

REPUBLIC OF SERBIA
THE AGENCY
FOR PREVENTION
OF CORRUPTION

APC



WORK REPORT

—
Year 2022



Republic of Serbia



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1. INTRODUCTORY REMARKS

Before you is the 13th Report of the Agency for Prevention of Corruption, which we annually submit to the National Assembly of the Republic of Serbia in line with the Law on Prevention of Corruption.

The consistent application of mechanisms for preventing corruption was our key goal in the previous period as well. All our competences are aimed at strengthening integrity, having in mind that integrity, in addition to respecting rules, also encompasses values, and does so in such a way that they become an integral part of the functioning of institutions and actions of public officials and public sector employees.

In 2022, the National Assembly adopted a new Law on the Financing of Political Activities, entrusting the Agency with additional powers that are particularly important in light of the last year's elections. Acting in accordance with the Law on the Financing of Political Activities and by-laws that were adopted in a timely fashion, the Agency managed to respond to all its obligations related to the control of the financing of election campaign costs, thereby significantly contributing to the improvement of the integrity of the participants in the election process. We have trained political subjects and representatives of media and civil society organisations on the new normative framework in this area, and we created a Handbook for the Application of the Law on the Financing of Political Activities.

In the year that is now behind us, the efforts of state authorities, including the Agency for the Prevention of Corruption, resulted in the fact that – in terms of compliance with the recommendations of the Council of Europe's Group of States against Corruption (GRECO) for the Fourth Evaluation Round, which include prevention of corruption in relation to MPs, judges and prosecutors – as of March 2022, the Republic of Serbia is no longer among the states that are in the “globally unsatisfactory” regime.

In addition to our regular responsibilities, we were particularly dedicated to strengthening awareness and understanding of the Agency's role by conducting training for different target groups, but also by creating a new internet presentation, with the support of the OSCE Mission in Serbia, aimed at presenting our activities and results in an even more transparent way. By doing this, we reaffirmed our determination to be completely open to citizens, civil society organisations, the media and the public as a whole.

We view success as an incentive, but also as an obligation and responsibility to additionally improve the integrity of the public sector, to which we remain fully committed.

PRESIDENT OF THE COUNCIL
Prof. Dr. Miloš Stanković

DIRECTOR
Dejan Damnjanović

2. ABOUT THE AGENCY

The Agency for Prevention of Corruption is an independent and autonomous state authority that is accountable to the National Assembly for the work from its purview. Funds for the operation of the Agency are provided from the special budget section of the Budget of the Republic of Serbia, as well as from other sources, in accordance with the law. The annual funds for the work of the Agency in 2022, provided from the Budget, amounted to RSD 297,989,000.00.

The seat of the Agency is in Belgrade, in Carice Milice St. no. 1.

The normative framework of the Agency's activity includes the following:

- Law on Prevention of Corruption ("Official Gazette of the Republic of Serbia [RS]", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022);
- Law on the Financing of Political Activities ("Official Gazette of the RS", no. 14/2022);
- Law on Referendum and People's Initiative ("Official Gazette of the RS", no. 111/2021 and 119/2021);
- Law on Lobbying ("Official Gazette of the RS", no. 86/2018 and 86/2019).

The law governing the general administrative procedure is applied in the proceedings the Agency conducts in accordance with these Laws.

Within the competences granted to it by the Law on Prevention of Corruption, the Agency:

1. Supervises the implementation of strategic documents, submits to the National Assembly a report on their implementation, along with recommendations to be acted upon, provides responsible entities with recommendations on how to eliminate shortcomings in the implementation of strategic documents, and initiates amendments and supplements to strategic documents;
2. Adopts general enactments;
3. Institutes and conducts proceedings to determine the existence of violations of this Law and issues measures in accordance therewith;
4. Decides on the existence of conflict of interest;
5. Performs tasks in accordance with the law governing the financing of political activities, i.e. the law governing lobbying;
6. Files criminal reports, requests for initiating misdemeanour proceedings and initiatives for initiating disciplinary proceedings;

7. Maintains and publishes the Register of the Public Officials and the Register of Assets and Income of Public Officials in accordance with this Law;
8. Verifies assets and income reports submitted by public officials;
9. Maintains and verifies data from records specified in this Law;
10. Acts upon complaints submitted by natural and legal persons;
11. Provides opinions about the application of this Law, on its own initiative or at the request of natural or legal persons, and takes positions of importance for the application of this Law;
12. Initiates adoption or amendment of regulations, provides opinions on the assessment of the risk of corruption in draft laws in the fields that are particularly susceptible to the risk of corruption and opinions on draft laws governing issues covered by ratified international agreements in the field of preventing and combating corruption;
13. Investigates the state of corruption, analyses risks of corruption and prepares reports with recommendations to eliminate risks;
14. Supervises the adoption and implementation of integrity plans;
15. Adopts the Training Programme and instructions in the field of prevention of corruption and monitors the implementation of training in public authorities;
16. Performs tasks related to international cooperation in the field of prevention of corruption;
17. Performs other tasks set forth by law;
18. Applies the law that governs the general administrative procedure.

Based on the competences granted to it by the Law on the Financing of Political Activities, the Agency:

1. Controls the financing of political entities;
2. Submits requests for the initiation of misdemeanour proceedings and issues reprimands for violating the provisions of the law;
3. Passes decisions on the loss of rights to funds from public sources;
4. Maintains a record of financial reports of political entities;
5. Organises and coordinates the observation of election campaigns.

Based on the competences granted to it by the Law on Referendum and People's Initiative, the Agency:

1. Publishes the name of the organiser of the referendum campaign;
2. Publishes reports on the expenses of the referendum campaign;
3. Controls the reports on the expenses of the referendum campaign;
4. Submits requests for the initiation of misdemeanour proceedings for violation of this Law.

Based on the competences granted to it by the Law on Lobbying, the Agency:

1. Trains lobbyists and issues certificates of completed training for lobbyists;
2. Maintains the Register of Lobbyists;
3. Maintains the Register of Legal Entities Engaged in Lobbying;
4. Maintains special records of foreign natural persons and legal entities engaged in lobbying;
5. Controls the content and manner of keeping records of state authorities on lobbying contacts of public officials who were elected, appointed, nominated, employed or otherwise engaged in those authorities;

6. In case of violation of obligations, imposes measures on a lobbied person, i.e. the responsible person in a state authority, in accordance with the law governing the prevention of corruption, and/or initiates disciplinary proceedings;
7. Verifies reports on the work of lobbyists, that is, legal persons engaged in lobbying;
8. Submits requests for the initiation of misdemeanour proceedings, for misdemeanours prescribed by Law.

With the aim of implementing the law, the following by-laws of the Agency were adopted or harmonised during the reporting period:

1. Rulebook on records and reports of political entities, with forms;
2. Rulebook on the content and method of submitting the report on the expenses of the referendum campaign.

The following by-laws regulating the work of the Agency's bodies and professional services were also adopted:

1. Rulebook on the manner of performing public procurement tasks;
2. Instructions on conducting training in the field of preventing corruption and strengthening integrity.

The bodies of the Agency are the Director and the Council of the Agency. The Director represents the Agency, manages the work of the Agency's service, decides on the requests of public officials in accordance with the Law on Prevention of Corruption, and takes decisions on violations of this Law, the Law on Financing Political Activities, the Law on Lobbying and the Law on Referendum Campaign and People's Initiative. The Director is elected by the National Assembly by a majority vote of all MPs after a public competition announced by the Ministry of Justice and conducted by the Judicial Academy.

The Agency has 10 main and two special internal units, which ensure its efficient and independent operation. Sectors, which are the main organisational units, have departments, sections and groups as their internal units.

1. Sector for the Control of Financing of Political Activities
 - 1.1. Department for the Control of Financing of Political Activities
 - 1.1.1. Report Control Section
 - 1.1.2. Department for Preparation and Records
 - 1.2. Department for Handling Cases of Violations of the Law
2. Asset Verification Sector
 - 2.1. Asset Verification Department
 - 2.1.1. Asset Verification Section
 - 2.1.2. Department for Handling Cases of Violations of the Law
3. Sector for Conflict of Interest and Lobbying Issues
 - 3.1. Department for Conflict of Interest Resolution
 - 3.1.1. Department for Controlling the Transfer of Management Rights
 - 3.2. Group on Lobbying Issues

4. Sector for Prevention and Strengthening of Integrity
 - 4.1. Department for Strengthening Institutional Integrity
 - 4.1.1. Integrity Plans and Analysis Section
 - 4.1.2. Section for Education, Anti-Corruption Plans and Strategy
5. Sector for Cooperation with the Media and Civil Society
 - 5.1. Group for Cooperation with the Media
 - 5.2. Group for Cooperation with the Civil Society
6. Registers and Records Sector
 - 6.1. Department of Registers and Records
 - 6.1.1. Registers Section
 - 6.1.2. Records and Reporting Group
7. Legal Affairs Sector
 - 7.1. Department for Legal Affairs and Representation
 - 7.1.1. Section for Analytics, Norms and Procedures
 - 7.1.2. Section for Complaints and Cooperation with Other State Authorities
8. Sector for External Affairs and Strategic Development
 - 8.1. Group for European Integration, Strategic Planning and Development
 - 8.2. Project Group
9. Sector for General Affairs
 - 9.1. Department for Material and Financial Affairs
 - 9.1.1. Section for Material and Financial Affairs
 - 9.1.2. Registry Office and Archives Section
 - 9.1.3. IT Section
10. Sector for Research and Analytics
 - 10.1. Research Group
 - 10.2. Analytics Group

To ensure two-instance decision-making, the Council decides on appeals against the decisions of the Director, takes legal positions, and makes decisions on legal issues as well as other decisions within its purview, in accordance with the Law on Prevention of Corruption.

Between regular sessions (there were 10 of them in the reporting period), members of the Council analysed and prepared draft decisions in the cases in which they acted as rapporteurs. In complex legal issues, in order to take principled legal positions they consulted regulations that govern specific disputed legal issues. They also considered the written and oral monthly reports of the professional service. In addition to regular meetings, the Council also held two telephone sessions.

3.

RECOMMENDATIONS

- It is necessary to carry out activities aimed at implementing the recommendations provided by the Council of Europe's Group of States against Corruption (GRECO) for the Fifth Evaluation Round, including the adoption of the Law on Amendments and Supplements to the Law on Prevention of Corruption and the Law on Amendments and Supplements to the Law on Lobbying;
- It is necessary to adopt the Law on Amendments and Supplements to the Law on the Financing of Political Activities so as to regulate the activities of third parties (legal entities and natural persons who are not financial contributors within the meaning of the Law) that are aimed at influencing the election result or the political activity of a political entity;
- It is necessary to specify the issue of debt write-off as a type of contribution in the sense of the Law on the Financing of Political Activities, bearing in mind the expiry of claims;
- Authorised proponents of laws should consistently and timely fulfil their obligation regarding the submission of draft laws to the Agency, which then provides opinions on the assessment of the risk of corruption in laws from areas that are particularly susceptible to the risks of corruption;
- There is a need to establish cooperation with the Government of the Republic of Serbia with the aim of informing it about draft laws from particularly risky areas that have not been submitted to the Agency for assessment and limiting further discussion of the draft/proposal of such laws;
- It is necessary to increase the number of employees who work on assessing the risk of corruption in regulations;
- To achieve a higher degree of success in the implementation of defined activities in the process of European integration, it is necessary to use the findings and recommendations formulated by the Agency in the Third Report on the Implementation of the Revised Action Plan for Chapter 23 - subchapter 'Fight against Corruption';
- It is necessary for managers to become better acquainted with the obligations that institutions have in connection with the development and implementation, and reporting on the implementation of integrity plans, and with the organisation, implementation and reporting on the implementation of ethics and integrity trainings. They should also strongly support these processes in order to achieve better quality results;
- Employees in public authorities should primarily use the Instructions for working on training on ethics and integrity, the Instructions for developing, implementing and reporting on the implementation of integrity plans as well as other materials developed by the Agency to help them fulfil the aforementioned obligations, instead of predominantly relying on the help and support of Agency employees, without first consulting all other available materials;

- Public authorities should improve internal coordination related to professional development and planning of ethics and integrity training, and should also improve planning and managing the process of developing and adopting integrity plans, so that all these obligations are not fulfilled right before the expiry of the one-year deadline;
- Employees in public authorities should improve their knowledge of the use of IT tools / software for distance learning.

4 OVERVIEW OF ACTIVITIES AND RESULTS

CONFLICT OF INTEREST

The Agency has received a total of 1,153 requests from public officials. Of these, 797 were requests for consent to discharge another public office, i.e. engage in another job or business activity, for membership in bodies of associations and for establishing an employment relationship or business cooperation after the termination of the public office - *pantoflage*, while 356 were requests for opinions on the implementation of the Law on Prevention of Corruption in connection with the conflict of interest.

1,613 proceedings were completed, i.e. resolved during the reporting period, as follows:

- Opinion was given on the implementation of the Law on Prevention of Corruption in 318 proceedings;
- The requests of public officials for granting consent to discharge another public office, i.e. engage in another job or business activity, for membership in bodies of associations, or for establishing an employment relationship or business cooperation after the termination of the public office – *pantoflage* were resolved in a total of 803 procedures, as follows:

In 573 cases, the Agency gave consent for discharging another public office, that is, for engaging in another job or business activity; in 37 decisions the public official's request for consent to discharge another public office, that is, to engage in another job or business activity was rejected (four of these served to determine the state of the fact); in 48 cases, the Agency informed the public official about a conflict of interest situation; 145 procedures ended in another way (by passing a decision dismissing the request as untimely or incomplete, i.e. by passing a decision to suspend the procedure, by notifying the parties that the Agency is not competent to act, by official note). In relation to public officials' requests, the large percentage of compliance (90.32%), i.e. acting in accordance with the final decisions of the Director of the Agency rejecting their requests, shows that public officials are showing an increasing awareness of the conflict of interest. Based on 31 enforceable decisions, 28 public officials stopped simultaneously performing incompatible public offices in the reporting period.

- Violation of the Law on Prevention of Corruption was established in 309 proceedings, so:
 - A reprimand was issued in 222 decisions;
 - The measure of public announcement of the recommendation for dismissal from public office was imposed in 12 decisions;
 - The measure of public announcement of the decision on the violation of the Law on Prevention of Corruption was imposed in 45 decisions;
 - Termination of public office by force of law was established in 30 decisions; in one of these cases, a reprimand was issued as well.
- No violation of the law was established in 174 procedures that were initiated *ex officio* or on the basis of a report, and these were resolved in another way (by a decision to suspend the procedure, by informing the parties that there is no basis for conducting the procedure to decide on the existence of a violation of the provisions of the Law on Prevention of Corruption, by notifying the parties that the Agency is not competent to act, by official note, etc.).
- In 9 procedures, the Agency informed public officials that they had transferred management rights in a company.

Out of the 309 decisions that involved the violation of the Law, most (162) were those that imposed measures on public officials due to the accumulation of public offices, followed by measures (55) that were imposed on public officials in situations that represented a conflict of interest or nepotism. Thirty nine decisions were made due to failure to transfer management rights in a company.

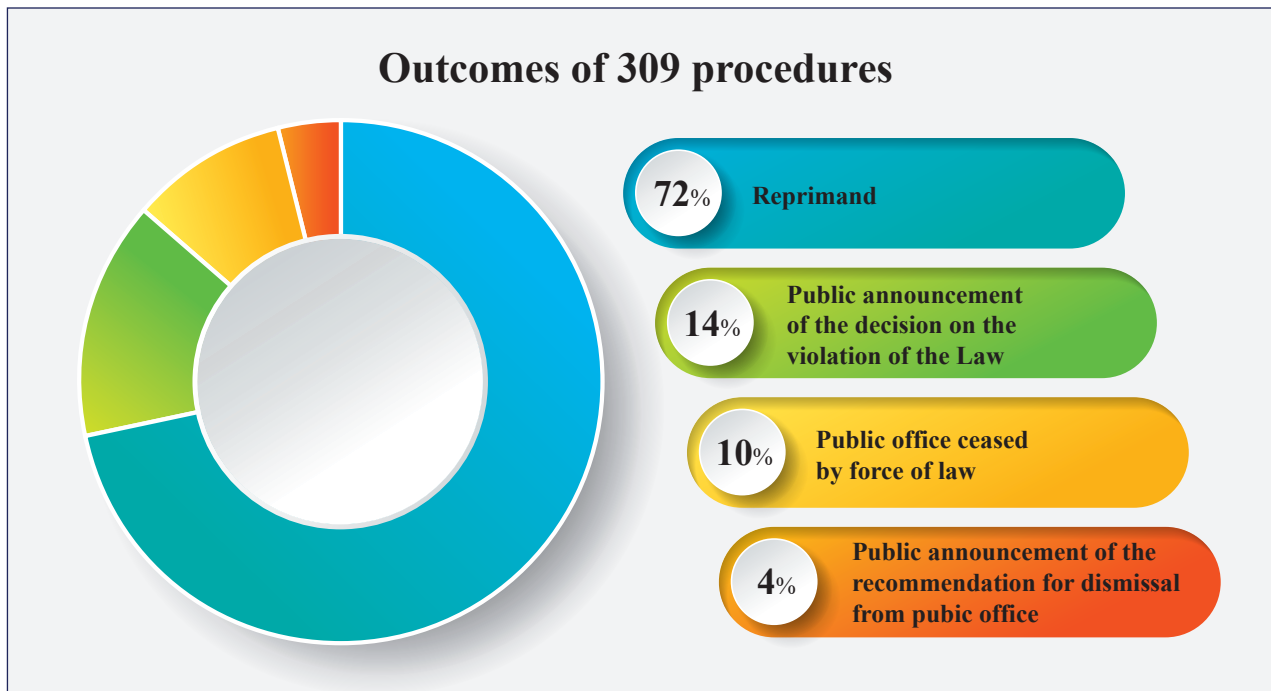
Of the issued reprimands, 22 included an order for a public official to take certain action; in 16 cases, the public official complied with the measure, while in four cases s/he did not, which is 76.19% of the number of enforceable decisions for which the deadline for action has passed (22). In one procedure, the deadline for action is in progress, while in one procedure the decision is not yet final (the period set for appeal has not expired yet).

When it comes to acting on the decisions establishing the termination of another public office, the enforceability of the decisions is 92.86%. Out of 28 final decisions, in 26 cases the decision has been complied with, while in two cases the deadline for action is still in progress.

Once 7 decisions imposing the measure of public announcement of the recommendation for dismissal from public office became final (four decisions were issued in 2021 and three in 2022), initiatives, i.e. requests for acting on the decision were submitted to the competent authorities. As regards these, public officials were dismissed in three procedures, in one procedure the public office ceased before the initiative was submitted, and in three procedures the public official was not dismissed. In two procedures the initiative was not submitted because public officials ceased to hold public office.

All the measures of public announcement of the recommendation for dismissal from public office were imposed on public officials who discharged public offices in the authorities of local self-government units: municipality president, members of municipal councils (two), secretary of the city assembly, director of a public enterprise (two), directors of cultural institutions, theatres and cultural centres (two), director of the centre for social work, director of a pharmacy, and chairman of the managing board of a tourist organisation.

In the reporting period, 33 requests were submitted for the initiation of misdemeanour proceedings in connection with cases in which public officials were in conflict of interest or due to the incompatibility of their jobs with discharging a public office, i.e. due to the prohibition of discharging another public office:



- In 19 cases, due to the fact that the public official was discharging another public office without the consent of the Agency;
- In two cases, for the violation of the provision on unequivocally informing interlocutors and the public whether a public official is presenting the position of the body in which s/he discharges public office or the position of a political party, that is, a political entity;
- In four cases, for failure to comply with the prescribed deadline for notifying the Agency about performing another job or business activity;
- In one case, for failure to transfer management rights and performing another job or business activity at the time of assuming public office, and in one case also due to failure to comply with the prescribed deadline for notifying the Agency of a suspected conflict of interest of the public official or a person related to him/her;
- In four cases, for failure to comply with the prescribed deadline for notifying the Agency of a suspected conflict of interest of the public official or a person related to him/her;
- In two cases, for performing another job or business activity without the consent of the Agency.

Acting within its purview, the Agency uses data from the Register of Public Officials. In 2022, data on persons who assumed public office or ceased to hold it were entered into the Register based on notifications received from 2,057 public authorities.

222 notifications from 8 legal entities in which public officials or their family members have a stake or shares were entered into the Register of Legal Entities regarding participation in public procurement procedures, privatisation or another procedure that ended with the conclusion of a contract with a public authority, another budget beneficiary or another legal entity in which the Republic of Serbia, an autonomous province, a local self-government unit or a city municipality has a stake or shares.

VERIFICATION OF REPORTS ON ASSETS AND INCOME OF PUBLIC OFFICIALS

In 2022, the Agency received 5,218 Reports on assets and income; it processed and registered 7,610 such reports in the Register of Assets and Income.

The Agency verified the accuracy, completeness and timeliness of the submission of Reports of a total of 366 public officials. Of those, 250 were already included in the Annual Verification Plan for the year 2022.

The Annual Verification Plan includes judges of the Higher Court in Belgrade, the public prosecutor and deputy public prosecutors of the Higher Public Prosecutor's Office in Belgrade, secretaries of the Secretariat of the City Administration of the City of Belgrade, judges of basic courts, directors of public enterprises and others.

Eight extraordinary verifications of Reports of public officials were initiated due to the suspicion that they did not contain correct and complete data.

Due to the violation of the Law on Prevention of Corruption, the Agency initiated a total of 356 proceedings against public officials at the republic, provincial and local levels of government, namely:

- 125 proceedings due to the untimely submission of the Report and the submission of an incorrect or incomplete Report after election, appointment or nomination to public office;
- 35 proceedings due to untimely submission of notification on the absence of changes in assets and income after re-election, appointment or nomination to public office;
- 88 proceedings due to untimely submission of the Report and the submission of an incorrect or incomplete Report upon termination of public office;
- 20 proceedings due to cumulative violation of provisions of the law;
- 87 proceedings due to untimely submission of the Report on significant changes in assets and income during the period of public office;
- One proceeding due to untimely submission of the Report on significant changes in assets and income after the termination of public office.

In the proceedings, the Agency imposed a total of 376 measures, of which 365 were reprimands and 11 were measures of public announcement of the decision on violation of the law, namely reprimands:

- 128 measures for untimely submission of the Report and the submission of an incorrect or incomplete Report after election, appointment or nomination to public office;
- 37 measures for untimely submission of the Notification on the absence of changes in the assets and income after re-election, appointment or nomination to public office;
- 90 measures for untimely submission of the Report and the submission of an incorrect or incomplete Report upon termination of public office;
- 91 measures for untimely submission of the Report on significant changes in assets and income during public office and upon its termination;
- 19 measures for cumulative violation of provisions.

The Council of the Agency received 11 appeals against the decisions of the Director of the Agency imposing measures on public officials.

The panel rejected 10 appeals of public officials as unfounded and upheld the decisions of the Director of the Agency in proceedings related to Reports on assets and income.

A total of 201 requests were submitted for initiation of misdemeanour proceedings due to failure to submit a Report or Notification within the prescribed time period, i.e. the submission of an incorrect or incomplete Report:

- In 96 cases, for untimely submission of the Report within 30 days from the day of election, appointment or nomination;
- In 25 cases, for failure to submit the public official’s Report or Notification within 30 days from the day of re-election, appointment or nomination;
- In 51 cases, for untimely submission of the Report after termination of public office;
- In one case, for failure of a public official to submit Notification within 30 days from the day of re-election, and for untimely submission of the Report after the termination of public office;
- In 6 cases, for untimely submission of the Report within 30 days from the day of election, appointment or nomination, and for untimely submission of the Report after termination of public office;
- In 22 cases, for incorrect, incomplete or un-submitted Report.

Year	Number of initiated proceedings	Number of imposed measures	Number of submitted misdemeanour reports	Number of submitted criminal reports
2022	356	365	201	6
2021	284	219	134	7

At the proposal of public officials against whom the Agency submitted requests for the initiation of misdemeanour proceedings for untimely submission of the Report, based on Articles 233 and 234 of the Law on Misdemeanours, Article 108 of the Law on the Prevention of Corruption and the Instruction on the Procedure for Concluding Plea Agreements in Misdemeanour Cases the Agency concluded 12 such agreements with the defendants in 2022, setting fines.

Misdemeanour courts issued a total of 161 decisions based on requests to initiate misdemeanour proceedings that were submitted before and in 2022.

Year	Convictions	Acquittals	Suspended/terminated proceedings
2022	147	2	12
2021	31	1	20

Six criminal reports and Reports on Assets and Income were submitted to the competent prosecutor's offices on grounds for suspicion that the public official, with the intention of concealing assets and income, did not report them to the Agency or provided false information about them.

Outcomes of proceedings conducted before 2022 and in 2022 based on criminal reports and Agency Reports.

Year	Convictions / Suspended sentences	Information was submitted	Evidentiary actions are under way	Criminal reports were dismissed by applying the principle of opportunity	Criminal reports were dismissed	Acquittals	Criminal proceedings were suspended
2022	1	2	12	1	3	2	1
2021	3	*	24	2	10	1	1

Five Reports were submitted to other competent state authorities (four to the Administration for the Prevention of Money Laundering and one to the competent authority of the local self-government unit) due to the existence of grounds for suspicion that public officials whose property and income were the subject of verification had committed some other punishable offence from the respective authority's jurisdiction.

DECISIONS ON APPEALS OF PUBLIC OFFICIALS

Out of a total of 49 appeals, the Council of the Agency rejected 45 as unfounded. In one case, it *ex officio* annulled its earlier decision and, ruling on the appeal, rejected it once again. First-instance decisions were annulled in relation to two appeals concerning the proceedings where administrative disputes were initiated in 2017, i.e. 2018. The Administrative Court accepted the lawsuits of public officials and, in judgments from 2022, annulled the decisions of the Board (this is the former name of the second-instance body) and remanded them for repeated procedure upon appeal. In the renewed proceedings, the Council annulled the first-instance decision from 2017 in one case and suspended the administrative proceedings due to the statute of limitations, while in the second proceeding it annulled the first-instance decision from 2018, establishing that the appeal was moot.¹

Year	Appeals were rejected	First instance decisions were annulled	First instance decisions were partially annulled	Appeals were dismissed	Supplementation of the proceedings
2022	45	2	*	*	2
2021	60	22	*	*	*

¹ For additional information about the proceedings, see the Special Section of the Report

In 2022, the Administrative Court submitted for response 16 lawsuits that were filed to annul the Council's decisions made in the appeal procedure, while another 57 administrative disputes are pending based on lawsuits filed in previous years.

In 2022, the Administrative Court issued 27 judgments. Twenty five lawsuits were rejected, while two lawsuits were accepted.

CATALOGUE OF GIFTS

With the exception of protocol and occasional gifts [gifts considered appropriate for specific occasions], public officials and their family members are not allowed to receive gifts in connection with public office. Received occasional and protocol gifts become public property, in accordance with the law governing public property. The law stipulates the conditions under which a public official may keep a gift.

Public authorities maintain a Record of Gifts received by public officials and members of their families, and are obliged to submit a copy of the Record to the Agency by March 1 of the current year for gifts received in the previous year.

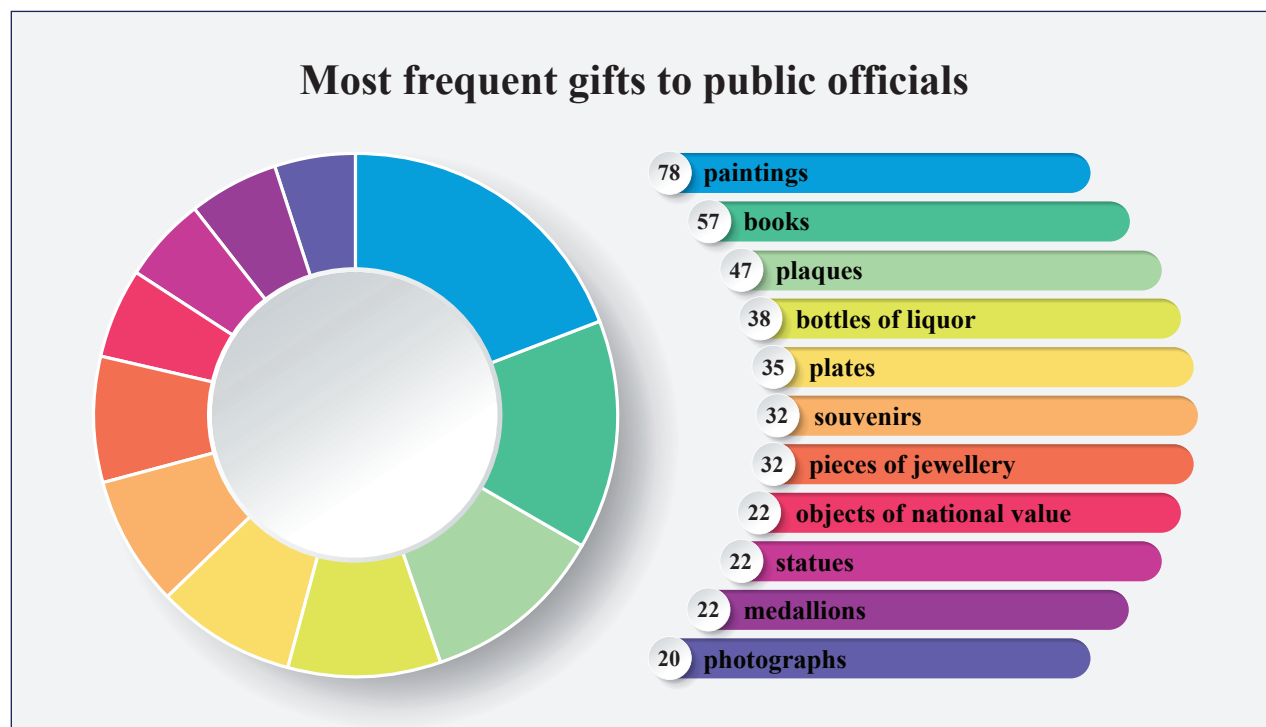
Based on the Records it receives, the Agency maintains a Catalogue of Gifts that were given to public officials. The Catalogue of Gifts for the year 2021 was published within the legally prescribed time period, by 1 June 2022, and includes 591 protocol and occasional gifts. In the reporting period, the largest number of gifts was reported by the Secretariat General of the President of the Republic, the Ministry of Internal Affairs, the Ministry of Defence, the Ministry of Foreign Affairs and the Secretariat General of the Government of the Republic of Serbia.

The Agency also prepared the Analysis of the Catalogue of Gifts received in 2021, which includes statistical processing of data from the Catalogue of Gifts taking into account their most important elements, as well as their comparison with previous years.

The statistical analysis of the Catalogue of Gifts for 2021 shows: the number of gifts by year, the number of gifts by type, the ownership of gifts, the division of gifts by level of government, the division of gifts by regime of ownership, the relationship between the office and the ownership, by gift, a list of countries that gave the gifts and a list of public officials who received them.

Out of the total number (591) of gifts received in connection with public office, there are more protocol (466) than occasional gifts (125). A small number of gifts were kept as personal property (64), while most became public property (527). Twenty eight authorities of all levels of public power fulfilled the legal obligation to submit a copy of the Record of Received Gifts to the Agency, which is an increase compared to the previous year, when 24 authorities submitted said Record. The value

of the gifts ranges from RSD 400.00 to RSD 3,540,000.00, while the estimated monetary value of most gifts ranges from RSD 3,000.00 to RSD 10,000.00.



Based on the indicators from this analysis, it can be concluded that the significant increase in the number of reported gifts received in 2021 compared to 2020 was caused by the ending of the Coronavirus pandemic, which caused an increase in public officials' protocol and occasional meetings.

You can see the characteristic conclusions contained in this analysis [here](#):

CONTROL OF THE FINANCING OF POLITICAL ACTIVITIES

The new Law on the Financing of Political Activities entered into force during the reporting period, and is the main law governing the issue of sources and methods of financing, keeping records, and controlling the financing of political activities of political parties, coalitions and groups of citizens. It governs the rights and obligations of political entities, the powers of the Agency, and sanctions for violating this Law.

The elections for the President of the Republic, MPs of the National Assembly of the Republic of Serbia, councillors of the city assemblies of Belgrade and Bor, councillors of the municipal assemblies of Arandjelovac, Smederevska Palanka, Lučani, Medvedja, Knjaževac, Bajina Bašta, Doljevac, Kula, Kladovo, Majdanpek and Sečanj, as well as the assembly of the city municipality

of Sevojno, were carried out in 2022. The Agency organised and implemented the monitoring of election activities of political entities that participated in the above elections. The selection and training of election campaign observers was carried out, and 124 field observers were engaged in several cities throughout the Republic of Serbia. Ten central coordinators from among the employees of the Agency were engaged to monitor and control the work of observers in the field.

All political entities with declared electoral lists (126) had the obligation to submit to the Agency, 7 days before the day of voting, a preliminary report on the expenses of the election campaign referring to the period from the day the election was announced to 15 days before the day designated for voting. They were also obliged to submit the final Report on the expenses of the election campaign within 30 days from the date of publication of the comprehensive Report on the election results.

103 political subjects (81.75%) complied with the statutory obligation to submit the preliminary Report.

The statutory obligation to submit the final Report on the expenses of the election campaign was fulfilled by 111 political entities (88.10%).

In addition to the above, the Agency also controlled the Report on the financing of political entities which all registered political parties, as well as groups of citizens with representatives in representative bodies, are obliged to submit to the Agency by April 30 of the current year, for the previous year. These financial reports contain data on contributions and assets, as well as the opinion of a certified auditor. According to the new Law, political entities whose annual inflow or outflow of funds on the account does not exceed the amount of the average monthly salary do not have the obligation to submit reports.

The statutory obligation to submit the Annual Financial Report was fulfilled by 162 political subjects, that is, by 79 political parties and 83 citizens' groups.

The Agency controlled the reports of 22 political entities. Nineteen of these reports referred to the year 2021, while three referred to the year 2020.

Having controlled the reports on the expenses of the election campaign and the annual financial reports, the Agency:

- Initiated 44 proceedings due to suspected violations of the Law on the Financing of Political Activities, of which 25 related to the election campaign (16 based on submitted reports and 9 *ex officio*. In the proceedings that were conducted *ex officio*, it issued 7 reprimands, while in two cases it decided to suspend the proceedings);
- Issued 28 reprimands, 11 of which related to the election campaign, while 17 related to the control of reports submitted by political entities;
- Submitted 168 requests for the initiation of misdemeanour proceedings;
- Submitted a Report to the competent prosecutor's office due to suspicion that a responsible person in a political entity had committed a criminal offence;
- Issued 41 decisions on the loss of right to receive funds from public sources intended for financing regular work of a political entity in the following year, based on final judgments imposing fines.

In addition to the analysis of sources of financing and expenses of election campaigns for a total of 100 political entities, Reports on the control of the financing of the expenses of political entities for the election of deputies of the National Assembly of the Republic of Serbia for the year 2022, for the election of the President of the Republic of Serbia the Municipal Assembly and the city municipality of Sevojno for the year 2022 also contain an overview of observed irregularities and possible violations of the Law on the Financing of Political Activities, as well as data on submitted requests for the initiation of misdemeanour proceedings before the competent court. The reports are published on the website of the Agency.

Acting on the requests of political subjects, the Agency provided 17 replies, that is, opinions on the application of the provisions of the above Law. It also held three trainings for representatives of political entities on the topic of “Application of the Law on the Financing of Political Activities and the Submission of the Annual Reports of Financing and the Reports on Election Campaign Expenses”.

In accordance with the provisions of the Law, the Agency informed the Tax Administration of the Republic of Serbia about those who donated to political entities in 2022, were listed in the annual Reports on the financing of political entities and the Report on the expenses of the election campaigns of political entities, and were subjected to control.

The Law on Referendum and People’s Initiative authorises the Agency to issue the act determining the content of the Report on the expenses of the referendum campaign, control the Reports on the expenses of the referendum campaign, maintain records and publish names of the organisers of the referendum campaign, and to publish the submitted Reports on the expenses of the referendum campaign.

During the reporting period, i.e. on 16 January 2022, a referendum was held in the Republic of Serbia on the confirmation of the act on amending the Constitution.

Within the deadline prescribed by law, the Agency published on its website the data of three referendum campaign organisers who also submitted their Reports on the expenses of the referendum campaign in a timely manner. After the control of the submitted reports, in one case it was established that the organisers acted contrary to the provisions of the Law on Referendum and People’s Initiative, which is why a request for the initiation of misdemeanour proceedings was submitted to the competent court.

Based on a report that was submitted to the Agency, a procedure was initiated and it was determined that the legal entity which was the organiser of the referendum campaign did not submit a Report on the expenses of the referendum campaign to the Agency, which is why a request for the initiation of misdemeanour proceedings was submitted in this case as well.

LOBBYING

Lobbying is an activity aimed at exerting influence on the authorities of the Republic of Serbia, the autonomous province, the local self-government units, the bodies of holders of public powers whose founder is the Republic of Serbia, the autonomous province or a local self-government unit – the government authorities that participate in passing laws, other regulations and general acts from the purview of said authorities, for the purpose of achieving the interests of the users of lobbying.

Lobbying is a legally regulated activity and the Agency is entrusted with significant powers in this area.

In the premises of the Palace of Serbia, the Agency organised a workshop entitled “Has Lobbying Started in the Republic of Serbia?” The aim of the workshop was to exchange the results, experiences and challenges that all the participants in lobbying activities have experienced during the period of implementation of the Law on Lobbying, especially those of business entities and associations as potential unregistered lobbyists, but also users of lobbying.

At the invitation of the Agency, the workshop was attended by lobbyists, public officials, as well as the representatives of the Chambers of Commerce of Serbia and Vojvodina, the American Chamber of Commerce, NALED, the Union of Employers of Serbia and the Union of Business Women of Serbia.

The agency held three training sessions for lobbyists, which were attended by 16 candidates. Upon completion of the training and knowledge verification, they obtained certificates of completion of the training for lobbyists.

Nine new lobbyists were registered in the Register of Lobbyists, while there were no new entries in the Register of Legal Entities Engaged in Lobbying.

The Agency received three notifications of lobbied persons about the first lobbying contact, as well as five Work Reports.

ANALYSIS OF THE RISK OF CORRUPTION IN REGULATIONS

The Agency initiates the adoption or amendment of regulations, provides opinions on the assessment of the risk of corruption in draft laws from areas that are particularly susceptible to corruption, as well as opinions on draft laws governing issues covered by ratified international agreements in the field of prevention and fight against corruption.

In the reporting period, by applying the Methodology for assessing the risk of corruption in regulations, the Agency prepared two opinions on draft laws from areas that are particularly susceptible to risks of corruption, namely:

- Draft Law on Amendments and Supplements to the Law on the National Framework of Qualifications of the Republic of Serbia - at the request for opinion that was submitted by the Ministry of Education, Science and Technological Development, and
- Draft Law on Amendments to the Law on Prevention of Corruption - at the request for opinion that was submitted by the Ministry of Justice.

As regards the provided opinions, in one case the Agency informed the submitter that it had no objections to the text of the draft law which it assessed for risks of corruption, while in another case it pointed out the risk factors and risks of corruption in the provisions of the draft law and gave recommendations for their elimination.

The Agency implemented activities from the Operational Plan for the Prevention of Corruption in Areas of Special Risk that concern the preparation of the analysis of the risk of corruption in the relevant by-laws that accompany the Law on Privatisation, with a focus on issues of transparency in access to information. The prepared analysis includes opinions on the assessment of the risk of corruption in 9 by-laws, namely:

- Rulebook on the amount and type of actual costs incurred in the implementation of privatisation (“Official Gazette of RS”, nos. 17/2015 and 88/2015);
- Rulebook on the content of the Report of the temporary capital representative (“Official Gazette of RS”, no. 12/2017);
- Rulebook on privatisation costs borne by third parties before the ministry responsible for economic affairs (“Official Gazette of RS”, no. 20/2016);
- Rulebook on the amount of compensation for work and the amount of compensation for the actual costs of a temporary capital representative (“Official Gazette of RS”, no. 109/2016);
- Decree on strategic partnership (“Official Gazette of RS”, nos. 129/2014, 75/2015, 16/2016 and 108/2016);
- Decree on the requirements, method and procedure for the sale of capital of large privatisation entities by way of public bidding (“Official Gazette of RS”, nos. 56/2015 and 31/2016);
- Decree on the requirements, procedure and method of selling capital and assets using the method of public collection of offers, with public bidding (“Official Gazette of RS”, nos. 122/2014, 61/2015, 12/2016 and 68/2017);

- Decree on the actions of persons performing the duties of a temporary capital representative in privatisation entities (“Official Gazette of RS”, no. 90/2016); and
- Decree on the procedure for controlling the execution of the buyer’s obligations under a contract on the sale of capital or assets (“Official Gazette of RS”, no. 46/2018).

The Agency implemented the activity “Creating an analysis of the risks of corruption in the regulations governing the area of bankruptcy, with a focus on issues of transparency and access to information” by producing the above analysis, with recommendations for amendments and supplements to these regulations so as to remove the identified risks and strengthen the transparency of the bankruptcy procedure. The prepared analysis includes opinions on the assessments of the risk of corruption in 7 regulations, namely:

- Bankruptcy Law (“Official Gazette of the RS”, nos. 104/2009, 99/2011 - other law, 71/2012 – decision of the Constitutional Court, 83/2014, 113/2017, 44/2018 and 95/2018);
- Decree on the content, method of registration and maintaining the Register of Bankruptcy Estates (“Official Gazette of the RS”, no. 4/2010);
- Rulebook on the manner of conducting expert supervision over the work of licensed bankruptcy trustees (“Official Gazette of the RS”, no. 35/2010);
- Rulebook on the bases and criteria for determining the remuneration for work and reimbursement of expenses of bankruptcy trustees (“Official Gazette of the RS”, nos. 1/2011 and 10/2012);
- Rulebook on the manner of carrying out reorganisation according to a previously prepared reorganisation plan and the content of the previously prepared reorganisation plan (“Official Gazette of the RS”, no. 57/2018);
- Rulebook on establishing national standards for managing bankruptcy estates (“Official Gazette of the RS”, no. 62/2018); and
- Code of Ethics for Bankruptcy Trustees (“Official Gazette of the RS”, no. 11/2010).

With the aim of submitting to the competent authorities the initiative to amend these acts, and having in mind the training entitled “Basics of Bankruptcy Law and its Practical Application”, which prof. Vuk Radović from the Faculty of Law of the University of Belgrade held under the organisation of the OSCE, the Agency asked the Professor to comment on the analysis.

In connection with the activity from the Operational Plan “Development and publication of the analysis of the risk of corruption in laws that allow procurements to be made without fully applying the Law on Public Procurement (laws that make it possible to conclude contracts with other states, international organisations and financial institutions), with recommendations for the elimination of risks identified therein”, opinions were given on the assessment of the risk of corruption in two laws, namely:

- The Law on Special Procedures for the Realisation of Construction and Reconstruction Projects of Line Infrastructure Facilities of Special Importance for the Republic of Serbia (“Official Gazette of the RS”, no. 9/20), and
- The Law on Public-Private Partnerships and Concessions (“Official Gazette of RS”, nos. 88/11, 15/16 and 104/16).

INTEGRITY PLANS

KEY RESULT

- The integrity plan for the third cycle was drawn up by 99% of those that are bound by law to do so.²

OTHER RESULTS

- 99.8% of the obligees made the decision designating the person who will perform coordination tasks in connection with the adoption, implementation and reporting on the implementation of the integrity plan (hereinafter: coordinator);³
- Six trainings entitled “Director as the driver of building institutional integrity” were conducted for 146 heads of institutions. Classified by gender, trainings were attended by 55% of women and 45% of men.
- 22 remote trainings were held under the title “Importance of the integrity plan and its preparation using the application”, intended for members of working groups and coordinators for the preparation of the integrity plans of institutions from all 14 systems. The training was attended by 1,630 participants, of which 72% were women and 28% were men;
- 14 working meetings were held with 102 coordinators and members of working groups charged with the development of the integrity plans. Classified by gender, the meetings were attended by 65% of women and 35% of men;
- Seven trainings attended by 229 representatives of various institutions were held at the invitation of public authorities and non-governmental organisations;
- A Record of public authorities that made the decision to appoint a coordinator was created and published on the Agency’s website;
- A Record of public authorities that prepared integrity plans was created and published on the Agency’s website;
- A Report on Testing the Methodology for Assessing the Risk of Corruption in the Work Environment was prepared for the Urban Institute of Belgrade;
- A set of the most frequently asked questions, with answers, was prepared and posted on the Agency’s website in case obligees are unable to obtain necessary information related to the preparation of the integrity plan in other ways.

COORDINATION OF THE CREATION OF THE INTEGRITY PLAN

The integrity plan is a preventive mechanism that public authorities in the Republic of Serbia prepare periodically, every third year.

The beginning of the implementation of the Law on Prevention of Corruption (“Official Gazette of the RS”, no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022, hereinafter: the Law) influenced the change in the number of authorities obliged to develop an integrity plan.

² Of the 2,969 institutions that have the obligation to prepare an integrity plan, 2,936 have done it.

³ Out of 2,969 institutions, 2,963 have designated coordinators.

For this reason, the Agency compiled and published on its website the record of public authorities⁴ with 30 or more employees,⁵ which are legally obliged to prepare an integrity plan. This record was created based on the list of institutions that was submitted to the Agency by the Central Register of Mandatory Social Insurance, and it includes 2,969 obligees.

The activities of the Sector depended on the stages of development and implementation of the integrity plans.

Since the third cycle of developing the integrity plans started in November 2021, institutions had the obligation to appoint coordinators by 28 February 2022 and develop their integrity plans by 31 December 2022. Also, with the entry into force of the new Law, misdemeanour liability for heads of institutions was introduced for the first time, in the form of a fine in the amount of RSD 100,000 to RSD 150,000 should they fail to submit an integrity plan and a report on the implementation of the integrity plan to the Agency (Article 104, paragraph 1, item 7) and fail to designate a person who will coordinate the tasks related to the adoption, implementation and reporting on the implementation of the integrity plan (Article 104, paragraph 1, item 8).

The proactive approach of the Agency in providing support to public authorities in the development of their integrity plans was reflected in the organisation of a series of trainings for different target groups. The essence of this was to get managers and key actors in this important process (coordinators, working group members and other interested persons) acquainted with the importance of creating an integrity plan as a mechanism for preventing the risk of corruption, and with the way to create it by using the application. Special attention was devoted to identifying the risk of corruption and other irregularities, assessing the intensity of the risks, determining adequate measures for their prevention, setting deadlines, and designating persons who would be responsible for their implementation.

CONCLUSIONS ON THE PREPARATION OF INTEGRITY PLANS

All the above mentioned activities that the Agency carried out in 2022 with the aim of providing support to public authorities in connection with the development of integrity plans led to the fact that 99% of them did develop their own integrity plans, which is an increase of 35% compared to the second cycle.

Despite the above, the Agency still recommends that the public authorities improve the planning and management of the process of developing and adopting their integrity plans, so that all these obligations are not fulfilled right before the expiry of the one-year deadline.

4 The list of institutions obliged to prepare an integrity plan in the third cycle is given by system, and is available at: www.acas.rs/lat/pages/spisak_institucija_po_sistemima

5 For the sake of stability of the records, those obliged to prepare an integrity plan include institutions that had 30 or more full time employees as at 1 November 2021 (when the third cycle of development and implementation of the integrity plan began).

As far as the use of the application is concerned, in the third cycle it was observed that, as cycles went by, the obligees got used to creating integrity plans using the application. Consequently, in this cycle, the application did not cause them any significant problems.

As regards understanding the importance of this preventive mechanism, the heads of institutions noticed - although the third cycle of developing and implementing integrity plans is still under way - that they started really paying attention to the development of the integrity plans only after they attended trainings that were organised for them.

Also, it is evident that, prior to the preparation of the integrity plan, only a small number of coordinators and members of working groups familiarised themselves with the set of documents (manual, instructions for the coordinator, instructions for the working group, video instructions and so on) that was created to facilitate their work and clarify doubts. For this reason, significant resources of the Agency were engaged to provide information (by telephone and e-mail) that was in fact already contained in the above documents and was constantly available on the website of the Agency, as well as in the application for the development and implementation of the integrity plans.

ACTIVITIES RELATED TO THE IMPLEMENTATION OF THE METHODOLOGY FOR ASSESSING THE RISK OF CORRUPTION IN THE WORK ENVIRONMENT

Since one of the Agency's responsibilities is to investigate the state of corruption, analyse the risks of corruption and prepare reports with recommendations to eliminate the risks, in the reporting period the Agency prepared a Report for the Urban Institute of Belgrade on testing the Methodology for Assessing the Risk of Corruption in the Work Environment. The testing of this Methodology, in cooperation with the selected institution, showed that certain methodological changes should be introduced so that the Methodology could fulfil its purpose.

ETHICS AND INTEGRITY TRAINING

KEY RESULT

- 103,401 employees and managers in public authorities successfully completed the distance training on ethics and integrity by taking a knowledge test at the end.

OTHER RESULTS

- 126,749 user accounts for distance training on ethics and integrity were opened based on group applications of employees from 2,105 public authorities;
- Approximately 30,000 participants at the distance training on ethics and integrity received customer support while attending the training;

- Training for lecturers (training for trainers) was held in the field of ethics and integrity for employees in public enterprises;
- The “Ethics and Integrity” training was held for employees in the public sector, as well as the training “Resolving Ethical Dilemmas” for appointed civil servants at the National Academy for Public Administration;
- A special professional development programme of the National Academy for Public Administration for 2022 in the field of prevention of corruption was accredited;
- By the decision of the Minister of Education, Science and Technological Development, the training programme “Ethics and Integrity” received the status of a programme of public interest;
- The Chamber of Social Protection recognised the “Ethics and Integrity” training programme as part of the continuous education of employees in the social protection system.

IMPLEMENTATION OF THE ETHICS AND INTEGRITY TRAINING

The beginning of the implementation of the Law on Prevention of Corruption obliged public authorities to train employees and managers on ethics and integrity in accordance with the training programme and the instructions, and to report in writing to the Agency about the conducted trainings. In 2022, the institutions founded by the Republic of Serbia, the autonomous province, local self-government units and city municipalities were required to carry out the above training. Most institutions decided to organise distance training,⁶ which is available on the distance learning platform on the Agency’s website. In the reporting period, 126,749 user accounts were opened based on group applications of employees, of which 94,951 (75%) were women and 31,798 (25%) were men, from 2,105 public authorities. Of the above total number of participants, 103,401 (79,044 women - 76.4%, and 24,351 men - 23.6%), that is, 82% successfully completed the distance training by passing the knowledge test. All the users who successfully completed the remote training were allowed to download electronic certificates from the user accounts.

In 2022, the Agency also conducted training for lecturers (training for trainers) in the field of ethics and integrity, which was attended by 14 employees (10 women and 4 men) from public enterprises in the territory of the City of Belgrade. The aim of the five-day training for trainers was to strengthen the competencies of the participants to independently implement the “Ethics and Integrity” training in the authorities in which they are employed.

At the National Academy for Public Administration, the Agency’s accredited implementer held the training on “Ethics and Integrity” which was attended by 15 participants, of which 11 were women (73.3%) and four were men (26.7%), as well as the training on “Solving Ethical Dilemmas” for appointed civil servants as part of the project “Strengthening the Professional Capacities of Appointed Civil Servants in Serbia”. At the latter training, 8 appointed civil servants (five women and three men) had the opportunity to improve their knowledge and decision-making skills in ethically challenging situations.

⁶ This form of education offers many advantages compared to professional development that takes place in a classroom: it enables the attendance of a larger number of employees, self-regulated learning coordinated with participants’ other obligations, and timely feedback on the outcome of learning. The participants were always able to count on the user support of the training administrators, i.e. employees of the Agency.

CONCLUSIONS ON THE IMPLEMENTATION OF TRAINING IN PUBLIC AUTHORITIES

Monitoring the implementation of the training on ethics and integrity in public authorities made several challenges the authorities did not deal with in an adequate fashion more visible, that is, it emphasised the prerequisites that should be met in order for this process to be successfully implemented.

1. Public authorities should better plan the implementation of training.

Detailed instructions and deadlines related to the planning and implementation of trainings are provided in the Guide for the implementation of the programme and the Instructions for conducting training in the field of preventing corruption and strengthening integrity. Taking into account the fact that more than 70,000 user accounts were opened in the last quarter of 2021 (i.e. 68% of all the accounts that were opened in the course of the year), we can conclude that public authorities did not plan to implement professional development in an adequate manner. In addition to the above, the provision of user support to training participants revealed two more deficiencies:

- - The process of internal coordination of professional development in public authorities should be improved,⁷
- - Employees in public authorities do not pay sufficient attention to the working instructions at the training sessions.⁸

2. Employees in public authorities should improve their knowledge of the use of IT tools / software for distance learning.

Although the last two years of the Coronavirus epidemic brought different types of distance learning to the fore, the provision of user support to training participants when opening accounts and attending lessons showed that employees in public authorities are insufficiently trained in the use of educational software. It also became obvious that the trainees are now, to some extent, used to attending webinars; however, self-regulated learning without a lecturer is still a problem, because it requires individual responsibility for work, and success in work, which is conditioned by knowledge of IT tools.

7 A significant number of public authorities did not have a person who would deal with the process of internal coordination of professional development in the field of ethics and integrity, so employees were left to their own devices or received incomplete, imprecise or even incorrect information about attending training.

8 Although in the preparatory phase the Agency prepared all the documents that could be of help to the participants of the training, as well as to persons who should be dealing with the coordination of the training at the level of public authorities, it turned out that only a small number of them used all the available instructions and devoted a certain amount of time to familiarising themselves with them. For this reason, the workload of the remote training administrator was increased and a significant part of his working time was devoted to answering questions that were already covered in some of the existing instructions.

LOCAL ANTI-CORRUPTION PLANS – LAPs

KEY RESULT

- Four focus groups were held with representatives of LGUs and members of the bodies charged with monitoring the implementation of LAPs, with the aim of assessing the efficiency and sustainability of the existing system for preventing corruption at the local level.

OTHER RESULTS

- Four reports were prepared on the adoption of the local anti-corruption plan and the formation of a body to monitor its implementation;
- Three opinions on LAP drafts were prepared, with recommendations for improving their content.

MONITORING THE ADOPTION OF LOCAL ANTI-CORRUPTION PLANS AND THE FORMATION OF BODIES TO MONITOR THEIR IMPLEMENTATION

In December 2022, the Agency held four focus groups with representatives of LGUs that adopted LAPs and formed bodies to monitor their implementation, with representatives of LGUs that did not adopt LAPs or formed bodies to monitor their implementation, and with members of the bodies charged with monitoring the implementation of LAPs. The goal of the focus groups was to formulate – based on experiences and lessons learned – conclusions and recommendations on the need to adopt a special anti-corruption document at the LGU level, on the possible development of a new model of this document, and on the optimisation of the methodology for coordinating and monitoring its implementation. These conclusions should serve to design new public policies on preventing corruption at the local self-government level.

Provision of expert support to the working groups charged with the preparation of the LAPs and the members of the commission for the election of members of the bodies continued in 2022, as well as support to the bodies in charge of the supervision of their implementation. Three municipalities - Gadžin Han, Žabari and Kladovo - submitted their Draft LAPs to the Agency prior to organising public debates. The Agency prepared analyses with opinions/recommendations for improving the content of the above mentioned anti-corruption documents so that these would be incorporated into the documents, improving their quality.

Four quarterly reports on the development of LAPs and the formation of monitoring bodies were prepared in the reporting period and submitted to the Council in charge of the implementation of the Action Plan for Chapter 23.

CONCLUSIONS ON THE ADOPTION OF LOCAL ANTI-CORRUPTION PLANS AND THE FORMATION OF BODIES TO MONITOR THEIR IMPLEMENTATION

If we summarise the data on the preparation of the LAPs and the formation of bodies for their monitoring at the end of the last reporting period in 2022, we can conclude that a total of five LGUs submitted information to the Agency on the adoption of LAPs, and that three of them formed bodies to monitor their implementation in accordance with the Model. During all the phases of work on the adoption of the LAPs and the formation of the bodies, the majority of LGUs that fulfilled their obligations last year had help from experts, which was obtained through project support, including that which was financed by the Agency.

From 2017 to the end of 2022, a total of 26 out of 145 LGUs adopted LAPs and formed bodies to monitor their implementation, mostly in accordance with the Agency Model, thus completely fulfilling their obligation from Activity 2.2.10.31 of the Action Plan for Chapter 23.

Taking into account the above data and the data the Agency collected since 2017, we can observe a continuous trend of slowing down with the adoption of the LAPs and the formation of bodies to monitor the implementation of their activities, which has been observed since 2019. When we add to this the fact that most LAPs were adopted with a deadline for the implementation of activities of three to five years, which practically means that the deadline for the largest number of LGUs expired in 2022, the question arises as to the sustainability of the LAP as an anti-corruption mechanism. As there is no explicit instruction in the Action Plan for Chapter 23 that refers to the actions of LGUs after the end of the period of implementation of LAP activities, which would imply the development of new plans or revision of the existing ones, we can assume that the majority of LGUs believe that they have fulfilled and completed the total of their obligation. All the above further supports the recommendation arising from the analyses related to the optimisation of the content of planning documents for the fight against corruption at the local level (they were mentioned in the part related to the supervision and implementation of strategic documents), that areas and measures that are currently contained in the LAP Model but are not contained in the current model of the integrity plans of LGUs should be included in the integrity plan model in the next cycle, which will unite these two documents.

EUROPEAN INTEGRATION

KEY RESULT

- The Second Implementation Report for 2021 was prepared as part of the supervision of the implementation of the Revised Action Plan for Chapter 23 - subchapter 'Fight against Corruption';
- In addition to the annual monitoring, quarterly monitoring of the implementation of the Revised Action Plan for Chapter 23 - subchapter 'Fight against Corruption' was also carried out, and three quarterly reports were prepared for the year 2022.

Since the implementation of the Law on Prevention of Corruption began on 1 September 2020, the Agency has been supervising the implementation of the Revised Action Plan for Chapter 23 - subchapter 'Fight against Corruption'.

In addition to assessing the fulfilment of the continuous activities, those that were due in 2021, those that were not implemented in 2020 and those that the Agency could not assess in the First Implementation Report, the methodological framework and the review of the implementation supervision process, in that Report the Agency also offered 21 recommendations in the area of implementation, improvement of the quality of reporting, and more detailed definition of certain activities, activity holders and indicators of results.

Four meetings of the Coordinating Body for the Implementation of the Action Plan for Chapter 23 - Judiciary and Fundamental Rights were held in 2022: on 28 February, 19 May, 26 July and 28 October 2022. Representatives of the Agency also participated, in the capacity of members and deputy members of the Coordination Body.

According to the Revised Action Plan for Chapter 23 - subchapter 'Fight against Corruption', in cooperation with competent institutions, the Agency was supposed to assess the impact of measures that were taken to date with the aim of reducing corruption in risky areas (public procurement, privatisation, health care, taxes, education, police, customs and local self-government). The Agency prepared the Impact Assessment Report and submitted it to the National Assembly on 28 June 2022, within the prescribed deadline.⁹ In the Impact Assessment Report, the Agency defined 16 recommendations for the preparation of public policy documents in the area of the fight against corruption, and for overcoming the methodological inconsistency of public policy documents.

⁹ See: http://www.parlament.gov.rs/upload/archive/files/cir/pdf/izvestaji/2022/02-554_22.pdf

The Agency participates in all the activities from the negotiations of the Republic of Serbia for membership in the European Union. In the course of the past year, it presented the results of its work by reporting on the implementation of the Revised Action Plan for Chapter 23 (subchapters Judiciary, Fight against Corruption, and Fundamental Rights). With the aim of establishing a system for monitoring the results and cases from its purview, in cooperation with the Republic Public Prosecutor's Office and misdemeanour courts the Agency prepared six-month Reports on the fulfilment of benchmarks for Chapter 23 in the area of conflicts of interest, reporting and verification of the assets and income of public officials, especially judges and prosecutors, and the control of the financing of political activities.

The Agency has continued to submit reports on the results and challenges it encounters in its work, and for the purpose of the preparation of the European Commission's annual report on Serbia's progress in reforms, namely in the area of political criteria, the fight against corruption, the judiciary and the public administration reform; on the implementation of the Stabilisation and Association Agreement (SAA) through the implementation body - the SAA Committee, the Subcommittee for Justice, Freedom and Security and the Special Group for Public Administration Reform, as well as on the implementation of the National Programme for the Adoption of the EU *acquis* (NPAA).

A contributing paper on the evaluation of the results of judicial reform in the Western Balkans (Dashboard Western Balkans) was prepared for the European Commission for the Efficiency of Justice (CEPEJ) within the Council of Europe for the year 2021.

In the process of its own strategic planning, the Agency relies on priorities in the field of European integration, so in 2022 it created an Operational Plan for the implementation of the Agency's Strategic Plan for the period 2019–2023¹⁰ and monitored its implementation on the quarterly and annual level. Besides the Agency's key competences, the Operational Plan also included a segment on gender equality.

¹⁰ The Agency's Strategic Plan was developed with the support of the USAID Project for Responsible Government

OPERATIONAL PLAN FOR THE PREVENTION OF CORRUPTION IN AREAS OF SPECIAL RISK

KEY RESULT

- Two reports were prepared on monitoring the implementation of the Operational Plan for the Prevention of Corruption in Areas of Special Risk (hereinafter: the Operational Plan), showing the implementation status of all the individual activities that became due for implementation and recommendations for further action.

OTHER RESULTS

- The Methodology for assessing the risk of corruption in areas that will be the subject of the future National Strategy and its accompanying Action Plan (hereinafter: the Methodology) has been developed;
- The Training Module for applying the Methodology has been created;
- The analysis of the content of the integrity plan model for the local self-government system and the local anti-corruption plan model has been drafted, with clear findings on risk areas/processes and measures that overlap in these documents;
- The analysis of the implementation of integrity plans and local anti-corruption plans to date, with proposed recommendations to optimise and improve the content of planning documents for the prevention of corruption in local self-government units has been prepared.

SUPERVISION AND IMPLEMENTATION OF STRATEGIC DOCUMENTS

In addition to being one of the Agency's key competencies, supervision of the implementation of strategic documents (in the field of fighting corruption) is an important part of the strategic planning process. Supervision is an instrument for assessing the overall relevance and success of planned anti-corruption goals, measures and activities, and forms the basis for improving future public policies (strategic documents).

The Operational Plan, which was adopted by the Government of the Republic of Serbia on 30 September 2021, is a public policy document that contains measures and activities aimed at preventing corruption in the following risk areas: customs, local self-government, privatisation, public procurement and the police.

In 2022, the Agency supervised the implementation of the Operational Plan and produced two reports. The analyses and conclusions from these documents, as well as the recommendations that came as a result of the monitoring, should form one of the bases for the development of the future National Strategy for the Fight against Corruption and its accompanying Action Plan. The reports were submitted to the Coordinating Body for the implementation of the Operational Plan.¹¹

¹¹ Reports are available on the website of the Agency, at: https://www.acas.rs/cyr/page_with_sidebar/nadzor_pracenje#

As part of the implementation of the activities arising from the Operational Plan (Measure 2.1), the Agency developed a Methodology whose purpose is to serve as a practical tool for the working group charged with the preparation of future strategic documents in the field of fight against corruption to identify competences in specific areas/sectors that are particularly exposed to the risks of corruption and find out which circumstances enable the emergence of corruption/irregularities in the use of public powers, so that, based on the findings, effective measures to prevent corruption in certain areas, at the level of the sector or the entire national system, could be devised at a later date. The Agency also developed a Training Module for the application of the Methodology for representatives of public authorities who will be participating in the development of the above assessments for each particularly risky area in the future National Strategy and its accompanying Action Plan.

As part of Measure 3.2.1, the Operational Plan envisages creating the Analysis of the content of the integrity plan model for the local self-government system and the model of the local anti-corruption plan (LAP), with clear findings on risk areas/processes and measures that overlap in these documents. It also envisages the preparation of the Analysis of the previous application of integrity plans and LAPs. Recommendations for optimisation and improvement of the content of planning documents for the prevention of corruption in local self-government units were supposed to be developed based on the results of these analyses. The Agency prepared both analyses, as well as proposed recommendations. These were presented to the Special Working Group¹² in charge of drafting the final report and the above mentioned recommendations.

CONCLUSIONS CONCERNING THE SUPERVISION AND IMPLEMENTATION OF STRATEGIC DOCUMENTS

The Operational Plan defines 15 measures and 46 activities. In the first six-month report, the Agency assessed the fulfilment of 18 activities, of which 11 (61.1%) were implemented in accordance with the result indicator, while 7 (38.9%) were not. In the second six-month report, the Agency assessed the fulfilment of 24 activities, of which 14 (58.3%) were implemented in accordance with the indicator (mostly in the described manner, but not always within the time frame provided by the Operational Plan), while 10 (41.7%) were not implemented or were not implemented in accordance with the indicator. In both reports, it was emphasised that the biggest challenge in the implementation of

12 In addition to representatives of the Agency for the Prevention of Corruption, members of the working group include representatives of the Ministry of Justice, the Ministry of State Administration and Local Self-Government, the Ministry of Internal Affairs, the Ministry of Finance, the Republic Public Prosecutor's Office, the Council for the Fight against Corruption, the Commissioner for Information of Public Importance and Personal Data Protection, the Standing Conference of cities and municipalities, certain local self-government units experienced in the development and implementation of integrity plans and local anti-corruption plans, and representatives of civil society organisations dealing with these topics.

the above document was the lack of proper coordination, that is, the absence of regular meetings of the coordinating body and the implementation groups.¹³

The analyses of the optimisation of the content of planning documents for the fight against corruption at the local level showed that the integrity plan model for the local self-government system and the LAP model have 12 (corresponding) areas/processes that are the same or similar, which means that about 75% of the areas in both models are the same or similar. Having this fact in mind, it was concluded that it is necessary to unify the Integrity Plan model and the LAP model so that the areas/processes and measures, which are currently included in the LAP model but are not present in the current integrity plan model for LGUs, are included in the Integrity Plan model in the next cycle, and that it is necessary to conduct a survey on the need to introduce an additional anti-corruption mechanism at the local level.

CORRUPTION RESEARCHES

The Agency researches the state of corruption, and, when choosing topics and areas, emphasises those areas that are particularly susceptible to risks of corruption.

The field of education - especially the field of higher education – has been observed as one such area, as confirmed by the results of the *Survey of the perception of students of the University of Belgrade about the state of corruption at the University*, which the Agency conducted in 2021, the year that preceded the reporting period. In 2022, the Agency conducted a new survey on the perception of corruption in institutions of higher education, namely at the universities in Niš and Kragujevac.

The primary goal of the survey was to measure the level of familiarity of the students of the University of Niš, i.e. the University of Kragujevac with the phenomenon of corruption in general, the degree and scope of their perception of the existence of corruption at those universities and faculties, and their specific observations about possible directions and aspects of continuous action to prevent corruption in higher education.

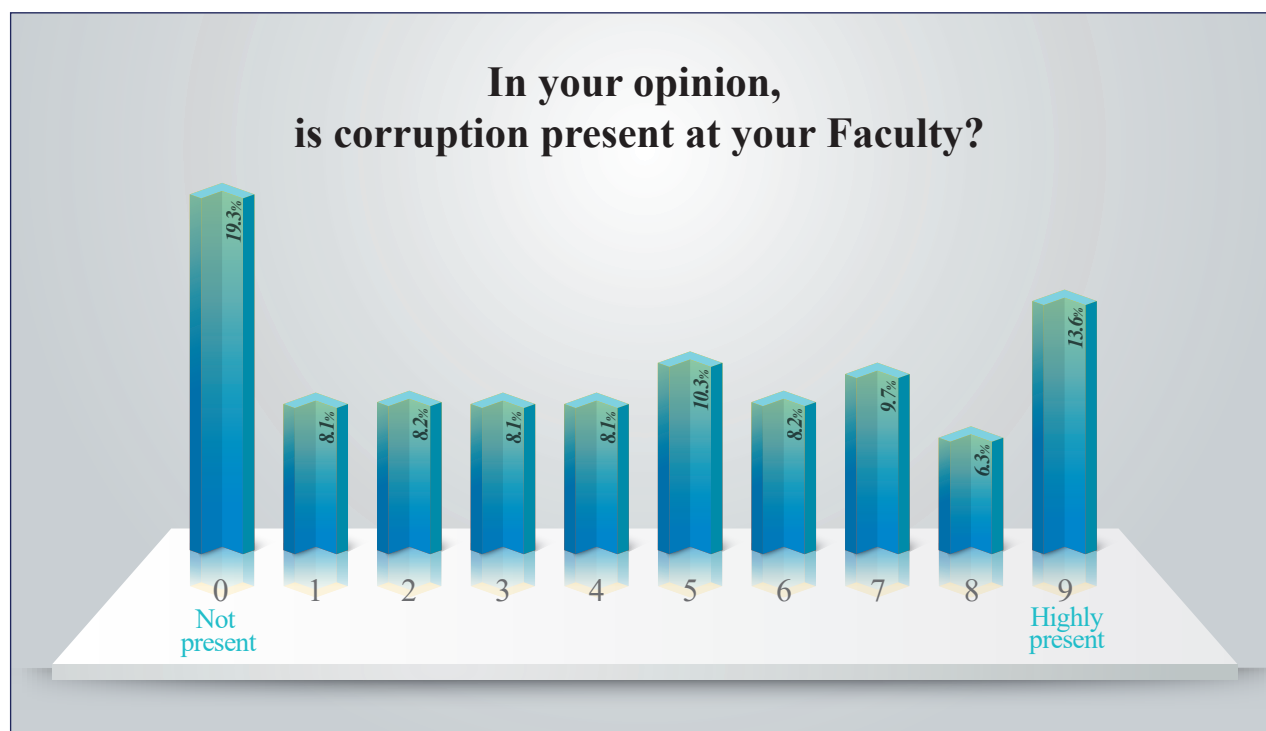
¹³ The external coordination mechanism of the Operational Plan consists of: the Coordinating Body charged with ensuring coordination of the implementation of measures and activities from the Operational Plan at the political level, four implementation groups responsible for ensuring the coordination of the implementation of measures and activities from individual areas that are the subject of this document at the operational level and quarterly reporting to the Coordination Body on the implementation of measures and activities in those areas, including information on identified obstacles and risks.

SURVEY OF THE PERCEPTION OF CORRUPTION AMONG THE STUDENTS OF THE UNIVERSITY OF NIŠ

The survey included students of five faculties of this university (Faculty of Electronic Engineering, Faculty of Medicine, Faculty of Law, Faculty of Sciences and Faculty of Philosophy), taking into account the need to include the faculties of all scientific fields from the University: social studies and humanities, medical sciences, technical and technological sciences, and natural and mathematical sciences.

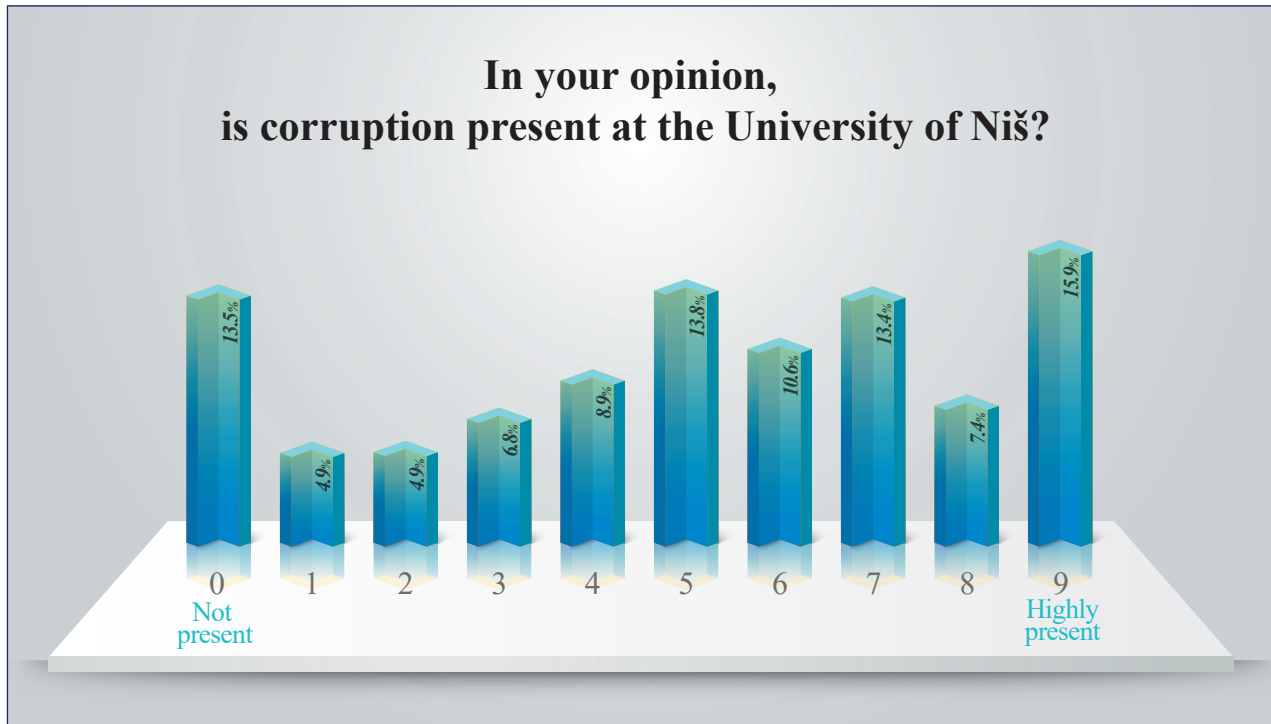
A total of 1,229 respondents participated in the survey.

Based on the results on the survey, it was concluded that respondents are aware of the harmful nature of the corruption phenomenon, both in terms of the public interests of society as a whole and for their own individual interests. The overwhelming number of surveyed students expressed the opinion that corruption exists, both at their faculties and at the entire University, and that it is widespread in different scopes and intensities. As many as four-fifths of the surveyed students (80.7%) expressed the opinion that corruption at their faculties exists in different scopes and intensities, with 13.6% of the respondents feeling that corruption is extremely pronounced. On the other hand, 19.3% of them expressed the opinion that there is no corruption whatsoever at their faculties.



*The opinion of students about the presence of corruption at the University of Niš,
on a sample of 1,229 students*

As far as the perception of corruption at the University of Niš as a whole is concerned, the results of the survey are even more impressive: 86.5% of respondents are of the opinion that corruption at the University does exist, 15.9% think that it is extremely pronounced, while 13.5% believe that there is none at all.



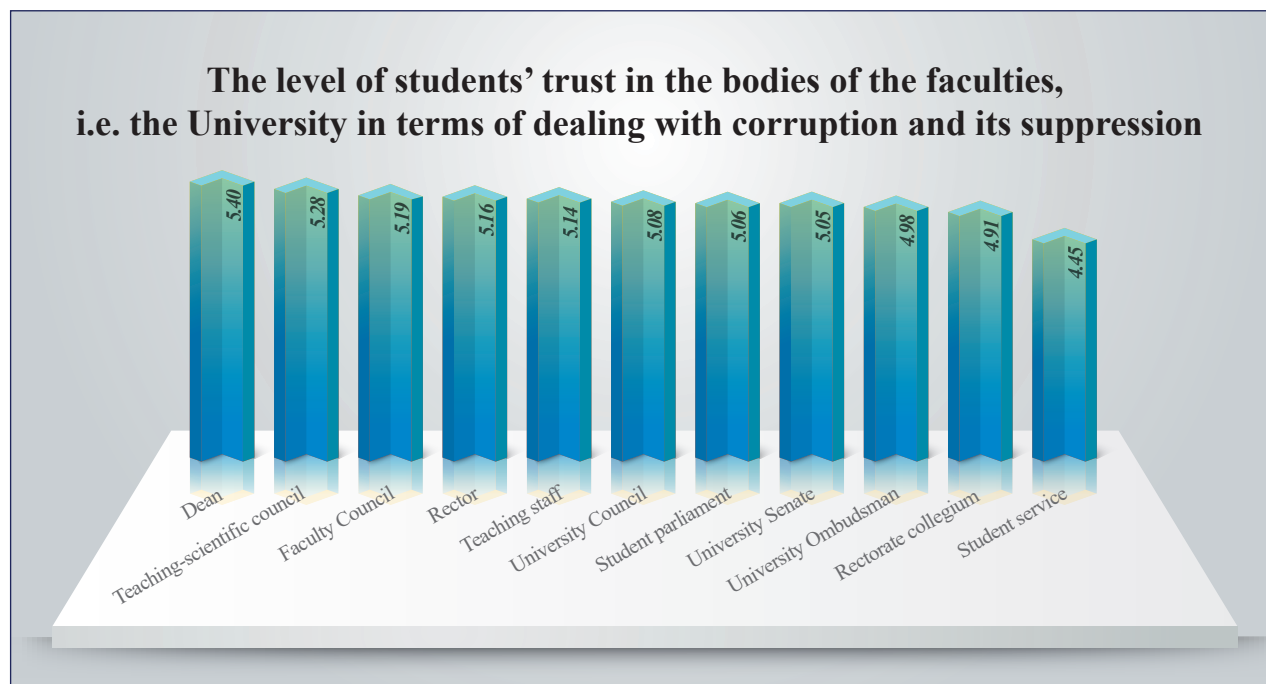
*Respondents' opinion on the existence of corruption at the University of Niš
as a whole, on a sample of 1,229 students*

Based on the answers received, it can also be concluded that the majority of surveyed students, both male and female, believe that discrimination on various grounds is widespread at their faculties.

The analysed results show that 54.9% of the surveyed students have heard of a student who, using a bribe, managed to pass an exam, obtain a diploma or achieve some other benefit while studying at the faculty, while 62.3% of them personally know a student who had passed the exam at some faculty that is part of the University in another illegal way - by copying answers from others or from pieces of paper, having another person sit for him/her, etc. Of course, we should also mention the results obtained in response to the question of whether the surveyed students would report corrupt behaviour at their faculty in the future, which showed us that 43.2% of them *would* do it while 27.3% would not. 29.5% of the respondents did not want to answer this question.

It is important to point out that 46.4% of the students who did list the institution to which they would report a corrupt activity, mentioned the Agency for the Prevention of Corruption, which shows a significant level of trust of the surveyed students in the work of the Agency.

The mean values of the level of trust in the bodies of the faculties, that is, the University, were determined based on the answers of the respondents.



SURVEY OF THE PERCEPTION OF CORRUPTION AMONG THE STUDENTS OF THE UNIVERSITY OF KRAGUJEVAC

The survey was conducted among the students of four faculties of this University (Faculty of Law, Faculty of Natural and Mathematical Sciences, Faculty of Engineering Sciences and Faculty of Medical Sciences), taking into account the need to include the faculties of all scientific fields at the University: social sciences and humanities, medical sciences, technical and technological sciences and natural and mathematical sciences.

A total of 552 students of all years of studies from the above faculties participated in the survey.

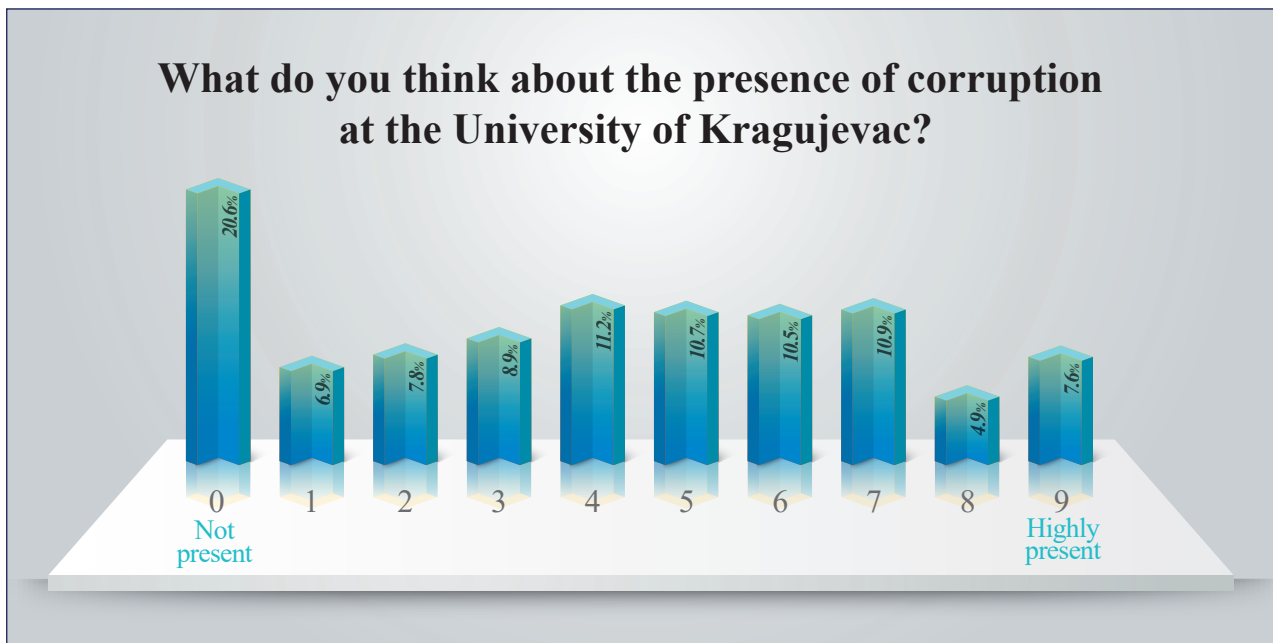
Based on the results of the survey, it was concluded that the surveyed students of the observed faculties of the University of Kragujevac are aware of the harmful nature of the phenomenon of corruption, both for the public interests of society as a whole and for their own individual interests. The overwhelming number of the surveyed students expressed the view that corruption does exist, both at their faculties and at the entire University, and that it is widespread in different scopes and intensities. More than 70% of them expressed the opinion that corruption at their faculties exists,

to a different extent and in different intensity, while 5.4% believe that corruption is extremely pronounced.



Respondents' opinion on the existence of corruption at their own faculties within the University of Kragujevac, on a sample of 552 students

As regards perception of corruption at the University of Kragujevac as a whole, the results of the survey are even more impressive; namely, 79.4% of the respondents believe that corruption at the University does exist, 7.6% of respondents think that corruption at the University is extremely pronounced, while 20.6% are of the opinion that there is no corruption at all.



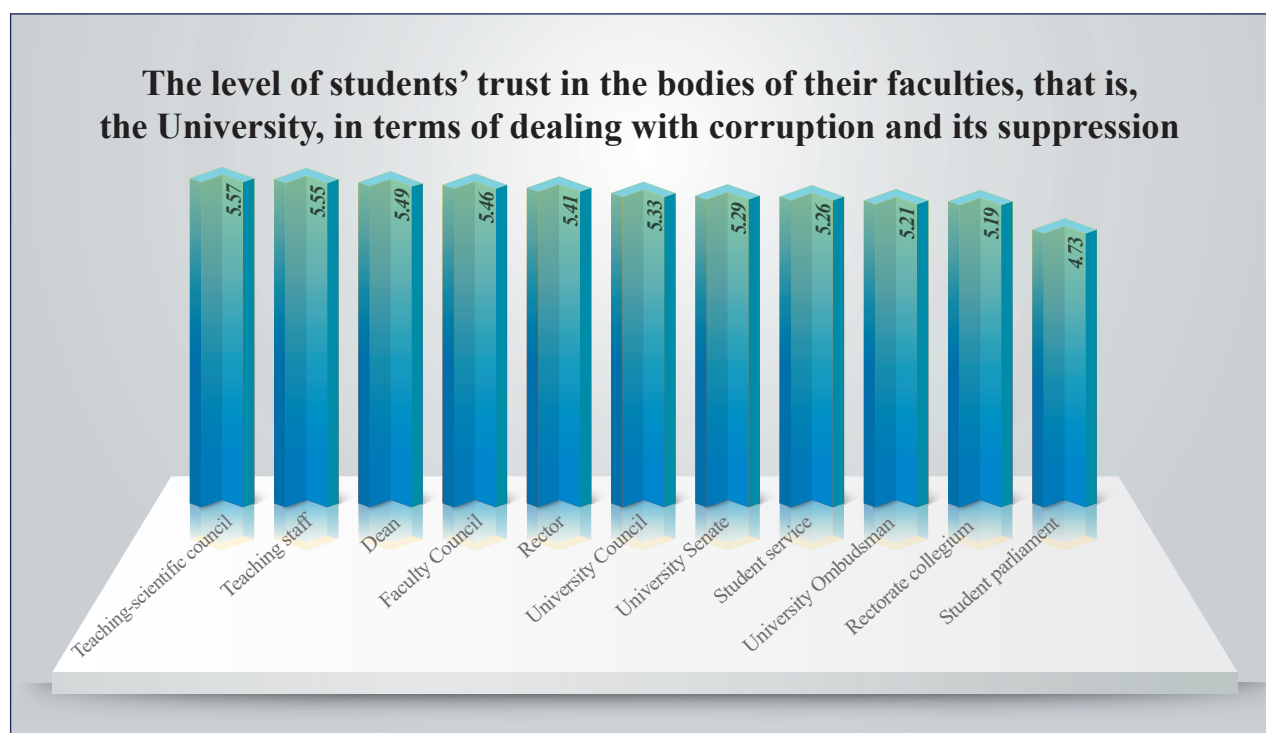
The opinion of students about the presence of corruption at the University of Kragujevac as a whole, on a sample of 552 students

Based on the answers received, it can also be concluded that the majority of the surveyed students believe that discrimination on various grounds is widespread at their faculties.

The analysed results show that 45.7% of the surveyed students have heard of a student who, using a bribe, passed an exam, obtained a diploma or achieved some other advantage while studying at the university, while 49.6% personally know a student who had passed the exam at one of the Faculties of the University in some other illegal way - by copying answers from others or from pieces of paper. Of course, we should also mention the results obtained in response to the question of whether the surveyed students would report corrupt behaviour at their faculty in the future, which show us that 52.7% of them *would* report future corrupt behaviour, 20.1% would not, while 27.2% did not want to answer this question.

It is important to point out that 53.4% of the students who listed the institution to which they would report a corrupt activity, mentioned the Agency for the Prevention of Corruption, which shows a significant level of trust of the surveyed students in the work of the Agency.

The mean values of the level of trust in the bodies of the faculties, that is, the University, were determined based on the answers of the respondents.



Both surveys were carried out in the period October-November 2022, in cooperation with the administrations of the above Faculties and with the advisory support of the Institute of Social Sciences in Belgrade.

The questionnaire included three groups of questions: about the socio-demographic data of the respondents, about the level of familiarity with the problem, and about attitudes related to the problem of corruption. The questionnaire also included questions about the possible participation of the students themselves in corrupt activities. The survey was anonymous and required filling out an online questionnaire.

A greater number of female students was observed in relation to the number of male students who filled out the questionnaire, in an approximate ratio of 2.2:1, i.e. 2.7:1, which can lead to the conclusion that there are more women than men in institutions of higher education, but can also indicate a greater interest of female students in answering the questions.

ANALYSIS OF THE CASES OF VIOLATION OF PREVENTIVE ANTI-CORRUPTION REGULATIONS DISCOVERED AT THE LEVEL OF LOCAL SELF-GOVERNMENT UNITS IN THE PERIOD FROM 1 JULY 2017 TO 30 JUNE 2022

The preparation of this analysis was envisaged in the Operational Plan for the Prevention of Corruption in Areas of Special Risk 2022. The subject of the analysis were the cases of violations of preventive anti-corruption regulations in local self-government units and city municipalities discovered in the period starting from 1 July 2017 and ending on 30 June 2022. For the purposes of the Analysis, the relevant laws in terms of the competence of the Agency are the following: the Law on the Anti-Corruption Agency that was applied from 1 January 2010 to 31 August 2020, and the current Law on Prevention of Corruption, whose application began on 1 September 2020. Violations of preventive anti-corruption regulations from the Agency's purview, presented in the Analysis, refer to the obligation to act in line with the Agency's requests, various forms of conflict of interest and performing other jobs or business activities in addition to public office, incompatibility of jobs with discharging a public office, incompatibility (unlawful accumulation) of public offices, declaration of assets and income, and non-compliance with other regulations related to the exercise of public office. In addition to statistical data, the Analysis contains examples of the most typical violations of the provisions of the law, as well as concluding remarks regarding the accumulation of offices and conflict of interests.

VIOLATION OF THE LAW IN CONNECTION WITH UNLAWFUL ACCUMULATION OF OFFICES AND CONFLICT OF INTEREST

For the purpose of the Analysis, a total of 1,077 proceedings that were initiated and completed in the observed period were observed in connection with violations of the law committed by public officials while discharging a public office in the public authorities of local self-government units and city municipalities. Of that number, 538 proceedings were initiated and concluded based on the provisions of the Law on the Anti-Corruption Agency, while 539 were concluded based on the provisions of the Law on Prevention of Corruption. The proceedings established total of 1,309 violations of the provisions of both above mentioned Laws.

In the observed period, the following were the most common forms of violations of the Law committed by public officials at the level of local self-government units:

- Unauthorised (or unlawful) accumulation of public offices, namely 256 (36.42%) violations of the provisions of the Law on the Agency committed during the period of application of that Law, and 250 (41.05%) violations of the provisions of the Law on Prevention of Corruption, which together amounts to 506 violations (38.66% of the total number of violations committed in the observed period);
- Various forms of conflict of interest, namely 138 (19.63%) violations of the Law on the Anti-Corruption Agency and 72 (11.82%) violations of the Law on Prevention of Corruption, which together amounts to 210 violations (16.04% of the total number of violations committed in the observed period);
- Violations related to the performance of another job or business activity, namely 172 (24.47%) violations of the Law on the Anti-Corruption Agency and 208 (34.15%) violations of Law on Prevention of Corruption, which together amounts to 380 violations (29.03% of the total number of violations committed in the observed period);
- Non-compliance with other regulations related to the performance of public office, namely 62 (8.82%) violations of the Law on the Anti-Corruption Agency and 21 (3.45%) violations of the Law on Prevention of Corruption, which together amounts to 83 violations (6.34% of the total violations committed in the observed period).

Other regulations were violated in a negligible number of cases.

VIOLATIONS OF THE LAW IN CONNECTION WITH ASSETS AND INCOME OF PUBLIC OFFICIALS

A total of 876 cases of violation of the law related to the assets and income of public officials were noted in the observed period. The most common forms of violation of the law committed by public officials at the level of local self-government units in the observed period were:

- Failure to declare assets and income upon assuming public office, in 517 cases (59.01%);
- Failure to declare assets and income upon termination of public office – there were 269 (30.70%) in the observed period;
- Failure to comply with the obligation of public officials to submit a Report on assets and income upon re-election to public office, which is an obligation only under the Law on Prevention of Corruption (44 cases); there were 44 (5.02%) such cases in the observed period;
- Failure to comply with the obligation to report significant changes in assets and income that occurred during the period of public office; there were 37 (4.22%) such cases in the observed period;
- Other forms of violations of anti-corruption regulations, of which there were 9 (1.05%).

ACTING UPON CITIZENS' COMPLAINTS

Considering the preventive role of the Agency, acting upon complaints is characterised by pointing out to public authorities the irregularities that create opportunities for corruption in the public sector. If, while acting upon a complaint, facts are established and evidence presented that raise suspicions that there are irregularities in the work of the public authority, the Agency will submit a reasoned proposal for control to the authority that supervises the work of the public authority against which the complaint was submitted. Also, while acting upon complaints, if the Agency assesses that there are circumstances in the work of the public authority that could lead to corruption, it will make recommendations to the public authority with measures to remedy the situation and a deadline for their implementation. Under certain conditions, the Agency can also act on anonymous complaints, which is something that the Law on the Anti-Corruption Agency did not use to allow. In the reporting period:

- 213 complaints were received from natural persons and legal entities, while the procedure was completed in 253 complaints submitted in the reporting period and earlier years.

When acting upon complaints, the Agency protects the identity of the complainant and requests his/her consent to disclose his/her data to another state authority for further action. In the Reporting Period, the Agency requested such consent from 8 complainants.

Examining the merits of the complaints, the Agency dispatched 243 letters to the educational, budgetary, health and administrative inspectorates, the Tax Administration, the Labour Inspectorate, the Public Procurement Office, the State Audit Institution, the Chamber of Enforcement Agents, the State Attorney's Office, the Restitution Agency, the Interior Control Sector of the Ministry of Internal Affairs and others, for the purpose of monitoring and informing the Agency about the findings established at the controlled entity. To determine the merits of the submitted complaint, in some cases the Agency addressed directly the reported public authorities so that they would submit documentation and provide statements.

In 151 cases, the Agency addressed the competent prosecutor's offices by filing a petition for further jurisdiction and action or a request to submit information on the outcome of the prosecution's actions based on the petitions that were submitted by the Agency in the previous period. Out of the above number, 126 letters were dispatched to the Special Departments of the Higher Public Prosecutor's Offices dealing with the fight against corruption, and 8 letters to the Prosecutor's Office for Organised Crime.

At the end of the procedure, the Agency is obliged to inform the submitter about the outcome of the complaint. When notifying the outcome, the Agency informs the submitter about all the actions it has taken while processing the complaint, as well as the answers it has obtained from other authorities it addressed. In the reporting period, 132 complainants were informed about the outcome of the proceedings.

Acting upon the complaints received in 2022, as well as those from the earlier period, the Agency declared itself incompetent to act on the complaint in 12 cases, referring the matter to the competent authority.

As for the structure of more recent complaints, most had to do with the field of justice, education and health care, followed by those from the field of public finance, construction and urban planning, and labour and social policy. The least number of complaints had to do with the field of mining and energy, sports and environmental protection.



ACCESS TO INFORMATION OF PUBLIC IMPORTANCE

Free access to information of public importance means access to information that is contained in documents that are in the possession of a public authority and were created in the course of its work or in relation thereto, which the public has a legitimate interest in knowing. The right to free access to information of public importance is, in essence, the right to access official documents. The Agency hereby reports that it has:

- Received 160 requests for access to information of public importance;
- Acted on 147 such requests by submitting the requested information.

Out of the above number of submitted requests, most were sent by the media (110, of which 67 had to do with journalistic issues). Citizens submitted 30 requests, non-governmental organisations and other citizens' associations submitted 17, while three were submitted by other applicants, i.e. public authorities and political parties.

In the largest number of cases, requests for information of public importance related to information from the purview of the Agency (156 requests), while four related to information on spending public funds.

In 91.87% of requests, the Agency provided the requested information (147, of which 99 had to do with the media), while 7 requests were rejected (of which 6 were submitted by public media) and 6 were dismissed (of which 5 were requests from public media).

Out of the total number of requests (30) submitted by citizens, the Agency acted by providing the requested information in most of them (28), i.e. in 93.33% of all requests. Also one request was rejected and one was dismissed.

Non-governmental organisations and other citizens' associations submitted 17 requests for information of public importance, and the Agency complied with all of them by providing the requested information. The Agency also complied with the remaining three requests of the authorities by submitting the requested information.

In the reporting period, dissatisfied parties submitted nine complaints to the Commissioner, of which three had to do with the Agency's decision to reject the request, while 6 were submitted for other reasons.

COOPERATION WITH CIVIL SOCIETY ORGANISATIONS

The Agency continuously cooperates with the civil society, respecting the principles of joint participation, trust, accountability, transparency and independence. Civil society organisations are turning to the Agency for opinions, support and instructions, recognising it as a partner in implementing not only projects, but also laws and adopted public policies. The Agency:

- Held 13 consultative meetings with representatives of civil society organisations;
- Awarded, through the 14th public competition, RSD 4,875,214.46 to civil society organisations for projects in the field of prevention of corruption.

The Agency held consultative meetings with civil society organisations that acted – based on the competitions from the reporting and earlier periods, using financial resources from the budget of the Republic of Serbia – as holders of activities in projects in the field of prevention of corruption. Planned project activities were monitored by way of regular control of the narrative and financial reports.

In addition to individual meetings, representatives of civil society organisations were also included in three thematic joint workshops where the Agency presented the new legal framework related to the financing of political activities, its supervisory role over activities planned in strategic documents, and the introduction of the gender dimension in the implementation of anti-corruption policies.

In accordance with the plan for the announcement of competitions for the allocation of funds to projects in the field of prevention of corruption, the 14th public competition was announced at the end of February 2022. It was published in the daily newspaper “Politika”, on the Agency’s website and its accounts on social networks. The Agency received 8 project proposals from civil society organisations, a record number to date. The competition committee dismissed four proposals for failure to meet the formal conditions prescribed by the Rules and Instructions for applying to competitions. It evaluated the project proposals that did meet the formal requirements based on pre-determined criteria and standards, following which it created and published the Evaluation and Ranking Lists.

The topics of the accepted projects are primarily aimed at increasing the transparency of the work of public authorities, better informing the citizens, and greater participation in the creation of public policies and the implementation of EU standards, but also at the integration of gender-responsive and non-discrimination measures into corruption-prevention mechanisms. The four projects started in June 2022, with different durations depending on the scope of the planned activities.

The project “Improving integrity, transparency and accountability in the municipality of Kladovo”, which was carried out by the Bureau for Social Research BIRODI based on the previous, 13th competition, was also implemented during the reporting period. The outcomes of the project were the Local Anti-Corruption Plan of the Municipality of Kladovo, which was adopted at the session of the Municipal Council on 8 July 2022, and the commenced process of selecting members of the monitoring body. The project was completed after 13 months, in September 2022. The following projects were supported based on the 2022 public competition:

- “Support to local self-government units in drafting local anti-corruption policies and increasing transparency” is a project that is being implemented by Transparency Serbia. Local anti-corruption plans for Kragujevac, Sokobanja and the Golubac municipality are in the process of development, and support is provided to the formation of working bodies to monitor the implementation of the LAPs in Veliki Gradište, Varvarin and Sremski Karlovci, as well as to Raška and Novi Pazar in passing acts from the areas envisaged in the existing LAPs;
- “Decisions tailored to citizens”, a project of the Bečej Youth Association, includes reaffirmation of the LAP of the municipality of Bečej by introducing elements of environmental protection into the anti-corruption plan and further improvement of the mechanism that enables greater participation of citizens in determining budget priorities;
- “Citizens in action for the integration of gender-responsive and non-discrimination measures into the mechanisms for preventing corruption at the local level” is a project of the Užice Centre for Human Rights and Democracy that aims to integrate gender-responsive and non-discrimination measures into the LAP of Užice and to reaffirm the body charged with monitoring its implementation;
- “Transparent creation of anti-corruption policies in the city of Niš” was a project that was being implemented by the Centre for Integrity association. Its implementation was interrupted three months into the activity by the death of the project manager, and the contract was terminated.

Among other things, the Agency participated in the drafting of public policy documents as part of the work of the special Working Group for preparing the Draft Action Plan for the implementation of the Strategy for Creating an Environment Stimulating for the Development of Civil Society in the Republic of Serbia 2022-2023, which the Government of the Republic of Serbia adopted at the session that was held on 16 September 2022.

INTERNATIONAL COOPERATION

KEY RESULTS

- As part of the Delegation of the Republic of Serbia to the Group of States against Corruption of the Council of Europe (GRECO) headed by the Agency's Director, the Agency provided a significant contribution to the joint efforts of relevant institutions in terms of compliance with GRECO's recommendations from the Fourth Evaluation Round including prevention of corruption in relation to MPs, judges and prosecutors, which resulted in the fact that as of March 2022, the Republic of Serbia is no longer among the states whose compliance is "globally unsatisfactory";
- The Agency was selected as a member of the Supervisory Board of the Network of Institutions for the Prevention of Corruption (NCPA) for the year 2023;
- The visibility of the Agency at the international level was improved through its participation in more than 25 international meetings and conferences, and in more than 15 in the capacity of speaker;
- The Agency has been recognised as an example of good practice in the field of integrating gender-responsive measures.

As part of the Fourth Evaluation Round of the Council of Europe's Group of States against Corruption (GRECO), the Agency intensively cooperated with the Office of the Prime Minister and the Ministry of Justice, as well as with other relevant state authorities. At the plenary session held in March 2022, GRECO adopted the Second Interim Report on the compliance of the Republic of Serbia with the recommendations from the Fourth Evaluation Round. According to said Report, the Republic of Serbia fulfilled 8 out of 13 recommendations, while five were fulfilled in part. As stated in the Second Interim Report, the general level of compliance with the recommendations is no longer "globally unsatisfactory".

The Evaluation Report on the Republic of Serbia for the Fifth Evaluation Round was adopted at GRECO's March meeting. It refers to the prevention of corruption and the improvement of integrity in the central bodies of state administration - the highest executive offices and agencies in charge of law enforcement.

In the course of the past year, representatives of the Agency participated in all plenary sessions of GRECO as part of the Delegation of the Republic of Serbia, while the representative of the Agency was a member of the GRECO evaluation team for Azerbaijan in the Fifth Round of Evaluation and a rapporteur for Cyprus and Portugal in the Fourth Round of Evaluation.

In 2022, the Agency participated in four plenary sessions within the Network of Institutions for the Prevention of Corruption (NCPA),¹⁴ which has 32 members, five partner- and two observer-institutions. It coordinated the Network's project on the topic of gender equality and corruption – which resulted in the creation of a Guidebook on Gender Equality and Corruption – together with the

¹⁴ In 2018, at the invitation of the National Anti-Corruption Agency of Italy, the Agency was one of the founders of the NCPA. Having served as one of the vice-presidents in 2019 and 2020, in 2021 it held the position of president.

National Transparency Body of Greece, the Commission for Conflict of Interests in the Exercise of Public Office of Croatia, the State Commission for the Prevention of Corruption of North Macedonia and other members of the Network who contributed to the preparation of the Guidebook. The Agency was also a part of the project on the preparation and supervision of the implementation of strategic anti-corruption documents, coordinated by the National Anti-Corruption Agency of Italy and the Ministry of Justice of Albania. Agency representatives also took part in the Network's webinars on lobbying (as lecturers), on corruption in sports, and corruption in public procurement.

After becoming a member of the European network of institutions with registers of lobbyists (ELRN) in 2021, last year the Agency participated in the plenary sessions of this initiative; it was also represented in the newsletters of ELRN, which in 2022 was led by the High institution for Transparency in Public Life of France.

As part of the annual cycle of reporting on the implementation of the UN Convention against Corruption (UNCAC), in the past year the Agency prepared a contributing paper on promoting the use of information and communication technologies in the implementation of UNCAC, and on challenges and good practices in raising anti-corruption awareness, training and research, in coordination with the Ministry of Justice and in cooperation with the Ministry of Internal Affairs, the Commissioner for Information of Public Importance and Personal Data Protection, the Republic Secretariat for Public Policies and the Public Procurement Office. It participated at the 13th session of the Intergovernmental Working Group for the Prevention of Corruption of the UN Office on Drugs and Crime (UNODC), where the Agency's representative was also a panelist. A report was prepared for UNODC on the measures taken to strengthen international cooperation in preventing and suppressing corruption in extraordinary circumstances, times of crisis, and the period of recovery.

The most significant participation of representatives of the Agency in international conferences and meetings is related to those that were organised by the UN Office on Drugs and Crime (UNODC), the Secretariat of the Organisation for Security and Cooperation in Europe (OSCE), the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the Council of Europe, the Regional Anti-Corruption Initiative (RAI), the Organisation for Economic Cooperation and Development (OECD), as well as by bilateral partners. At some of these conferences, representatives of the Agency spoke also about the gender dimension of the fight against corruption.

In addition to improving the already existing cooperation with numerous institutions for preventing and fighting corruption on a bilateral level, the Agency established communication and cooperation with new anti-corruption institutions in 2022. The Agency was the host of two successful study visits: of the leadership of the Agency for Prevention of Corruption and Coordination of the Fight Against Corruption of Bosnia and Herzegovina, and the Commission in charge of decision-making on conflict of interests of the Brčko District of Bosnia and Herzegovina. Cooperation was also established with the State Audit Service of Georgia and the Special Investigative Service of Lithuania.¹⁵

¹⁵ For additional information about this, see the section 'International Projects'.

Last year, the Agency actively participated in the implementation of the Roadmap for the fight against corruption and illegal financial flows, in cooperation with UNODC and RAI, and presented the results of the work at international meetings held in Dubrovnik, Vienna, Ljubljana and Skopje.

Representatives of the Agency also participated in numerous meetings with the OSCE/ODIHR, the Venice Commission and international civil society organisations in connection with the implementation of election laws and the control of the financing of political activities during the election campaigns.

INTERNATIONAL PROJECTS

KEY RESULTS

- The capacities of the Agency were strengthened through international donor assistance, both in the implementation of entrusted competences and in the domain of developing the skills of employees.

The international community continued to provide continuous support to the Agency through various projects and initiatives, with the aim of systematically strengthening its professional and technical capacities.

Within the Project “Support for Strengthening the Rule of Law in the Republic of Serbia (EU for the Fight against Corruption and Fundamental Rights)”, which is being implemented by a consortium composed of the German Organisation for International Cooperation (GIZ), the Austrian Development Agency (ADA), the Central Agency for Project Management of Lithuania (CPMA) and OSCE, cooperation activities started with the Special Investigative Service of Lithuania. Two four-day missions of representatives of the Special Investigative Service of Lithuania were organised - the first on the topic of mechanisms for preventing corruption, assessment of the risks of corruption and assessment of the risks of corruption in regulations, and the second on the topic of strategic communications, education and strengthening awareness of the harmful nature of corruption.

The OSCE Mission in Serbia provided significant support to the Agency, among other things, in the field of training on digital assets and offshore companies for the purposes of verifying the assets and income of public officials, expert analysis on the random selection of public officials to be controlled as part of the process of verifying the Reports on assets and income, the Agency’s visibility, strengthening the skills of employees related to team building and public speaking, preparing an annual evaluation of the fulfilment of gender-responsive indicators, in accordance with the previously prepared Handbook for the introduction of a gender perspective, measuring progress and improving gender equality through the Agency’s activities, as well as with the organisation of the international conference on the occasion of 9 December, the International Anti-Corruption Day.

Cooperation with the International Foundation for Electoral Systems (IFES) also continued successfully. A study visit was organised to the State Audit Service of Georgia with the aim of exchanging experiences in the field of control of the financing of political activities, a Handbook for the implementation of the Law on the Financing of Political Activities was prepared, and training was held for employees on the topic of cyber security.

The Agency is also involved in the Council of Europe Project “Prevention of Money Laundering and Financing of Terrorism in Serbia”, with the support of the Swedish Agency for International Cooperation and Development (SIDA). Among other things, the expert analysis on cooperation with banks in the area of verifying the assets and income of public officials was created in 2022, accompanied by appropriate recommendations.

Thanks to the support of the United States Embassy, two employees of the Agency became certified fraud investigators in 2022. The IT equipment that the US Embassy provided for the Agency in previous years is still actively used.

A study visit to the Czech Republic on the topic of controlling the financing of political activities was carried out as part of the Transparency of Serbia and Transparency of the Czech Republic project. There was also a study visit to France and Luxembourg, organised by the National Alliance for Local Economic Development (NALED) within the project “Effective Public Procurement in the Service of Economic Growth”, with the support of the Swedish Agency for International Cooperation and Development. A representative of the Agency participated in that study visit as well.

When it comes to the programming of international aid funds, the Agency continuously participates in the work of sectoral working groups for the programming and coordination of IPA funds and other development aid for the sectors of justice, internal affairs and public administration reform, as well as in the preparation of accompanying documents, in cooperation with the Ministry for European Integration.

In 2022, the Agency actively contributed to the work of the Network for the Suppression of Irregularities and Frauds in the Handling of European Union Funds, headed by the Ministry of Finance.

In accordance with the Strategic Plan for the fight against fraud and the management of irregularities in the handling of the European Union funds in the Republic of Serbia 2021-2023, the Agency prepared an analysis of the connection of competences with the protection of the financial interests of the European Union. Internal procedures in this area were changed and improved based on the above analysis. It also implemented all other activities that were envisaged in this plan for the year 2022.

PUBLIC RELATIONS

With the support of the OSCE Mission, the Agency launched a new website, which, updated and upgraded daily, provides users with better visibility of the content. In 2022, the Agency published 114 announcements on the website.

In the past period, the work of the Agency was commented on in 1,992 announcements that appeared in the electronic and print media. As for their structure, most of the announcements had a neutral tone (1,347), followed by 398 that were positive. As regards the type of media, announcements on internet portals (1,697) prevail, followed by announcements in the press (197), on television (91) and on the radio (7).

Replies were provided to 62 journalistic questions and 6 invitations to appear in electronic media. The questions mainly related to the assets and income of public officials and conflict of interest (and, within the latter, especially nepotism and incompatibility of public offices). As the reporting period was also the election year in the Republic of Serbia, a significant number of the journalistic questions was related to the topic of financing political activities.

The Agency noticed greater interest in issues from its purview of the local media, but also of regional newsrooms covering the Western Balkans such as Radio Free Europe and BBC in the Serbian language.

The Agency is present on social networks and has gained a significant number of followers by posting regularly on its accounts.

Having also followed the activities of other independent bodies after the establishment of the Unified Information System, the Information Bulletin on the Work, managed by the Commissioner for Information of Public Importance and Personal Data Protection, the Agency was one of the first public authorities to create the Information Bulletin on the Work in this system and make it available in electronic and machine-readable form.

The Agency is dedicated to promoting the mechanisms of preventing corruption by organising thematic meetings and implementing joint activities and projects. In the reporting period, the Agency organised the following:

- An online forum where representatives of political subjects, civil society organisations and the media discussed things and asked questions for the first time about the new Law on the Financing of Political Activities and its application, and about the powers of the Agency for the Prevention of Corruption in the election process;
- An online training dedicated to monitoring the implementation of activities from strategic documents, where participants had the opportunity to learn about the activities the public authorities are undertaking in the field of anti-corruption measures, prevention and repression of corruption as provided for in the Revised Action Plan for Chapter 23 - subchapter 'Fight against Corruption', and what was noted in the second report submitted by the Agency to the National Assembly of the Republic of Serbia;
- An educational panel on the topic of "Gender Dimension in the Implementation of Anti-Corruption Policies", intended for representatives of the media and civil society, which included a novelty. Namely, in exercising its powers as a public authority obliged to fulfil the provisions of the Law on Gender Equality, the Agency will pay special attention to the impact of corruption on the lives of discriminated groups.

The Agency issued a new publication entitled "Handbook for the Implementation of the Law on the Financing of Political Activities", which is primarily intended for political parties, coalitions and groups of citizens. It is also interesting for the media and the public in general because, as an informative handbook, it presents the legal regulations in a simple way, gives an overview of the rights and obligations of political entities, and – through practical examples – resolves doubts regarding the prohibition of financing and misuse of public resources. The Handbook was developed in cooperation with the International Foundation for Electoral Systems (IFES).

The Agency marked the International Anti-Corruption Day by holding an international conference on the topic of "Corruption Risk Assessment". The conference, which was organised with the support of the OSCE Mission in Serbia, was followed live and via the Internet by more than 150 participants. Domestic and foreign experts presented risk assessment as a systemic tool used to identify places that are susceptible to corruption and develop effective strategies for managing those risks. The goals of effective corruption risk management are: protection of public interest, rule of law, protection of human rights, timely provision of adequate services to citizens, and legal and efficient management of public resources. In addition to the Director of the Agency, the following addressed the participants at the opening presentation: Ambassador Jan Bratu, Head of the OSCE Mission in Serbia, Nadja Ćuk, Deputy Head of the Council of Europe Mission in Belgrade, Dr. Vladimir Orlić, President of the National Assembly of the Republic of Serbia, and Maja Popović, Minister Justice of the Government of the Republic of Serbia.

COOPERATION WITH OTHER STATE AUTHORITIES

The Agency continued its cooperation with misdemeanour courts and the Republic Public Prosecutor's Office, as well as with other independent state bodies - the Protector of Citizens, the Commissioner for Information of Public Importance and Personal Data Protection, the State Audit Institution and the Commissioner for the Protection of Equality.

As one of the signatories to the agreement on the establishment of the National Criminal Intelligence System (NCIS), which will strengthen cooperation with the other signatories, i.e. the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Finance, the Republic Public Prosecutor's Office, the Office of the National Security Council and Classified Information Protection and the Prosecutor's Office for Organised Crime, the Agency continued its activities with the aim of forming the NCIS, in accordance with the Action Plan for Chapter 24, within the accession negotiations of the Republic of Serbia for membership in the European Union.

The following cooperation agreements were concluded:

- Agreement on cooperation between the Agency and the Criminalist Police University, concluded on 14 April 2022; and
- Agreement on cooperation between the Agency and the Faculty of Economics in Belgrade, concluded on 11 May 2022.

These agreements establish long-term cooperation that will take place through the exchange of information and experiences in matters related to science and practice in the field of corruption prevention; the participation of Agency employees in certain types of classes at the University/Faculty, that is, the participation of teachers and associates of the University/Faculty in training of the employees of the Agency; organisation of and participation in joint expert meetings dedicated to current topics in the field of corruption prevention; joint work on scientific and research projects, as well as the publication of scientific and expert papers and practices of the Agency in joint publications, publications of the Agency or the University/Faculty, as well as other publications; organisation of practical training of University/Faculty students at the Agency, as well as the realisation of research and preparation of graduation, master's and other theses for the needs of students at the first, second and third level of education.

STAFFING AND TECHNICAL CAPACITIES

As at 31 December 2022, the Professional Service of the Agency employed 93 persons out of a total of planned 163, which means that 57.05% of the job positions are filled.

A total of four new employees were hired based on public competitions to fill the job positions in the Professional Service. Two are senior advisers, one is an independent adviser, and one is a clerk. Based on the takeover agreement, one employee from the Ministry of Justice was taken over from the position of independent adviser and is now a senior adviser, while one state employee, a driver, was taken over from the Ministry of Finance. Two public competitions are under way to fill the job positions of senior adviser and clerk.

The strategic and operational planning of human resources and the forecasting of future requirements in the area of knowledge and skills of employees arising from the competences of the Agency were practically realised through the implementation of training for all employees in accordance with the Programme of professional development and additional education for the year 2022, through 34 trainings organised by the National Academy for Public Administration and 18 trainings organised by domestic and international partners.¹⁶

In addition to the above mentioned trainings, the employees of the Agency also participated in the following activities:

- The Workshop organised within the cooperation programme of the Swedish and Serbian Police “Swedish Police Assistance Programme III (SPAP III) 2019-2022”, which refers to the provision of support in preparation for the establishment of the National Criminal Intelligence System (NCIS) in the Republic of Serbia. Besides the representatives of the Agency, the workshop also was attended by representatives of the Ministry of Internal Affairs, the Republic Public Prosecutor’s Office, the Prosecutor’s Office for Organised Crime, the Tax Administration, the Customs Administration, the Administration for the Prevention of Money Laundering, the Office of the National Security Council and Classified Information Protection, the Ministry of Justice and the Criminalist Police University;
- The Certified Fraud Examiner programme (CFE) organised by the U.S. Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT);
- Study visits to Paris and Luxembourg, organised by NALED on the topic of “Corruption in Public Procurement”, and in a study visit to the Special Investigation Service of the Republic of Lithuania in connection with the project “EU for Fight against Corruption and for Fundamental Rights”;
- The second regional workshop “Encouraging sustainable development by supporting the implementation of the United Nations Convention against Corruption (UNCAC) in countries along the Silk Road Economic Belt”, organised by the United Nations Office on Drugs and Crime (UNODC) and supported by the Ministry of Justice of the Republic of Serbia. The goal of the Workshop was to raise the capacity of the participants in the prevention and fight against corruption regarding international investment projects, whereby the subject of the Workshop was partly related to the area of risk assessment of corruption in regulations, which has been recognised as an important anti-corruption tool.

¹⁶ For additional information about the training, see the Special Section of the Report

The Agency continued to modernise the information system:

- A complete reconstruction of the Data Centre was carried out in line with the highest valid standards (TIER). The Centre is now equipped with modern physical and technical protection systems, a special fire protection system, and an emergency ventilation and cooling system;
- A diesel electric generator and a central device for uninterrupted power supply of the Agency's workstations and vital systems were installed and put into operation. They additionally protect expensive equipment and data, simultaneously allowing work to proceed without interruptions;
- Structural cabling of the entire building was carried out, eliminating risks to the computer network and significantly increasing bandwidth;
- The old computer equipment was completely replaced with the new one, including the server, active and passive network equipment, workstations and peripheral devices;
- Modern programmes for controlling and monitoring the information system were introduced, with the application of the latest solutions in the field of security and protection;
- The single information system that enables employees and users to work better and have a better experience when using the services provided by the Agency was upgraded;
- With the application of the digital SSL certificate, users were provided with the highest degree of security of access to the new portal and the sub-sites, with safe management of personal and other sensitive data;
- All the investments in the modernisation of the computer system led to significant savings in electricity. According to the data of the Administration for Joint Services of Republic Bodies, the Agency saved 44,580 kWh in 2022 (20.71%) compared to the previous year.

Basement and cellar rooms were refurbished in cooperation with the Directorate for Property of the Republic Of Serbia, significantly expanding the available work space. The cellar rooms were adapted in line with the standards used for archive depots, while the ground floor was adapted for the needs of the Registry Office, which enabled better accessibility for parties.

GENDER PERSPECTIVE OF PREVENTING CORRUPTION

Integrating a gender perspective into the work of public authorities has become a standard of good planning and good administration.

The Agency fulfils the provisions of the Law on Gender Equality that relate to gender statistics and provides an overview of the most important data classified by gender.



Control of conflicts of public and private interest and accumulation of offices			
7	Persons that requested consent for establishing an employment relationship or business cooperation upon termination of public office	2	5
302	Persons that requested consent for simultaneous discharge of another public office or several public offices	134	168
96	Persons that, upon entering public office, informed the Agency, within the set rime limit, about performing another job or business activity	36	60
251	Persons that requested consent for performing another job or business activity	110	141
12	Persons that transferred management rights to another person within the prescribed time limit	2	10
309	Decisions by which the Agency determined that there was a violation of the Law on Prevention of Corruption	92	217
Verification of reports on assets and income of public officials			
356	Initiated proceedings	154	202
365	Issued reprimands (warning measures)	156	209
11	Imposed measures of public announcement of the decision on violation of the Law	7	4
Verification of the Record of Gifts			
41	Persons who received a gift because they discharge a public office	11	30
591	Gift was accepted	61	530
Control of the financing of political activities			
162	Responsible persons in political entities	25	137
168	Requests for the initiation of misdemeanour proceedings against the responsible person	21	147
Control of Lobbying Activities			
6	Decision on inscription into the Register of Lobbyists	*	6
16	Issued Certificates of completion of the training for lobbyists	11	5
3	Reported lobbying contacts	*	3
Integrity			
146	Managers who attended the training "Director as the Driver of Building Institutional Integrity"	55%	45%
1630	Members of working groups who attended the training "The Importance of the Integrity Plan and its Preparation using the Application"	72%	28%
Ethics and Integrity Training			
126,749	Opened user accounts	75%	25%
103,401	Persons who successfully passed the knowledge test	76.4%	23.6%

5. SPECIAL SECTION – TABULAR PRESENTATION

MORE DETAILS ABOUT THE PROCEEDINGS CARRIED OUT BEFORE THE COUNCIL OF THE AGENCY

Structure of the first-instance decisions made by the Council upon appeals	No.
Decision that establishes a violation of the law and imposes a reprimand on the public official, together with an order to take specific action	16
Decision that establishes a violation of the law and imposes on the official the measure of public announcement of the recommendation for dismissal from public office	10
Decision that establishes a violation of the law and imposes on the official the measure of public announcement of the decision on the violation of the Law	9
Decision that dismisses the request for consent for discharging another public office as untimely	6
Decision that rejects the request for consent for discharging another public office	4
Decision that rejects the request for consent to engage in another job in addition to discharging a public office	1
Decision that establishes the violation of the provisions of Article 56, paragraph 4 of the Law and obliges the public official to resign from one of the public offices	1
Decision that dismisses the request for consent for discharging a second public office as untimely and rejects the request for discharging a third public office	1
Decision to suspend the proceedings	1
Total	49

MORE ABOUT THE DECISIONS OF THE BOARD / COUNCIL AGAINST WHICH ADMINISTRATIVE DISPUTES WERE CARRIED OUT AND THE ADMINISTRATIVE COURT ISSUED JUDGMENTS IN 2022

Structure of first-instance decisions that were upheld in the second instance before the Board/Council				
No.	Public office	Violation of the Law	Imposed measure	Judgment of the Administrative Court
1.	Councillor and former president of the municipal assembly	Decision establishing the violation of Articles 27 and 32, para. 1 of the Law on the Agency (participated in the work and decision-making at the sessions of the municipal assembly where decisions were made on the municipal budget, based on which funds from the budget were paid to the association of which he was a member, founder and chairman of the managing board, and failed to notify the Agency of a conflict of interest)	Measure of public announcement of the decision on the violation of the Law on the Agency	Judgment rejecting the claim
2.	Deputy public prosecutor	Decision establishing the violation of Article 43, para. 2 of the Law on the Agency (did not submit the Report on Assets and Income within the statutory deadline)	A reprimand ordering the person to fully comply with the Law in the future	Judgment rejecting the claim
3.	Member of the management board of an agency	Decision establishing the violation of Article 28, para. 4 of the Law on the Agency (simultaneous performance of second public office of the director of a company and the third public office of a councillor, without the consent of the Agency)	Termination of another public office by force of law and the measure of public announcement of the decision on the violation of the Law on the Agency	Judgment rejecting the claim
4.	Dean of a Faculty	Decision establishing the violation of Articles 27, 30 and 32, para. 1 of the Law on the Agency (concluded an agreement on cooperation with a sports association whose founder and representative s/he is, performed the work of a coach in the association without the consent of the Agency, nepotism and failure to inform the Agency of the conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim

Structure of first-instance decisions that were upheld in the second instance before the Board/Council				
No.	Public office	Violation of the Law	Imposed measure	Judgment of the Administrative Court
5.	MP	Decision establishing the violation of Article 45, para.1 of the Law on the Agency (did not inform the Agency about performing a job within 15 days from the day of assuming office) and violation of Article 51, para. 1 of the Law on the Agency (did not transfer management rights in the company)	A reprimand stating that the person is obliged to transfer management rights and to comply with the Law in the future	Judgment rejecting the claim
6.	Director of a pre-school institution	Decision establishing the violation of Articles 27 and 32, para. 1. of the Law on the Agency (nepotism and failure to notify the Agency of a conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim
7.	Councillor of the city assembly	Decision rejecting the request for consent to discharge another public office, that of member of the city election commission	-	Judgment rejecting the claim
8.	Director of an institute	Decision establishing the violation of Article 30, para. 4 of the Law on the Agency (performed advisory work without the consent of the Agency) and Articles 27 and 32, para. 1 of the Law on the Agency (granted himself funds for work on the project and failed to inform the Agency about the conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim
9.	Director of an Ltd	Decision establishing the violation of Article 28, para. 4 of the Law on the Agency (performed another public office, that of councillor of the municipal assembly, without the consent of the Agency) and Article 27, para. 2 and 32, para. 1 of the Law on the Agency (participated in the decision of the municipal assembly which approved the reorganisation plan of an Ltd, nepotism and failure to inform the Agency about the conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim
10.	Director of an elementary school	Decision establishing the violation of Articles 27 and 32, para. 1 of the Law on the Agency (nepotism and failure to notify the Agency of a conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim

Structure of first-instance decisions that were upheld in the second instance before the Board/Council				
No.	Public office	Violation of the Law	Imposed measure	Judgment of the Administrative Court
11.	Former councillor and president of the municipal assembly	Decision establishing the violation of Articles 40 and 42, para. 1 of the Law on the Agency (funds from the municipal budget were paid to a football club of which his son is a representative, failure to notify the Agency of the conflict of interest)	Measure of public announcement of the decision on the violation of the law	Judgment rejecting the claim
12.	-	Decision notifying the applicant that the application procedure has been completed	-	Judgment rejecting the claim
13.	Former Director General of a joint stock company	Decision dismissing the request for consent to establish an employment relationship in an Ltd and business cooperation with two Ltd's because it was not submitted within the deadline	-	Judgment rejecting the claim
14.	Acting Director of a specialised hospital	Decision establishing the violation of Article 27 of the Law on the Agency, nepotism)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim
15.	Director of a pre-school institution	Decision establishing the violation of Articles 27 and 32, para.1. of the Law on the Agency (nepotism and failure to notify the Agency of a conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim
16.	Member of a municipal council	Decision establishing the violation of Articles 27 and 32, para.1 of the Law on the Agency (the municipality paid funds to the shop of the public official's spouse, a contract was concluded in the public procurement procedure of low value, plus failure to inform the Agency about the conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim
17.	President of a municipality	Decision establishing the violation of Articles 27 and 32, para. 1 of the Law on the Agency (funds from the municipal budget were transferred to the account of a company owned and represented by the public official's wife, to the account of an entrepreneur who is the public official's brother, and to the account of a company whose co-owner is a member of the municipal council, plus failure to notify the Agency of a conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim

Structure of first-instance decisions that were upheld in the second instance before the Board/Council				
No.	Public office	Violation of the Law	Imposed measure	Judgment of the Administrative Court
18.	Director of the Centre for Social Work	Decision establishing the violation of Articles 27 and 32, para. 1. of the Law on the Agency (nepotism and failure to notify the Agency of a conflict of interest)	Measure of public announcement of the recommendation for dismissal from public office	Judgment rejecting the claim
19.	Former president of a University Council	Decision establishing the violation of Articles 27 and 32, para. 1 of the Law on the Agency (during the election of the president of the University Council, she voted for herself, signed the decision on the adoption of amendments to the financial plan, after which she concluded copyright contracts on the basis of which she was hired for a fee, plus failure to inform the Agency about the conflict of interest)	The measure of public announcement of the decision on violation of the law	Judgment rejecting the claim
20.	Municipal assembly councillor	Decision establishing the violation of Article 27, paras. 2 and 3 of the Law on the Agency (in the capacity of adviser for the development and improvement of infrastructure in the municipality, he concluded an agreement with the municipality on the provision of services of an adviser in the field of infrastructure for a fee)	The measure of public announcement of the decision on violation of the law	Judgment rejecting the claim
21.	Former director of a business school	Decision establishing the violation of Article 27, para. 2 of the Law on the Agency (acted contrary to the Decree on coefficients for the calculation and payment of salaries of employees in public services)	The measure of public announcement of the decision on violation of the law	Judgment rejecting the claim
22.	Director of a Ltd	Decision establishing the violation of Article 43, para. 2 of the Law on the Agency (did not submit the Report on Assets and Income within the statutory deadline)	A reprimand obliging the person to submit a Report	Judgment rejecting the claim
23.	Director of an institute	Decision establishing the violation of Article 28, para. 4 of the Law on the Agency (discharged another public office, that of president of the supervisory board of the health centre, without the consent of the Agency)	Termination of another public office by force of law	Judgment rejecting the claim

Structure of first-instance decisions that were upheld in the second instance before the Board/Council				
No.	Public office	Violation of the Law	Imposed measure	Judgment of the Administrative Court
24.	Municipal assembly councillor	Decision establishing the violation of Article 27, paras. 2 and 3 of the Law on the Agency (simultaneous performance of public office and duties of a member of the local community council in the same municipality)	Reprimand ordering the person to stop the simultaneous performance of public office and the duties	Judgment rejecting the claim
25.	Member of Board of Directors of an Ltd	Decision rejecting the request for consent to perform the work of a member of the supervisory board of an Ltd	-	Judgment rejecting the claim
26.	MP and councillor - president of the municipal assembly	Decision establishing the violation of Article 27, para. 2 of the Law on the Agency in connection with Article 33, para. 2 item 3 of the Law on Sport (simultaneous discharging of public offices and duties of the president of a sports association, member of the executive board of a sports association and vice-president of a sports association)	Reprimand obliging the person to stop simultaneously performing public functions, on the one hand, and duties in sports associations on the other	Judgment upholding the claim and annulling the Board's decision and returning the case for a repeated procedure
27.	Former director of an electric engineering school	Decision establishing that the person did not act in line with the earlier decision of the Acting Director of the Agency, i.e. that he did not stop simultaneously discharging the public office of director of the said school and city assembly councillor	The measure of public announcement of the recommendation for dismissal from the public office of director	Judgment upholding the claim and annulling the Board's decision and returning the case for a repeated procedure

FINANCES

The total amount spent in 2022 was RSD 288,365,292.65, i.e. 96.77% of the approved funds. Unspent funds were returned to the budget of the Republic of Serbia.

Attachment 1: Programme structure of the Agency's budget for 2022

No.	Programme activity	Project	Budget	Source of financing
1.	Implementation of anti-corruption mechanisms		278,983,000.00	01 – Revenues from the budget
2.		Presidential elections	19,006,000.00	01 – Revenues from the budget
TOTAL:			297,989,000.00	

Programme activity: 0007 – Implementation of corruption prevention mechanisms – in RSD

Economic classification	Name of position in the Budget	Planned	Spent	Unspent	% of realisation
411	Wages, allowances and benefits of employees (earnings)	174,752,000.00	172,521,979.34	2,230,020.66	98.72
412	Social contributions borne by the employer	27,995,000.00	27,651,507.70	343,492.30	98.77
413	In-kind compensation	900,000.00	751,962.00	148,038.00	83.55
414	Social contributions to employees	3,235,000.00	3,204,222.07	30,777.93	99.05
415	Reimbursement of expenses to employees	3,390,000.00	3,233,775.15	156,224.85	95.39
416	Employee awards and other special expenses	940,000.00	686,659.89	253,340.11	73.05
421	Other expenses	6,160,000.00	5,230,171.34	929,828.66	84.91
422	Travel	1,946,000.00	1,204,415.41	741,584.59	61.89
423	Contract-based services	33,000,000.00	31,104,637.24	1,895,362.76	94.26
424	Specialised services	720,000.00	690,000.00	30,000.00	95.83
425	Everyday repairs and maintenance	4,360,000.00	2,942,009.83	1,417,990.17	67.48
426	Materials	2,500,000.00	1,531,148.13	968,851.87	61.25
481	Grants to NGOs	4,876,000.00	4,875,214.46	785.54	99.98
482	Taxes, Mandatory fees, fines, penalties and interest	90,000.00	34,540.00	55,460.00	38.38
483	Fines and penalties based on court decision	200,000.00	17,870.00	182,130.00	8.94
485	Compensation for injuries or damage caused by state authorities	100,000.00	0	100,000.00	0
511	Building and construction facilities	3,400,000.00	3,346,789.80	53,210.20	98.43
512	Machinery and equipment	4,435,000.00	4,432,866.00	2,134.00	99.95
515	Non-material assets	5,984,000.00	5,901,326.40	82,673.60	98.62
TOTAL:		278,983,000.00	269,361,094.76	9,621,905.24	96.55

Project 1: 7055 – Presidential elections

Economic classification	Name of position in the Budget	Planned	Spent	Unspent	% of realisation
421	Everyday expenses	60,000.00	59,887.51	112.49	99.81
423	Contract-based services	18,680,000.00	18,679,221.58	778.42	99.99
426	Material	49,000.00	48,512.80	487.20	99.01
512	Machinery and equipment	217,000.00	216,576.00	424.00	99.80
TOTAL:		19,006,000.00	19,004,197.89	1,802.11	99.99

PUBLIC PROCEUREMENT

In 2022, the Agency conducted public procurement procedures and concluded the following contracts based thereon:

No.	Subject of public procurement	Type of procedure	Legal person with which a contract was signed	Value of the contract, without VAT	Value of the contract, with VAT	Execution
1.	<i>Check Point</i> software Licenses	Open public procurement procedure	“ <i>Magnetic System</i> ” d.o.o. Belgrade	3.595.000,00	4.314.000,00	4.314.000,00
2.	Procurement of network devices and other computer equipment	Open public procurement procedure	“LAPTOP CENTAR” d.o.o. Belgrade	2.592.000,00	3.110.400,00	3.110.400,00
3.	Software improvement and maintenance services	Open public Procurement procedure	“ <i>Prozone</i> ” d.o.o. Novi Sad	5.749.984,00	6.899.980,80	3.099.993,60
4.	IT system support	Open public procurement procedure	“ <i>Magnetic System</i> ” d.o.o. Belgrade	1.119.300,00	1.343.160,00	947.020,80
5.	Services of travel (tourist) agencies	Open public Procurement procedure	“ <i>Nenex-trade</i> ” d.o.o. Belgrade	2.033.33,33	2.440.000,00	464.176,20

No.	Subject of public procurement	Type of procedure	Legal person with which a contract was signed	Value of the contract, without VAT	Value of the contract, with VAT	Execution
6.	Software licenses – Lot 1 (backup and replication licenses)	Open public procurement procedure	“Magnetic System” d.o.o. Belgrade	662.750,00	795.300,00	795.300,00
7.	Software licenses – Lot 2 (other licenses)	Open public procurement procedure	„Extreme” d.o.o. Belgrade	1.122.715,00	795.300,00	1.347.258,00
8.	Various computer equipment	Open public procurement procedure	“Magnetic System” d.o.o. Belgrade	1.142.123,00	1.370.547,60	1.370.547,60
9.	Vehicle insurance services	Centralised public procurement	“Dunav osiguranje” a.d.o. Belgrade	199.252,00	209.214,60	194.493,15
10.	Employee insurance services – travel insurance	Centralised public procurement	„Generali Osiguranje” a.d.o. Belgrade	6.600,00	6.930,00	6.930,00
11.	Employee insurance services	Centralised public procurement	„Generali Osiguranje” a.d.o. Belgrade	499.144,80	500.052,30	0,00
12.	Property insurance services	Centralised public procurement	„DDOR Novi Sad” a.d.o. Novi Sad	484.376,00	508.594,80	508.594,80
13.	Mobile telephone services	Centralised public procurement	„Telekom Srbija” a.d. Belgrade	857.699,04	1.029.238,85	307.933,58
14.	Computer material – toners	Centralised public procurement	„Prointer web” d.o.o. Belgrade	100.440,00	120.528,00	120.528,00

TRAINING OF EMPLOYEES IN THE PROFESSIONAL SERVICE - NATIONAL ACADEMY FOR PUBLIC ADMINISTRATION

No.	NAME OF TRAINING	No. of employees
1.	Implementation of the electronic invoice system	1
2.	Practical work on the register of employees, elected, appointed, nominated and engaged persons in the beneficiaries of public funds	1
3.	Public speaking in an online environment	1
4.	Preparation for the state professional examination	1
5.	Use of a single information system for planning, implementation monitoring, coordination of public policies and reporting	1
6.	E-invoice	1
7.	Me and my team	3
8.	Public procurement – conducting procedures	1
9.	Fundamentals of <i>HTML</i>	2
10.	Statistical data processing using the <i>SPSS</i> programme	2
11.	Optimisation of administrative procedures	1
12.	Development and improvement of trainees' capacities for drafting public policy documents (strategy of programmes and action plans)	1
13.	Stabilisation and Association Agreement	1
14.	Use of pivot tables in <i>Excel</i>	1
15.	Advanced <i>Power Point</i> presentations	1
16.	Programme of continuous professional development of civil servants employed in state authorities	1
17.	<i>Honeycomb</i> - Strengthening the professional capacities of appointed civil servants in Serbia (IPA-19)	4
18.	Central information system for salary calculation (<i>Iskra</i>)	2
19.	Training programme for newly appointed civil servants	1
20.	Basics of data processing and protection	1
21.	Labour relations in state authorities - application in practice	1
22.	Training programme for appointed civil servants - building organisational culture	2
23.	Advanced text processing	1
24.	Digital literacy	1
25.	Right to access to information of public importance	1
26.	Digital literacy – Advanced text processing	2

No.	NAME OF TRAINING	No. of employees
27.	Advanced <i>Power Point</i> presentations	1
28.	Training programme for appointed civil servants - Transformation of the way of management	1
29.	Gender equality	1
30.	Constitutional order	1
31.	Performance evaluation	1
32.	Advanced text processing	1
33.	How to use pivot tables in Excel	1
34.	Advanced tabular calculations	1
35.	Improving knowledge related to the legal and institutional framework in the Republic of Serbia as a concept, the forms of discrimination and the role and competences of the Commissioner for the Protection of Equality	2

EMPLOYEE DEVELOPMENT ORGANISED BY DOMESTIC AND INTERNATIONAL PARTNERS

No.	NAME OF TRAINING	Organised by	No. of employees
1.	CFE	Embassy of the United States of America	7
2.	Planning of public procurement and presenting the work on the Public Procurement portal	Information-Business Centre	1
3.	Cyber hygiene awareness training / Cyber security training	<i>IFES (International Foundation For Electoral Systems)</i>	25
4.	Management of documentary material and archival operations	State Archive of Serbia	1
5.	Integrating a gender perspective and creating gender-enhancement in reporting on the implementation of the Action Plan for Chapter 23	Ministry of Justice	1
6.	Encouraging sustainable development by supporting the implementation of the UN Convention against Corruption UNCAC in countries along the Silk Road Economic Belt	United Nations Office on Drugs and Crime UNODC	6
7.	<i>Masterclass – From Silence to Action</i>	<i>The Regional Anti-Corruption Initiative (RAI) Secretariat</i>	1
8.	Ethics and integrity	Agency for the Prevention of Corruption	7

No.	NAME OF TRAINING	Organised by	No. of employees
9.	Regional meeting to exchange the experiences among the bodies competent for the application of the law on conflict of interest	<i>Transparency international BIH</i>	2
10.	Business and language communication	Agency for the Prevention of Corruption	1
11.	Media appearances	OSCE	6
12.	Training on digital assets	OSCE	15
13.	Study visit to the Republic of France and Luxembourg on the topic of anti-corruption and protection of rights in the field of public procurement	NALED	1
14.	<i>Offshore companies</i>	OSCE	22
15.	Team building training for heads of Sectors	OSCE	6
16.	Improving the capacity of the state authorities' staffing units for internal and external communication	The Internal Control Sector	1
17.	<i>The Essential Data Protection Course</i>	<i>EIPA Luxembourg</i>	3
18.	<i>Erste Security & Fraud conference</i>	<i>Erste bank a.d. Novi Sad</i>	1



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