

***Report on the implementation of the UN Convention against Corruption
for the eighth intersessional meeting of Open-ended
Intergovernmental Working Group on Prevention***

Vienna (August 21-23, 2017)

Education in schools and universities on anti-corruption efforts

According to the Law on the Anti-Corruption Agency (hereinafter referred to as the ACA), the ACA is introducing and implementing education programs concerning corruption, co-operates with research organizations and civil society organizations (CSO) in implementing corruption prevention activities. Anti-corruption endeavours of the ACA related to education also encompass certain programmes in which schools and universities have also been included.

International Projects

Cooperation with universities has been realized in the framework of two internationally funded projects, which were successfully implemented. Namely, the ACA developed partnership with the civil society and some universities of social sciences and humanities aiming to increase the knowledge and awareness over anti-cooperation issues among students. Project paid special attention to prevention of corruption through organization of specialized training courses to students and recent graduates in the field of anti-corruption, and by establishing network of interns from the ACA. Topics of the training modules pertained to corruption as a cultural, economic and political phenomenon, captured state theory, Serbia's anti-corruption legal framework, money laundering, public procurement, audit of public finances, free access to information, etc. The program, called "Anti-corruption skills" has lasted for two months and after the series of lectures and workshops students took an exam, assessing their knowledge. Based on the results of the exam, seven students were selected to join sponsored internship at the various sectors of the ACA.

Apart from that, the ACA has also implemented the project "Youth Sleuth: Engaging Serbia's Youth to Fight Corruption through Investigative Journalism and Social Media" (implemented through assistance of the UNDP) which was to reduce corruption by raising public awareness and fueling intolerance. In partnership with CSOs and the ACA, young journalists conducted independent, non-offensive and professional research based on which they wrote and disseminated stories, case studies and investigative articles on corruption through web sites, blogs, Facebook, Twitter, etc. Their publication through social media was to both uncover facts and mobilize outcry against corruption. As a result of the research work of these students, 25 very important stories and articles were published in almost all printing media in Serbia as well as some web portals.

Within the project "Support to the Anti-Corruption Agency in Fight against

Corruption” (implemented through assistance of the Norwegian Ministry of Foreign Affairs) the network of 42 interns was established, consisting of young professionals, students of final study year or graduated students, selected from several faculties of social sciences. Six cycles of 4-month internship program (each encompassing seven interns) were organized, with the aim of contributing to general and professional awareness raising on fight against corruption through the education. This project component was focused on bringing closer the significance of fight against corruption to young people and encouraging them to take into account their possible future professional engagement in the respective area. As a follow up activity of this project, group of interns and internship candidates was offered a three day training program, in the form of training for instructors. After the training a team was formed consisting of 22 educators, whose primary activity was promoting a competition launched by the ACA on the occasion of the International Anti-Corruption Day. The educators promoted the competition in elementary and high schools in Belgrade. In addition, former ACA interns founded two CSOs and continued promoting the significance of curbing corruption and contributing to anti-corruption awareness raising through projects, especially focusing on young population. In cooperation with the ACA, the respective CSOs conducted anti-corruption trainings in the selected schools in Serbia. The ACA also used capacities of interns for the purpose of its researches related to integrity plan verification in the corruption prone areas.

Cooperation Agreements

Cooperation with some of education institutions has also been formalized through Cooperation Agreements. The ACA signed Cooperation Agreements with four faculties, i. e. Faculty of Political Sciences (Belgrade), Faculty of Law (Belgrade), Academy of Criminalistic and Police Studies (Belgrade) and Faculty of Organizational Sciences (Belgrade). These Agreements established a basis for continuous and long-term cooperation which, inter alia, relates to education and trainings in the anti-corruption and related fields to be provided to interested students by the ACA experts, but also to ACA staff on the part of relevant professors and lecturers from the respective educational institutions; strengthening professional and research capacities through exchange of experiences and information in the area of prevention and fight against corruption; supporting each others' anti-corruption initiatives, etc.

In particular the Cooperation Agreement with the Faculty of Law also addresses continuation of close cooperation between ACA and Anti-Corruption Legal Clinic within the Faculty of Law for the purpose of training of interested students of law on practical skills and methods required for competent and professional execution of their future jobs. Since the initiation of this Legal Clinic, the ACA has significantly contributed to its operation through lectures given by the ACA's experts, donations of relevant literature, provision of legal aid to the clients of the Clinic, etc.

Raising awareness on combating corruption

On the occasion of International Anti-Corruption Day, to date the ACA has

organized six competitions related to primary, high schools and university students in Serbia, thus inviting them to present their literary or journalist text, artwork, audio-visual work and slogans on the given topic. The best works were given awards. These activities were focused on raising awareness of citizens, primarily pupils and their teachers, on the necessity for active involvement in fighting corruption. The ACA also conducts occasional trainings for students and young population related to combating corruption.

Corruption risk assessment in education area

By implementing the methodology for corruption risk assessment in legislation, the ACA analyzes pieces of legislation governing the area of textbooks for elementary and high schools with an aim to identify provisions susceptible to corruption as well as corruption related risks and provide the corresponding recommendations. These risks relate to, inter alia, process of selection of textbooks as well as criteria for making final decision.

In addition, in its capacity to coordinate the state bodies in the prevention of corruption, the ACA organized series of meetings addressing the problem of corruption in education. Namely, based on the risks identified in the integrity plans but also in the relevant legislation, the ACA initiated establishment of the working group (composed of the line Ministry and other important stakeholders' representatives) who drafted the recommendations for improvement of the institutional and legislative framework. Risks have been prevalent in the area of transparency and public procurement.

Integrity in criminal justice institutions

Integrity plans in the Judicial System

The Law on the ACA prescribes the obligation that all state authorities, organizations, territorial autonomy and local self-government authorities, public services and public enterprises are to adopt their integrity plans.

The integrity plan represents a preventive anti-corruption measure. It is a document which is being developed as a result of the self-assessment of a degree of institution's exposure to risk of occurrence and development of corruption, and exposure to ethically and professionally not-acceptable acts. The objective of the adoption of the integrity plan is to strengthen the integrity of an institution, which implies individual honesty, professionalism, ethics, institutional truthfulness, as well as the way of conduct in line with the moral values. Strengthening the institutional integrity reduces risks that public authorities are being discharged in contravention to their initial intention when established, which then contributes to the improvement of institutional performance quality, and thereby increases public trust in their operations.

Development and implementation of the integrity plan is a systematic process, carried out in the following stages: 1) preparatory stage; 2) current state of affairs assessment stage; 3) stage for proposing measures for improvement of integrity; 4) integrity plan implementation and monitoring stage.

In the first (three-year) cycle of drafting integrity plans, the ACA developed draft (models) of integrity plans in electronic form (application) which were adjusted to various types of institutions, according to 14 systems, including the judicial one. Representatives from all systems participated in drafting the content of the model of integrity plans, among which were also representatives of judicial institutions, i. e. Ministry of Justice, Supreme Court of Cassation, State Attorney's Office, State Prosecutorial Council, Higher Court in Belgrade, Commercial Court in Belgrade, Higher Prosecutor's Office in Pančevo and First Basic Court in Belgrade.

In the first cycle of integrity plan development, integrity plans were adopted by 84% of institutions from judicial system as follows:

Classification of institutions in the system	Number of institutions	Number of integrity plans drafted	Percentage of integrity plans drafted
Prosecutor's Offices	68	57	83.80%
Courts	133	112	84.20%
Institutions for Execution of Criminal Sanctions	29	25	86.20%
Others	7	4	57.10%
Total	237	198	84.00%

The ACA also drafted detailed Report on integrity self-assessment of public authority bodies in Serbia, which also includes information on judicial institutions.

In the second (three-year) cycle of integrity plan development (which commenced in 2016) the ACA developed 42 models to serve as basis for the development of public authority integrity plans. Every institution shall, in line with the system they belong to, use adequate draft integrity plan, intended for a specific type of institution. A draft (model) integrity plan contains areas recognized as the most exposed to corruption and other irregularities risks. In the process of the development of a model, the identified areas are divided in the following way: 1) common areas; 2) specific areas.

Common areas are the areas that no institution would be able to function properly without, and which are common for the whole public sector. Specific areas refer to the specific competencies of an institution, fulfillment of their social function, i. e. function that institution was founded for. Processes indispensable for their performance are identified in every area, and the current risk management measures are defined within each process, and employees and working groups in the institution shall agree whether these measures within the specific process are to be implemented/are not to be implemented, i. e. whether these measures already exist/do not exist.

Common areas of the integrity plan are as follows: Human resource management; Public resources and public financial management; Ethics and

integrity and Information-technology security. Specific areas refer to the specific competences of each individual institution.

Within the second integrity plan cycle all public authorities are obliged to develop integrity plans, i. e. to review the existing ones until June 30, 2017 in electronic form (application), based on draft (model) of the integrity plan developed by the ACA.

In accordance with the measures of the National Judicial Reform Strategy for the period 2013 - 2018 and its Action Plan, the ACA held three meetings with the representatives of State Prosecutorial Council and High Judicial Council in order to develop a draft of integrity plan for the second cycle of its development.

In addition, in cooperation with the ACA, State Prosecutorial Council made a decision on establishing working group consisting of representatives of State Prosecutorial Council, Republic Public Prosecutor's Office, Appellate, Higher and Basic public prosecutor's office in Belgrade aimed at drafting model of the questionnaire for all prosecutor's office in Serbia for the purpose of the second cycle of integrity plan development. Working group finalized processing of data obtained through said questionnaire, based on which report on areas and processes which might threaten the integrity, was drafted.

The ACA also conducted trainings on development and implementation of the integrity plans for both the first and the second integrity plan cycle which was, among others, attended by representatives of judicial institutions.

Measures aimed at improving integrity of judges

When it comes to other measures to promote integrity, High Judicial Council adopted a Decision on the amendments to the Rules of Procedure of the High Judicial Council thus establishing the Ethics Committee. High Judicial Council formed working group for analysis of Code of Ethics and drafting Rules of Procedure for Ethics Committee of High Judicial Council.

High Judicial Council has also given approval to the Program of continuous training for judges and court staff for 2017. The said program is prescribed by a special training program "The judicial/prosecutorial ethics" with the following topics: international standards in the field of judicial/prosecutorial ethics and their application in the Republic of Serbia-overview; conflict of interest; hypothetical questions, examples of cases scenarios; disciplinary proceedings in cases of violation of the Code of Ethics and the establishment of clear channels for consideration of the concerns regarding ethical issues.

As for independence, High Judicial Council adopted a Rulebook on criteria and standards for the evaluation of expertise, competence and worthiness of candidates for judges who are being elected for the first time and a Rulebook on criteria and standards for evaluation of expertise, competence and worthiness for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for court presidents. High

Judicial Council also established a unified database of questions for the written test, based upon which it assesses the skills and qualifications of candidates for judges who will be firstly elected to judicial office.

Measures aimed at improving integrity of prosecutors

State Prosecutorial Council also has a Rulebook governing procedure for the first election of public prosecutors.

Within its Rules of Procedure State Prosecutorial Council also envisaged election of Commissioner for independence. Competence of this Commissioner is defined by draft Decision of State Prosecutorial Council, thus stipulating that the Commissioner receives complaints or information from public prosecution office holders related to political or any other undue influence on themselves or prosecutor's office. Commissioner may also act ex officio when he/she determines that there is a political or any other undue influence coming out of public prosecutor's organization. He/she also deals with raising awareness on significance of independence as well as institutional and professional integrity.

As to improve quality of work of public prosecutor's office and enhance accountability of public prosecution office holders, State Prosecutorial Council envisages procedure of acting of disciplinary bodies and elects disciplinary prosecutor and disciplinary commission. Disciplinary bodies act in accordance with relevant legislation and Code of Ethics which defines fundamental standards of professional ethics. State Prosecutorial Council also elects Ethics Committee. As per the new Rules of Procedure, competences of this working body are significantly strengthened in terms of structure as well as competence, i. e. they play more active role on providing advice and recommendations, in particular in the area of conflict of interest.

In addition, Judicial Academy conducts trainings for persons wishing to apply for the position of deputy public prosecutor or judge. They attend three-year education program, including trainings on corruption and integrity. In addition, public prosecutors and deputy public prosecutors are also obliged to attend continuous trainings within the Judicial Academy.

Cooperation of judicial institutions with the ACA

In accordance with the Action Plan for Chapter 23, representatives of the ACA, High Judicial Council and State Prosecutorial Council hold regular meetings with an aim to improve cooperation as to consistent and timely compliance with an obligation to report assets and income and notify on entry/termination of office related to judicial office holders as envisaged by the Law on the ACA.