

Institute Alternative's
Commentary on Draft Action Plan for Monitoring Implementation of
Recommendations given in European Commission's Opinion
30th January 2011

Introduction

European Commission's opinion on Montenegro's application for membership in the European Union from 9th November 2010 brings seven key priorities which need high degree of compliance with the membership criteria. These priorities are as follows: 1. Improvement of the legislative framework for elections with the recommendations of the OSCE-ODIHR and the Venice Commission. Alongside with this recommendation goes strengthening of the Parliament's legislative and oversight role 2. Completion of the public administration reform which includes adoption of the adequate legislative framework and enhancement of role of the Human Resources Management Authority and the State Audit Institution. 3. Strengthening of rule of law 4. Improvement of the anti-corruption legal framework and implementation of the government's anticorruption strategy and action plan 5. Strengthening of the fight against organised crime 6. Enhancement of the media freedom 7. Implementation of the legal and policy framework on anti-discrimination in line with European and international standards.

In order to ensure adequate response on European Commission/European Union's requirements, the Government of Montenegro adopted Draft Action Plan for Monitoring Implementation of Recommendations given in European Commission's Opinion on 16th December 2010. This Action Plan also includes Parliament's Action plan for enhancement of legislative and control role of the Parliament of Montenegro for the period November 2010 - November 2011.

Overview

Draft Action Plan entails central instruments for implementation of recommendations from European Commission's opinion which are comprehensive. However, defined activities and deadlines for their fulfilment are not a sufficient framework for implementation of EC's recommendations if the Government does not also determine opportune and adequate sub activities and proper content of strategic legislative framework for reformation processes. Therefore, as European Commission

recommends, in favour of accomplishing all activities which derive from seven key priorities mandatory for beginning of negotiation for EU membership, it is necessary to ensure transparency; to include all relevant and concerned actors in the process of developing public policies; and to enhance mechanisms for effective monitoring.

Structure of the Action Plan for Monitoring of Implementation of EC's recommendations is not standardized. Therefore, Action plan for enhancement of legislative and control role of the Parliament of Montenegro for the period of November 2010 - November 2011 is different from the other parts since it does not have clearly defined indicators which are necessary for monitoring the successfulness of undertaken activities. **In our opinion it is obligatory for the part of the Action plan which refers to the Parliament of Montenegro to include clear defined indicators.** Only such indicators can ensure "measurement" of successfulness of undertaken activities and effective monitoring of these activities.

In addition, respective time limits in the Action Plan are imprecise. *Activity 2* in the part of the Action plan for the public administration reform indicates "*Bill on Administrative Law/Amendments and appendixes of Administrative Law*". Prescribed deadline is 2011 without implication when or within which period defined activity will be achieved.

In the Action plan on respective places only goal is highlighted without proper actions/activities which need to be undertaken in order to reach this goal. For example: within the *activity 28* in the part of the Action plan for the Parliament of Montenegro, a need for "*Enhancement of internal communication within services of the Parliament, including preparation of rules for internal communication*" is stated, but concrete measures for fulfilment of this goal are not indicated. Same refers to the *activity 29*: "*Further enhancement of the transparency of Parliament's work and communication with the public*".

1. The Parliament of Montenegro

„In March 2008, parliament set up a National Council for European Integration (NCEI) as a strategic advisory body with broad participation of civil society, government, the judiciary and the opposition. This body's role is to monitor the European integration process, including implementation of the Stabilisation and Association Agreement (SAA). The NCEI is chaired by an opposition Member of Parliament. It is the body where the country's consensus on EU integration is most often expressed. However, the NCEI does not meet regularly and its administrative capacity remains limited. The NCEI's role needs to be further developed.”

„A Department for European Integration has been set up in parliament’s administration to support the committee in this role. However, the department has not yet been appropriately staffed and does not yet fulfil its tasks.“

“Administrative capacity and other resources required for professional, efficient and transparent work by parliament, including expert support are overall very limited. There is a lack of office space and other facilities, including for MPs. Staff and expert support for committees are rudimentary, often comprising just one staff member as committee secretary. Efforts have recently been made to strengthen parliament’s administrative and expert capacity. There is strong commitment, notably by the Speaker and parliament’s Secretary- General, to upgrade parliament’s administration. A Rulebook on Internal Organisation and Systematisation of the Parliament Administration was adopted in July 2010 with the aim to reduce overlapping and streamline parliament’s work, notably on EU-related matters. Parliament’s research centre has already started to offer information and analysis to MPs. However, financial and other constraints need to be addressed. Training of existing staff and recruitment of competent new staff needs to be given priority.“

„Parliament’s capacity to scrutinise draft legislation against the EU *acquis* and the means available to implement it need to be further developed. There is a need to reform and depoliticise electoral administration. The National Council for European Integration has yet to achieve its full potential. Parliament can play a stronger role in European integration, notably by developing information and communication activities. It plays a key role in the dialogue between the state and civil society. This role can be further developed.“

Citations from the Analytical Report accompanying the Communication from the Commission to the European parliament and the Council – Commission Opinion on Montenegro’s application for the membership in the European union” (COM (2010) 670), p. 10, 11, 12

In our opinion, the Parliament of Montenegro should have a more active role than it had in the hitherto process of the European integration. Therefore, it is necessary to enhance its role within three levels: first level implies enhancement of the administrative capacities within all parliamentary bodies, especially the Committee for International relations and European Integration; second level includes enhancement of role of the central legislative institution in communication with the public within the European integration process; third level predicts strengthening of the Parliamentary oversight mechanisms related to the Government which are anticipated by the Rules of procedure, but poorly implemented in practice.

Therefore, as stated, in order to improve the role of the Parliament in communication with the public within the European integration process, **it is necessary to adopt the Communication strategy of the Parliament in the European integration process.** Communication Strategy should be a basis for an active position of the Parliament in this segment; therefore, its preparation and adoption have to be anticipated for the first quarter of 2011.

Strengthening the position of the National Council for European Integration (NCEI) is particularly important. The NCEI, as a strategic consultative body, was founded in 2008 by the Parliament with a special task - to ensure consensus about important issues in the European integration process. It is needless to underline significance of consensus within the body which consists of representatives of the ruling party, opposition, judiciary and civil society, especially when that common position is reached on issues which are of strategic importance for the future of the country. Therefore, in our opinion, **the NCEI ought to meet often, at least four times annually, and to prepare common positions and recommendations for the enhancement of the entire process in advance.**¹ Having in mind that the NCEI has to cooperate closely with the Ministry of Foreign Affairs and European Integration (MFAEI) it is necessary to determine dynamics of frequent reporting about all activities and plans of the Government within the European Integration process. Reporting should be realized through coordinating meetings between representatives of the MFAEI and the NCEI. Time frame for these meetings is period between two sessions of the NCEI. This reporting should also follow obligation of reporting on implementation of the National programme for integration of Montenegro into European Union to the Parliament by relevant institution for this activity - MFAEI.

Considering limited capacities of the NCEI which are clearly indicated by the European Commission, it is important, in our opinion, to determine instruments for enhancing the capacities of this body in the near future. **We believe that mechanisms for improvement of NCEI's capacities might be a part of the Strategy for development of human resources in the Parliament of Montenegro for the period January 2011 - December 2013. It is also possible to anticipate mechanisms for development of human resource capacities within the scope of a separate plan/document.** In addition, for enhancement of the position of the NCEI it is relevantly to ensure common political willingness. The NCEI should have one of the key roles in reaching consensus in the

¹ The NCEI had just 6 meetings from its establishment in 2008 until now.

Montenegrin society, having in mind the level of its establishment and its operations; its diverse composition and its competences. This consensus will be priceless once when the negotiation process starts.

Same recommendation refers to the enhancement of the role of the Committee for International Relations and European Integration, and especially of the newly established Department for European Integration. Parliamentary Committee for International Relations and European Integration have to monitor adoption of the acts and to contribute towards positive "European spirit" in pre-accession phase. Committee implements its role through active political action; by reaching consensus between political parties and through intensive addressing to the public. Therefore, capacities of the Montenegrin Committee for International Relations and European Integration should be enhanced through expert support. Having in mind European Commissions estimation in the Analytical report that "*Staff and expert support for committees are rudimentary, often comprising just one staff member as committee secretary*", it is essential to include EU integration experts in work of the Committee for International Relations and European Integration. Experts should improve the overall work of this Committee.

Currently, the role of the Committee for International Relations and European Integration is not as it should be within the process of country's accession to the EU. For that reason, the Communication strategy of the Parliament in the European integration process have to predict mechanisms for communication of this Committee with the public about the entire process, like as activities which Committee on continuous basis undertakes in order to enhance role and position of the Parliament.

Third challenge in front of the Parliament of Montenegro is improvement of the Parliamentary oversight mechanisms related to the executive branch, but in the first line to the Government. In our opinion, alongside to respectfulness of the "good practices" it is necessary to extend the scope of subjects of control hearings to include public officials appointed by the Parliament of Montenegro. Instead of hitherto practice of scheduling a control hearing by votes of majority members of the Committee, the possibility of holding a control hearing following a request of $\frac{1}{4}$ of representatives in committees should be enabled. This would be in line with the recommendations of the Parliamentary Assembly of the Council of Europe.

Compromise solution, between existing and our recommendation, **should be decision about scheduling a control hearing adopted by at least $\frac{1}{3}$ members of the Committee,**

but once during the regular plenary session of the Parliament at most. It is notable that in the majority of the committees control hearings will not be held. **Indicator for realization of this measure should be greater number of control hearing in all parliamentary committees.**

When it comes to consultative hearings, it should be established as a regular practice. This should particularly be the case when the adoption of systemic laws is pending, or when academic, professional or civil society organizations have expressed their interest in the subject matter.

Institute of parliamentary inquiry should be defined by the law, so that the obligation on the behalf of the state officials, civil servants and individuals to be heard before the committee is defined. Transparency of the completely process should be secured with obligation of announcement of all reports from the hearings.

3. The fight against corruption

a. Public - Private Partnerships

Public-Private Partnerships (PPP) in Montenegro is increasingly used as a mechanism for covering the budget deficit. The legislative framework for the PPP, which comprise the Law on participation of private sector in the procurement of public services from 2002, has been enhanced by the adoption of the 2009 Law on concessions but it is still not fully harmonized with the EU's directives regulating this area.

In Montenegro the access to information about the contracts concluded is extremely difficult. In tandem with the limited transparency of the entire process, there is also a lack of democratic control. Also, the implementation of PPP has significantly been burdened by the violation of legislative procedures and the preferential treatment of certain private companies. Foregoing problems in settlement and realization of PPPs indicate that Public-Private partnerships are an area of extremely high risk for corruptive activities. In order to create favourable conditions for the diminishment of the margin for corruption it is essential to harmonise legal, regulatory and political frameworks.

In our opinion the positive experience of the EU Member States and the countries in the region point to the benefits of the existence of an institution charged with regulating

PPP relations. The establishment of this institution would ensure a coordinated and controlled action in this area in Montenegro.

Also, it is very important to establish a central register that will contain all concession contracts concluded so far. The register has to be accessible via Internet. Although this is legal obligation, and Guidelines on the content and management of the register of concession contracts were adopted in July 2009, the register has not yet been formally established. In our opinion, it is also necessary to make all PPP contracts available and to establish a national database with concluded PPP contracts. This database should enable access to regular reports on the phases of PPP realization and the annual payment schemes of indebtednesses of public sector for PPP projects as well.

b. Public Procurements

“There is no comprehensive, regulatory framework to monitor corruption and conflict of interest through consistent internal controls. The legal and institutional framework needs to be significantly improved, so as to strengthen accountability and respect for rule of law within the public administration, in particular in areas such as tax administration, public procurement, urban planning and licensing in local administration and customs.”

„The **award of public contracts** is governed by the reform of public procurement legislation of July 2006. The Montenegrin law is modelled on the EU public procurement directives and it reflects the basic requirements of the classical directive (Directive 2004/18/EC); however, it still presents some procedural weaknesses with reference to restricted tenders, the considerable administrative burden imposed on bidders and too short time limits. In addition, an appropriate legal framework for procuring entities active in the utilities sector is not provided. Shortcomings concern the scope and procedures and the fact that public procurement legislation does not apply to private companies operating in the utilities sector on the basis of special or exclusive rights. A policy for green and social procurement has not yet been put in place. A new Law on concessions was adopted in January 2009 however it fails to satisfy some fundamental requirements of the procurement *acquis*, especially in terms of definitions and procedures. As regards administrative capacity, the Public Procurement Directorate (PPD) was established in 2006 and has a vast number of tasks, including participation in preparing and monitoring the Montenegrin public procurement legislation and its application. Its capacities need to be strengthened through additional resources. The Concessions Committee has been set up by the new Law on concessions and it also needs to be strengthened in order to properly perform the tasks attributed to it by the law.”

„With reference to the **remedies** system, complaints on public contracts are reviewed by the State Commission for the control of procurement procedures (PPC), which is an autonomous body. Any person harmed by a contracting authority’s decision may submit an objection to the contracting entity within eight days of such decision. The objection will have an immediate suspending effect on the contracting authority. The contracting authority’s decision on the objection may be challenged in the State

Commission. This implements the basic requirements for an independent review system, including the standstill period, as provided in the Remedies Directive, with the exception of the time limit for submitting objections and complaints. Montenegrin legislation still need to be aligned with other provisions of the new Remedies Directive providing more clarity and modernising the remedies regime. The Commission functions rather efficiently within very tight deadlines. However, with its very limited resources, it may find it difficult to continue handling all its tasks if the number of complaints continues to rise. Moreover, the PPC provides statements on correct application of the law. This gives rise to questions of conflict of interest when dealing with complaints where the same PPC has previously issued a statement.”

Citations from the Analytical Report accompanying the Communication from the Commission to the European parliament and the Council – Commission Opinion on Montenegro's application for the membership in the European union” (COM (2010) 670), p. 15, 59, 60

The Law on Public Procurement applies on more than thousand contracting authorities in Montenegro. This fact contributes to wide possibilities for corruption and conflicts of interests. Therefore, in order to reduce the number of contracting authorities it is necessary to centralize the system, or to establish mechanisms for joint public procurements in certain sectors.

The prescribed condition for public procurements which are concluded through direct negotiations makes space for corruption. For that reason, these conditions should be set more as rigorous.

In our opinion, the Procurement Officer should be appointed on the basis of open competition. Having in mind that the procurement officer has special responsibilities within the institutions, this provision should reduce the space for corruption and abuses in this area. The Commission for opening and evaluating bids should have more authority in selecting the best offer.

In order to provide higher level of independence and objectivity, inspection should be under the authority of Ministry of Finance rather than the Directorate of Public Procurement.

The Law on Public Procurement should contain a mechanism for control of the implementation of basic contracts and annexes. PPL should control whether the contract is realized in accordance with the decision.

Finally, the penal provision should be implemented in the Law on Public Procurement. The penal provisions should be directed to the specific positions of heads and civil servants in the institutions.

5. Public Administration Reform (PAR)

„The Human Resources Management Authority (HRMA) is responsible for monitoring implementation of public administration legislation, publishing vacancies and administering the human resources registry. However, its legally binding decisions are often ignored by public administration bodies. Its legal mandate and capacity need be strengthened in order to allow it to fulfil its role of monitoring implementation of the legislation and ensuring consistent human resources management across the administration. Training programmes under the responsibility of the HRMA have improved. However, training must intensify in order to strengthen the efficiency and overall capacity of the public administration.“

„Overall, the public administration remains weak and highly politicised. The general administrative framework, including the Law on general administrative procedure and the Law on civil servants and state employees needs to be reviewed and adapted to European standards and principles. Administrative procedures are cumbersome and time-consuming and must be simplified. Transparency needs to be improved by facilitating access to public information including on economic governance and allocation of public assets.“

„Significant efforts are still necessary by Montenegro to establish a sound and accountable public administration free of politicisation. The quality of legislation and of decisions and acts produced by the public administration needs to be considerably improved. This is inextricably linked to improving the quality, capacity and expertise of public servants, with the aid of merit-based recruitment and promotion and continuous training. Further considerable efforts to strengthen administrative capacity to deal with future EU accession obligations are needed.“

Citations from the Analytical Report accompanying the Communication from the Commission to the European parliament and the Council – Commission Opinion on Montenegro's application for the membership in the European union" (COM (2010) 670), p. 15, 16

The public administration reform is a corner-stone reform and precondition for all other reform processes in the country. Having in mind European Commission's assessments of limited and politicized administrative capacities, underlined not just in the Analytical report but in the previous Annual progress reports for Montenegro, it is necessary to dedicate additional attention to the selection of criteria for appointment of civil servants and employees. Special efforts are also needed in preparation of the Strategy for the public administration reform.

Considering divided responsibilities in the public administration reform and previous experiences in coordination of the PAR, it is important to determine institution in the Government, in other words governmental body, which will be in charge of coordination and monitoring of implementation of the Strategy for PAR and the Action plan. Also, in order to ensure transparency of the entire process it is significant to include representatives of the civil society in the work of this body.

It is important, in our opinion, to harmonize the Strategy for Public Administration Reform with the National programme for integration of Montenegro into EU and other national strategic documents. That would ensure clear communication between strategic documents and dynamics of the strategic documents implementation.

In connection with the measure from the Action plan *“Conduction of the gradual functional decentralization”* which is planned to be conveyed with the adoption of *“Bill of the Law on territorial organization of Montenegro”* - objective and goal of this Law cannot be determination of the local self-government’s responsibilities. Particularly, this Law is in charge for *“territorial organization of Montenegro; requirements, conditions and procedures for territorial organization; and other issues with connection with territorial organization”*, while the Law on local self-government is in charge for *“dealings, namely responsibilities, of local self-governments.”* In this context it is natural that activity for fulfilling of this goal should be defined as *“adoption of amendments and appendixes on the Law on local self-government”*.

Taking into consideration activity 16 *“Preparation of the functional analysis on organization of the public administration’s system with recommendations”* time limits for this activity which is highlighted in the Action Plan as *“December 2011”* is not compatible with recommendations and time limits which are highlighted in European Commission’s report. In our opinion, deadline for this activity should be June 2011.

a. The State Audit Institution (SAI)

„External auditing has a sound legal basis in Montenegro, where its independence is provided for by law. The State Audit Institution (SAI) was established in 2004 and became a member of the European Organisation of Supreme Audit Institutions (EUROSAI) in 2008. It has started to contribute to sound public finance management and to enhance the public administration’s accountability. Capacity for

auditing budget execution and internal financial control must be improved. In the long term, the SAI needs to develop its capacity further. This would enhance its role as an institutional driver for improvements in the public administration.”

„Regarding **external audit**, the State Audit Institution (SAI) of Montenegro is making progress with institutional reform, but does not yet fully comply with international standards. Montenegro has established an Audit Authority (AA) for the control of EU funds, as a body within the SAI. This jeopardises the operational independence of the SAI in exercising its role as external auditor of the executive (of which the Audit Authority is a part). Montenegro has outlined that this is, however, a temporary situation and it intends to separate the Audit Authority from the State Audit Institution before the end of 2011. In any case, full independence will need to be ensured before the management of EU funds can be transferred to Montenegrin authorities. (*see also chap 22*).“

Article 144 of the Constitution of Montenegro contains provisions on the State Audit Institution and defines it as an independent body and the supreme national audit authority. It also provides that it is to report to parliament. In addition, external audit is performed on the basis of the Law on the State Audit Institution, which established the SAI as an independent body for the objective control of the spending of budget funds and the management of state property.

The SAI Law provides for a wide-ranging audit remit and for regularity, effectiveness and efficiency audits. The SAI has unrestricted access to information, it has the right and obligation to report on its work and it is free to publish its reports. Its annual report is submitted to parliament. The SAI is currently drawing up a five year development strategy, in order to guide further reform. The scope of the PIFC Law encompasses, *inter alia*, Montenegrin ‘budget users’. The State Audit Institution is defined in the Budget Law as being a ‘budget user’ and it therefore falls under the scope of the PIFC Law. However, the scope of the PIFC Law needs to be limited to governmental bodies and not independent organisations such as the SAI. These independent organisations need to follow the general PIFC principles, but should be regulated separately.

The SAI budget is sent to the Ministry of Finance for submission to parliament as part of the state budget. Should the Ministry of Finance amend the draft budget received, this could interfere with the financial independence of the SAI.

The Lima Declaration on international standards for supreme audit institutions contains a provision that the independence of the members of the institution should be guaranteed in the constitution. However, members of the SAI do not have functional immunity from prosecution for any act that results from the normal discharge of their duties.

The overall need for SAI independence, in line with the third principle of the Mexico Declaration on the independence of supreme audit institutions, represents part of the formal benchmarking criteria for this chapter during any future accession negotiations. As such, Montenegro does not meet the criteria regarding external audit.

Finally, Montenegro needs to ensure, through a strategic external audit plan that all budget entities are regularly subject to audit. “

„The establishment of the Audit Authority within the SAI jeopardises SAI independence and is against international standards. The proposed strategic development plan is needed to further help the SAI to strengthen its institutional and staff capacities.”

Citations from the Analytical Report accompanying the Communication from the Commission to the European parliament and the Council – Commission Opinion on Montenegro's application for the membership in the European union” (COM (2010) 670), p. 15, 124, 125 and 126.

Draft Action Plan for Monitoring Implementation of Recommendations given in the European Commission's Opinion anticipates improvement of material conditions for the work of the State Audit Institution through the Law on budget for 2011. Draft Action Plan also includes measure for establishing mechanism for monitoring of implementation of SAI's recommendations. Final time limit for these activities is June of 2011.

However, two activities which are in correlation with the goal defined as *“enhancement of transparency and accountability during consuming of assets of ratepayers”* are not in direct line with accomplishment of this goal. These activities are identified as 14 and 15 (*“carried out trainings in order to specialize employees who are involved in preparation of normative acts”* and *“improvement of material conditions for work of the Secretariat for legislation through the Law on budget for 2011”*).

According to the recommendations from the EC's Analytical Report, considering importance of the SAI as one of the most significant anti-corruptive actors, it is important to provide major place for dynamics of the SAI's consolidation in the Action plan. As a priority, it is important to change the Law on SAI in order to define financial independence of this institution from the executive branch. It would also be desirable to prescribe the possibility of introducing of one-line budget for SAI.

SAI is currently preparing a five-year strategic plan whose adoption must be sped up. Therefore, the Action plan has to predict approximate deadline for this activity. In this indirect way capacities of the SAI should be enhanced, which is aim of the Strategy.

In scheduling the separation the Audit Auditory for IPA funds from the SAI's scope, there is a need for consolidation of the SAI's budget. In this way, lack of capacities and

trained staff caused by the creation of a new, functionally independent unit should be remedied.

Moreover, in our opinion there is a need to realize repeatedly emphasized recommendation for the change in the Law on SAI. This change should extend competencies of this institution on approval of commercial audits for local self-governments, public enterprises and the other subjects whose financial resources are public.

Considering necessity for the institutional form of cooperation between the SAI, Parliamentary Committee for economy, budget and finance and the Ministry of Finance, it is important to adopt an act which would define concrete models/mechanisms for cooperation between these three bodies.

In order to improve transparency and accountability in consumption of taxpayer's resources, cooperation between the SAI and the Parliament of Montenegro should be further developed. Establishment of a parliamentary subcommittee for budget and audit should contribute to the political control of the budget.

Finally, having in mind that publicity is a precondition for enhancement of SAI's impact, necessity for development of SAI's capacities for cooperation with media and civil society is evident. Therefore, it is desirable to define deadline for adoption of the SAI's Public relations strategy. The SAI has to conduct education of the public in relation to dealings with the control of budgetary expenditures.

6. Action plan for the civil society

Instead of the activity *"to review a possibility of inclusion of the NGOs representatives in procedures of preparation of the public policies"* and indicator *"prepared guidelines for this issue on Law level"*, this issues should be regulated on legislative basis. In that sense, the Centre for Development of NGOs has already prepared the Model for Law on transparency of preparation and implementation of state acts in 2007. This model should represent a good basis for the work on legislative scope for this issue. Alternative for this solution (particular Law for this issue) is that the Law on public administration

should consist of provisions on procedures for inclusion of NGOs in development of public policies. The Law on public administration already contains general scope for this issue which can be further developed.

Comment: Our experience from this area, but also experiences of the countries in the region which tried to determine this issue with informal acts (codex, rules and similar documents), shows low level of implementation of this kind of documents. Also, it is evident that informal codification of this matter with “soft” documents does not determine the problem of NGOs inclusion in the procedure of creating public policies. Therefore, a need for a particular law with clear rights of the NGO and obligations of the state authorities is obvious.

Our suggestion is that rules and procedures of financing of NGOs from the public funds are necessary to be regulated with an individual law. Regardless of centralization/decentralization in financing NGOs from the public funds, rules and procedures should be common.

In the end, in our opinion, the Lottery law should be changed in the part which settles scope of the work which is appropriate for financing of NGO's projects. Our suggestion is that areas which can be financed from the lottery resources should be charged with the areas of so called “good governance”. The expression “good governance” includes rule of law, human rights, fight against corruption, European integration, etc.