁰⁶

Strategy of public administration reform in Montenegro 2016-2020

The process of drafting the Strategy started at the end of 2014, when the production of Analysis of Implementation Effects of Aurum was also started. The Ministry of Interior drafted a list of possible priorities for the reform, and in July 2015 a working group was established tasked with drafting the new Strategy. Besides the representatives of the relevant ministries, representatives of the Union of Municipalities of Montenegro and one representative of the NGO sector were appointed to the composition of working group.

With the assessment that today's public administration is unable to respond to what is the imperative of state policy, which is economic growth, on July 28, 2016, the Government adopted the Public Administration Reform Strategy in Montenegro for 2016-2020 with Action Plan for its implementation, noting that public administration reform is one of the most important structural reforms our country needs to make.¹⁰⁷ And indeed, in addition to the rule of law and economic governance, the European Commission has listed Public Administration Reform in the Enlargement Strategy for 2015 as one of the three pillars of the enlargement process.

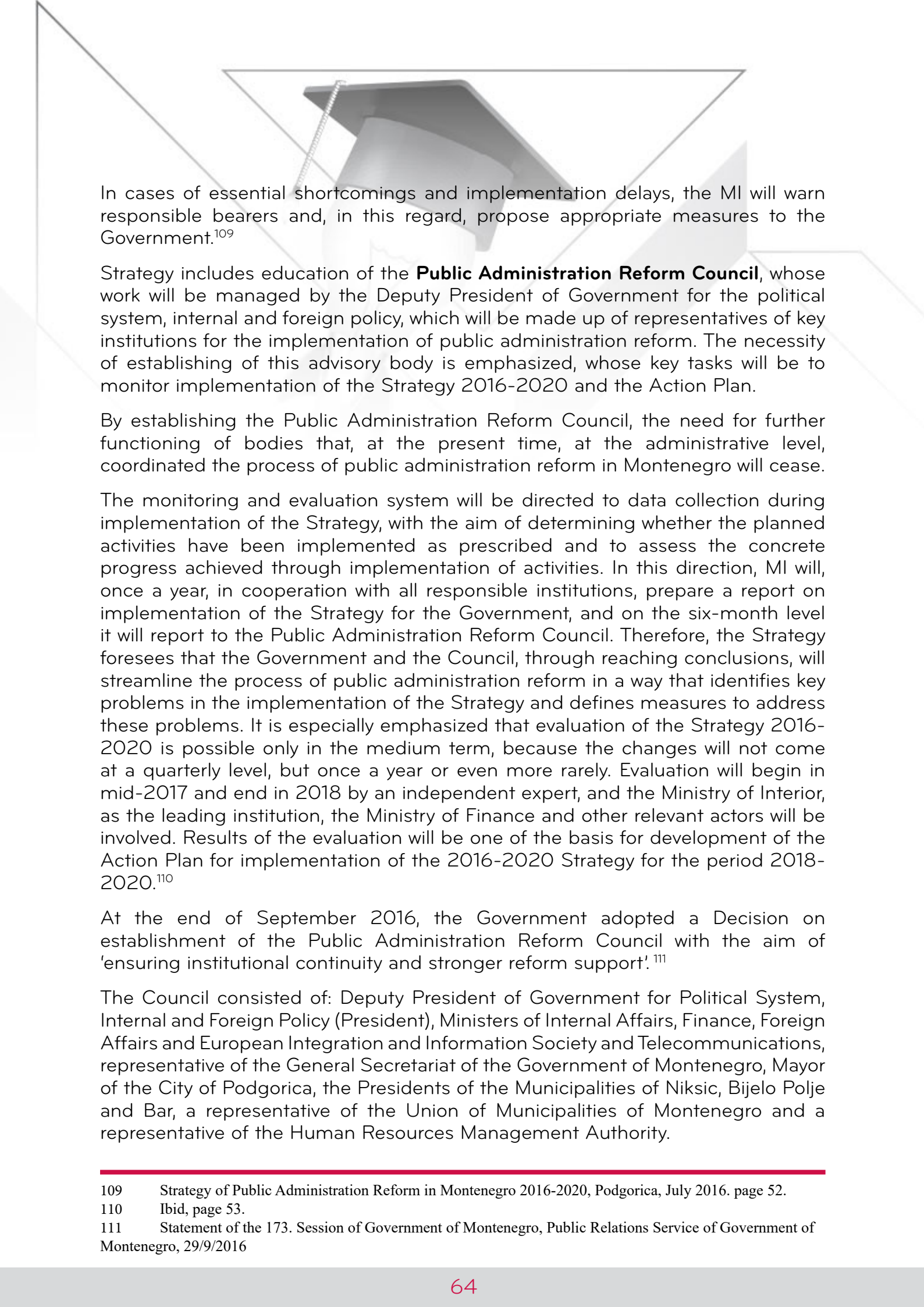
As a general objective of reform activities, 'creation of an efficient and service-oriented public administration, characterized by a growing confidence of citizens in its work' is stated.¹⁰⁸

Regarding the governance and coordination of the reform, the **Ministry of Interior** will continue to be responsible for monitoring the implementation of the reform. All bodies listed as bearers of certain priority goals are obliged to take care of realization of these goals, to report to the MI and to provide all the necessary data that the MI, as a managerial institution for public administration reform, requests.

106 Agenda for effective reform of state administration, Note/Comments of World Bank to Government of Montenegro

107 Statement from 167. Session of Government of Montenegro, Public Relations Service of Government of Montenegro, 28/7/2016

108 Strategy of Public Administration Reform in Montenegro 2016-2020, Podgorica, July 2016. page 36.



In cases of essential shortcomings and implementation delays, the MI will warn responsible bearers and, in this regard, propose appropriate measures to the Government.¹⁰⁹

Strategy includes education of the **Public Administration Reform Council**, whose work will be managed by the Deputy President of Government for the political system, internal and foreign policy, which will be made up of representatives of key institutions for the implementation of public administration reform. The necessity of establishing of this advisory body is emphasized, whose key tasks will be to monitor implementation of the Strategy 2016-2020 and the Action Plan.

By establishing the Public Administration Reform Council, the need for further functioning of bodies that, at the present time, at the administrative level, coordinated the process of public administration reform in Montenegro will cease.

The monitoring and evaluation system will be directed to data collection during implementation of the Strategy, with the aim of determining whether the planned activities have been implemented as prescribed and to assess the concrete progress achieved through implementation of activities. In this direction, MI will, once a year, in cooperation with all responsible institutions, prepare a report on implementation of the Strategy for the Government, and on the six-month level it will report to the Public Administration Reform Council. Therefore, the Strategy foresees that the Government and the Council, through reaching conclusions, will streamline the process of public administration reform in a way that identifies key problems in the implementation of the Strategy and defines measures to address these problems. It is especially emphasized that evaluation of the Strategy 2016-2020 is possible only in the medium term, because the changes will not come at a quarterly level, but once a year or even more rarely. Evaluation will begin in mid-2017 and end in 2018 by an independent expert, and the Ministry of Interior, as the leading institution, the Ministry of Finance and other relevant actors will be involved. Results of the evaluation will be one of the basis for development of the Action Plan for implementation of the 2016-2020 Strategy for the period 2018-2020.¹¹⁰

At the end of September 2016, the Government adopted a Decision on establishment of the Public Administration Reform Council with the aim of 'ensuring institutional continuity and stronger reform support'.¹¹¹

The Council consisted of: Deputy President of Government for Political System, Internal and Foreign Policy (President), Ministers of Internal Affairs, Finance, Foreign Affairs and European Integration and Information Society and Telecommunications, representative of the General Secretariat of the Government of Montenegro, Mayor of the City of Podgorica, the Presidents of the Municipalities of Niksic, Bijelo Polje and Bar, a representative of the Union of Municipalities of Montenegro and a representative of the Human Resources Management Authority.

109 Strategy of Public Administration Reform in Montenegro 2016-2020, Podgorica, July 2016. page 52.

110 Ibid, page 53.

111 Statement of the 173. Session of Government of Montenegro, Public Relations Service of Government of Montenegro, 29/9/2016

Among the tasks of the Council the following stand out: monitoring the implementation of the PAR Strategy 2016-2020 and the Action Plan for Implementation, streamlining the reform process through identifying key problems in implementation and defining measures for their elimination, submitting to the Government a report with a status review, evaluation and proposal of measures, at least once a year.¹¹²

However, on November 28, the Parliament of Montenegro elected a new Government, with a new **Ministry of Public Administration** being formed, with the aim of consolidating public administration tasks through an independent institutional framework. Thus, public administration tasks were completely removed from jurisdiction of the Ministry of Interior, and therefore coordination of the reform was undertaken by the newly formed Ministry of Public Administration, which had to slow down the implementation of certain measures. Thus, professional and administrative-technical tasks for the needs of the Council began to be carried out by a new ministry and a new member of the Council became the Minister of Public Administration.¹¹³

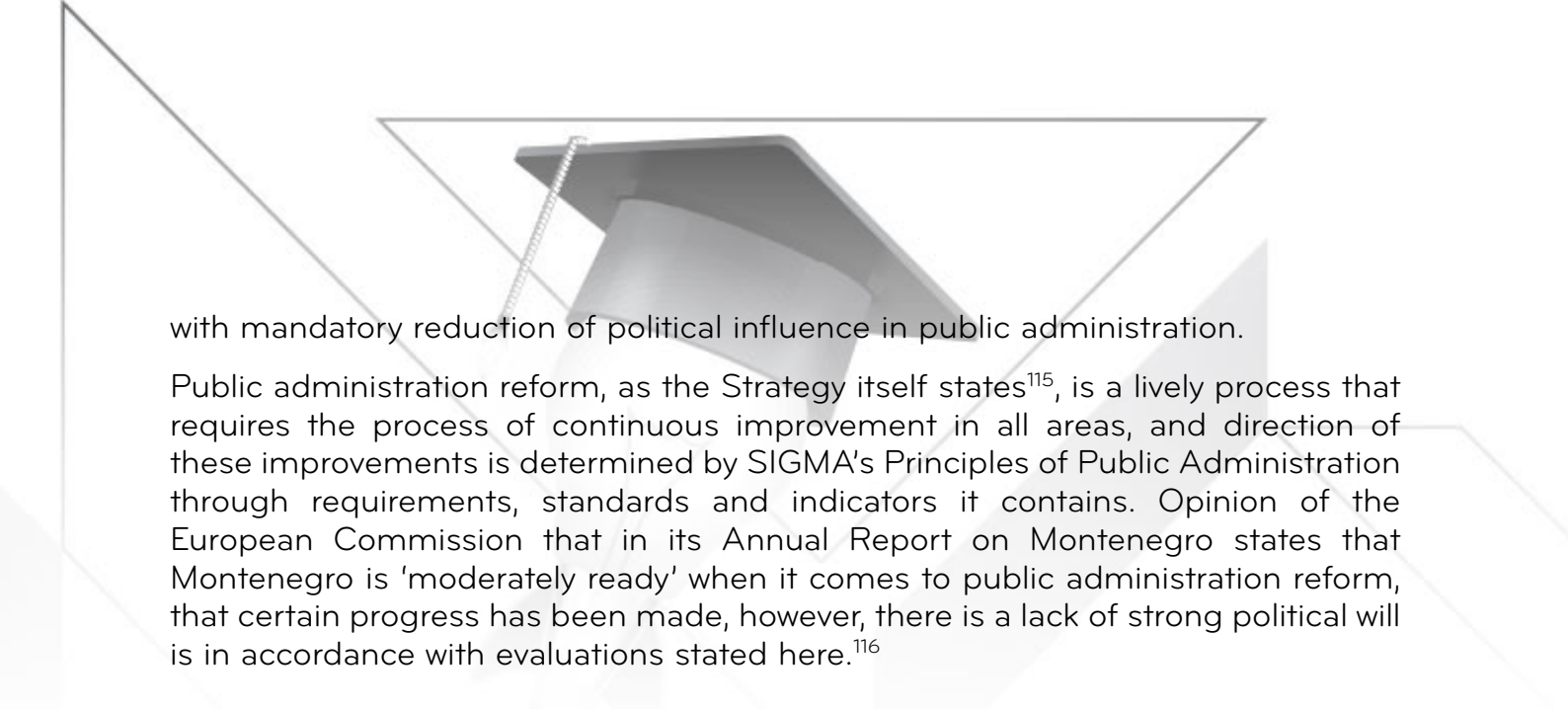
The establishment of a single body for managing public administration reform certainly represents a positive step forward in order to better coordinate the reform, especially given the limited scope of the Council for Improvement of Business Environment, Regulatory and Structural Reforms. Nevertheless, the absence of representatives of the non-governmental sector within the Council is noticeable. Thus, 'mistakes from the past' are repeated, it does not contribute to transparency of the reform process, and it should be emphasized that such a position is not in line with the key standards of good governance, which are defined by European principles of public administration. Therefore, in addition to representatives of key reform implementation bodies, it is necessary to include representatives of non-governmental sector, the Union of Municipalities, and the academic community.

Within the PAR Strategy, a total of 81 activities have been envisaged, and one has been fulfilled so far - a new Law on Administrative Disputes has been adopted. Although realization of goals is still ahead, many of the priorities that were formulated four years ago, which are largely not realized within the application of the previous Strategy, are now being repeated. Also, the current Draft Strategy lacks indicators that will measure achievement of the overall goal, i.e, ex post evaluation of implementation of the Strategy.¹¹⁴ Only by precise formulation of objectives, with indicators that will enable evaluation of its fulfilment, the subsequent assessment of performance of the Public Administration Reform Strategy will be carried out. In the coming period, focus of reform activities should be directed to ensuring continuous monitoring and coordination of the process of reform of state administration and local self-government, as well as strengthening the personnel and technical capacities of key public administration reform bearers,

112 Decision on establishment of Public Administration Reform Council, Government of Montenegro, 29/9/2016

113 Decision on Amendments of Decision on establishment of Public Administration Reform Council, Government of Montenegro, 15/12/2016

114 Comment on Draft Strategy for Public Administration Reform 2016-2020 and Draft Action Plan for period 2016-2018, Institute Alternative, page 3.



with mandatory reduction of political influence in public administration.

Public administration reform, as the Strategy itself states¹¹⁵, is a lively process that requires the process of continuous improvement in all areas, and direction of these improvements is determined by SIGMA's Principles of Public Administration through requirements, standards and indicators it contains. Opinion of the European Commission that in its Annual Report on Montenegro states that Montenegro is 'moderately ready' when it comes to public administration reform, that certain progress has been made, however, there is a lack of strong political will is in accordance with evaluations stated here.¹¹⁶

Comparative analysis

Serbia

Strategic direction of the public administration reform in Serbia is defined by the Public Administration Reform Strategy and its Action Plan.¹¹⁷ Strategy emphasizes that the previous system of monitoring and evaluation of implementation of public administration reform was not systematically implemented, but based on ad hoc and inconsistent reporting, and therefore envisages introduction of compulsory quarterly/semi-annual reports of all stakeholders. In terms of evaluation, Strategy states that in addition to internal evaluation system, it is necessary to provide independent external evaluation through involvement of educational and other professional institutions, civil society, relevant international organizations and independent control bodies. It is relevant that Strategy states that information obtained will be used in planning of corrective actions in the event that its application is lagging behind the planned pace and expected results.

Regarding the structures for reform management, which implies both its monitoring and evaluation, Strategy envisages four levels. At the first level, the Ministry of State Administration and Local Self-Government is in charge of operational tasks and coordination of the reform process. At the second, the inter-ministerial project group has a professional role in coordinating and monitoring the process of implementing the Strategy. It participates in creation of strategies and action plans and adopts reports on implementation and evaluation of results achieved by Strategy. Although this was not originally foreseen by the Strategy, MSALS has, in addition to the secretaries of ministries, included civil society organizations within this body's composition, with the possibility of presenting their views and commenting. Here the so-called SEKO Mechanism (Sectoral Organizations of Civil Society) was used, established to ensure participation of civil society organizations in policy making. This is an example of practice that can be used by Montenegro when it comes to involving civil society representatives in the process of public administration reform.

115 Public Administration Reform Strategy in Montenegro 2016-2020, Podgorica, July 2016, page 52

116 Annual Report of European Commission on Montenegro, November 2016, page 15

117 Public Administration Reform Strategy in Republic of Serbia 2014

At the third level, the Collegium of State Secretaries, which represents the first level of political coordination of the process, discusses issues that do not achieve consensus on the professional level. Finally, the Public Administration Reform Council is a central Government body with the strategic role of coordinating and streamlining reform processes in public administration. The Council reviews annual reports on implementation of the reform. Although at the head of this body is President of Government, which provides the necessary political support, representatives of civil society are not included in this body.

Croatia


Croatia is an example that the countries of the European Union do not have to be synonym for good practice. Although the period envisaged for implementation of the previous strategy was completed in 2011, the new Strategy, with the EU's pressures, was adopted merely in 2014 without involvement of the expert public in the process of drafting the document.¹¹⁸

Representatives of civil society pointed out that it is a document of low quality, unfeasible in practice, that insufficient attention is being given to monitoring and evaluation, and that it serves only as a 'paper cover' for drawing resources from European funds.

Considering that in the previous period, lack of supervision over implementation of reforms was a major problem, the Strategy proposes establishment of a central body at the level of the Government, which would be responsible for coordinating development and monitoring of implementation of public policies and strategic documents. Also, the Strategy envisages a working body of the Croatian Parliament to monitor the implementation of the Strategy, in which, apart from the representatives, scientific and professional workers could be appointed without the right to decide. The Croatian public is quite dissatisfied with the reform of public administration in many of its segments, therefore Croatia's case cannot be of help to us in the search for good practices.

Bosnia and Herzegovina

The overall coordination in implementation of measures from the Strategy and Action Plans in BIH is carried out by the Public Administration Reform Coordinator (PARCO), a state institution within the Council of Ministers of BIH, in charge of ensuring the monitoring and evaluation system and reporting on the progress achieved. This Office also created the Strategy and in its creation, the general public's suggestions, collected through workshops, media conferences and surveys, were also used. However, despite some efforts of this body, results of the reform are not satisfactory, and representatives of civil society are not satisfied with



cooperation with state institutions in this process. Although the Strategy¹¹⁹ explains the manner of M&E functioning, lack of sufficient quality indicators for measuring progress is criticised, which did not prevent CSOs from independently monitoring the process.

However, the Strategy was adopted in 2006 and deadline for fulfilling the last goals has expired in 2014 and BIH still does not have a new strategic framework for managing the public administration reform process, which is necessary for it. As a reason for this situation, but also for non-fulfilment of the set goals, the most commonly stated is complex constitutional-legal framework, namely, the complex arrangement of the state according to which all levels of government have to agree on all activities.

Macedonia

Macedonia has adopted its first Strategy in 1999, however, civil society characterizes it as a major failure, and as a key reason for unsuccessful implementation, the poor coordination and management of the reforms entrusted to the Commission located in the Ministry of Justice is indicated. As a result, all reform activities are located in the Ministry of Information Society, which is becoming the Ministry of Information Society and Administration, which also proved to be a mistake, thus representatives of the civil sector propose establishment of a separate ministry that will exclusively deal with public administration.


The new Strategy 2010-2015¹²⁰ passes to this Ministry the role of key reformer, and a new Public Administration Reform Committee is set up with the task of overseeing the implementation of the Strategy. Members of this body have become the Prime Minister and key ministers in this area, which has somewhat provided a stronger political support to the process. Strategy also guarantees participation of representatives of NGOs and other civil society organizations, as well as the private sector in monitoring the implementation of the Strategy. Nevertheless, representatives of civil sector are not overly satisfied with their participation in this process, nor the scope of the reform, and adoption of the new one, 2017-2022 Strategy is still awaiting.

Estonia

Although geographically distant, Estonia is a country with which we share a common communist heritage. After gaining independence in 1991, this former Soviet republic faced numerous challenges: it was necessary to re-establish the state and its political, legal and economic institutions. Nevertheless, this country turned to quick and radical reforms, and a special challenge in this regard was the reform of the state administration. Enormous progress was made in the mid-1990s, and today this country is often referred to as the 'champion of reforms' in this area.

119 Public Administration Reform Strategy in Federation of BIH, 2006

120 Public Administration Reform Strategy 2010-2015, Republic of Macedonia




Estonia has a highly depoliticized administration with extraordinarily rooted principles of professionalism, employment in public administration is carried out on the basis of a public competition for almost all, even the highest positions, a modern payment system based on the broad application of payments by performance has been developed, the administration is highly decentralized and when it comes to e-government, Estonia is a leader among European countries. Therefore, according to SIGMA data, compliance with European Principles of Public Administration is among the highest in Europe. Ever since gaining independence, this country has worked hard to empower civil society and encourage CSO involvement in the policy-making process. Thus, in the process of public administration reform, in addition to the coordination structures at the Government level, the role of the Expert Commission for Public Administration Reform especially stands out, which is composed of 20 independent experts, as well as a number of working groups at the level of ministries, in which civil society representatives took participation as well. Also, public discussion are mandatory for all laws, and special emphasis is placed on training programmes for officials. The desire to join the EU has certainly made a significant contribution to successful implementation of reforms, and what the Government lists as success factors are, among other things: commitment of the political leadership to reforms, good strategic framework, clear vision of the desired goal, good inter-institutional coordination, competent officials and effective monitoring of implementation goals which were set. Current public administration reforms are reduced to improving the existing situation, without implementing wider systemic changes. Estonia is certainly a great example of good practice when it comes to public administration reform.

Conclusions and recommendations

Building a functional, well-organized, depoliticized and transparent public administration is one of key challenges for Montenegro in the coming period, but also a condition for implementation and sustainability of all other sectoral reforms. Therefore, reform of public administration is defined as one of three pillars of enlargement in the European Commission's strategic documents, together with the rule of law and economic governance. However, reform is a continuous process in which, as we have shown, many countries face numerous obstacles. The general assessment is that, although there is certain progress, coordination of the reform in Montenegro, its monitoring and evaluation have not been satisfactory so far, and that there is additional space for involving civil society in all phases of this process.

Starting from the conclusion that quality of all public policies, and therefore those in the field of public administration, depends on providing broad public participation throughout the decision-making process, from establishing the concept of policy and its implementation to monitoring and evaluation, here we will outline some of the recommendations that we consider effective for better implementation of the public administration reform process.

When it comes to the stage of policy formulation and development, we believe that practice of **obligatory public discussion** should be introduced, during which civil



society organizations and all interested public will be able to express their views and recommendations, thereby discouraging discretionary power of the relevant authorities to decide on their own whether representatives of civil sector will be involved or not.

It is necessary to **include representatives of civil society** in the working groups, both for formulation of strategic frameworks, as well as for implementation and monitoring of the PAR process.

Bearing in mind that in many countries monitoring and evaluation in practice are often the weakest stages of the policy cycle, and that in this direction Montenegro has not made significant progress, we consider it necessary that in addition to the representatives of key authorities for implementation of the Strategy and the Union of Municipalities, **a representative of the NGO sector as well as a representative of the academic community to be involved** in the Public Administration Reform Council, as a key body for Monitoring the implementation of the Strategy 2016-2020, , with equal rights as other members of the Council. As it is left as an option in the Decision on Establishment of the Council, we propose that the Council **establishes expert teams and engage experts** in appropriate fields in order to perform its tasks more efficiently.

Civil society can certainly contribute to the reform process through independent external monitoring of the process, and that is the role to be encouraged.

Special attention should be paid also to the **education of administration officials**, in order to gain the awareness in a proper manner of importance of the process and their role in it. Additionally, we propose **creation of a separate Government public administration reform website** that will monitor the progress in implementing the tasks envisaged by the Strategy. The site should, in a visually acceptable manner, provide interested public with an overview of the intended tasks and objectives, those that have been achieved, those in the implementation phase, and those which are still waiting for implementation. Certainly, for more effective implementation, a permanent political commitment to reforms is needed, where CSOs can also contribute by exerting pressure on the Government through continuous informing the public about course of the process and obstacles in that direction.

Dušan Pejaković, student. Completed an internship at Institute Alternative

Key challenges within legal framework and practice of financing local self-governments

Through the various governmental strategic documents, for 2017 and coming period, numerous and radical changes in the legal framework and functioning of local self-governments are envisaged. In the work program of the Government of Montenegro for 2017, a new proposal of the Law on Local Self-Government is announced, which aims to solve the issue of organization and functioning of local self-government, financing of civil servants' relations, and the application of information technologies. The work program also includes the Law Amending the Law on Local Self-Government Financing, with the intention to improve some of the solutions in the existing law, which have proved insufficiently clear through implementation, especially regarding the execution of municipal budgets (procedures for issuing a rebalance, short-term borrowings, use of current reserve assets, etc.). Also, the criteria for the allocation of the funds of the Equalization Fund to municipalities are intended to be improved, and powers to decide on the allocation of the resources of the Equalization Fund should be given to the Commission for Monitoring of Development of Municipalities' Fiscal Equalization System.

General Trends in the Local Self-Governments' Budgets 2006-2016

Local self-governments' **revenues** in Montenegro had been declining from 2008 to 2011, when they started to recover slowly from 2012, but not at the same pace as in the case of a decrease. The revenues are accompanied by expenditures, in a similar trend of movement, although they are in general lower than revenues. The growth trend of **outstanding liabilities** was stopped in 2015, after several years of constant increase of this position. Debts are on a steady pace - From the relatively low level of **debt** at the level of local self-governments to high debt recorded in 2015.

| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|--------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|
| revenues | 347,84 | 280,46 | 238,01 | 209,86 | 213,70 | 227,35 | 230,25 | 267,99 |
| expenditures | 316,27 | 259,23 | 224,55 | 199,90 | 204,49 | 213,36 | 211,65 | 237,51 |
| outstanding liabilities | 27,97 | 77,30 | 94,96 | 98,53 | 109,80 | 116,80 | 119,18 | 96,69 |
| debt | 23,59 | 90,46 | 88,31 | 116,69 | 115,36 | 170,54 | 166,94 | 177,51 |

Table 1. General trends in local finances (figures are expressed in millions of euros)¹²¹

¹²¹ The data are downloaded from the available sources of the Union of Municipalities; <http://uom.me/baze-podataka/opstinske-finansije/>



Directions of local finance reform

Following the available literature, there is some insight into what decision-makers have outlined as the key directions of the reform of local government funding, as well as the wider reform of its organization.

Thus, for example, in the **Public Administration Reform Strategy 2016-2020** in a special part dedicated to issues of special importance to local self-governments, the following areas and measures of functioning are stated, in order to contribute to improving the level of work and efficiency of local self-governments:

- 1. Functional aspect of the system of local self-government** (the Law on Local Self-Government regulates the system of local self-government, which establishes a monotype organization of local self-government, which implies that all units of local self-government, formally in terms of competencies, scope of work, organization of organs equal with the same competencies and responsibilities)
- 2. Reform of the communal system** (Apart of the adoption of the Law on Communal Activities, it is necessary to adopt the Law on the Legalization of Informal Objects which should provide significant improvement of the functioning of the communal system and contribute to the stabilization of the financial situation in local self-government units, through the establishment of appropriate communal benefits and benefits for legalization of informal objects)
- 3. Territorial aspect of local self-government** (In regard to the needs of retaining the concept of large municipalities with sufficient administrative and fiscal potential for its own sustainability, it is necessary to define precise criteria for forming new municipalities by law)
- 4. Financial aspect of the local self-government system** (The overall assumption is that most part of local self-government units are in a difficult financial situation characterized by the high level of indebtedness and unpaid obligations which causes numerous problems in their functioning and execution of the statutory obligations)

The Operational Document for the Prevention of Corruption in areas vulnerable to corruption also treats the area of local self-government. Taking into account the specificities and differences in the area of local self-government, measures in this area are focused on drafting the Integrity Plan for local self-government units, ensuring transparency of the employment process in local self-government bodies, enhancing transparency in the process of public procurement and monitoring public procurement realization in municipalities, improving civil and private sector cooperation with the local self-governments for inclusion in the fight against corruption at the local level, and establishing a channel for reporting corruption in local self-governments. According to the data from the last report on the implementation of the Anti-Corruption and Organized Crime Action Plan, seven measures were implemented (77.78%), two measures (22.22%) were partially implemented, while

there were no unrealized measures.¹²²

Some of the measures listed above include: preparation and adoption of Integrity plans in municipalities, preparation of Analysis of adopted Integrity Plans in Municipalities, regularly monitoring of employment in local self-governments units and aims to ensure the transparency of the employment process by publishing annual reports that include statistics on the total number of employees in local government bodies and newly employed with the explanation of the need to increase the number of incumbents, to produce and submit annual reports on the realization of public procurement and concluded contracts on public procurement, to implement trainings for employees in local self-government units in accordance with the Strategy for the Professional Development of Local Civil Servants and Employees for the period 2015-2018, to regularly inform citizens about the procedures for drafting and issuing acts of a public interest towards its active inclusion and contribution, to establish and promote the system for reception and handling upon whistleblowers' reports in accordance with the Anti-Corruption Law, to continuously monitor the job placement process, the process of advertising and employment in the local self-government units, to continuously conduct inspection monitoring and administrative monitoring of the legality of the work of the local self-government units in order to monitor the implementation of the Law on Financing Local Self-Governments and to continuously carry out inspection monitoring and administrative monitoring over the legality of the work of the local self-government units in order to monitor the implementation of the Law on Spatial Development and Construction of Structures and the Law on Communal Activities.

Expert argumentation advocating fiscal decentralization¹²³ claims that it provides optimal conditions for the stability and predictability of local revenues. This enables local self-governments to plan their fiscal and development policies, including providing services to citizens and businesses, financing capital investment, supporting economic development and employment, and thereby improving standards and quality of life for citizens.

The reform direction, which requires moving from the current monotypic to the polytypic political system of local self-government budget management, is increasingly mentioned in official and expert circles in Montenegro. The Law on Local Self-Government regulates the system of local self-government, which establishes a monotypic organization of local self-government, which implies that all units of local self-government are, formally by competencies, scope of work, organization of bodies equalized with the same competences and responsibilities. The status of the capital and the old royal capital is regulated by special laws that define specific tasks and competencies, but it can be concluded that they have almost the same tasks and structure of the organs as other units of local self-government. The monotypic model of local self-government does not respect recognize geographic, spatial, demographic, economic, administrative, personnel and other differences between individual local

122 Operational document for fight against corruption in areas vulnerable to corruption, Annex of the Action Plan for Chapter 23 – Judiciary and fundamental rights, Government of Montenegro, March 2016.

123 PhD Sanja Kmezić, Prof. Katarina Đulić, PhD Mijat Jocović, PhD Jadranka Kaluđerović – *Monography – Fiscal decentralization and financing of local self-government in Serbia and Montenegro*, University of Belgrade – Faculty of Law, Centre for Publishing and Information, 2016.

self-government units, so that the majority of municipalities do not fully comply with the statutory tasks and competencies. This situation requires a review of the existing organization of the local self-government system. The existing monotypic model of the organization, with a slight expansion of the elements of the political organization and stronger inter-municipal cooperation, can alleviate the diversity and provide a more functional local self-government system.¹²⁴

The same problem has been recognized by the Ministry of the Interior in the official **Analysis of the model of the local self-government organization** in 2015. Overall conclusion of the Analysis is that, for the present, significantly changed circumstances in Montenegro, due to the process of accession to the European Union, the existing monotypic model of local self-government has taken advantage of its potentials, therefore its improvement is necessary and possible. Taking into account the very high risks of sudden transition to a pure polytypic model of local self-government organization, it is recommended to create a mild polytypic model of local self-government in Montenegro. "If Montenegro chooses this model, it will, in the forthcoming phase of the development of the local self-government system, provide good development opportunities, retaining the elements of the Montenegrin tradition of local self-government, and integrating into good multi-level European governance."¹²⁵

Key problems from the perspective of the State Audit Institution

The State Audit Institution (SAI) of Montenegro carries out the audit of the budget of local self-governments as a form of institutional, independent and external control of the budget. General audit has been carried out in 17 municipalities so far, and control audit has been carried out in 7 out of the 17 municipalities that were subject to the general regular audit of the SAI.

| Local self-government | Year | Opinion | Key problems | Control audit |
|-----------------------|-------|---|---|---------------|
| Podgorica | 2015. | Positive (drawing attention to financial audit) | Irregularities regarding the cancellation of certain budget funds and the manner of keeping records of revenues and expenditures | Not conducted |
| Žabljak | 2014. | Conditional | Irregularities in relation to consolidated public spending for 2014, budget means transferred from the previous year, repayment of net liabilities and reported surplus | Not conducted |
| Budva | 2014. | Negative | Deviations / inconsistencies in the operations of the Municipality of Budva with legal regulations | Not conducted |
| Mojkovac | 2013. | Positive | Shortcomings related to budget planning, system of functioning of internal controls, recording of outstanding obligations, collection of certain public revenues | Not conducted |

124 Ibid.

125 Government of Montenegro, Ministry of the Interior, *Analysis of the model of the local self-government organization*, Podgorica, 2015

| | | | | |
|--------------|-------|---|---|---------------|
| Cetinje | 2013. | Negativno | Deficit, shortcomings in budget planning | Conducted |
| Plužine | 2012. | Conditional | Materially significant errors, information and transactions were not in accordance with applicable regulations | Not conducted |
| Bijelo Polje | 2012. | Conditional | Deviations and inconsistencies in the implementation of the Law on Local Self-Government Financing | Not conducted |
| Plav | 2011. | Negative | Significant deviations from the officially presented reports of the Municipality of Plav for 2011 | Not conducted |
| Bar | 2011. | Conditional | Funds in certain cases had not been obtained and used in accordance with the law and bylaws and the Decision on the Budget of Municipality of Bar for 2011. | Not conducted |
| Kotor | 2010. | Conditionally positive | Organizational transformation of the Planning and Construction Directorate of Kotor was not fully implemented, which later had repercussions on the execution of the budget | Conducted |
| Tivat | 2010. | Conditionally positive | Incomplete records of immovable property | Not conducted |
| Herceg Novi | 2009. | Conditionally positive | Violation of legal regulations regulating public procurement procedures. | Not conducted |
| Rožaje | 2007. | True and objective representation | There is insufficient coordination between the competent republic and municipal authorities on the records and collection of concession fees | Conducted |
| Kolašin | 2006. | True and objective representation | Insufficiently efficient operations in the system of accounting records, financial reporting, internal procedures and control systems | Conducted |
| Ulcinj | 2005. | Does not represent objective and true financial state | The failure to comply with the accounting standards, the activities of the municipal authorities in this section, are not fully in line with the applicable regulations | Conducted |
| Danilovgrad | 2005. | True and objective representation | During the planning, part of the transfer was not adequately presented to the organization and manner of functioning of the municipality of Danilovgrad | Conducted |
| Nikšić | 2004. | True and objective representation | Incorrect recording of expenditures for capital investments as well as investment maintenance of property | Conducted |

Distribution of funds from the Equalization Fund

The Equalization Fund, as one of the sources of financing of municipalities in Montenegro, was established by the Law on Local Self-Government Financing in 2012, and is used as an instrument for equalizing financially weaker municipalities. The funds of the Fund are provided from the total collected income from personal income tax (11%), from the real estate tax (10%), from the tax on the use of motor vehicles, vessels, and aircraft (100%) and total collected revenues from concession fees from games of chance (40%). According to the Law on Local Self-Government Financing, the right to use money from the fund has the municipality whose average fiscal capacity per capita for the last three years (preceding the

year for which the distribution is done) is lower than the average fiscal capacity per capita of all municipalities for the same period of time.¹²⁶

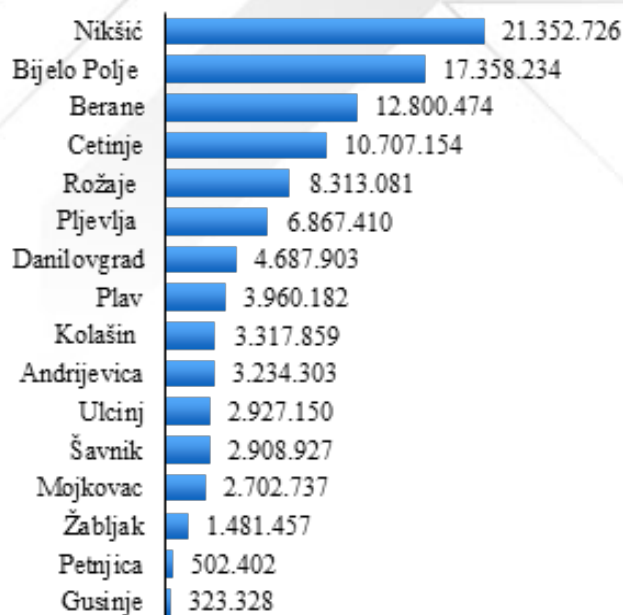
As for the Equalization Fund and the system of allocation of funds, the position of the Union of Municipalities is that the distribution criteria are not effective to the desired extent and that they are ready for change in order to get a more realistic picture. A greater role of the Commission for the allocation of funds from the Equalization Fund should be established, because at this moment the role of the Commission is de facto - mostly advisory since the Ministry of Finance has a closing argument when it comes to allocating funds.¹²⁷

The Law on Local Self-Governments Financing was included in the program of work of the Government of Montenegro for 2017, and the alteration of 2 articles of the Law is announced, as they concern the adjustment of the debt limit from 10% to 25% of current realized revenues in the year preceding the year of borrowing, along with the deletion of provisions concerning the Municipalities in the rehabilitation process in accordance with the tax debt reprogramming, as well as the inclusion of the municipalities of Petnjica and Gusinje in the system of allocation of funds of the Equalization Fund, as was the case in the previous two years. Its adoption is planned for the II quarter of this current year, 2017.

Available data from the Ministry of Finance on the allocation of funds from the Equalization Fund, in the period from 2011 to 2015, indicate the following distribution:

| | 2011 | 2012 | 2013 | 2014 | 2015 |
|--------------|---------|-----------|-----------|-----------|-----------|
| Andrijevica | 67,957 | 673,193 | 776,398 | 828,698 | 956,014 |
| Berane | 397,741 | 3,165,620 | 3,313,559 | 3,269,820 | 3,051,475 |
| Bijelo Polje | 615,723 | 3,986,104 | 4,376,214 | 4,587,062 | 4,408,854 |
| Danilovgrad | 60,967 | 1,045,237 | 1,131,991 | 1,137,933 | 1,372,742 |
| Žabljak | 24,975 | 0 | 425,086 | 575,858 | 480,513 |
| Kolašin | 51,160 | 742,758 | 731,167 | 1,020,118 | 823,816 |
| Mojkovac | 55,628 | 590,911 | 697,691 | 647,600 | 766,535 |
| Nikšić | 231,874 | 4,627,803 | 5,207,696 | 6,045,394 | 5,471,833 |
| Plav | 100,290 | 959,415 | 971,076 | 1,093,702 | 935,989 |

Which municipality was allocated the most funds from the Equalization Fund 2012-2015?



126 Articles 29-35, The Law on Local Self-Governments Financing, "Official Gazette of the Republic of Montenegro", nr. 042/03 od 16.07.2003, 044/03 od 28.07.2003, Official Gazette of Montenegro, nr. 005/08 od 23.01.2008, 051/08 from 22.08.2008, 074/10 od 17.12.2010, 001/15 od 05.01.2015, 078/15 od 31.12.2015, 003/16 od 15.01.2016, Article 29 - Article 35

127 Source - interview with Žana Đukić, Secretary of the Commission for Local Self-Governments Financing, Union of Municipalities of Montenegro, March 22, 2017

| | | | | | |
|----------|---------|-----------|-----------|-----------|-----------|
| Pljevlja | 236,717 | 1,722,605 | 1,545,130 | 1,658,248 | 1,941,427 |
| Rožaje | 255,614 | 2,001,897 | 2,041,388 | 2,044,519 | 2,225,277 |
| Ulcinj | 81,144 | 631,743 | 745,671 | 824,913 | 724,823 |
| Cetinje | 144,121 | 2,286,420 | 2,661,185 | 3,044,140 | 2,715,409 |
| Šavnik | 98,224 | 735,191 | 689,748 | 709,995 | 773,993 |
| Petnjica | 0 | 0 | 0 | 0 | 502,402 |
| Gusinje | 0 | 0 | 0 | 0 | 323,328 |

Attitudes of the Union of Municipalities towards the upcoming amendments to the Law on Local Self-Government Financing

One of the key stakeholders in the relation of fiscal policy and financing of local self-governments is definitely Union of Municipalities of Montenegro. In conversation with their representatives, we checked their official attitudes towards some crucial issues of importance for upcoming amendments of the Law on Local Self-government Financing.

"We start from the position that the existing model of financing of local self-governments in Montenegro is certainly not adequate in the current model (**funds available to local self-governments are insufficient to finance all competencies prescribed by law**) in which it functions now and that new reforms and new changes are certainly necessary as well as the amendments in legal frameworks. Speaking about the course of the process of proposing amendments to the legal framework, they emphasize that they, as the Union of Municipalities, have been largely consulted by the Ministry of Finance primarily, as a competent body, as well as other Ministries, but that, in principle, the outcome of these consultations could be and should be better."¹²⁸ The Law on Local Self-Governments Financing is included in the program of work of the Government of Montenegro for 2017 and we find out that the Ministry of Finance announced amendments to the 2 articles of the Law due to technical reasons as they concern the adjustment of the debt limit from 10% to 25% of current realized revenues in the year preceding the year of borrowing, along with the deletion of provisions concerning the Municipalities in the rehabilitation process in accordance with the tax debt reprogramming, as well as the inclusion of the municipalities of Petnjica and Gusinje in the system of allocation of funds of the Equalization Fund, as was the case in the previous two years. What the essential objections of the Union of Municipalities are in line with this material is that it is necessary to find a mechanism and a way to replace the revenues that are abolished by the amendments to local governments, and in that direction their proposals are aiming to increase percentage of belonging on the basis of accumulated revenues, to determine benefits for which the annulment has been announced - must be retained as part of the legal framework, as well as a whole series of suggestions concerning the increase in the percentage of income-based municipalities, which are listed in the analysis of the Union of Municipalities.¹²⁹

128 Ibid.

129 Proposals and Suggestions for Amendments to the Law on Local Self-Government Financing, Union of Municipalities of Montenegro, Commission for Local Self-government Financing, Podgorica, July 2014.



Final remarks

Taking into consideration all available documentation, analyses, operational and strategic documents, as well as the attitude of the Union of Municipalities of Montenegro, it is inevitable to impose the conclusion of the lack of functionality of the current model of financing local governments at the national level. The last Law Amending the Law on Local Self-Government Financing did not include in the best possible way include the proposals and assessments of various bodies or the implementation of the adopted amendments was not carried out properly. Therefore, all the authorities in charge of this issue agree that the law should again be amended and / or at least adapted. What recommendations of the Union of Municipalities, Public Administration Reform Strategy 2016-2020 and a number of other strategic documents will be implemented, and whether this time everything will be more encompassed with the further development of a much more efficient implementation plan and control of the implementation of the provisions, or if changes will once again be ephemeral, it remains to be seen when the Law Amending the Law on Local Self-governments Financing is adopted, as it is announced for the II quarter of the current year.

Marija Bulatović, student. Completed an internship at Institute Alternative

Key challenges within legal framework and practice of financing local self-governments

Introduction

During 2013, 2014 and 2015¹³⁰, total of 17,629 public procurement contracts were concluded in Montenegro, amounting 1,033,053,801.9 euros, and excluding direct agreements. The share of public procurement in gross domestic product (GDP) increased from 8.3% in 2013 to 11.89% in 2015. Potentially, this spent amount represents wide space for corruption, which is why it is crucially important that these procedures are carried out transparently and they should be accurately and timely reported.

The number of amendments adopted to the original Public Procurement Plan of the municipalities of Bar, Podgorica and Pljevlja during 2013, 2014, 2015 and 2016 went to record 21 amendments.

The Law on Public Procurement entered into force in 2012. Although there have been numerous changes since then in the field of public procurement, as well as amendments to the Law itself that came into force in May 2015, the problems in practice, especially in the context of planning, implementation, reporting and transparency of public procurement, remained same.

A large portion of the money spent annually on public procurements is managed by local self-governments. Therefore, the aim of the conducted research was to show how they carry out public procurement procedures, that is, how they report on the implemented procedures, but also to offer recommendations for improving the situation in this area. The research was done on a sample of five municipalities - two northern (Mojkovac and Pljevlja), two southern (Bar and Budva) and one central (capital Podgorica). The data used in the preparation of this report was obtained by analyzing the individual annual reports of these five local self-governments, analyzing the reports of the Public Procurement Administration, plans for public procurement and amendments to the plans. The research covered data for the period 2013-2016.

Problems identified during this research are frequent changes in public procurement plans that indicate unrealistic planning, violation of permitted percentage of use of direct agreement, incorrect representation of data. In addition, it is especially concerning that some municipalities have repeated abovementioned problems for years.

¹³⁰ Data for 2016 are currently unavailable because according to the Law on Public Procurement, the Public Procurement Administration is required to prepare and submit the Annual Report on Public Procurement in Montenegro to the Government by May 31st of the current year for the previous year.



Inadequate public procurement planning

Initial step in the realization of public procurement is planning.¹³¹ Nevertheless, the problem of inadequate planning exists in all local self-governments covered by this research. As per data included in public procurement plans, but also annual reports of the Public Procurement Administration, significant deviations between planned and executed public procurement budget were noticed in almost all municipalities, while in some the deviation is high. The research has also shown that particular municipalities have been repeating the same problems regarding the planning.

Public procurement plans were changed over the course of the year and this phenomenon was noticed in all four years covered by the research. Thus, the municipality of Bar altered the original plan 11 times during 2013, while Podgorica adopted 6 amendments to the original plan for the same year. Changes in the plan for municipality of Bar are also present in 2014, when seven amendments were adopted to the original plan. The situation did not improve even in 2015. During that year, the Municipality of Pljevlja changed the plan seven times, Bar eight, while Podgorica adopted 16 amendments. A record number of plan alterations was recorded in 2016. The capital has adopted 21 amendments to the original plan, Bar 10 and the municipality of Pljevlja 8 amendments. The municipalities of Mojkovac and Budva had a small number of changes to their original plans over a four-year period.

Modification of plans in a short period of time represent another characteristic problem. In addition to the large number of amendments, the practice of adopting amendments in the course of several days has been noticed in some municipalities, and even more interesting - the adoption of several amendments in one day. So on January 30, 2013 Podgorica, in addition to the original plan, adopted even 3 amendments to that same plan, which was repeated on October 15, 2013, changing the plan 2 times during the day. Municipality Mojkovac adopted the plan and the amendment on the same day on January 28, 2013.

Despite frequent changes and adjustments until the very end of the year, almost all municipalities are experiencing large differences between the planned and executed budget. Namely, in 2013, the municipality of Budva adopted the last amendment in December, while in 2015 this practice had the municipalities of Pljevlja, Podgorica and Bar. For example, in 2016, differences between the planned and the executed budget ranged from 38,400.00 euros (municipality of Mojkovac) to 5,326,440.00 euros (municipality of Pljevlja). In the case of the municipality of Pljevlja with the last amendment, the total value of the plan was increased by about 2 times compared to the previous plan.

According to the data presented in the individual public procurement reports, there is no municipality with the same amount of planned and executed budget for the four years covered by the research. Interestingly, in the municipalities of Pljevlja, Podgorica, Bar and Budva, the large gap between the planned and executed budget is repeated in the past, as shown in the table.

¹³¹ „Well prepared public procurement plan is instrumental for the contracting authorities to fulfil their needs on an annual or multiyear level, i.e. to what extent will the funds be used rationally. Therefore, this plan usually contains, or should contain, necessary quantities of certain goods and services, type of procedure to be used, timeframe within which the acquisition will be realized.“ cited from the publication „Procurement in Montenegrin municipalities“, Centre for Civic Education and Institute Alternative, Podgorica, 2013, page 23.

| Year | Municipality | Planned budget | Executed budget | Difference between the planned and executed budget |
|-------|--------------|----------------|-----------------|--|
| 2013. | Pljevlja | 3,993,186.00 | 892,970.92 | 3,100,215.08 |
| | Podgorica | 2,524,950.00 | 1,689,235.19 | 835,714.81 |
| | Bar | 4,473,000.00 | 1,656,914.18 | 2,816,085.82 |
| | Budva | 96,794,750.00 | 1,517,290.01 | 95,277,459.99 |
| | Mojkovac | 284,500.00 | 114,009.80 | 170,490.20 |
| 2014. | Pljevlja | 4,675,096.00 | 834,081.90 | 3,841,014.10 |
| | Podgorica | 3,354,530.00 | 1,633,940.52 | 1,720,589.48 |
| | Bar | 5,890,000.00 | 594,128.33 | 5,295,871.67 |
| | Budva | 99,274,140.00 | 1,219,262.07 | 98,054,877.93 |
| | Mojkovac | 299,690.00 | 120,121.58 | 179,568.42 |
| 2015. | Pljevlja | 4,511,238.00 | 1,671,758.44 | 2,839,479.56 |
| | Podgorica | 3,644,190.00 | 1,886,439.54 | 1,757,750.46 |
| | Bar | 4,783,500.00 | 205,637.84 | 4,577,862.16 |
| | Budva | 14,167,500.00 | 1,812,271.57 | 12,355,228.43 |
| | Mojkovac | 189,000.00 | 155,447.49 | 33,552.51 |
| 2016. | Pljevlja | 10,677,861.00 | 2,752,653.96 | 7,925,207.04 |
| | Podgorica | 4,093,995.00 | 2,812,491.37 | 1,281,503.63 |
| | Bar | 3,737,300.00 | 1,189,164.50 | 2,548,135.50 |
| | Budva | 7,004,600.00 | 1,305,547.65 | 5,699,052.35 |
| | Mojkovac | 325,900.00 | 124,874.47 | 201,025.53 |

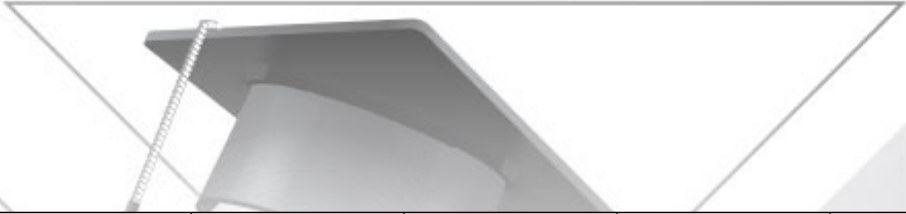
Table1: Difference between the planned and executed budget for public procurement

Another interesting example of unrealistic planning are alterations of plans where the total value remains the same, but the procurement value increases as the value of one procurement is reduced and another's is increased or one procurement is replaced by two other procurements whose total value is equal to the original procurement's value. This practice has been noticed in all three years. Municipality of Bar particularly stands out, since in 2014 it had 7 alterations of the original plan, and the value had remained the same as in the first plan, as well as in 2015 when it had 8 alterations. **In 2013 and 2014 the difference between the planned and executed budget in municipality of Budva valued more than 95 million euros.**

Incorrect reporting of executed public procurement budget

Insight into the submitted reports has shown that amounts of total executed annual budget differ from those presented in the report, by adding amounts in forms A, B and C in which the representation of public procurement conducted by open procedure, shopping method and direct agreement¹³² was presented. Such irregularities are directly related to the wrong reporting of values of direct agreement, which represents a dangerous threat to transparency.

132 „Open procedure is a procedure wherein all interested persons may submit bids according to requirements specified in the contract notice for the open procedure and tender documents; shopping method is intended for the bidder that is registered for performing the function which is a subject-matter of the public procurement, as its basic function. The decision on selection of the most favourable bid by shopping method shall be made by application of the lowest offered price criterion and may be conducted no more than once a year for the same subject-matter of public procurement". These definitions are cited from the publication „Procurement in Montenegrin municipalities", Centre for Civic Education and Institute Alternative, Podgorica, 2013.



| Year | Municipality | Executed (from form C) | Direct agreement (from report) | Executed (A+B+C) ¹³³ | Direct agreement |
|-------|--------------|------------------------|--------------------------------|---------------------------------|------------------|
| 2013. | Podgorica | 1,544,094.70 | 6,95 % | 1,689,235.19 | 6,35 % |
| | Bar | 1,550,412.94 | 6,86 % | 1,656,914.18 | 6,43 % |
| | Budva | 1,219,025.57 | 24,30 % | 1,517,290.01 | 19,66 % |
| 2014. | Pljevlja | 864,081.90 | 17,46 % | 834,081.90 | 18,09 % |
| | Podgorica | 1,689,235.00 | 5,84 % | 1,633,940.52 | 6,03 % |
| | Budva | 1,145,960.06 | 6,39 % | 1,219,262.07 | 6,01 % |
| 2015. | Podgorica | 1,633,940.52 | 6,98 % | 1,886,439.54 | 6,05 % |
| | Budva | 1,145,960.06 | 64,08 % | 1,812,271.57 | 40,52 % |
| 2016. | Budva | 1,077,910.52 | 16,59 % | 1,305,547.65 | 13,70 % |

Table 2: Incorrect reporting of executed public procurement budget

Breach of direct agreement

A direct agreement is an agreement between the contracting authority and offerer, and therefore it is the least competitive procedure, since it does not imply the publication of a public invitation. The Law on Public Procurement does not recognize the obligation to publish closed direct agreements either on the Public Procurement Portal or on the website of the contracting authorities, which makes it the least transparent procedure, which is problematic considering that an average of 71,513.66 such contracts is concluded annually.

There is a problem with the legal definition, which refers to the limit of the value of the procurement of up to 5,000 euros and the possibility of using only one path for the same procurement, and since these are the only two restrictions recognized by law, there is a lot of room for abuse.

The percentage of usage of a direct agreement is calculated in relation to the wrong total budget (which was discussed in the previous chapter), which directly caused the wrong results. Therefore, apart from the problem of violating the permitted use of the direct agreement, the problem is also its inaccurate reporting.

The frequency of violation of the permitted percentage of use of a direct agreement is present in some municipalities that were the subject of the research. It is especially alarming that the municipality of Mojkovac, which during the four years that are the subject of research, shows a high degree of violation of the allowed use.

133 Form A serves for the submission of public procurement data of high value, Form B serves for submitting data on awarded low value procurements (shopping method), Form C serves for submitting data on awarded public procurement by applying a direct agreement.

| Year | Municipality | Direct agreement | Direct agreement (from report) |
|-------|--------------|------------------|--------------------------------|
| 2013. | Mojkovac | 42,63 % | 42,63 % |
| | Pljevlja | 10,58 % | 10,57 % |
| | Budva | 19,66 % | 24,30 % |
| 2014. | Mojkovac | 28 % | 28 % |
| | Pljevlja | 18,09 % | 17,46 % |
| | Bar | 11,93 % | 11,93 % |
| 2015. | Mojkovac | 40,43 % | 40,43 % |
| | Bar | 15,33 % | 15,33 % |
| | Budva | 40,52% | 64,08 % |
| 2016. | Mojkovac | 37,71 % | 37,71 % |
| | Budva | 13,70 % | 16,59 % |

Table 3: Breach of direct agreement

Data available, but unreliable

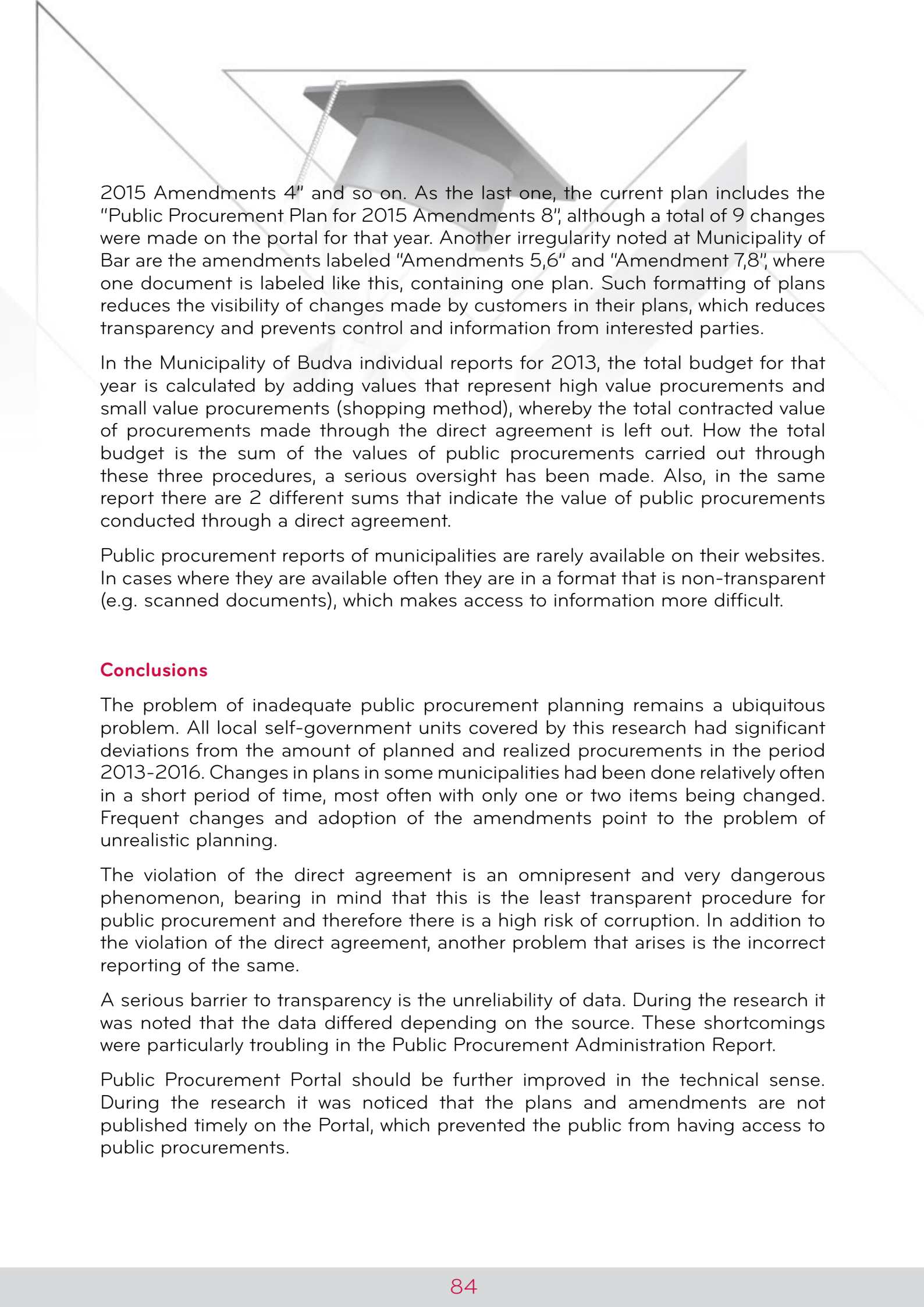
During the research, it has been repeatedly noted that the data varies depending on the source, so the data that can be found in individual contracting authorities' reports differ from those published by the Public Procurement Administration in the annual reports but also from the data that were found during the research by manual calculation and by an additional check. All this points to a big problem, which is the unreliability of information.

Regarding the annual reports of the Public Procurement Administration, it is noticed that some municipalities are not on the **list of customers with the largest difference between planned and executed funds**, and that there are some customers with minor differences, some even less significant, on the list. For example, Bar municipality does not appear on a list in 2014 with a difference of over 5 million between planned and executed. For example, there is Institute for textbook publishing and teaching aids with a difference of about one million euros.

In the next year, 2015, Podgorica was not found on a list with a difference of about 1.5 million, and Niksic municipality was on a list with the difference between planned and executed funds for public procurement amounting to about one million euros.

The same problem occurs with the customer's list with the highest values of contracted procurements by direct agreement. In the 2014 report there is no municipality of Mojkovac with a 28% of the use of the direct agreement, while for example, Monteput doo- Podgorica is on the list with 12.99%.

Regarding the irregularities of the public procurement portal, it has been noted that the portal contains 2 plans with the same content, with the same name "Public Procurement Plan for 2015 Amendments 2", but with a different date of adoption July 30, 2015 and August 03, 2015. Subsequent plans are referred to as the "Public Procurement Plan for 2015 Amendment 3", "Public Procurement Plan for



2015 Amendments 4" and so on. As the last one, the current plan includes the "Public Procurement Plan for 2015 Amendments 8", although a total of 9 changes were made on the portal for that year. Another irregularity noted at Municipality of Bar are the amendments labeled "Amendments 5,6" and "Amendment 7,8", where one document is labeled like this, containing one plan. Such formatting of plans reduces the visibility of changes made by customers in their plans, which reduces transparency and prevents control and information from interested parties.

In the Municipality of Budva individual reports for 2013, the total budget for that year is calculated by adding values that represent high value procurements and small value procurements (shopping method), whereby the total contracted value of procurements made through the direct agreement is left out. How the total budget is the sum of the values of public procurements carried out through these three procedures, a serious oversight has been made. Also, in the same report there are 2 different sums that indicate the value of public procurements conducted through a direct agreement.

Public procurement reports of municipalities are rarely available on their websites. In cases where they are available often they are in a format that is non-transparent (e.g. scanned documents), which makes access to information more difficult.

Conclusions

The problem of inadequate public procurement planning remains a ubiquitous problem. All local self-government units covered by this research had significant deviations from the amount of planned and realized procurements in the period 2013-2016. Changes in plans in some municipalities had been done relatively often in a short period of time, most often with only one or two items being changed. Frequent changes and adoption of the amendments point to the problem of unrealistic planning.


The violation of the direct agreement is an omnipresent and very dangerous phenomenon, bearing in mind that this is the least transparent procedure for public procurement and therefore there is a high risk of corruption. In addition to the violation of the direct agreement, another problem that arises is the incorrect reporting of the same.

A serious barrier to transparency is the unreliability of data. During the research it was noted that the data differed depending on the source. These shortcomings were particularly troubling in the Public Procurement Administration Report.

Public Procurement Portal should be further improved in the technical sense. During the research it was noticed that the plans and amendments are not published timely on the Portal, which prevented the public from having access to public procurements.

Recommendations:

- A market analysis and assessment of the real needs of local self-government shall be conducted, in the direction of an adequate assessment of the value of public procurement, before the preparation of a public procurement plan in municipalities;
- Customers' individual reports on executed public procurements should be published in a machine-readable format, structured so that software applications can easily identify, recognize and retrieve the information contained in the document, including individual data and their structure;
- Misdemeanor liability for customers who do not submit reports on public procurement or who provide inaccurate and incomplete information should be determined;
- Amendments to the Law on Public Procurements should prescribe the use of a direct agreement in exceptional circumstances with the mandatory explanation of its application;
- Amendments to the Law on Public Procurements should prescribe the mandatory publication of direct agreements on the Public Procurement Portal.



Nina Đuranović, student. Completed an internship at Daily Press (Vijesti)

The last hope for war victims¹³⁴

<http://www.vijesti.me/zivot/posljednja-nada-za-zrtve-rata-929943>

Until last year, treatment options for spinal patients were cut short by the brutal civil war that has killed hundreds of thousands of people and displaced more than 11 million.

Ziad, a 14-year-old boy, often stays alone at home, listening to the terrifying sound of bombs falling on Douma, the main rebel stronghold in eastern Ghouta on the outskirts of the Syrian capital Damascus.

Paralysis makes it difficult for him to move during airstrikes, and none of the nearby shelters where he could hide are equipped to receive him.

"The shelters are not prepared to accept people like me," he says.

Until last year, treatment options for patients with spine injuries were cut short by the brutal civil war that has killed hundreds of thousands of people and displaced more than 11 million.

But now the Specialist Centre for Rehabilitation and Care of Spinal Injuries provides such patients physical and psychological treatment.

There are an estimated 500 such patients in eastern Ghouta, almost all of them casualties of the six-year war.

The center, which is funded almost entirely by donations, can treat 12 patients at a time over a period of three to six months.

Khalid Al-Hallaj, the physiotherapist who runs the center, says obstacles to the treatment of patients in the midst of the conflict are formidable.

Without enough wheelchairs, Al-Hallaj struggles every day to just transport the patients to the center.

In addition to physical injuries, patients with paralysis are often also battling mental issues and prefer to stay at home where they feel more comfortable.

"Many people suffer psychological trauma after an injury received during the bombing, which makes them reluctant to seek help, and when they do it is often too late for treatment. This worsens their condition and prolongs the time needed to treat them," Al-Hallaj said.

¹³⁴ Originally written by Bassam Khabieh and published by Reuters as "Makeshift Syrian rehab center offers hope to paralyzed", <https://www.reuters.com/article/us-mideast-crisis-syria-hospital/makeshift-syrian-rehab-center-offers-hope-to-paralyzed-idUSKBN16M23L>

Like many others, Abu Zeid was brought to the center after he tried to commit suicide in the wake of his injury. The struggle with the overpowering physical pain and humiliation at not being able to take care of his basic needs pushed the 23-year old to attempt to take his own life.

Deep scars on Abu Zeid's arms are a reminder of what he endured and his condition today. Having received treatment, Abu Zeid now has limited mobility, can visit the toilet by himself and with some luck may even walk again.

"The doctors say I will walk again, but I need to be patient and exercise a lot," he said.

Photo story – what does Fukushima look today?¹³⁵

<http://www.vijesti.me/zivot/foto-prica-kako-danas-izgleda-fukusima-929024>

Just four kilometers away from the damaged power station, Namie is the closest safe area for the return of residents since the disaster that occurred on March 11, 2011.

Only a few trucks occasionally pass by neglected shops with cracked walls and signposts beside the roads leading to the main street of a deserted, coastal town in the south of Japan, Namie.

Workers nearby repair a damaged house, and about 60 employees are busy preparing a building for the return of former residents.


The signs of life return to Namie six years after residents left the city in panic aback by radioactive radiation in the nearby Fukushima Daiichi nuclear power plant when it was hit by an earthquake and a tsunami.

Nevertheless, only several hundred of the original residents plan to return in the first wave, estimates Hidezo Sato, a former seed merchant who helped draw up a blueprint to rebuild the town. "As a person who used to sell seeds for a living, I believe now is a time to sow seeds for rebuilding", said Sato, 71. "Harvesting is far away. But I hope I can manage to help bring about fruition."

Since November, people who registered have been allowed to spend nights in the town, but residents will not need permission to stay, after Japan lifts evacuation orders for parts of Namie and three other towns at the end of March.

Just four kilometers away from the damaged power station, Namie is the closest safe area for the return of residents since the disaster that occurred on March 11, 2011.

135 Originally written by Kiyoshi Takenaka, Teppei Kasai and published by Reuters as "Six years after Fukushima nuclear disaster, residents trickle back to deserted towns", <https://www.reuters.com/article/us-japan-fukushima-returnees/six-years-after-fukushima-nuclear-disaster-residents-trickle-back-to-deserted-towns-idUSKBN16F083>



But the town will never be the same, due to the consequences of the radiation contamination.

More than half of former residents have decided not to return, more precisely – 53 percent, a government poll showed last September. As the main reason, they state concerns over radiation and the safety of the nuclear plant, whose deactivation is going to last 40 years.

More than three fourths of youth do not have intentions to return, which means older people could form most of the town's population in the future. "Young people will not go back," said Yasuo Fujita, a former Namie resident who runs a restaurant in Tokyo, the capital of Japan. "There will neither be jobs nor education for children."

Fujita said he did not want to live near a possible storage site for contaminated soil.

The town, which used to have six elementary schools and three high schools, plans to eventually open a joint elementary-junior high school. Until then, children will need to commute to schools elsewhere initially.

A hospital opens later this month, staffed with one full-time and several part-time doctors.

Reconstruction efforts may create some jobs, so the town's mayor, Tamotsu Baba, hopes to draw research and robotics firms.

Prospects for business development are not exactly bright in the short term, but lumber company president Munehiro Asada decided to restart his factory in the town to help drive its recovery.

"Sales barely reach a tenth of what they used to be," he said. "But running the factory is my priority. If no one returns, the town will just disappear."

Shoichiro Sakamoto, 69, has an unusual job: hunting wild boars that are coming to residential areas in nearby Tomioka. His 13-man squad catches the animals in a trap before finishing them off with air rifles.

"Wild boars in this town are not scared of people these days. They stare at us as if saying, 'What in the world are you doing?' It's like our town has fallen under wild boars' control", says Sakamoto.

Some former Namie residents are still afraid of the radiation, but the mayor believes this is the time to decide on the destiny of the town.

"Six long years have passed. If the evacuation is prolonged further, people's hearts will snap and the town could go completely out of existence."

Andrea Lekić, student. Completed an internship at Daily Press (Vijesti)

BBC–dad became an Internet sensation: This is his story¹³⁶

Contrary to speculation on the internet, Dr. Kelly and his wife did not fight after the interview ended. And he shot down a widely circulated theory for why he had not gotten up from his chair.

Strangers ask him if he was wearing pants. His phone hasn't stopped ringing. And, no, he was not abusing his daughter in trying to get her out of camera range during a live television interview.

Robert Kelly, the so-called "BBC dad" whose young children wandered into the room while he was doing a Skype interview on South Korean politics, met with reporters along with his family on Wednesday to discuss their newfound fame and the "very public family blooper" that has made them a viral sensation.

"This is now the first line in my obituary," Dr. Kelly said during a news conference at Pusan National University in South Korea, where he is a professor of political science, NY Times reports.

With his 8-month-old son, James, squirming in the arms of his wife, Kim Jeong-ah, Dr. Kelly told the room full of reporters that when the interview ended, he thought he would never be invited on television again.

"We thought it was a disaster. We thought no TV network would ever call us again," he said of the interview during which his 4-year-old daughter, Marion, marched into the room, followed by James in a squeaky walker, before his wife burst in and hurriedly shepherded the children away.

The video has been mined by pundits for wider social significance, lampooned by comedians and doctored by GIF-makers. Some even commented that he did not get up because he was not wearing a pair of pants.

But Dr. Kelly warned against attaching deeper meaning to an embarrassing work-life mishap, noting that while doing TV interviews from home he tries to present a professional backdrop, despite the occasional chaos of his home life.

"My real life punched through the fake cover I had created on television," he said. "This is the kind of thing a lot of working parents can relate to."

He also batted away some of the darker interpretations of his behavior, saying he was not manhandling his daughter by pushing her away during the interview.

"I was not shoving Marion out of the way," he said. "I was trying to slide Marion behind the chair because we have toys and books in the room," that he hoped

¹³⁶ Originally written by Gerry Mullany and Motoko Rich and published by the New York Times as "'BBC dad' on Going Viral: This is now the first line of my obituary", <https://www.nytimes.com/2017/03/15/world/asia/bbc-interview-kids-professor-robert-kelly.html?mtrref=undefined&gwh=6344BB28282631EBFOFF7C3020BCB55D&gwt=pay>



would distract her.

Dr. Kelly has been a contributing guest on the BBC for many years, regularly discussing the tumultuous politics of the Korean Peninsula from the now-famous room.

He expressed some concern about all the attention his family had received lately and he denied any intention of cashing in on his newfound fame. "It would be unseemly to monetize something that involves my children", said Kelly.

Contrary to speculation on the internet, Dr. Kelly said, he and Ms. Kim did not fight after the interview ended. And he shot down a widely circulated theory for why he had not gotten up from his chair.

"I was wearing pants," he said.

Montenegro asks for British help in defense against cyber attacks¹³⁷

<http://www.vijesti.me/vijesti/crna-gora-od-britanije-trazi-pomoc-u-odbrani-od-hakerskih-napada-926811>

British sources said the cyber attacks were being "viewed in the context of the coup plot".

Montenegro has asked Britain for technical help to defend against cyber-attacks, states British Telegraph.

The request was made after the series of cyber attacks after alleged coup plot. Web sites of government institutions, as well as some informative portals, suffered sustained cyber attacks on the day the coup was due to take place.

Another wave of attacks occurred in February, when besides the state institutions' websites, portal Vijesti was a target.

Montenegrin leaders asked Sir Alan Duncan, Foreign Office minister, for British technical assistance to repel cyber attacks when he visited the country last week.

UK and American intelligence agencies are already helping the country investigate the coup plot to assassinate the then prime minister, Milo Djukanovic.

"The scope and diversity of the attacks and the fact that they are undertaken on the professional level indicates that this was planned and synchronised action. The fact

137 Compiled from original reports published at the website of the Government of Montenegro <http://www.gov.me/en/News/169508/Web-portal-of-Government-of-Montenegro-and-several-other-web-sites-were-under-enhanced-cyberattacks.html> and the UK Telegraph (Ben Farmer, "Montenegro asks for British help after cyber attacks in wake of 'Russian-backed coup plot'", <http://www.telegraph.co.uk/news/2017/02/28/montenegro-asks-british-help-cyber-attacks-wake-russian-backed/>

that they attacked portals of the Government of Montenegro and state authorities, state authorities' mail servers, as well as individual Montenegrin media, as has been done on the day of parliamentary elections on 16 October 2016, casts doubt on the motives of the attacks aimed at disabling distribution of information to Montenegrin and international public. Web portal of the Government of Montenegro was under this kind of cyberattacks on 16 October 2016. The attacks were repeated over the next few days. The new series of attacks began on Wednesday, 15 February 2017 at 11:15. Constant attacks lasted until 19:30. The attacks were repeated on 16 February. This series of attacks was primarily focused on the portal of the Government of Montenegro (www.gov.me) as well as the system of protection of the Government's portal", the Government announced on 17 February.

The Government stated that this time the invaders applied so-called TCP Flood and ICMP Flood attacks, "which didn't plague the link as in previous situations, but they sent the large data packets (1,000 packets per second) which made the individual services unavailable".


"At the same time the public DNS (Domain Name Server) was attacked. Attackers have changed the type of attack after the huge number of requests clogged the links. The attacks have been rejected around 15:00h. On 17 February they launched the new series of attacks similar to those of previous days, given that the most attacks were quickly rejected and the system operated stably. Since 16 February the attacks have also been aimed at state authorities' mail server, as well as the portals of some media in Montenegro, which were unavailable to access", the announcement states.

British sources said the cyber attacks were being "viewed in the context of the coup plot". "We stand ready to engage with Montenegro on cyber security issues, following recent attacks on government websites," a Foreign Office spokeswoman said.

Russia has been accused of significantly escalating cyber attacks on the West in the past 12 months including operations designed to leak sensitive emails to sway the US presidential election. Russia has denied the attacks and says its own systems have come under attack from Western intelligence agencies.

Both Montenegro and British officials have accused Russia of being behind the coup plot, to stop Montenegro joining NATO.

Russia has rejected the accusations. Montenegro's special prosecutor has said the coup was planned by "Russian state bodies" and has said he will indict a Russian military intelligence officer, Eduard Shishmakov, accused of orchestrating the conspiracy.



Vanja Đikanović, student. Completed an internship at Daily Press (Vijesti)

The oldest plant ever discovered¹³⁸

<http://www.vijesti.me/techno/pronadena-najstarija-biljka-ikada-929023>

The 'time of visible life' was considerably earlier than believed.

Red algae from 1.6 billion years ago was found preserved in sedimentary rock in Chitrakoot, central India. The discovery suggests that multicellular organisms - the starting point for the evolution of animals and plants - may have evolved 400 million years earlier than previously thought.

The earliest traces of life on Earth are at least 3.5-billion-years-old, but these organisms were prokaryotes - organisms characterised by their simple design, lack of a cell nucleus, and organelles, the tiny machinery of cells that carry out complex bodily processes.

Complex organisms made up of a multiple cells, called eukaryotes, evolved around 600 million years later. The emergence of eukaryotes was an essential step in the evolution of complex organisms including animals and plants. And the new discovery of primitive red algae represents the earliest known example of a multicellular eukaryote.

The oldest known red algae before this find was 1.2 billion-years-old, while the Indian fossils are 400-million-years older and by far the oldest plant-like fossils ever found.

Researchers were able to look inside the algae with the help of X-ray tomographic microscopy. The extremely well-preserved fossils have allowed scientists to study the intricate structure of primitive algae. The scientists also observed cell fountains, the bundles of packed and splaying filaments that form the body of the fleshy algae. In each cell, they found regularly recurring platelets, which they believe are parts of chloroplasts, the machines that plants use to produce energy via photosynthesis.

¹³⁸ Originally written by Daisy Dunne and published by Daily Mail Online as "Is this the oldest plant on Earth? Discovery of 1.6 BILLION-year-old algae pushes evolution of complex life back 400 million years", <http://www.dailymail.co.uk/sciencetech/article-4313364/Is-oldest-plant-Earth.html#ixzz55V3iNWFg>

Photo story: Wolf-hunting near the Chernobyl zone¹³⁹

<http://www.vijesti.me/svijet/foto-prica-lov-na-vukove-u-zoni-chernobila-929571>

Belarussian hunter Vladimir Krivenchik and his wife live on the edge of the Chernobyl exclusion zone.

The area consist of 2,600 square km of land on the Belarus-Ukraine border that was contaminated by a nuclear disaster in 1986, and wolves rule it because they multiplied after people left.

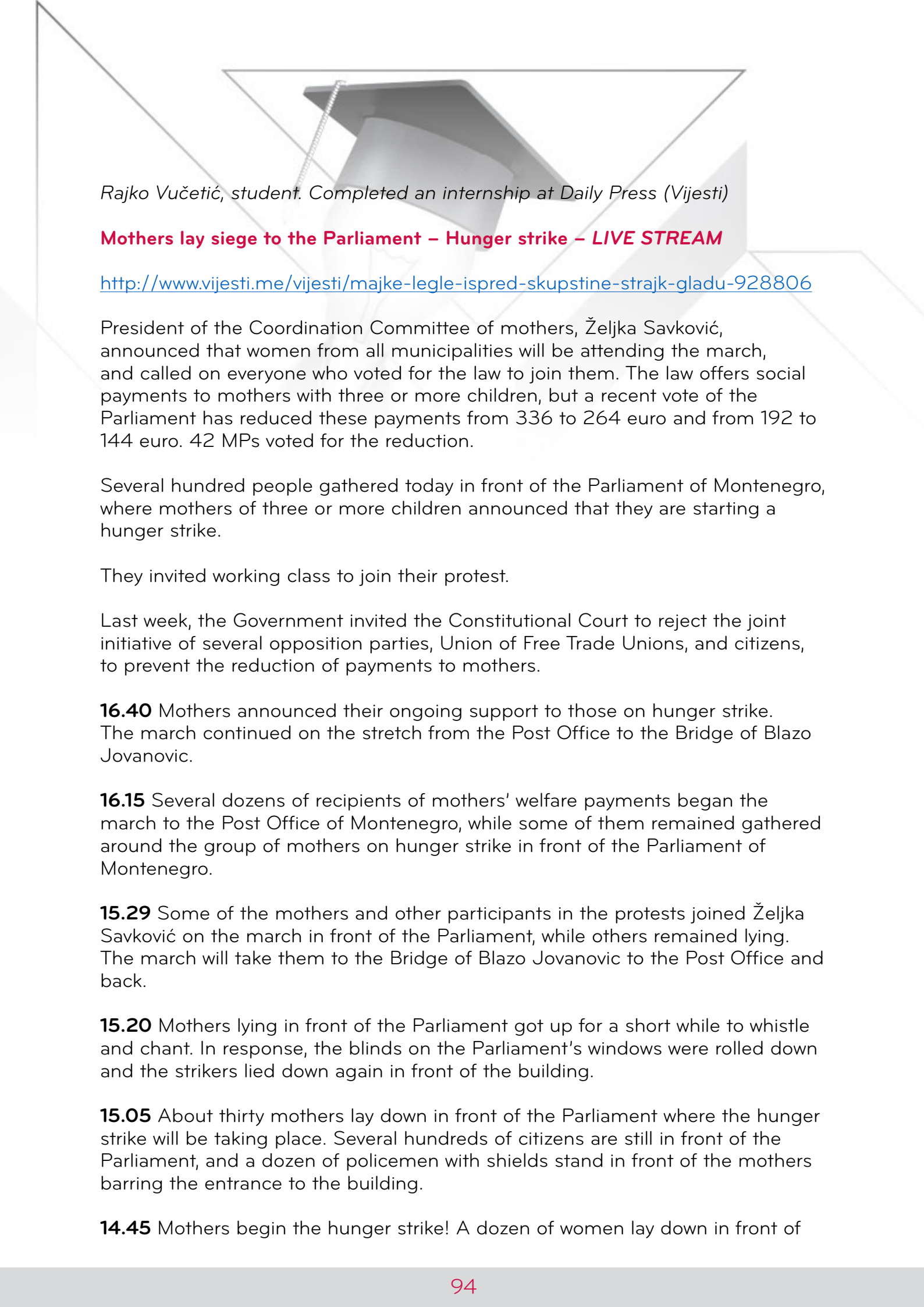
Wolf fur grows thickest in winter, so Krivenchik only sets his traps once snow is on the ground. Every morning in winter, he checks his traps and adjusts or moves them if they are empty.

If a wolf is caught in the jaws of a trap, he kills it and takes it home for skinning. He says no part of the animal goes to waste as the heart, leg-bones and other parts are sold for use in traditional medicine.

On the other side, local farms pay hunters like Krivenchik a flat fee of 150 Belarussian roubles (around 70€) for each wolf they kill, while the pelts are sold separately. This is being done as the zone's resurgent wolf population poses a threat to nearby livestock.

Wolf numbers are more than seven times higher in the Belarussian part of the Chernobyl zone than in uncontaminated areas elsewhere in the region, according to a study published in scientific journal *Current Biology* in 2015. According to official data, about 1,700 wolves were culled in 2016.

¹³⁹ Originally written by Vasily Fedosenko and published by the Reuters as "Wolf-hunting near the Chernobyl zone", <https://widerimage.reuters.com/story/wolf-hunting-near-the-chernobyl-zone>



Rajko Vučetić, student. Completed an internship at Daily Press (Vijesti)

Mothers lay siege to the Parliament – Hunger strike – LIVE STREAM

<http://www.vijesti.me/vijesti/majke-legle-ispred-skupstine-strajk-gladu-928806>

President of the Coordination Committee of mothers, Željka Savković, announced that women from all municipalities will be attending the march, and called on everyone who voted for the law to join them. The law offers social payments to mothers with three or more children, but a recent vote of the Parliament has reduced these payments from 336 to 264 euro and from 192 to 144 euro. 42 MPs voted for the reduction.

Several hundred people gathered today in front of the Parliament of Montenegro, where mothers of three or more children announced that they are starting a hunger strike.

They invited working class to join their protest.

Last week, the Government invited the Constitutional Court to reject the joint initiative of several opposition parties, Union of Free Trade Unions, and citizens, to prevent the reduction of payments to mothers.

16.40 Mothers announced their ongoing support to those on hunger strike. The march continued on the stretch from the Post Office to the Bridge of Blazo Jovanovic.

16.15 Several dozens of recipients of mothers' welfare payments began the march to the Post Office of Montenegro, while some of them remained gathered around the group of mothers on hunger strike in front of the Parliament of Montenegro.

15.29 Some of the mothers and other participants in the protests joined Željka Savković on the march in front of the Parliament, while others remained lying. The march will take them to the Bridge of Blazo Jovanovic to the Post Office and back.

15.20 Mothers lying in front of the Parliament got up for a short while to whistle and chant. In response, the blinds on the Parliament's windows were rolled down and the strikers lied down again in front of the building.

15.05 About thirty mothers lay down in front of the Parliament where the hunger strike will be taking place. Several hundreds of citizens are still in front of the Parliament, and a dozen of policemen with shields stand in front of the mothers barring the entrance to the building.

14.45 Mothers begin the hunger strike! A dozen of women lay down in front of

the Parliament.

14.40 Mothers unfolded their mats and lay in front of the Parliament.

14.38 "We are waiting for the Constitutional Court. And they are waiting for each and every mother to leave this place", said Zeljka Savkovic.

14.30 "Who is this person who would attack the mothers of Montenegro?" asked Rosanda Pekovic from Bijelo Polje, referring to the jeep that rushed through the boulevard a few days prior, despite the suspension of traffic on the street in front of the Parliament.

14.27 Marija Jovovic from Niksic said that Zorica Kovacevic tricked women into quitting their jobs and pensions in order to go on welfare.

14.24 Snjezana Macanovic from Pljevlja said that mothers have awakened and called: "Wake up, Montenegro!" Representative of mothers from Bijelo Polje said that the only things in their wallets now are their IDs and photos of their children.

14.18 Zorica Radulovic from Bar promised to retreat from the street if the Government and the Parliament withdraw the decision on reduce payments.

14.17 Nada Boskovic from Mojkovac said that they are feeling strong and that the worst part is that the President Filip Vujanovic hasn't showed up to "say a few words".

14.15 Ivanka Otasevic from Cetinje said that out of 800 welfare recipients, 790 have failed to show up. "But it doesn't matter. Has anyone in the Parliament more working experience than us? They don't!" said Otasevic.

14.11 Zorica Vasiljevic from Kotor said that "The days are coming in which our perseverance will be tested". "We did come from the street, some people got everything without work, but not us. We are not dependent on welfare, but they are trying to turn us into that. The whole of Montenegro is living on handouts, except those in that building," Vasiljevic said.

She called on the entire working class to join them in protest.

14.09 "We expect to have more and more people here every day. Mothers expect and deserve such support," Savkovic said.

14.04 Željka Savković, president of the Coordination committee of mothers, said that their decision will be announced after the arrival of Demir Hodžić, who has been broadcasting the mothers' protests live for days via Facebook.

14.00 Arrival of the representatives of Democratic Front Janko Vučinić, Nebojša Medojevic, Andrija Mandić, Milan Knežević, Slaven Radunović... Some Demos officials are also here, including Goran Danilovic, as well as those of Democrats -



Zdenka Popovic, Neven Gošović and Danilo Saranovic.

President of the coordination committee of mothers, Željka Savković, announced that women from all municipalities will attend the march, and invited everyone who voted for the law on welfare for mothers with three or more children to join them.

"Mothers of Montenegro can do anything. The fences were removed, although they never needed against us, because we are able to protest peacefully and democratically and still change the government," Savkovic said.

She also called on the Constitutional Court to rule in their favour, because, she said, she believes that the people there understand that "people can lose honour in the blink of an eye if they make the wrong decision".

We only exist¹⁴⁰

<http://www.vijesti.me/svijet/mi-samo-postojimo-929787>

Rescue funds from the European Union and International Monetary Fund saved Greece from bankruptcy, but the austerity and reform policies the lenders attached as conditions have helped to turn recession into a depression.

The global financial crisis and its fallout forced four euro zone countries to turn to international lenders. Ireland, Portugal and Cyprus all went through rescues and are back out, their economies growing again. But Greece, the first into a bailout, has needed three.

Rescue funds from the European Union and International Monetary Fund saved Greece from bankruptcy, but the austerity and reform policies the lenders attached as conditions have helped to turn recession into a depression.

Prime Minister Alexis Tsipras, whose leftist-led government is lagging in opinion polls, has tried to make the plight of Greeks a rallying cry in the latest round of drawn-out negotiations with the lenders blocking the release of more aid.

"We must all be careful towards a country that has been pillaged and people who have made, and are continuing to make, so many sacrifices in the name of Europe," he said.

Greek pensioner Dimitra says she never imagined a life reduced to food handouts: some rice, two bags of pasta, a packet of chickpeas, some dates and

140 Originally written by Karolina Tagaris and published by Reuters as "After seven years of bailouts, Greeks sink yet deeper in poverty"; <https://www.reuters.com/article/us-eurozone-greece-poverty/after-seven-years-of-bailouts-greeks-sink-yet-deeper-in-poverty-idUSKBN15Z1NM>

a tin of milk for the month.

"It had never even crossed my mind," she said, declining to give her last name because of the stigma still attached to accepting handouts in Greece. "I lived frugally. I've never even been on holiday."

Greece isn't the poorest member of the EU; poverty rates are higher in Bulgaria and Romania. But Greece isn't far behind in third place, with Eurostat data showing 22.2 percent of the population were "severely materially deprived" in 2015.

The reality of such statistics becomes clear at places like the food bank run by the Athens municipality where Dimitra collects her monthly handouts.

"The needs are huge," said Eleni Katsouli, a municipal official in charge of the center.

Figures for the food bank, which serves central Athens, show a similar trend on a local scale to the wider Eurostat data. About 11,000 families - or 26,000 people - are registered there, up from just 2,500 in 2012 and 6,000 in 2014, Katsouli said. About 5,000 are children.

"We're worried because we don't know if we'll be able to meet these people's needs," Katsouli said. "There are families with young children and on some days we haven't even got milk to give them."

Evangelia Konsta, who oversees the center and whose business supplies the meat, said the number of people eating at the soup kitchen has more than doubled in two years and the church often also helps cover people's electricity or water bills too.


"Things are getting worse, they're not getting better and that's reflected in people's needs," Konsta said. "There are people who haven't even got 1 euro."

"Everyone is going through hard times - all of Greece is," said Eva Agkisalaki, 61, a former teacher who volunteers there.

Agkisalaki did not qualify for a pension because her contract ended when the retirement age was lifted to 67 under the bailout program and she could not find work, she said. Part of her husband's pension, cut to 600 euros from 980 also under reforms demanded by the international lenders, goes to her son and daughter's families.

In return for volunteering, Agkisalaki receives handouts from the soup kitchen which she shares among her unemployed daughter and her son.

"We're vegetating," she said between setting a long wooden table for the next meal of bean soup, bread, an egg, a slice of pizza and an apple. "We just exist. Most Greeks just exist."



Jelena Kontić, student. Completed an internship at Daily Press (Vijesti)

Missing internet and new furniture

<http://www.vijesti.me/vijesti/fali-im-internet-i-novi-namjestaj-929861>

"Life there has many advantages, you get to know people and make some friends for life. In the dorm, we are learning patience as well as endurance; we become more tolerant, recognizing and accepting differences that exist in life and between people."

Inhabitants of Podgorica's student dormitories are mostly missing the Internet, as it only exists on the first floors, and would like to see some new furniture pieces, as those currently in their rooms are decades old and still have "Titograd" written on them. The only ones exempt from such complaints are the residents of the new dormitory, opened in 2013.

"Having to deal with dormitory life and their own process of becoming independent, the students every day encounter different problems and challenges. These enrich their experiences and help them to develop, and through them they learn a little more about themselves through a different lens," says Vladimir Kontić, who lives in a dormitory.

"They say that you cannot call yourself a student if you didn't live in a dormitory, and it really is like that," says Jelena Stanić, who lives in the Blue Court.

"Life there has many advantages, you get to know people and make friends for life. In the dorm, we are learning patience as well as endurance; we become more tolerant, recognizing and accepting the differences that exist in life and between people. You cannot afford to be self-centered when you live in such close quarters with other people: you must learn to sacrifice, share, and feel for the others," she said.

The Blue Court is the only dormitory building in the immediate vicinity of the Faculties of Law, Economics and Political Sciences.

Students studying social sciences often live in dormitories close to the technical faculties.

Anđela Micić who lives in the "Phase I" dormitory says that living there, like many things in life, has both good and bad sides.

"The most important pro is the fact that living at the dormitory significantly reduces the costs of studying at the university. The total cost of housing, electricity, and water comes down to just 12 euro a month, the cost of the monthly membership fee. Though food could be better," she says.

She does not mind walking twenty minutes every day to her lectures. What she does mind are the student parties that take place even on workdays, and the noise can be heard throughout the dormitory.

"Parties are on not only on weekends but also on weekdays, until late in the night, so most of us cannot get enough sleep and be properly rested for our studies," Andjela said.

"Phase I" dormitory recently got new windows, and the students are hoping for new furniture, which is well past the expiry date in all the rooms. A special problem is the lack of internet that some students need in order to study.

KontiĆ, a student of the Faculty of Science and Mathematics, says that a good internet connection in his room is nearly impossible, but he hopes it will soon be sorted out.

"Recently some upgrades were done to bring a fast connection to most rooms, but unfortunately not all of the dormitory is covered and there is definitely space to improve the connections. As for the furniture, these are practically antiques that have served for decades and it would make sense to replace them in the near future. On the other hand, the bathrooms have been renovated and are a definite upgrade compared to a few years back", he said.

Stojan Terzić, also a tenant of the "Phase I" dormitory, agrees with him.

"The furniture still has "Titograd" written on it, the Internet is slow, and I'm sure this is a problem for every student," he says.

Whatever else may interfere with or make easier a student's life in a dormitory, the key factor is the social life, in this all interviewees agree.

"New friendships, loves, and people make studying for exams easier and more enjoyable," Kontić says.

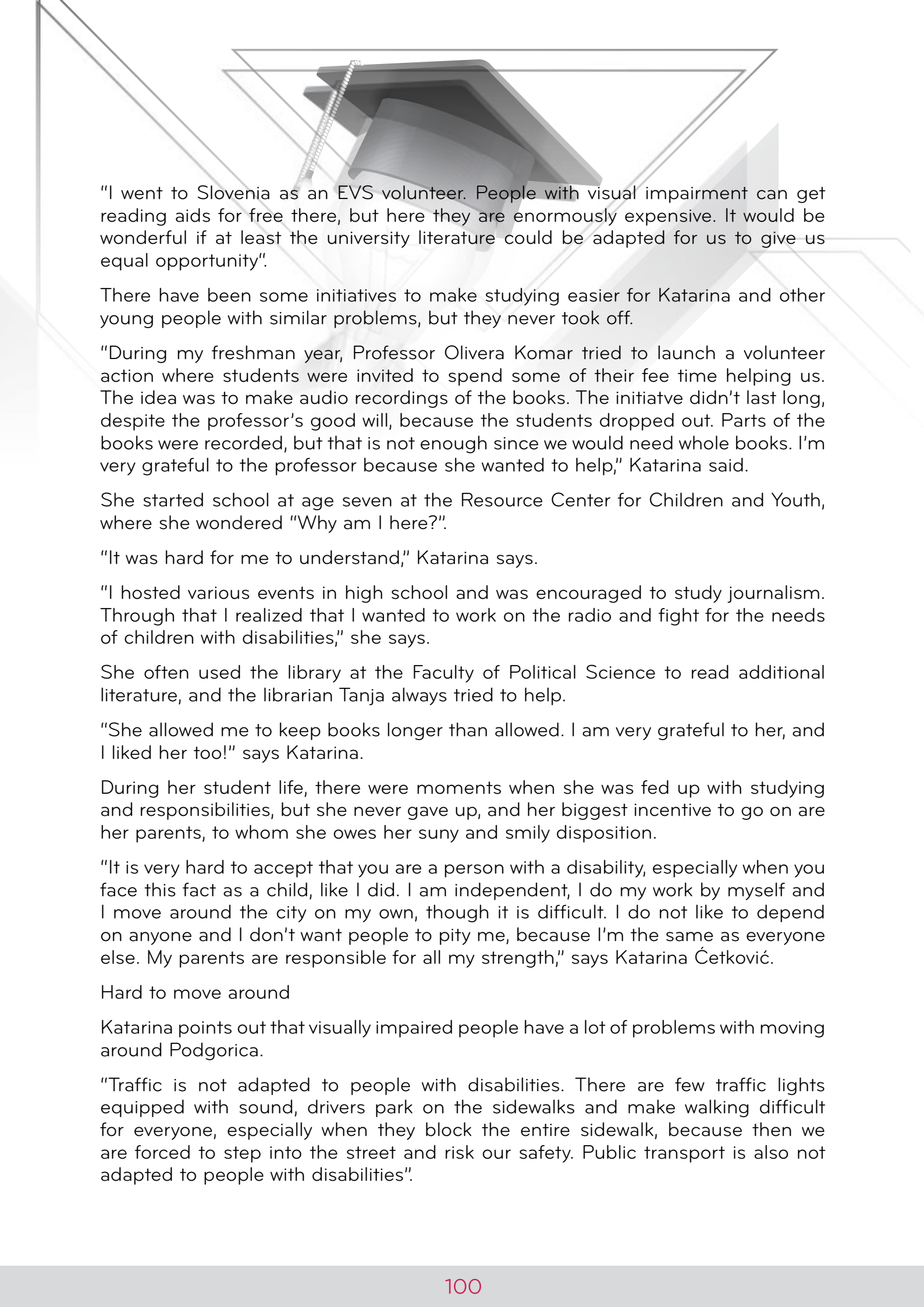
Even with damaged eyesight, she is making her dreams come true: Katarina wants to read like other students

<http://www.vijesti.me/vijesti/ostvaruje-snove-i-sa-ostecenjem-vida-katarina-zelida-cita-kao-svi-studenti-929271>

"There is no literature adapted to people with visual impairment, and that has made learning more difficult for me."

Katarina Ćetković, a graduate student at the Faculty of Political Sciences, has severe visual impairment, but this has not prevented her from realizing her dreams. Katarina lived in the dormitory while attending elementary school and now lives in a private apartment. Her parents moved from Mojkovac to Podgorica so Katarina could go to the university. She sees 5% through one eye, and nothing at all through the other.

"Studying was hard, especially at the beginning when I had to get used to everything. There is no literature adapted to people with visual impairment and this has made learning more difficult. I cannot read like the others do, I need more time for it," says Katarina who does all the reading by herself.



"I went to Slovenia as an EVS volunteer. People with visual impairment can get reading aids for free there, but here they are enormously expensive. It would be wonderful if at least the university literature could be adapted for us to give us equal opportunity".

There have been some initiatives to make studying easier for Katarina and other young people with similar problems, but they never took off.

"During my freshman year, Professor Olivera Komar tried to launch a volunteer action where students were invited to spend some of their free time helping us. The idea was to make audio recordings of the books. The initiative didn't last long, despite the professor's good will, because the students dropped out. Parts of the books were recorded, but that is not enough since we would need whole books. I'm very grateful to the professor because she wanted to help," Katarina said.

She started school at age seven at the Resource Center for Children and Youth, where she wondered "Why am I here?".

"It was hard for me to understand," Katarina says.

"I hosted various events in high school and was encouraged to study journalism. Through that I realized that I wanted to work on the radio and fight for the needs of children with disabilities," she says.

She often used the library at the Faculty of Political Science to read additional literature, and the librarian Tanja always tried to help.

"She allowed me to keep books longer than allowed. I am very grateful to her, and I liked her too!" says Katarina.

During her student life, there were moments when she was fed up with studying and responsibilities, but she never gave up, and her biggest incentive to go on are her parents, to whom she owes her sunny and smily disposition.

"It is very hard to accept that you are a person with a disability, especially when you face this fact as a child, like I did. I am independent, I do my work by myself and I move around the city on my own, though it is difficult. I do not like to depend on anyone and I don't want people to pity me, because I'm the same as everyone else. My parents are responsible for all my strength," says Katarina Četković.

Hard to move around

Katarina points out that visually impaired people have a lot of problems with moving around Podgorica.

"Traffic is not adapted to people with disabilities. There are few traffic lights equipped with sound, drivers park on the sidewalks and make walking difficult for everyone, especially when they block the entire sidewalk, because then we are forced to step into the street and risk our safety. Public transport is also not adapted to people with disabilities".

