

# ANTI-CORRUPTION HELPDESK

PROVIDING ON-DEMAND RESEARCH TO HELP FIGHT CORRUPTION

## MONTENEGRO: OVERVIEW OF POLITICAL CORRUPTION

### QUERY

Can you provide an overview of and background to recent measures taken to address political corruption in Montenegro?

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### SUMMARY

Corruption remains one of the key challenges that Montenegro faces in the process of its further democratisation.

In particular, abuse of public office and resources for private benefit and corruption within the political parties and electoral processes are seen as some of the greatest challenges in the fight against political corruption in the country.

In recent years, Montenegro has made progress in strengthening its incomplete legislative framework around issues of political corruption. Laws on political party financing, prevention of conflict of interest and asset declarations have been amended, and in 2013 the government also adopted a new Action Plan for the Fight against Corruption and Organised Crime for 2013-2014.

However, implementation and enforcement of the laws on the ground continue to be weak. Entities that supervise the implementation of laws are either not entirely independent or lack sufficient power and resources to sanction perpetrators, particularly in the case of senior public officials.

## 1. OVERVIEW OF POLITICAL CORRUPTION IN MONTENEGRO

### Background

In 1992, Montenegro and Serbia established a Federal Republic of Yugoslavia (FRY) that succeeded the Socialist Federal Republic of Yugoslavia (SFRY). Serbia de-facto dominated the joint state although equality had been envisioned in the constitution. Serbian President Milosevic's rule was opposed by reform socialist politician Djukanov who steadily removed Montenegro from Serbian influence (Bertelsmann Foundation 2012). After the fall of the Milosevic regime, Montenegro and Serbia decided in favour of a loosely integrated state union to replace the FRY in 2003 (ibid.). On 21st May 2006, a referendum was held and more than 55 per cent of Montenegrin citizens voted for independence.

Following its declaration of independence, Montenegro joined the United Nations and other international bodies. It is currently a candidate country for membership of the European Union (EU) and has recently been implementing several reforms in discussion with the EU to curb corruption, prosecute war crimes and combat organised crime.

Montenegro is an upper middle income country with around 11.3 per cent of Montenegrin citizens living below the national poverty line (World Bank 2014). 19.7% of the labour force was unemployed in 2011 (United Nations 2014). Corruption is believed to be widespread. In fact, the fight against corruption continues to be one of the key criteria for Montenegro's integration into the EU (Freedom House 2013).

### Political corruption in Montenegro

Montenegrin citizens rank corruption as the second most important problem facing their country, after poverty/low standard of living (UNODC 2011). The country ranked 67 out of 177 countries assessed in Transparency International's 2013 Corruption Perceptions Index with a score of 44 out of 100 (Transparency International 2013a).

The World Bank Worldwide Governance Indicators also confirm Montenegro's poor performance in the control of corruption at a percentile rank of 55.02 (from 0 to 100) without major improvement since

2003 when the first assessment was conducted (World Bank 2013).

During the past two years, Montenegro has adopted important measures to support its fight against corruption. These include introducing rules on whistleblowers' protection, access to information, as well as rules to strengthen the judiciary's independence and autonomy (Freedom House 2013; European Commission 2013). A new Action Plan for the Fight against Corruption and Organised Crime for the period 2013-2014 was also adopted.

Nevertheless, an inadequate legal framework, the lack of resources and capacity of oversight agencies, and a lack of political will have made implementation and enforcement of anti-corruption laws a challenge, particularly in ensuring that senior officials and politicians are held to account (Bertelsmann Foundation 2012).

Political corruption – defined as the manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision-makers, who abuse their position to sustain their power, status and wealth (Transparency International 2009) – is an issue of serious concern in Montenegro. One of the main challenges in Montenegro's fight against political corruption is the abuse of state resources by public officials for their private benefit. There are frequent allegations from the opposition party and civil society organisations (CSOs) that the government misuses public funds and office to gain votes during elections (MANS 2013). Political parties are perceived to be corrupt by 40 per cent of the adult population of Montenegro according to the corruption survey conducted by UNODC in 2011.

This answer provides an overview of political corruption challenges in Montenegro in areas such as elections, political party funding and related abuse of state resources, immunity, code of conduct for politicians, conflict of interest and asset declaration rules. It analyses Montenegro's progress in the regulation and implementation of these measures.

## 2. ELECTIONS

### Overview

Most elections in Montenegro, according to Organization for Security and Co-operation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR) and domestic observer groups, have so far met international standards (Bertelsmann Foundation 2012). However, several shortcomings remain, posing threats also to the legitimacy of the process. For instance, according to an [IPSOS poll in February 2014](#), 47 per cent of Montenegrins do not think that elections in the country are free and fair (ERCAS 2014). Similarly, 54 per cent of respondents to the UNODC survey perceive electoral results to be manipulated in the country (UNODC 2011).

Weaknesses are observed with regard to the legal framework as well as the misuse of public funds for political purposes. Irregularities during elections have hence been reported on several occasions. During the 2013 presidential elections that resulted in the re-election of President Vujanovic with 51.2 per cent of the votes, legal complaints were filed by the opposing presidential candidate denouncing irregularities (OSCE 2013). This led to new elections in many polling stations but the final result did not change (European Commission 2013).

The Belarus Watch Observation Mission also reported several irregularities during the last presidential elections, including the use of mobile phones during voting and counting, widespread vote buying, and intimidation and photographs being taken of ballot papers during voting, among other criticisms (Belarus Watch Observation Mission 2013). Moreover, the requirement of finger spraying, which was introduced to prevent cases of multiple voting, was also found missing in certain cases during random checks (*ibid.*). In spite of these irregularities, according to the final report of the OSCE/ODIHR 2013, the presidential elections were “efficiently and professionally administered” (OSCE 2013).

With regard to parliamentary elections, early elections were held in October 2012, in which the coalition led by the Democratic Party of Socialists (DPS) won with a simple majority of 46 per cent, and Dukanovic continued as prime minister for his *seventh term*. Here again, shortcomings were observed in the sphere of implementation of current legislation on political party financing (European Commission 2013). A misuse of public funds/office and lack of transparency in voter lists was reported by Transparency International’s local partner in

Montenegro, the Network for Affirmation of the NGO Sector (MANS) during the election campaigns (MANS 2013).

Questions on the fairness of the elections and alleged irregularities are also observed at the local level elections. For instance, in 2009, two mayoral elections were held along with local assembly elections. In all three elections, the ruling coalition DPS and their allies won. Major opposition parties boycotted these local elections arguing that the elections were not free or fair, and that persons associated with organised crime were involved in the electoral process (Bertelsmann Foundation 2012).

While there have been improvements in the organisation and conduct of elections in the country, full implementation of the law and reforms in the legal framework are still required to guarantee that elections are fair.

### Legal framework

The constitution and the Law on Election of Councillors and MPs represent the main legal framework for elections in the country. Article 45 of the Constitution of Montenegro specifies the eligibility criteria – citizens of Montenegro that have 18 years of age and at least two years of residence in the country have the right to elect and to be elected.

The Law on Election of Councillors regulates the mode and procedure in which councillors for municipality parliament, city parliament, Capital City and Royal Capital, as well as members of parliament are to be elected (CEMI 2012). Also, the electoral law regulates the composition and responsibility of electoral bodies, determination of voting results, allocation of mandates, protection of voters’ rights and other issues of significance for organising and conducting elections (*ibid.*).

The electoral law of Montenegro was amended in 2011 and then recently again in 2014 (Centre for Democratic Transition 2014a). It was done in accordance with one of the main recommendations of the EU for Montenegro’s accession: improvement of electoral framework in line with the OSCE criteria and the Venice Commission.

Nevertheless, effective implementation of the electoral law continues to be a suggested area of

improvement for Montenegro by the European Commission Progress Report 2013 as its enforcement on the ground still faces severe challenges. For instance, the NGO MANS points out that voter lists are not transparent and contain several irregularities, such as the presence of deceased voters and names of Montenegrin citizens who now permanently reside abroad (MANS 2013; MANS 2012a). Duplications in the voter registry were also observed by MANS in the parliamentary elections of 2012 (MANS 2012a). There is a clear need for a revision of the voter lists within the framework of the electoral law.

### Election management and oversight

According to the Constitution of Montenegro, the election commissions at the various levels of government are the bodies primarily responsible for election management, administration and oversight of the election process. Composition and authorities of these bodies are regulated by the Law on Election of Councillors and MPs. The main electoral bodies are the State Electoral Commission (SEC), the Municipal Electoral Commission (MEC) and Precinct Electoral Commission (PEC).

Of these bodies, the one with the most significant role is the SEC. A wide range of responsibilities are entrusted to this body including lawful conducting of elections, unified implementation of electoral law, prescription of forms of conducting electoral campaigns, determination of common standards of electoral material, public announcement of final election results for MPs and submission of reports on elections to the Parliament of Montenegro, among many others (CEMI 2012).

The SEC is composed of a president and ten permanent members as per the latest amendment in the SEC's composition in 2014 (Centre for Democratic Transition 2014b). The effectiveness of the SEC remains unclear. In the upcoming 2014 local elections, [a press release by MANS](#) alleges that the ruling party, DPS, is trying to influence the election results and causing many violations of the law which have not been brought to light by the SEC, at least so far. For instance, the NGO notes that many people on the DPS electoral list in Pljevlja have ongoing criminal proceedings against them for abusing state power and for the illegal use of social benefits right before the 2012 parliamentary elections.

However, there has been no report of the SEC taking action against this violation so far. MANS has also recently [filed criminal charges against 306 people](#) who are suspected of selling their votes.

In addition to the election commission bodies, the elections in Montenegro also have other international and domestic observers. The OSCE and European Union election observers are regular international observers, whereas MANS, the Centre for Monitoring and Research (CEMI) and Centre for Democratic Transition (CDT) are important domestically stationed non-governmental organisations working on election monitoring.

## 3. PARTY FINANCING

### Overview

Political party funding is a necessary element for the routine functioning of a political party throughout the year as well as in election campaigning periods. However, it becomes problematic when parties receive contributions from the rich elites of society and to offer them private benefit or influence over public policies in return.

In Montenegro, political party funding is problematic and prone to corruption, and it is one of the most pressing challenges in the fight against political corruption. According to a UNODC survey conducted in 2011, the use of public funds for private purposes was perceived by 66 per cent of respondents to be the most common form of misconduct among political parties and elected representatives (UNODC 2011).

### Legal framework

The Law on Financing Political Parties (LFPP), adopted in July 2011 by the Montenegrin government, operates as the main legal framework with regard to political party funding. According to this law, political parties may receive their funding both from public and private sources. Parties are permitted to receive contributions from natural persons (not exceeding €2,000 per year) and from legal entities (not exceeding €10,000 per year). Political parties are also obliged to open a separate bank account for the purpose of raising election campaign funds and meeting campaign

expenditures. The bank account is not to be used for any other purpose.

In addition, Article 19 of the law prohibits acceptance of material and financial assistance from foreign entities, anonymous donors, public institutions state owned enterprises, trade unions, religious communities, non-governmental organisations, casinos, bookmakers and other fortune games providers (LFPP 2011). Political parties are not allowed to accept donations from legal entities which, under contractual relations with the government, perform public services throughout the duration of the contract and for two years after the contract is finished (LFPP 2011).

The law also makes it mandatory for political parties in Montenegro to submit their financial reports for the electoral campaigns and, in addition, submit the annual financial reports outlining all financial activities during the year. Audit reports on the yearly financial statements are also to be submitted. The reports also have to be made available for public scrutiny by the SEC. Secondary legislation giving effect to several provisions of the LFPP (including, for example, guidelines for accounting in-kind donations, contents and formats of financial reports, etc.) was adopted in February and March 2012 (GRECO 2012).

A new law with substantial amendments to the LFPP was also adopted by the parliament in February, 2014 (International IDEA 2014). Some key amendments under this include: a) political parties have been further prohibited to receive donations from entities that are under investigation or under judicial procedure and involved in corruption crimes; b) it has been prohibited to distribute party campaigning and paid advertising materials to all state bodies and public companies; and c) from the day of the announcement of the elections, until one month after they are over, political parties are forbidden from announcing any public vacancies or recruiting more people into state bodies or state companies.

### Oversight body and sanctions

According to the new law amending the LFPP 2014, supervision and control over the implementation of the LFPP is to be conducted by the SEC (IDEA 2014). State audit institutions are to conduct audits within the procedure defined by this law and of

consolidated accounts of political parties with a total revenue exceeding €10,000 (ibid.).

However, it remains to be seen how the SEC will perform. Until now, the SEC has little power in reality and is not entirely independent from political influence, as mentioned previously. According to the European Commission Montenegro Progress Report 2013, the independence, and the financial and human resources of the SEC need to be increased in order for it to effectively perform its supervisory and monitoring function before, after and during the election process (European Commission 2013). The state audit institution also needs more resources and auditors to function effectively. A closer analysis in [an article by MANS \(2012\)](#) states that the law is not clear on how violations are to be dealt with. In fact, according to MANS, there is no independent and professional body in Montenegro to deal with issues of misuse of public funds (MANS 2013).

In terms of sanctions imposed by the LFPP, the violation on any aspects of the law are to lead to penalty impositions in the range of one-hundred to two-hundred times the minimum wage in Montenegro. The penalties are to be imposed on both legal and natural entities within Montenegro as well as the SEC and MEC in case of non-compliance. According to the recent amendments to the LFPP, the fine imposed is to be in the range of €10,000 to €20,000 (International IDEA 2014).

### Implementation

While the LFPP itself attempts to capture several relevant aspects related to political party funding on paper, its implementation on the ground has remained rather weak. According to Freedom House, the law has been ineffective, especially in regard to financial reporting (Freedom House 2013). There were also several alleged violations of the law reported during elections by the opposition and CSOs in recent times.

For instance, although the LFPP contains a provision that prohibits an increase of budget spending for the period between the announcement of elections and the day of elections, it is being violated according to MANS (MANS 2013). The NGO reported that the government allocated loans to farmers on a specific program just before the presidential elections and that the agriculture minister also visited the farmers

as part of his party campaign.

According to a [latest research by the Centre of Democratic Transition \(2014\)](#), it is also alleged that the amount of public expenditure on social benefits was significantly higher in Montenegro during election years, indicating a possible abuse of state resources for political purposes.

In the light of such weak implementation of the LFPP, there has been international pressure on the Montenegrin government to take further steps on effective implementation of the law and to show its commitment to the issue. A positive step recently taken in this direction by the government, and mentioned already, is the adoption of a law on amendments to the LFPP on 17 February 2014 (IDEA 2014). In addition, in 2013 the parliament also adopted amendments to the criminal code which introduced the criminal offence of abuse of state resources. However, it remains to be seen whether these rules will again have sufficient impact on the ground and will be fully implemented.

#### 4. IMMUNITY

##### Overview

Immunities from prosecution are provided to most heads of states and important public officials in the government. They play the significant function of protecting these officials from ill-intentioned and politically motivated prosecutions. However, it is important that immunity rules are interpreted in a narrow manner or they run the risk of being misused. Government officials have to be protected against prosecution in the exercise of their functions, but this should not extend to criminal offences carried out beyond the scope of their roles.

##### Legal framework

The Constitution of Montenegro grants immunity to the senior government officials in the country. Article 89 of the constitution states that heads of state and members of parliament are immune to civil liability cases as well as criminal suits, unless they are caught in the act. No criminal action can be taken against and no detention is to be assigned to heads of state without the consent of the parliament. The immunity, however, only lasts while the officials are

performing their functions, particularly in the case of elected officials. The parliament, in certain cases, may also decide to remove immunity through a procedure defined in the constitution.

##### Implementation

The Helpdesk could not assess if and how the rules on immunity have been abused in practice.

#### 5. CODE OF CONDUCT FOR POLITICIANS

##### Overview

A code of conduct serves as an important tool for promoting ethical behaviour in systems of governance by defining the benchmark behaviour of public officials, the rules on how they should and should not behave on the job, and the framework of institutions that support ethical behaviour and sanction infractions of the code (Transparency International 2012).

##### Legal framework

In April 2012, a law creating a [code of conduct](#) for senior public officials in the government was adopted. The code of conduct covers civil servants, state administration, the President of Montenegro, the Parliament of Montenegro, the Government of Montenegro, the Constitutional Court of Montenegro, the State Court as well as the prosecutor's office.

It outlines key rules including: (a) public officials must not use official documents and state resources while conducting personal affairs; (b) officials must report a violation of the code of conduct by other employees to an immediate superior officer; (c) employees hold disciplinary responsibility for violation of the code of ethics, with some violations being considered as minor versus some others; (d) citizens have a right to report a violation of the ethics code to the ethics committee, the special body established for oversight purposes on matters relating to non-compliance with the code of conduct. Use of gender sensitive language by the male officials for their female counterparts has also been set out in the code.

##### Implementation

The law on code of conduct should have come into force on 1 January 2013. However, the Helpdesk was unable to find any confirmation on its enforcement or evaluation on its working so far.

There have also been other initiatives to raise ethical standards among politicians. For example, in April 2014, the CDT devised an [agreement on the code of conduct for political parties](#) campaigning in the 2014 local elections in Montenegro. All political parties are reported as compliant signatories to this set of ethical rules. However, the agreement does not have the force of law and non-compliance does not have any legal consequences for the politicians.

## 6. CONFLICT OF INTEREST RULES

### Overview

Conflict of interest arises when public officials' private interests clash with their public roles (OECD 2005). It is important to prevent conflict of interest in order to ensure that public office is not misused to acquire private privileges (ibid.).

Montenegro's Law on Prevention of Conflict of Interests (2009) was amended in August 2011. Apart from defining conflict of interests as a conflict between public and private interests, the law also includes in the definition the element of partiality that might interfere with a public official's fair sense of judgement when faced with the possibility of private gains during the exercise of his office.

### Legal framework

The Law on Prevention of Conflict of Interests (2009) and the [Amendments to the Law on Prevention of Conflict of Interests](#) (2011) form the main legal framework for dealing with cases of conflict of interests in Montenegro.

As per the amendments in 2011, the law covers all public officials, elected and nominated, in all state bodies and public institutions. Some examples of rules that the law prescribes are as follows: (a) public officials are forbidden from holding any leadership/managerial/supervisory positions in companies. Within 30 days of their election, nomination or appointment into public office, these

positions must be given up; (b) the law requires public officials to declare their income and property including those of their spouse and children; (c) a public official has to declare and provide information on the existence of private interest during the exercise of his duties; (d) public officials are not allowed to receive gifts such as money, precious metals and securities irrespective of their value. A minor gift not exceeding €50 from a single gift giver is allowed. In the case of multiple gift givers, the value of gifts received should not exceed €100 in total.

However, it seems that these declarations and their application are only accessible for scrutiny to the oversight body and not to the public in general.

### Oversight and sanctions

The Commission for Prevention of Conflict of Interests is the independent body responsible for supervising the effective implementation of the Law on Prevention of Conflict of Interests in Montenegro. It has been established to ensure that public officials in the country exercise their duties with impartiality and adhere to norms of ethical behaviour. Another goal of the body is to encourage further trust of the citizens in the capacities of state officials by ensuring their objective behaviour.

Article 21 of the law describes the composition of the commission. It consists of one president and six members, elected by the members of parliament, for a period of five years (Law on Prevention of Conflict of Interests 2011). The commission members cannot be members of political parties. The commission possesses the following competences as laid out by the law:

- it has the power to conduct proceedings and give decisions on the violation of the Law on Prevention of Conflict of Interests
- it gives opinions on the existence of conflict of interests
- it can determine the value of gifts on the basis of findings and opinion of the corresponding witness
- it can give opinions on the draft laws, other regulations and general acts, if it considers it to be necessary to prevent conflict of interests

- it provides cooperation to other states and international organisations dealing with cases of conflict of interests
- it submits a request for initiation of misdemeanour procedure
- it adopts the rules and rules of procedure of the commission upon the proposal of the president of the commission

In case a party is dissatisfied with the final decision of the commission, they may initiate an administrative dispute before the Administrative Court. Decisions on the existence of conflict of interests are published on the website of the commission ([www.konfliktinteresa.me](http://www.konfliktinteresa.me)) as well as in the media.

With regard to sanctions, the non-compliance with the Law on Prevention of Conflict of Interests has been made a criminal offence under the amendments made to the law in 2011. Violations are punishable with a fine between €500 and €10,000, the upper limit having been drastically increased in the amendments. Prohibition of discharge of public duties for up to six months or termination of contract may also be pronounced in extreme cases.

## Implementation

There have been some attempts to prevent the violation of the Law on Prevention of Conflict of Interests. For instance, according to a press article by the [Balkan News Agency](#) in November 2013, the Commission for Prevention of Conflict of Interests has accessed the full information of the Ministry of Interior in order to verify which expensive cars and luxury yachts entered the country and if any public officials own them. The article claims that the commission will also use the database to check if any public officials own private companies.

However, in general, the law needs more “teeth” in practical implementation to hold public officials accountable. CSOs that have been involved in identifying potential conflict of interests and uncovering cases of political corruption often report a lack of government support and cooperation in the matter. For instance, in August 2013, without a public discussion, the Montenegrin government removed the unique 13-digit birth number that was awarded to every citizen. The number was used in online real estate and corporate ownership registers and was

being actively used by the anti-corruption NGO MANS to identify ownership information and potential conflict of interests. The abolishment of this number is expected to have serious consequences on anti-corruption monitoring efforts (Transparency International 2013b).

## 7. ASSET DECLARATION RULES

### Overview

Asset declaration rules require that public officials declare their wealth, financial interests and assets. They are needed to increase the transparency of public systems and to show the citizens of the country that their public officials and leaders have nothing to hide in terms of illicit enrichment. Most importantly, they are needed to prevent the use of public office for private gain. Not only do these rules encourage more trust in the citizens towards their state, but they also provide a framework within which public officials can operate to prevent misconduct and conflict of interests among their own employees.

In Montenegro, the legal provisions for income and asset declarations, as well as gifts received, are included within the Law of Prevention of Conflict of Interests (2011) itself.

### Legal framework

The Law on Prevention of Conflict of Interests (2011) specifies that all public officials shall declare their income and property to the Commission for Prevention of Conflict of Interests, as well as the income and property of their spouse and children if they live in the same household.

According to Articles 3 and 19 of the Law on Prevention of Conflict of Interests (2011), the president, the ministers and members of parliament are required to disclose his/her assets and income. Spouse and family living in the same household do not file separate declarations but are part of the primary declarer’s file.

Standardised asset declaration filing forms exist and the law prescribes what information has to be disclosed to the oversight body which then makes this information available to the public. According to Article 20(3) of the law, the president is required to



disclose real estate, movable property and cash and securities exceeding a value of €5000. In addition, debts and claims and any patent or similar copyrights in industrial or intellectual property are to be disclosed. The same holds for ministers and members of parliament along with disclosure of earned income.

With regard to filing frequency, clear deadlines are specified in the law. For the president, for instance, asset declarations must be submitted within 30 days of assuming office and no later than one year after leaving office. Changes in assets over €5,000 also have to be reported and annual submissions have to be made while still holding office. The other rules regarding receiving minor gifts, not exceeding a value of €50 have already been mentioned in the section outlining the main provisions of the Law on Prevention of Conflict of Interests.

The law requires that public officials' declarations are made available to the public, but it does not specify within which deadline and format.

### Oversight and sanctions

The Commission for Prevention of Conflict of Interests is the main body responsible for enforcing and supervising asset declarations of the public officials in Montenegro. It acts as the depository body for the collection of filed declaration forms and as the supervisory body in ensuring that the submission process is duly carried out in a timely manner. It also holds the responsibility for verifying accuracy of data that has been submitted and carrying out all regulatory and penal actions in case of non-compliance of the law (Law of Prevention of Conflict of Interests 2011).

Appropriate penalties exist for non-compliance with the law and the amendments of 2011 made certain infractions of the law a criminal offence, strengthening the power of the commission to impose sanctions. According to the law, any public official who fails to file an asset declaration in a timely fashion or does not provide complete and accurate data in the report may be subject to a pecuniary sentence from €300 to €1500. The fine remains the same in case of non-filing of assets. A pecuniary sentence ranging from €1000 to €10,000 may be imposed on a body (legal entity) if it fails to submit to

the commission the extract from the records of gifts it keeps by the end of March of the current year for the previous year (Article 17 paragraph 1). As mentioned previously, the commission also publishes the annual data collected on asset declarations on its website.

### Implementation

The 2011 amendments to the Law on Prevention of Conflict of Interests increased the power and scope of the commission to take action against violators.

The commission has been signing many agreements with public authorities in the country in order to obtain their cooperation for cross-checking data on assets and incomes as provided by the filers. However, currently, the commission has still limited power or competences to check the origin of assets (ReSPA 2013). This is a major obstacle to the functioning of this body (ibid.). In addition, the commission lacks sufficient administrative resources and staff to carry out data verification contained in income and asset declarations of all public officials. Therefore, it mostly examines incomes and assets of high-level state and local officials (ReSPA 2013). During 2012, the commission performed ex officio data verification of a total of 731 income and asset reports of the highest-level state and local officials. It discovered discrepancies in 76 cases (ibid.).

There is a need to strengthen the competences of the commission in the future, particularly with regard to tracing origins of income as claimed in the filing forms. More resources and administrative support would also greatly benefit the body in effectively carrying out its duties.

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