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Serbia: Council of Europe says tools for preventing corruption among parliamentarians, judges and prosecutors must be improved

Strasbourg, 02.07.2015 - Serbia has come a long way in creating a regulatory and institutional framework for fighting corruption, concludes a [report](#) published today by the Group of States against Corruption (GRECO). However, much remains to be done for the system to work properly and to close the noticeable gap between the law and practice. The report covering the period up to June 2015 offers recommendations on preventing corruption and misconduct among members of parliament, judges and prosecutors.

The Council of Europe anti-corruption group specifically recommends that measures be taken to further improve the transparency of the parliamentary process, including through ensuring adequate timelines for submitting amendments and using the urgent procedure as an exception, not as a rule. There is also a need to introduce transparency re lobbyists and other third parties, given the great risk of undue influence. Among other recommendations is strengthening the independence and role of the High Judicial Council and the State Prosecutorial Council; amending the procedures for the recruitment and promotion of judges, court presidents and prosecutors, in particular by excluding the National Assembly from this process and ensuring merit-based recruitment; and continued reform of the system prosecutors' performance.

Much more should be done to promote the principles of ethics and integrity among parliamentarians, judges and prosecutors: it is recommended that codes of conduct be further explained and complemented by training and confidential counselling.

As for regulation of conflicts of interest, acceptance of gifts, submission of asset declarations, secondary activities and incompatibility between different activities of public officials, the Law on the Anti-Corruption Agency provides quite a comprehensive legal framework. Some concerns, however, remain: for instance, the rule that an official may hold only one public office has in practice become an exception; the scope of information to be provided by officials in asset declarations is too narrow, and a large part of this data is not made public.

The Anti-Corruption Agency has prepared a new draft law to address some of these shortcomings; and GRECO supports many of the proposals included in competences and rights, such as the right to act upon anonymous complaints and on its own initiative.

The Serbian government, which has decided to gear the country towards EU accession and to pursue a policy of zero tolerance of corruption, is engaged in an ambitious reform process, GRECO says. A comprehensive framework is provided by the National Anti-Corruption Strategy and the National Judicial Reform Strategy, and now it is crucial that the reforms are carried through in a timely manner, gain the support of a large spectrum of political forces and of civil society, and bring about tangible and sustainable results.

By the end of December 2016, the authorities of Serbia are to report back on measures taken to implement the 13 recommendations included in this report. GRECO will then assess the implementation of the recommendations in a "compliance

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