



Government of the Republic of Serbia

**PROGRESS REPORT ON THE ANTI-CORRUPTION ACTIVITIES IN THE
REPUBLIC OF SERBIA**

Ohrid, November 2005

Adoption and implementation of European and other international instruments

The Minister of Justice of the Republic of Serbia signed on behalf of Serbia and Montenegro, at the Conference of the European Ministers of Justice that was held in March 2005 in Helsinki, the Civil Law Convention on corruption of the Council of Europe. The Ministry of Justice of the Republic of Serbia initiated in March 2005 ratification of the UN Convention against corruption, Civil Law Convention on Corruption on the Council of Europe and of the Additional Protocol to the Criminal Law Convention on Corruption of the Council of Europe.

Having in mind the structure of the State Union Serbia and Montenegro we expect that the Assembly of Serbia and Montenegro will ratify these instruments by the end of 2006.

As the member of the Group of states against corruption of the Council of Europe (GRECO), Serbia and Montenegro/Serbia replied for the First and Second Evaluation Rounds. The visit of the Evaluation Team was held in September 2005.

Republic of Serbia participates in three regional projects that are dealing with a fight against corruption:

1. Council of Europe's Project PACO Impact – Implementation of Anti-corruption Plans in South-Eastern Europe;
2. Project CARDS – Council of Europe: Establishment of an independent, reliable and functioning judiciary and the enhancing of the judicial co-operation in the Western Balkans
3. CARDS Police – Council of Europe

The Government of the Republic of Serbia is also actively working with other international organizations and foreign governments in the field of fight against corruption, with which help a number of conferences and seminars were held in 2005.

Promotion of good governance and reliable public administrations

After the adoption of the Serbian Public Administration Reform Strategy, the Ministry for Public Administration and Local self-government began the work on the Action plan for the implementation of the Strategy.

According to the Law on Prevention of Conflict of Interest in Discharge of Public Office, the Republican Board for Conflict of Interest started with its work in January 2005 (Appendix I).

According to the Law of Free Access to Public Information the Commissioner was elected and started with his work (Appendix II).

Most of the municipalities adopted the Code of Conduct for Civil Servants and the Model of Code of Conduct for Public Officials, in coordination with the Standing Conference of Cities and Municipalities.

The Ministry of Justice will start, under the PACOimpact project, introduction of the Integrity Plan in the District Court and District Prosecutor's Office in Belgrade, as a pilot project and the Integrity Plan in Prisons, under the Twinning Project.

Strengthening of legislation and promotion of the rule of law

- National Anti-corruption Strategy

The Government of Republic of Serbia adopted the National Anti-corruption Strategy in April 2005 (Annex III). The Strategy will be discussed at the next session in the Parliament and we suppose it will be adopted by the end of November. The Ministry of Justice began the work on the Action Plan for the implementation of the Strategy, in cooperation with Slovenian Commission for prevention of corruption, under the Twinning Project.

- National Strategy for Judicial Reform

In cooperation with the World Bank, the Ministry of Justice has finished the draft of the National Strategy for Judicial Reform (Annex IV). After the comments of the judiciary, bar chamber, relevant NGO's and international organizations, the final version of the Strategy and the Action Plan are in the last stage of preparation. These documents will be adopted by the end of this year.

- National Strategy for fight against organized crime

The Governmental Commission for the implementation of the Action plan for fight against organized crime began the work on the Strategy for fight against organized crime. The Strategy will be finished and adopted by the end of this year.

- Legislative activity

In September 2005 the new Criminal Code of the Republic of Serbia was adopted and will enter into force on January 1st 2006.

The Parliament also adopted the Law on Public Administration, the Law on Government, the Law on Civil Procedure, the Law on Executive Procedure, the Law on Public Agencies, the Law on Civil Servants and the Law on Ombudsman.

The Government of Republic of Serbia has prepared the drafts of following laws that are currently before the Government or the National Assembly of Republic of Serbia: the Law on Prevention of Money Laundering, the Law on Police and the Law on Supreme Audit Institution.

The Law on Associations of Citizens is in the last phase of preparation, after the expertise of the Council of Europe. The round table will be held after which the law will be sent to the Government and Parliament for adoption.

Promotion of transparency and integrity in business operations

Except measures mentioned in previous reports, we would like to point next two activities:

Removal of registration of the companies from the Commercial Courts to the independent Business Register Agency started on January 04th 2005. It created simplification of the procedure of registration and increasing transparency of data registers. Consequence was easier finding of data on persons responsible for transactions in private companies.

Bank association of the Republic of Serbia established Agency for solvency of the companies which apply for credits, guaranties and other transactions. The Agency also has concentrate data on financing transactions of all companies. In this way risk of suspicious transaction and their consequences have been decreased.

Promotion of an active civil society

In May 2005, Transparency Serbia finalized project of decentralized education in public procurement field. Publication “Efficient public procurement” consists of this project results, but also identification of key problems in public procurement area in nowadays Serbia as well as translated extracts from this year’s Transparency International Global Corruption Report. Within its new project, TS is now working on transfer of good Slovakian experiences in public procurement monitoring to Serbia.

Transparency Serbia organized in March and April 2005, with support of OSCE Mission, a serial of seminars for civil servants from National Assembly, Republican Electoral Committee and Ministry of Finance, for private sector auditors and financial managers of political parties aimed to improve implementation of the Law on political party financing. Appropriate manuals were published after seminars.

Within the Western Balkan project of Transparency International, which is to be finalized by the end of 2005, Transparency Serbia conducted three rounds of testing of public authorities on central, province and local level, as well as in public enterprises, in order to establish the level and quality of implementation of Law on free access to information of public importance. Within the same project TS organized public opinion pool on national lever, aimed to establish attitudes, knowledge and action potential among citizens of Serbia in regards to issues of conflict of interest resolution and free access to information. Transparency Serbia is currently working on several follow – up projects, including education of local government officials about implementation of conflict of interest law (in cooperation with Republican board for resolution of conflict of interest).

TS signed memorandum of understanding with Commissioner for information of public importance, Mr. Rodoljub Sabic, and successfully organized public campaign on occasion of September 28th (Right to know day), but also cooperated with Commissioner and various other governmental and civil society institutions in implementation of Law on free access to information.

ANNEXES

Annex I – Conflict of Interest

Annex II – Commissioner for Free Access to Public Information

Annex III – National Anti-corruption Strategy

Annex IV – National Strategy for Judicial Reform