



## PARLIAMENT OF MONTENEGRO

*Su-kps:*

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### MINUTES

#### **of the Central European Initiative Parliamentary Committee Meeting**

**25-27 April 2010, Cetinje**

*Meeting of the Parliamentary Committee of the Parliamentary Dimension of CEI - IX Cetinje Parliamentary Forum and PD CEI Member States, organized by the Parliament of Montenegro, in cooperation with Fridrich Ebert Fondation, was held in "Vladin dom" in the Old royal capital of Cetinje, on 26 April 2010, on the topic: "Parliament's role in combating corruption and organized crime".*

IX CPF – PD CEI Parliamentary Committee Meeting was held on the topic "Parliament's Role in Combating Corruption and Organized Crime".

At the beginning of the meeting Mr Ranko Krivokapić, President of the Parliament of Montenegro, addressed the audience.

With their introductory speeches, with regard to the main topic, the meeting was opened by Mr Drago Kos, President of the Group of States against Corruption – GRECO; Mr Ivan Brajović, Minister of Interior Affairs and Public Administration of Montenegro; Ambassador Paraschiva Badescu, Chief of OSCE Mission to Montenegro; Mr Michael Ehrke, Director of the Friedrich Ebert Fondation Office in Belgrade;

The Meeting was chaired by Mr Miodrag Vuković, Chairman of the CEI Parliamentary Dimension and Head of the Montenegrin Delegation to CEI-PD.

The Meeting was attended by delegations, representatives of the following CEI Member States: Austria, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia,

Czech Republic, Hungary, Italy, Republic of Moldova, Montenegro, Republic of Serbia, Slovenia and Ukraine.

The Meeting was also attended by special guests from the CEI Executive Secretariat, European Parliament, OSCE Parliamentary Assembly, GRECO, as well as the highest representatives of diplomatic corps.

The Working Session was opened by Mr Miodrag Vuković, Chairman of the CEI-PD; Mrs Ranka Čarapić – Supreme State Prosecutor in Montenegro; Mr Ivo Vajgl, European Parliament MP; Mrs Vesna Ratković, Director of the Directorate for Anti-Corruption Initiative in Montenegro.

The Working Session was followed by members of the meeting presentations, who devoted special attention to the development of their own countries in the field of combating corruption and organized crime.

**Mr Miodrag Vuković**, Chairman of the PD CEI Parliamentary Committee Meeting, welcomed the guests and wished for the successful work on the Forum.

At the beginning of his introductory speech **the President of the Parliament of Montenegro, Mr Ranko Krivokapić**, welcomed the representatives of the European Parliament, OSCE, Fridrih Ebert Foundation, GRECO and the Regional Council for Cooperation, as well as the representatives of all three branches of government: executive, legislative and judicial.

Corruption and organized crime are phenomena neither ethically, geographically nor on the state manner determined. Their power is their transnational character, the ability to parry with its level of organization to countries and their capacities of efficient interstate cooperation in fight against crime, Mr Krivokapić stated.

He pointed out that parliaments, as bearers of direct legitimacy, should be the places where constant dialogue will take place on strengthening the mechanisms of a legal state. Part of this dialogue must be focused on the problems of corruption and organized crime.

Mr Krivokapić confirmed that trends of strengthening the role of parliaments in many areas and on different levels represent the additional responsibility for the parliamentarians. New arrangement of the EU, based on Lisbon Agreement, is reflected in the increased role of European Parliament, as well as national parliaments, in shaping and defining the various policies of the Union. These processes should be a signpost for further action and continuous strengthening of our parliaments' capacity. Priority obligation of the parliament should be the legal framework which would enable the effective fight against corruption and organized crime. The legal framework, that would incorporate the best and confirmed standards, and therefore provide clear and uncompromising government response and action, president Krivokapić said.

The President placed the special emphasis on the obligation of parliaments to constantly overview, supervise and control the institutions that are directly

responsible for the fight against corruption and organized crime. The President said that the Parliament of Montenegro's control hearings and other forms of control and oversight of the executive authorities are becoming a regular activity its work. The leaders of the police and the Agency for National Security are regularly the subject of attention of parliamentarians, on the occasion of specific cases related to corruption and organized crime.

He noted that the new Constitution of Montenegro arranged, according to European criteria, the independence of Judiciary and Prosecutor's Office, and undoubtedly the greatest respect for justice must show those who have received from the state direct power to ensure the rule of law: Judiciary, Prosecutor's Office and Police.

Our ability to constitute ourselves as European societies will be reflected to the extent we are effective in dealing with these phenomena – European societies that its European qualities do not see as acceptance of European charity, but as an imperative of adoption of those values that will make us worthy of fundamental civilization challenges of the third millennium.

**Mr Drago Kos, president of GRECO,** said that international community until now has not sufficiently noticed the parliament's role in its fight against corruption and organized crime, and expressed his satisfaction with the opening of this topic from the aspect of the parliamentary dimension.

He pointed out that the Member States of the Council of Europe and USA together create a large number of initiatives to combat corruption. Questions that need to be opened, and GRECO is currently working on that project, are questions that relate primarily to corruption in public administration, the transparency of financing political parties and more. As a positive example of action in part that relates to the fight against corruption, Mr Kos mentioned the so-called Stockholm Process. It is necessary to respect principles of two UN Conventions: Convention against Corruption and Convention against Transnational Organized Crime, and national strategies are not sufficient for the implementation of laws adopted by the parliaments of the countries.

Role of the parliament, above all, is to adopt the legislation, but also to initiate bills. They bring greater authority and greater responsibility, and the MPs are those able to be perceived as fighters against corruption and organized crime, as they are distinct in their countries and set an example of the ethical legitimacy; they are expected to behave in accordance with the existing code of ethics.

What represents a special obstacle is the economic crisis, which further affects the problem of financing the institutions, and with this respect recognition of what we understand by corruption, Mr Kos concluded.

**Mr Ivan Brajović, Minister of Interior Affairs and Public Administration,** stated that the Ministry of Interior Affairs and Public Administration has achieved significant success in the previous period, and the data that speaks in favour of that fact is the information that the European Commission had additionally sent back only nineteen questions for the chapter: Justice, Freedom and Security, that was coordinated by the Ministry. Those questions mostly related to the need of

giving updated information on laws and data on the period after the finishing of the work on the Questionnaire, as well as indication of the impact of economic crisis on current trends in the work.

In addition to improved efficiency in the fight against various forms of crime, good results in the prevention of cross-border crime, illegal border crossing and smuggling of narcotic drugs, 68.3% of criminal acts with an unknown perpetrator has been solved, which is significantly above the average of more modern equipped police forces in Europe, stated Mr Bajović.

Exchange of information on account of prevention, research and proof of all forms of crime, especially of organized crime, cooperation in witness protection programs, the establishment of joint investigative teams, the formation of mixed patrols along the border zone, participation in international organizations and institutions aimed at improving police cooperation, participation in joint training programs, are just some of the segments of the Montenegrin police cooperation that is continuously realized.

Minister Brajović concluded his speech with the words that confirmed the readiness of the Government to proceed with proposing strategies, measures, activities and dynamics, by testing their activities in the Parliament, as the highest legislative body of the state, so that with joint efforts they could show responsibility, professional capacities and knowledge, in part related to the fight against corruption and organized crime.

**Mrs Paraschiva Badescu, Chief of OSCE Mission to Montenegro**, said that the parliaments have the constitutional obligation to adopt and define laws, and in that respect to control the Government. In order for the greater degree of transparency and accountability in the fight against corruption and crime, the role of parliament is evident; it is reflected in the cooperation and interaction between the parliaments in that area. The key role of the parliament is reflected in the number and quality of the hearings as well, Mrs Badescu pointed out.

In national parliaments all of the working bodies play a very important role, and with their joint efforts and active participation contribute to successful fight against corruption and organized crime, Mrs Badescu concluded.

**Mr Michael Ehrke, Director of Fridrich Ebert Foundation in Montenegro and Serbia**, expressed his pleasure that the Foundation accepted the partnership at this parliamentary dialogue between the current and future members of the European Union. Dialogue between the MPs is one of the key elements of our Regional project for Southeastern Europe, Mr Ehrke emphasized.

The Foundation, apart from supporting the initiatives such as the parliamentary dialogue of the Central European Initiative Member States, organizes the meeting of the presidents and members of Committees on European Integrations of the South-East European countries (COSAP) through German South-East Europe Parliamentarian Dialogue. The European Integration process implies the involvement of the whole society in the political process. The role of the parliament in the fight against corruption and organized crime is not reflected only in the process of law enactment, but also in the act of implementation and enforcement of laws, Mr Ehrke concluded.

**Mr Miodrag Vuković, Chief of the permanent delegation of the Parliament of Montenegro to the Parliamentary Dimension of the Central European Initiative and Chairman of the Parliamentary Dimension** in the year of the Montenegrin presidency over the Initiative, in his speech referred to the importance of the regular meetings of the Initiative, that contribute to the strengthening of the CEI Member States.

The work on building the peace, security and economic prosperity, social system based on the rule of law and full implementation of the standards of the European Union, is imperative of all the Central European Initiative Member States. Built legal framework, international cooperation, exchange of experiences and best practices, cooperation of institutions for prosecution, especially the police, prosecutors, with specialized bodies for prosecution and punishment of corruption offences, are just some of the ways of the successful fight against corruption, said the chairman.

Mr Vuković emphasized that Montenegro had undertaken the fight against corruption project for itself, because of the progress of Montenegrin society, because of the legal security of Montenegrin citizens. Montenegro is building the legislative framework which sets the prerequisites for a successful fight against corruption and organized crime. The new amendments to the Law on Criminal Procedure and Criminal Code tightened the circle of crime and punishment for criminal acts of corruption and organized crime.

Effective fight against corruption and organised crime is the obligation of all Montenegrin institutions. So they, in cooperation with the international community, are doing everything so that political will in the field of combating corruption and organized crime is converted into the realization of the reform of the entire society, the rule of law, democracy and strong economic development.

At a time when Europe and the world are faced with the threat of terrorism, transnational organized crime, corruption, human trafficking, narcotics, illegal migrations, mutual strengthening of institutional capacities and confidence in it, is the imperative of the effective fight against these modern forms of evil, concluded Mr Vuković.

Later during the conference the amendment of the Head of the Montenegrin delegation to the CEI PD was unanimously adopted, which in the Rules of Procedure changes the name of the state "Republic of Montenegro" into "Montenegro".

**Mrs Ranka Čarapić, Supreme State Prosecutor in Montenegro**, said that the success of every country when dealing with the fight against corruption and organized crime is in social, political and judicial reforms.

Reforms of the administration of justice in the area of fighting corruption and organized crime have been supported by the Parliament of Montenegro, in terms of amending the Criminal Code and Criminal Procedure Code, particularly emphasizing the part that refers to the possibility of seizure of property acquired through crime.

Mrs Čarapić pointed out that financial investigations have been introduced for extended confiscation of property gain. What is important is mutual cooperation and openness of all institutions in the fight against corruption and organized crime. In one part of the Law on Prosecutor's Office the constancy of the function of the deputy of State Prosecutors has been ascertained for the first time, who are to be appointed by the Prosecutors Council. Mrs Čarapić has emphasized the importance of having the willingness of all state organs to perform timely and non-selective distribution of information. Role of the parliament in this struggle is that through the Budget Law, in conditions of economic crisis, to enable the work of prosecutorial organization. There is the Government's Fight against Corruption and Organized Crime Team - joint investigation team put together to combat corruption and organized crime, controlled by the Special Prosecutor, that which brings together representatives of the Police Directorate, Tax Administration, Customs Administration, the Administration for the Prevention of Money Laundering and Terrorist Financing and the Directorate for Anti-Corruption Initiative.

Mrs Čarapić concluded at the end that constant international cooperation between the countries regarding the fight against corruption and organized crime is of the great importance, and the respect of recommendation and principles arising from international organizations - EU, CE, UN and OSCE.

**Mr Ivo Vajgl, MP of the European Parliament**, emphasized that regional initiatives in Europe have been of exceptional importance because of the bridging over the divisions (ideological, economic and other). Particular importance is given to European and Euro-Atlantic integration under whose auspices the whole Europe is brought together. European Union is a specially good opportunity for small countries like Montenegro, that is already very "popular", and I believe will be "likeable new member state" in the future. Mr Vajgl advised future Member State representatives to fight with joint efforts for the achievement of significant places in the European Parliament.

Mr. Vajgl used the opportunity to congratulate the upcoming Labor Day "May Day", and to give the information that the process of ratification of the EU-Montenegro Stabilization and Association Agreement will be completed on that day. He particularly stressed the importance of the fact that Europe should not lose hope on the accession path towards the EU, under the influence of the global economic crisis, in terms of not only Western Balkan countries association, but that it should have a proactive policy towards all countries from the region, countries like: Turkey, Ukraine, Belarus, Moldova.

On the last Plenary Session of the European Parliament in Strasbourg, MPs passed the parliamentary Declaration on the above subject, that addresses European institutions, by which the "inputs" are given of the necessity of adopting anti-corruption policies and creating a clearer monitoring mechanisms in EU Member States. Mr Vajgl stated that the signatories called for the European Commission to secure all the necessary sources in order for the taking of necessary measures in the fight against corruption. Also, the signatories of the Declaration called for the European Commission and all relevant agencies of the Union to take necessary measures and provide all official sources so the EU

funds would not be subject to corruption, but also to adopt various kinds of sanctions so the story of corruption would not be a futile talk.

The problem of corruption is unique, and therefore not only related to the countries in transition, Mr Vajgl said.

He particularly pointed out the concern that the European fund resources are being lost due to corruption, in the part where the EU supports various humanitarian, development and health assistance. He also surprised the present audience with the fact that three-quarters of aid is being lost due to corruption. What is evident is that corruption is accompanied by major crises. The illusion is created - that stopping corruption and organized crime can be prevented with the formation of peace missions in Afghanistan, Sudan, Darfur and other places Mr Vajgl said.

I would like to give European politics the importance, that should be the link for the fight against corruption and organized crime, and to wish Montenegro and all the other countries here present, that are on their path of joining the European Union, to successfully continue their journey, concluded his presentation the MP of the European Parliament, Mr Ivo Vajgl said.

**Mrs Vesna Ratković, Director of the Directorate for Anti-Corruption Initiative**, noted that anti-corruption efforts are the significant part of the overall democratic processes in Montenegro, which include changes in the political, economic and legislative system. Activities of the Directorate arise from the membership of Montenegro in the Group of States against Corruption (GRECO), as well as in the Regional Anti-Corruption Initiative (RAI).

Mrs Ratković reminded that the progress in anti-corruption activity of Montenegro was recognized by relevant international entities: the European Commission in the final Report noted that Montenegro has made progress, the fact that contributed to the visa regime liberalization; by ranking Montenegro in fifteenth place for the year 2009, Transparency International noted that the position is better than for the year 2008; Group of States against Corruption of the Council of Europe (GRECO) concluded that Montenegro has fulfilled two-thirds of binding recommendations addressed to the competent authorities; the World Bank stated in the Final Ease of Doing Business Report that Montenegro has improved business environment and its ranking position up for six places; in the 6<sup>th</sup> National Commission for the Fight against Corruption and Organized Crime Report, it was stated that in the second half of the last year primary measures have been fulfilled or have been continuously implemented up to 72,3 percent of the same.

The focus of anti-corruption activities in Montenegro is on the strong implementation, further harmonization and implementation of anti-corruption legislation, as well as continuous and coordinated actions of all state organs and their intensive links with civil society regarding the fight against corruption, concluded Mrs Ratković.

**Mrs Susanne Neuwirth, Head of the national delegation of Austria to the CEI PD and Vice-President of Austrian parliament**, presented the opinion that public administration in Austria has problems, comparing the work of other administrations in developed democracy countries in the field of corruption. However, despite this information, survey of the Transparency international has shown that the employees in the public administration in Austria are not corrupted, and that their work takes place without significant external influences, continued Mrs Neuwirth.

In the previous period, Austria has signed several international documents that bind it to dedicated work on the prevention of corruption and the obligation to give the maximum in order to achieve results in this field in the daily work of various government departments.

Special Working Group composed of experts, representatives of ministries, cities, regions, municipalities, but also the European Union, followed the guidelines of the UN Convention against Corruption and agreements of the Council of Europe in the course of making the Code of Conduct. Even though gathered around the same goal, Working Group members showed a number of disagreements in the course of their work, but the group had eventually successfully completed its work, and adopted a Code of Conduct, which serves as a guideline in the daily work of the Austrian civil servants. This document is an instrument of prevention, rather than direct control of corruption, said Mrs Neuwirth.

She emphasized that the importance of the Code of Conduct is to warn employees of an irresponsible and illegal behavior in the work place that results in initiating proceedings and punishment.

Mrs Neuwirth emphasized the importance of transparency in the fight against corruption.

Through the transparency of society the involvement and contribution of citizens in social action increases, so the citizens have more respect for the state itself, and the overall freedom is increased, concluded the representative of Austria.

**Ms Antonina Morova, Head of the national delegation of Belarus to CEI PD**, on behalf of the National Assembly of Belarus, welcomed the members who took part on the Parliamentary Committee of the Parliamentary dimension of the Central European Initiative and congratulated the delegation of Montenegro at this year's presidency.

In the opening words, Mrs Morova emphasized the importance and relevance of the proposed topic for discussion, with a brief overview of the historical dating and definition of the phenomena of corruption.

Today we are faced with the situation in which the parliament, by forming of the legal framework, plays an important role in the fight against corruption and organized crime, said the Head of the delegation of Belarus. She emphasized the importance of developing and supporting anti-corruption initiatives in Belarus, both at national, regional and international level, and pointed to the previously signed Convention for the Fight against Corruption and Organized Crime.

Belarus is confirming the fulfillment of international obligations by passing new anti-corruption laws, relating to the development of techniques for preventing and



combating corruption, and as the most important documents, Mrs Morova, set aside the Law on Combating Corruption of the Republic of Belarus, the Concept of National Security, but also the number of adopted legislation and other national programs. Corruption is defined as one of the priorities of the Republic of Belarus.

She put the emphasis on the importance of regional parliamentary cooperation in the fight against corruption, with a focus on limiting corruption in the areas where corruption is present, and then reduces its impact and mitigation of consequences of the same. Mrs Morova also mentioned the importance of respect for human rights, media (public information), the presence of phones to report corruption, etc.

Her speech, the Head of delegation of the Republic of Belarus concluded with a statement that parliaments should not be put aside in the fight against corruption and organized crime, but on the contrary, only the joint cooperation of the combat can be effective. Also she expressed hope regarding further continuing inter-parliamentary dialogue, exchange of information and good practice in the field of fight against corruption and organized crime.

**Mr Mehmed Suljkanović, Head of the Delegation of Bosnia and Herzegovina to the CEI PD**, in the introductory part of the presentation emphasized the importance of parliaments in the fight against corruption and organized crime and saying that parliaments are the key institutions that must provide full accountability, transparency and integrity of the political system as a whole.

Recalling the fact that there does not exist a system that is completely immune to corruption, as well as that the level of representation of corruption varies from country to country, he pointed out that the parliaments have the power to establish the quality of the legal framework, not only in terms of law making, but also ratification of international instruments aimed at fighting corruption and organized crime.

When it comes to the situation in Bosnia and Herzegovina, it has been identified that corruption is a major obstacle to ensuring economic growth and development, said the Head of the delegation of Bosnia and Herzegovina. Studies have pointed to the problems that decelerate the fight against corruption, such as - lack of the rule of law and proper judicial system, existence of organized crime, corruption in state administration, bribery and conflict of interest, poor business environment, complex administrative system, poverty and unemployment. Also, as the most vulnerable spheres, Mr Suljaković named the infrastructure and public companies, the judiciary, tax and customs administration, health system, public procurement and privatization.

Mr Suljkanović used the opportunity to inform the members of the CEI PD of the activities taken: the adoption of set of laws (Law on Conflict of Interest, Law on Agency for the Prevention of and Fight against Corruption, etc.) the ratification of numerous international instruments dealing with these two areas and the establishment of Department of International Organization of Parliamentarians against Corruption (GOPAC), which brings together members of parliaments and

other interested parties, which in the fight against corruption promote transparency, good governance and accountability.

In addition, he said that the Parliamentary Assembly closely collaborates with NGOs and with other organizations such as Transparency International, Open Society Fund and others.

At the end of his statement, the Head of the delegation of BIH emphasized the importance of close cooperation in the fight against corruption and organized crime through the exchange of good practices, information about previously applied anti-corruption instruments, laws and regulations, which would certainly lead to a solution of joint problems.

**Mr Vasilije Lalošević, member of the Montenegrin delegation to the CEI PD,** said that the fight against organized crime and corruption has to be a common fight of all segments of society, and the leading role in that process belongs to the Parliament of Montenegro. We have achieved good progress towards the EU, but still pay special attention to creating a legal framework and "milieu" for effective opposition of the organized crime and corruption, but also the work on the reform of the justice system, strengthening of administrative capacities and democratic culture. It is necessary to strengthen its supervisory function of organs that are primarily responsible for the fight against these phenomena, emphasized Mr Lalošević.

The necessity of regional cooperation is defined by the need to dominate the final victory over prejudices and problems, which is achieved through the transformation of political opinion and promoting and improving of the political culture and the culture of dialogue, concluded Mr Lalošević.

**Mr Joško Godec, Head of the Delegation of Slovenia to the CEI PD,** in the introductory part of the presentation referred to the importance of integration of the Western Balkans into the European structures, but also to the commitment of Brussels that the region, based on independent measurement of the actual result of individual countries, is integrated as soon as possible. Montenegro, according to Mr Godec, now belongs to the group of countries that are one step closer to the European Union, with the participation in the Schengen White List. This advantage the citizens themselves feel with the abolishment of administrative barriers, the freedom of travel and commitment to the European family of nations. In the continuation of Mr Godec's exposure, he focused on the situation in the fight against corruption and organized crime in Slovenia, in the period before and after the joining the European Union. During the approaching of Slovenia to the European Union, GRECO and community itself have criticized the state of not having clearly defined strategy for the fight against corruption, and a body that would coordinate the work of other institutions that work on detecting and preventing corruption, he confirmed.

The Government of the Republic Slovenia established the "Office for prevention of Corruption" in 2001 in order to prepare and implement anti – corruption strategy, and coordinate the work of the bodies responsible for this area. In 2004, according to the Law on the Prevention of Corruption, "Anti-Corruption

Commission” has been established, instead of the “Office for Prevention of Corruption”, as an independent state institution. According to the Law on the Prevention of Corruption, Resolution for the Prevention of corruption was adopted, which represents the National Anti-Corruption strategy in Slovenia, Mr Godec said. With the full respect of the GRECO recommendations and commitments from the United Nations Convention against Corruption, some provision of Slovenia in this field have become an example for the fight against corruption in part of the countries of South East Europe.

The Parliament of Slovenia plays an important role in the fight against corruption, through the work of the Parliamentary Commission for the Prevention of Corruption.

Head of the Delegation of Slovenia has presented to the audience the proposed law of the group of MPs in 2006, who felt that the existing Law on Anticorruption was dealing exclusively with prevention of corruption, and that it does not address the issues of pre-trial proceedings for criminal offenses in this field correctly. Following the adoption of this law in the Parliament of Slovenia, the Constitutional Court of Republic Slovenia abolished the validity of the new Law and returned it to Parliament to be amended. “The old law” is still in force, Mr Godec said, because the amendments have not yet been agreed on that would make the new law constitutional.

**Mr Mykola Melenevsky, Deputy General Secretary of the Executive Secretariat of CEI**, pointed out that the importance of the fact of strengthening of European interactions in terms of legal procedures of the Member States, which is particularly stressed in the Final Declaration. He expressed his satisfaction with the fact that at the same time in Montenegro, CEI organized two conferences, Parliamentary and Ministerial.

**Mrs Petra Blaess-Rafajlovska, consultant of the Friedrich Ebert Foundation**, pointed out to the six important items that are related to the Parliament’s role in the fight against corruption and organized crime: the political decision-making process, the legislative role of the parliament, the budgetary role of the parliament, the role of the parliament in terms of monitoring the executive branch of government and other state institutions, the communication role of the parliament and regional cooperation with other parliaments.

Parliaments are not sufficiently involved in the fight against organized crime and corruption, in terms of political decision-making process, Mrs Blaess-Rafajlovski said. For this reason, transparency is very important when it comes to decision-making process. The legislative role of the Parliament refers to the freedom of MPs to give their proposal, to accept or refuse the government ones. The financial role of the parliament is the most important way to influence the anti-corruption policy. The budget item is necessary for the anti-corruption struggle, Mrs Petra Blaess-Rafajlovski said. Monitoring of the institutions is a direct link of the parliament to the civil society, especially when it comes to the dialogue between the Government and the Parliament in terms of reporting on the implementation of legal regulations.

Organized crime is a common problem and therefore it is very important to have cooperation at the regional level. The exchange of information and constant regional dialogue through various forms of parliamentary workshop is the most important, Mrs Petra Blaess-Rafajlovski concluded.

**Mr Ivan Bagarić, member of delegation of the Croatian Parliament in the Parliamentary Dimension of the CEI**, said that the Croatian Parliament adopted a number of laws in this area, and that the Republic of Croatia was among the first countries that signed and ratified the Convention against Transnational Organized Crime (also known as Palermo Convention). He said that the implementation of Anti-Corruption Strategy and the accompanying Action Plan in the Republic of Croatia has been continued, and that the legal framework for the fight against corruption and organized crime is improved. The Parliament should improve the level of parliamentary control in the legislative process, Mr Bagarić said.

He said that in Croatia a parliamentary body was established to conduct the fight against corruption and organized crime - National Council for Monitoring Anti-Corruption Strategy Implementation, which supervises all the bodies involved in the fight against corruption and twice a year reports to the Parliament about the situation in the state. Something that is a step forward in the fight against corruption and organized crime is the fact that the Chairman of the Council is elected from the side of opposition. The Council works closely with state institutions, the citizens, with the media, and numerous international institutions. MPs of the Croatian Parliament (Sabor) and other parliaments, given the fact that they are directly elected by the people, are in charge to fight against corruption and organized crime, Mr Bagarić said.

**Mrs Silvia Hubenova, head of the Bulgarian delegation to the CEI PD**, said that the legislative authority of Bulgaria established the Standing Committee on Anti-Corruption, Conflict of Interest and Parliamentary Ethics, in the work of which, on a weekly basis, there is a strong parliamentary control over the matters and responsibilities of this parliament body's competence. At the governmental level there is a strong system of verification of implementation of the legal framework, within the government organ that certain laws refer to, such as the State Agency for National Security Committee for the Control, Mrs Hubenova said.

In the last few months, the Bulgarian MPs adopted important changes in the Criminal Code and Criminal Procedure Code in order to speed up court proceedings that ended with effective penalties, the Head of the Bulgarian delegation to the CEI PD said.

Mrs Hubenova concluded her speech stating that the most important factors in the fight against corruption and organized crime are: political will, perseverance and good cooperation between the Parliament, the Government, state authorities and civil society.

**Mr Ervin Spahić, Chairman of the Committee on Political System, Justice and Administration of the Parliament of Montenegro**, stressed that the Parliament has available a number of instruments, from its legislative to control function, from the tight cooperation with civil society to the parliamentary cooperation at the international level. Parliament's anti-corruption struggle through its legislative function consists of drafting better laws, i.e. of the legislative activity that in the best way contributes to the improving of the environment of public administration, transparency and accountability of the government sector, in terms of combating all forms of corruption.

Legal harmonization has been carried out and a number of legal regulations have been adopted in order to combat corruption and organized crime (Criminal Code, Criminal Procedure Code, Law on State Prosecutor, Law on Witness Protection, Law on Prevention of Money Laundering and Financing of Terrorism, Law on Public Procurement, Law on Criminal Liability of Legal Entity, Law on Prevention of Conflict of Interest, Law on Civil Servants and Employees, Law on Free Access to Information, Law on Financing of Political Parties), and the ratification of conventions (Civil Law Convention on Corruption and the Criminal Law Convention on Corruption), and the Resolution against Corruption and Organized Crime of the Parliament of Montenegro has been adopted, Mr Spahić confirmed. Formulation of the law, its adoption and monitoring of its implementation shows more weakness than the very drafting of laws, he stated. One of the ways of controlling the institutions (the Supreme State Prosecutor, the Judicial Council, the Commission for the Prevention of Conflicts of Interest, the Protector of Human Rights and Freedoms), which deal with the aforementioned issues, is the consideration of reports submitted by the competent institution to the home Committee on Political System, Justice and Administration.

At the end, Mr Spahić concluded by saying that the role of the Parliament of Montenegro is crucial in achieving the goal of further democratization of society and further deepening of political responsibility.

**Mr Tarzan Milošević, Chairman-in-Office of the Committee on Security and Defense of the Parliament of Montenegro**, said that the Committee informs the Parliament, giving opinions and suggestions from its domain. In that way, the Parliament gives its contribution to the further democratization of the whole society, because it is clear that without the quality of political and democratic civil control of the security sector there can not be an effective fight against corruption and organized crime. Something that is very important in the work of the Committee is that there is complete consensus regarding the determination and support of competent authorities and institutions in their fight against corruption and organized crime. In relation to this, the increased responsibility of the Parliament regarding the most sensitive issues of defense and security sectors, including organized crime and corruption is our top priority, Mr Milošević said.

**Mr Valeriy Kamchatnyi, Head of the delegation of the Parliament of Ukraine to the CEI PD**, noted that the role of the Parliament of Ukraine in the fight against corruption is reflected in a positive shift made by adopting of twenty

principles that are related to the fight against corruption and organized crime, according to the Resolution of the Government's agent for anti-corruption policy in 2009. According to the Resolution, the Government's agent has jurisdiction relating to ensuring interaction between local and executive authorities, specifically pointing out the cooperation with the Parliament, and the inclusion of civil society in anti-corruption policy.

Role of the parliament in the fight against corruption fully identifies with the basic role of the parliament - the legislature, Mr Kamchatnyi emphasized. It is important to note that in Ukraine there is the parliamentary Committee for the Fight against Corruption and Organized Crime, operating in the field of reviewing legislation relating to the issues of corruption and the approval is recommended if deemed necessary. The important fact is that the establishment of cooperation with certain countries, as well as with various international organizations, stands as the opportunity for the exchange of experiences and support, Mr Kamchatnyi said.

**Mr Ivan Jovanović, member of the delegation of the National Assembly of the Republic of Serbia to the CEI PD,** noted that corruption and organized crime are a major problem, present in all segments of society, so the scale of its destructive action can not be precisely defined. The Parliament of Serbia adopted set of judicial laws by which judicial reform has been carried out, Mr Jovanović said, in that way presenting the experiences of his country. Clearly defining its intentions to eradicate organized crime and corruption, the National Assembly of the Republic of Serbia adopted in 2005 the Decision on drafting a national strategy to combat corruption. According to this strategy all relevant state organs are obliged to directly cooperate in order to implement strategies and anti-corruption action plans, Mr Jovanović said. The Law on the Agency to Combat Corruption from 2008 is the basic anti-corruption law. The Agency to Combat Corruption has started to work in January 2010, and is legally accountable to the National Assembly, and is obliged to submit regular and special reports, Mr Jovanović informed the conference participants.

Stability and security of the countries in the region will greatly depend on preventing crime and corruptive threats, and the best way for any state to oppose organized crime is the adoption of all the international conventions, mechanisms and standards related to this area, as well as reaching the bilateral agreements that will enable a higher level of cooperation, Mr Jovanović said.

**Mr Riccardo Migliori, the representative of the OSCE Parliamentary Assembly,** said that this kind of forum is the best input for further activities to a more active role of the parliament in the fight against corruption and organized crime. He mentioned the latest positive steps forward and innovations of Croatian and Serbian laws related to the confiscation of material goods, which are based on the Italian experience of the same area.

These types of meetings are contributing to the promotion and approaching of legal systems of different countries. All meetings of the OSCE Parliamentary Assembly in this year were organized in the spirit of the fight against corruption

and organized crime. It is particularly emphasized that it has been ten years since the signing of the UN Palermo Protocol. During the last year, 170 UN Member States supported the Italian initiative related to the need to carry out amendments to the Palermo Protocol, due to the evolution of new forms of crime such as fraud in cybernetics. This problem can be solved only through the parliamentary debate on the committee and plenum sessions, especially after the adoption of the Lisbon Treaty, which further strengthened the role of national parliaments in the legislative process of the EU legal system, Mr Migliori said. Therefore, the parliament's role in combating corruption and organized crime is reflected in the fact that national parliaments perform verification and control of legislation, and communicate with agencies such as EUROPOL and EUROJUST, in order to define the mechanisms and measures for corrupt practices and criminal acts.

At the end of his speech, Mr Migliori concluded by saying that MPs of national parliaments should be serious and major protagonists of the struggle for democracy, fighting for the rule of law and fight against all forms of corruption and crime.

After adopting two amendments of the Head of the delegation of Bosnia and Herzegovina and Montenegro to the text of Final Declaration, the participants unanimously adopted the text of the Declaration.