

Prevention of Corruption in the Executive Branch and the Police

What has the Republic of Serbia done to implement the GRECO Recommendations from the fifth round of evaluation

Summary

The views expressed in this analysis belong solely to the author and his associates and do not necessarily represent the official position of the OSCE Mission to Serbia.

Transparency Serbia

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Project Note

The analysis was carried out in the second half of 2025. The text uses parts of the proposals made by Transparency Serbia during the public debate on the draft amendments to the Law on Prevention of Corruption, the proposals of anti-corruption plans, as well as earlier comments on the GRECO recommendations from the Fifth Round of Evaluation.

This analysis builds on last year's analysis. In places where it is still relevant, the text of the earlier analysis has been retained or slightly modified.

Within the Project, Transparency Serbia also addressed other issues (the appointment of acting officials in public administration, and the analysis of corruption risks in draft laws). In addition, due to the volume of data, a separate analysis was prepared, which examined the issue of the implementation of the GRECO recommendation relating to the public availability of data on the advisers to the Prime Minister, Deputy Prime Ministers, and members of the Government of Serbia.

The research was supported by the OSCE (Organization for Security and Co-operation in Europe) Mission to the Republic of Serbia, for which we are grateful. All views and suggestions expressed belong to the organization Transparency Serbia and cannot be considered the position of the OSCE Mission.

Main conclusions

Anti-Corruption Potential and How Much It Has Been Exploited

The recommendations that Serbia received from GRECO in 2022, as part of the Fifth Round of Evaluation, carry great potential for improving the system and prerequisites for the fight against corruption. The extent to which this potential is used depends on the **approach** taken towards them by the **state authorities of Serbia**, the **interest for and significance** of the fulfillment thereof of **other important actors in the fight against corruption**, such as international organisations, civil society and the media, and finally, from the **consistency and thoroughness of GRECO proper** when validating Serbia's performance.

This research has shown that **the approach of the Serbian state authorities to the implementation of the recommendations has not been satisfactory** – the declaratively expressed willingness was not followed by appropriate action, and the goals that the Government of Serbia has set to itself are far below what can be done and far beyond the deadlines we received from GRECO. Moreover, in practice, the actions of state authorities were often directly contrary to the GRECO recommendations or to the objectives for which those recommendations were made.

While the situation is better in terms of the importance attributed to the fulfilment of the GRECO recommendations in the reports of other stakeholders – they are **high on the list of priorities of the European Union** (Annual Progress Report, Rule of Law Report, EU Parliament resolutions) - the opportunity to accelerate their implementation by including this issue in the Reform Agenda was missed. Namely, that 2024 document refers to the GRECO recommendations only indirectly. The impression is that this also had a negative impact on the prioritisation of action by the Government of Serbia, as during 2025 it was slightly more focused on fulfilling the obligations explicitly mentioned in the Reform Agenda than on other issues.

The public in Serbia is showing interest, mainly due to the publication in many media outlets of GRECO statements and the findings of the previous Transparency of Serbia survey. However, very little has been written about the work on the fulfillment of specific recommendations, even when it comes to topics that could be of considerable interest to citizens, as they are related to current developments (for example, ministerial immunity and the competences of the Prosecutor's Office for Organised Crime, difficulties in obtaining information from the Government of Serbia, and suspicions of political influence over the work of the police).

What is not only a cause for concern, but also represents a certain paradox, is that over the past twelve months—during which citizens identified corruption as the main problem in society,¹ and many of them took part in mass protests with a strong anti-corruption component—the authorities failed to recognise the opportunity, through work on the GRECO recommendations, to demonstrate a greater willingness to act, even if only for reasons of their own public promotion.

¹https://www.transparentnost.org.rs/images/Istra%C5%BEivanje_o_korupciji_i_prioriteti_za_borbu_protiv_korupcije_-_prezentacija.pdf

GRECO itself did not issue any statements during 2025 regarding the implementation of the recommendations, as the Government of Serbia has a deadline until the end of this year to report on the measures it has taken. In the first compliance report, GRECO itself has **looked at the situation mostly in an objective manner** and assessed that the recommendations were not implemented at all or only partially implemented. On the other hand, in the only case where it was estimated that a recommendation has been fully complied with, it is based **on formal elements** (adoption of regulations/laws/bylaws), **without any further analysis of the substance and possible effects**, and it is therefore hoped that this will not be the case in the future.

Although the deadline for the Government of Serbia to submit its next report on the implementation of the recommendations is approaching (31 December 2025), the current situation is such that very little has been done to implement them, and some of the activities that were initiated have not been completed. As a result, it can be expected that the next GRECO evaluation (anticipated in the second half of 2026) will be almost as unfavourable as the previous one. The assessment could be somewhat better only if certain activities that the Government of Serbia is currently planning for the first quarter of 2026 are actually implemented, and if GRECO at the same time takes a favourable view of considering those subsequently submitted pieces of information.

Why these recommendations are important for Serbia

The importance of the GRECO recommendations for Serbia stems from several factors.

First, in a relatively short period of time, evaluators assess the quality of regulations and practices on the same issues across Europe, and even outside our continent, giving recommendations for improving the situation, and then monitor the extent to which these recommendations are being fulfilled and inform both states and the public about it. The fifth round of evaluation covers two particularly important areas – the mechanisms that should prevent corruption in the executive branch and those that are applied within the police².

In Serbia, as well as in other countries with candidate status, the process of European integration gives additional weight to the GRECO recommendations. Instead of listing specific obligations that countries should meet in order to ensure adequate protection against corruption, the European Commission is asking them to comply with the recommendations received from GRECO. This can be seen from several annual reports of the European Commission in a row, where the fulfillment of the recommendations from the Fifth Round of Evaluation is one of the key recommendations for Serbia for the next year³.

The third, and perhaps most important, factor is the specificity of many of the recommendations in this Evaluation Report⁴, as well as the fact that the recommendations themselves refer to some of the biggest obstacles to the functioning of the anti-corruption system in Serbia. In this regard, the

² [https://www.coe.int/en/web/greco/evaluations#{%2222359946%22:\[1\]}](https://www.coe.int/en/web/greco/evaluations#{%2222359946%22:[1]})

³ <https://www.mei.gov.rs/srl/dokumenta/eu-dokumenta/godisnji-izvestaji-ek/>

⁴ <http://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680a7216d>

recommendations related to shedding light on hidden influences on decision-making in the executive and indirectly legislative branch (the role of advisors, lobbying, the process of public consultation, access to information), creating preconditions for criminal prosecution of corruption in the executive branch (immunity, competencies and capacities of the prosecutor's office), examining specific allegations of corruption (e.g. promotion of whistleblowing, reviewing of the reports of the Anti-Corruption Council) are particularly important, just like those related to the prevention of political influence on the work of the police and the establishment of mechanisms for identifying the risks of corruption in the police proper and eliminating such risks.

Missed opportunities

The significance of this element has not been adequately recognized by the authorities in Serbia. Such a conclusion is unequivocal in view of the fact that, according to GRECO, **in the first set deadline, Serbia fully fulfilled only one of the 24 recommendations**. Furthermore, concerning many of the recommendations neither before, nor in 2025, the work has not even begun.

Whereas in our previous report on the same issue⁵ we assessed that, in certain cases, delays in implementation could be explained—though not fully justified—by difficulties that were partly of an objective nature, such as the holding of early parliamentary elections, on this occasion even that justification was no longer available. Also, some of the problems that need to be addressed are really complex or the implementation of the recommendations is related to the resolution of a number of other issues, which are controversial *per se* (which is probably also the case this year in the drafting of the new Law on Internal Affairs, in which civil society organisations are not participating on this occasion). On the other hand, no justification can be found for the failure to carry out recommendations the implementation of which did not involve legislative activity or the engagement of resources (e.g. publication of the names of advisors to members of the Government).

The process of drafting national anti-corruption planning documents, instead of serving as an incentive to implement the recommendations, worked more in the opposite direction. **As the adoption of the Anti-Corruption Strategy was delayed, the deadlines for fulfilling the GRECO recommendations, to which parts of the Strategy related to, were also postponed**, even though there was no obstacle to work on them in parallel. In addition, in the 2024 Strategy⁶, despite the fact that these *were obligations that should have already been fulfilled* by that time, the Government of Serbia committed itself to implementing *only 35% of the GRECO recommendations* by the end of 2028. This was followed by an even less ambitious first Action Plan for its implementation.⁷ However, that plan was not implemented either, and many activities are now being planned for 2026 and the years that follow (in the draft Action Plan for the period 2026–2028)⁸. In relation to this document, we particularly emphasise that,

⁵https://www.transparentnost.org.rs/images/%C5%A0ta_je_Republika_Srbija_u%C4%8Dinila_da_ostvari_Prep_oruke_GRECO_iz_petog_kruga_evaluacije.pdf

⁶ https://www.srbija.gov.rs/extfile/sr/802696/nac_strat_borba_protiv_korupc_2024-2028_0017_cyr.zip

⁷ https://www.srbija.gov.rs/extfile/sr/850456/strategija-protiv-korupcije-akcioni-plan050_cyr4.zip

⁸ <https://ekonsultacije.gov.rs/topicOfDiscussionPage/537/4>

despite the European Commission's earlier insistence that solutions be devised for all GRECO recommendations⁹, this was not done with regard to several key recommendations.

The realization of the great potential of the GRECO recommendations depends not only on the state authorities of Serbia and the strength of civil society and the media that monitor their implementation, but also on the subsequent views of GRECO on whether the implementation is satisfactory. The recommendations are derived from the findings of the evaluation team and the implementation thereof should be viewed in the context of the shortcomings that were initially identified. A minimalist approach to the assessment of the degree of realization may lead to consider the performance of the state satisfactory, for example, because an act has been passed or a body has been established, even though there is no guarantee that the underlying problem will be solved. Serbia and GRECO already have several such experiences, including on the issue of the Law on Lobbying, the Law on the Prevention of Corruption (formerly the Law on the Anti-Corruption Agency), when new GRECO reports showed that what was done on the basis of recommendations from previous rounds of evaluation did not bring the desired results.

Therefore, an additional cause for concern, in addition to the aforementioned delays and postponements, according to the assessment of Transparency of Serbia, is the fact that there exists a minimalist approach and insufficient public involvement in the work carried out so far on the fulfillment of certain GRECO recommendations and the planning of future activities.

The research shows that during 2025 the Ministry of Internal Affairs carried out activities that will be continued in the following year and that will likely ultimately result in a better assessment in the next Compliance Report in terms of the number of fully or partially implemented recommendations. As regards the Ministry of Internal Affairs, this primarily concerns work on the adoption of the Operational Plan for the Fight against Corruption in the Police and the new Law on Internal Affairs. As regards the Ministry of Justice, the only work visible to the public related to the drafting of a new Action Plan for the Strategy, which provides for certain measures concerning the implementation of GRECO recommendations, but unjustifiably postpones them to a more distant future. At the same time, there was no progress whatsoever even with regard to the long-initiated process of amendments to the Law on the Prevention of Corruption, which was launched several years ago. In addition to all this, the conduct of the Government of Serbia, the Ministry of Justice, and certain other state authorities during this period was directly contrary to what should have been done with regard to the GRECO recommendations.

Degree of realization according to GRECO

Current convocation of the National Assembly, which began its work at the beginning of February 2024 and the Governments formed in May 2024 and April 2025 have been given a new opportunity and more than enough time to do what their predecessors (governments and assemblies from 2016, 2020 and 2022) failed to do – this time to fulfill everything that GRECO requested, at least within the second set deadline, that is, until 31.12.2025. The first deadline (30.9.2023), set by GRECO in the Evaluation Report, and has expired without much being done. Shortly thereafter, Transparency

⁹ <https://www.mei.gov.rs/srl/dokumenta/eu-dokumenta/godisnji-izvestaji-ek/>

Serbia, presenting a survey on the implementation of the GRECO recommendations, announced such an outcome on March 6, 2024. These findings were confirmed at the GRECO Plenary Assembly, held from 17 to 21 June 2024. At that meeting, a [Compliance Report](#) was adopted, containing an assessment of the activities carried out until the end of 2023. In December 2024, Transparency Serbia presented new findings indicating numerous weaknesses in the processes that had at least been initiated by that time, with the hope that during 2025 some of them might nevertheless be completed and result in a better assessment, which ultimately did not occur.

According to the GRECO findings from June 2024, Serbia has satisfactorily implemented only one of the twenty-four recommendations contained in the Report on the Fifth Round of Evaluation.

The result could have been much better if amendments had been made to some of the laws that were drafted, primarily the Law on the Prevention of Corruption and the Law on Internal Affairs, because they refer to several GRECO recommendations. However, the Ministry of Justice and the Ministry of Interior have not brought these proceedings to an end, not only in 2023, but also during 2024 and 2025. The draft amendments to the Law on the Prevention of Corruption, published at the end of the summer of 2023, did not move beyond that stage, nor was a report on the public hearing published.

Initially, it seemed like the reason for the additional wait for it to be proposed could be the desire to make all the necessary changes to the law at the same time, and Serbia has received recommendations from the ODIHR monitoring mission in this regard. At the beginning of January 2025, it became clear that the parliamentary Working Group for the improvement of the electoral process would not continue its work and that, consequently, there would be no agreed proposal for amendments to the Law on the Prevention of Corruption; however, the Ministry of Justice did not thereafter propose the amendments to the law that it had previously prepared.

Of the remaining twenty-three recommendations, 10 have been partially complied with, while thirteen have not been fulfilled at all. That is why GRECO notes that in the next 18 months (which are currently expiring), further progress will be needed to achieve an adequate level of compliance with the recommendations.

According to GRECO 2024 opinion, with regard to the holders of the highest executive offices, important steps have been taken with the adoption of the Integrity Plan in the General Secretariat of the President of the Republic and the Code of Ethics applicable to all persons holding the highest executive positions in the administration.¹⁰ Furthermore, the publication of information on the names and basic functions of the Chief of Staff, Secretary General and Advisor to the President was positively assessed.¹¹ GRECO noted progress in the cooperation of bodies responsible for the combatting corruption, as well as some progress in the verification of assets and incomes of persons in the highest executive positions by the Agency for the Prevention of Corruption.¹²

On the other hand, GRECO stresses the need to introduce rules on integrity checks before appointing ministers, chiefs of staff and advisers.¹³ Another disadvantage is that information on the chiefs of staff

¹⁰ Compliance Report, p. 27, <https://rm.coe.int/cinquieme-cycle-d-evaluation-prevention-de-la-corruption-et-promotion-/1680b0cd82>

¹¹ Ibid

¹² Ibid

¹³ Ibid

and advisors to the Prime Minister, Deputy Prime Minister and Ministers, as well as the scope of their competence, is not yet publicly available, as well as the fact that integrity plans, codes of conduct and other strategic documents regarding persons in the highest executive positions in the Government have not yet been adopted.¹⁴ The authorities just need to make sure that all persons are subject to disclosing *ad hoc* conflicts of interest and to be bound by restrictions after leaving office. In addition, there is an obligation to ensure that key institutions for the fight against corruption (i.e. the Agency for the Prevention of Corruption, the Prosecutor's Office for Organized Crime) should be provided with the proper staff. Finally, no steps have been taken to review the immunity granted to members of the Government so that it cannot be applied to corruption offences and to extend the jurisdiction of the Prosecutor's Office for Organized Crime to all persons holding the highest executive offices, including the President of the Republic.¹⁵

According to GRECO, some progress has also been made on recommendations related to the police, such as the adoption and publication of the Code of Police Ethics, as well as its inclusion in mandatory training for new police officers and those already employed.¹⁶ According to GRECO, progress is also the formation of a body for recording and evaluating gifts in the Ministry of the Interior, as well as a significant reduction in the threshold of value for gifts that police officers are allowed to receive and keep.¹⁷ On the other hand, GRECO points out that more decisive steps are needed towards amending to the Rules on Police Appointments in order to ensure more open and transparent competitions and prevent political appointments to key positions.¹⁸ It is necessary to carry out integrity checks for new police officers on regular basis, as well as for those already employed.¹⁹ Finally, the mechanism for overseeing police misconduct remains to be revised, to ensure that investigations into complaints against the police are sufficiently independent and transparent.²⁰

The work of the Government of Serbia and the National Assembly

The Governments of Miloš Vučević and Đuro Macut, as well as the National Assembly (2024 convocation), did not use the previous year to implement the GRECO recommendations relating to the executive branch and the police. During this period, the Government was in a caretaker mandate for a relatively short time. Miloš Vučević submitted an “irrevocable resignation” on 28 January 2025, but the National Assembly decided to formally acknowledge it only on 19 March,²¹ and prior to that the Government operated at full capacity. Less than a month later, on 16 April 2025, the current Government of Đuro Macut was elected²². We note that a caretaker mandate of the Government does not constitute an obstacle to the preparation of draft laws and the conduct of public consultations on drafts that require improvement, but only to their formal submission and adoption.

¹⁴ Ibid

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Ibid

¹⁸ Ibid., p. 28

¹⁹ Ibid

²⁰ Ibid

²¹ <https://www.srbija.gov.rs/vest/867259/skupstina-srbije-konstatovala-ostavku-premijera-milosa-vucevica.php>

²² http://www.parlament.gov.rs/upload/archive/files/cir/pdf/ostala_akta/14_saziv/RS-13%20Odluka%20Vlada.pdf

It should be recalled that, unlike the inaugural addresses of Ana Brnabić as Prime Minister during her first and second terms, in which the fight against corruption was the second and third item, respectively, in the address, in the inaugural address of Miloš Vučević the fight against corruption was listed as the final item.²³ Regrettably, the address did not contain a single reference to plans relating to the implementation of GRECO recommendations from the Fifth Evaluation Round. Moreover, GRECO recommendations were mentioned only in the context of having received “positive assessments” for obligations stemming from the Fourth Evaluation Round²⁴.

The inaugural address of the current Prime Minister, Macut²⁵ contains little that is new and, in some places, literally repeats the vacuous slogans of the previous Prime Minister. Of relevance to the subject of this analysis is also the chapter entitled “Legal Certainty”. It refers to amendments to the set of criminal legislation and then mentions GRECO in the following manner: “At the same time, we are fulfilling the obligations from the fifth round of GRECO evaluation — improving the laws on the prevention of corruption, lobbying, and the fight against organised crime.” This is followed, finally, by a time-bound promise: “By the end of 2025, we will also adopt key strategic documents: a new Strategy for the Improvement of the Judiciary, a National Strategy for the Rights of Victims and Witnesses, as well as action plans for the fight against corruption and financial investigations.”²⁶

European priorities

Annual Report of the European Commission

This year’s European Commission report on Serbia²⁷ likewise creates, at first glance, the impression that this community of states is more committed to the fight against corruption in Serbia than the Serbian authorities themselves. The word “corruption” is mentioned 63 times in the report, already in its introductory section, as one of the most important issues, whereas in the Government’s work programme the term is mentioned only seven times and with a significantly lower level of specificity. The European Commission also made an effort to present the results of the work of courts and prosecutors in corruption cases in a much clearer manner than the institutions themselves did. Nevertheless, once again, the report does not cover certain important issues, nor does it seek adequate solutions for all identified problems.

The report states that stronger political will is needed for an effective fight against corruption, the establishment of a stable track record of results, and a robust response by the criminal justice system, including in the fight against high-level corruption.²⁸ One of the recommendations previously made by the European Commission is also that Serbia should fully take into account all recommendations issued by GRECO, particularly those from the Fifth Evaluation Round.

²³ <https://www.slobodnaevropa.org/a/srbija-vlada-vucevic/32930140.html>

²⁴ Ibid

²⁵ <https://media.srbija.gov.rs/medsrp/dokumenti/djuro-macuta-ekspoze150425.pdf>

²⁶ Izlaganje programa Vlade Republike Srbije kandidata za predsednika Vlade prof. dr Đure Macuta, 15. april 2025, str. 22.

²⁷ https://www.mei.gov.rs/upload/documents/eu_dokumenta/2024/izvestaj_24.pdf

²⁸ Ibid

Reform agenda

At the beginning of October 2024, the Government of the Republic of Serbia adopted the long-awaited Reform and Growth Instrument for the Western Balkans (the so-called Reform Agenda of the Republic of Serbia), which represents a comprehensive strategic document developed as a result of the European Union's (EU) new approach to enlargement policy in the Western Balkans, embodied in the new Growth Plan.²⁹

The Action Plan was adopted six months after the Strategy, and in such a way that it does not cover the entire period of the Strategy's validity, but only its first year. Thereafter, the Republic of Serbia is required to establish an effective coordination mechanism in order to operationalise policy objectives related to the prevention and suppression of corruption and to address the issue of corruption in a thorough manner.³⁰

In its comments on the Reform Agenda, Transparency Serbia pointed to numerous shortcomings, some of which are also relevant to the GRECO recommendations. With regard to those recommendations, one of the objectives is the conduct of public consultation procedures in relation to laws. The problem is that the possible exceptions (cases in which consultations are not mandatory) are not defined with sufficient precision or are not adequate.

Specifically, it could be interpreted that the obligation would be considered fulfilled if consultations (of any kind) are conducted for 100% of laws of a certain type, rather than **only if those consultations are carried out in a manner that ensures the fulfilment of all elements currently prescribed**. For example, a public debate might be held, but the start of work on the document might not be announced; the composition of the working group that prepared the draft might not be published; a report on the conducted public consultation might not be published, or it might not contain all the required elements, etc.

The provisions that envisage the obligation to conduct consultations are mutually inconsistent: some of them introduce a high degree of arbitrariness in assessing compliance with the criteria, while others create the possibility of **reducing existing obligations**. At the same time, bearing in mind that this activity largely relates to the **fulfilment of obligations that state administration bodies have had** in certain segments for almost two decades, and in others for as long as six years, and which have been persistently violated, **setting June 2027 as the deadline for implementation is entirely inappropriate**.

In the part of the Reform Agenda relating to the fight against organised and serious crime, it can be concluded from the description of activities that they are aimed at suppressing only certain forms of

²⁹ https://eupregovori.bos.rs/progovori-o-pregovorima/vesti/1752/4521/usvojena-reformska-agenda-republike-srbije_-98-koraka-ka-ubrzanom-clanstvu-u-evropskoj-uniji.html

³⁰ https://www.mei.gov.rs/upload/documents/nacionalna_dokumenta/reformska_agenda_rs_2024_2027.pdf,

criminality. At the same time, activities relating to a more effective fight against corruption have been unjustifiably excluded.

For example, it is planned that a Law on Internal Affairs be adopted “regulating the issue of police independence from the Ministry of Internal Affairs during the pre-investigation and investigation phases and addressing the recommendations of the Committee for the Prevention of Torture (June 2025)”. However, that law should also ensure the implementation of the recommendations from GRECO’s Fifth Evaluation Round.

The improvement of the legal framework is envisaged, including amendments to the Criminal Code, but only in relation to arms trafficking, despite the fact that there is a need for its amendment for other reasons as well, some of which are linked to the recommendations of GRECO and ODIHR.

Rule of law report

The Rule of Law Report on Serbia, published by the European Commission, highlights that among experts, citizens, and business executives, the perception of the level of corruption in the public sector has remained high.³¹

The Report also identifies the verification and enforcement of asset declarations and conflicts of interest as one of the weaknesses.³² The Law on the Prevention of Corruption, which prescribes the obligation of public officials to submit asset declarations and report conflicts of interest, still needs to be amended in order to expand the definition of a public official in line with GRECO recommendations. The Report also notes that the limited scope of the Law on Lobbying undermines its effectiveness in practice, while the Law on the Financing of Political Activities has several shortcomings.³³ Although it is positive that lobbying is regulated by law, its scope remains limited to formal, written contacts between interest representatives and persons holding the highest executive positions, excluding all other forms of interaction. Moreover, neither the lobbying register nor the mandatory annual report on lobbyists’ activities is published publicly. GRECO has recommended that both of these issues be addressed.

³¹ European Commission, Rule of Law Report 2025 – Country Chapter on Serbia, p. 5, https://commission.europa.eu/document/download/298f86d5-723b-4d3e-90b4-98ea24d9c885_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Serbia_0.pdf

³² Ibid. 8

³³ Ibid

Key recommendations related to the GRECO recommendations

1. The Draft Action Plan for the National Anti-Corruption Strategy for the period 2026–2028 should be expanded so as to include adequate solutions for all recommendations from GRECO’s Fifth Evaluation Round, in a manner that ensures the full implementation of those recommendations.
2. The objectives related to the implementation of the GRECO recommendations should be set in the Strategy so that Serbia fully fulfils its obligations, and in this sense it is necessary for the Government to adopt amendments to this document.
3. The National Assembly, which was not involved in the drafting of the Anti-Corruption Strategy, should consider how it could contribute to its implementation, and introduce a regular practice of reviewing reports on the implementation of the Strategy and Action Plan in the form of a public hearing, once a year.
4. The draft Law on the Prevention of Corruption should be significantly amended, after which a new public debate should be organized on it.
5. The process of amending the Law on Lobbying (Ministry of Justice) and the Law on Free Access to Information of Public Importance (Ministry of Public Administration and Local Self-Government) should be opened without delay in relation to all issues that have proven to be controversial.
6. The Agency for the Prevention of Corruption, the President of the Republic, the Government, ministries and the National Assembly should change the practice of their work, without waiting for changes in regulations, including in the following:
 - a. Regular review of the report of the Anti-Corruption Council and appointment of missing members on the basis of the proposal of the Council itself (Government).
 - b. Publication of information on contacts with lobbyists (persons covered by the current Law), but also with other interested parties.
 - c. Disclosure of information about hired advisors and other persons who provide advisory services.
 - d. Preparation of analyses on corruption risks in regulations, regardless of whether the ministries have requested an opinion on the draft law and publication of information on the treatment of these analyses (Agency).
 - e. Regular handling of requests for access to information of public importance (Government, President).
 - f. Inclusion on the agenda only of those draft laws for which the procedure of public consultation/public debate has previously been conducted and the explanatory memorandum of which contains full information on the impact on the preparation of these regulations (National Assembly).
 - g. Inclusion of members of the Government from 2025, 2024, 2022, 2020 and 2016, as well as the President of the Republic and his advisors in the control plan of the statements on assets and income for 2026. (Agency)
7. The Ministry of the Interior should publish and promote the acts it has adopted on the basis of GRECO recommendations.
8. The Ministry of the Interior should plan a wider range of activities related to the implementation of GRECO recommendations, especially when it comes to monitoring

compliance with the Code and certain prescribed rules (receiving gifts and additional work of police officers).

9. The Law on Internal Affairs should provide adequate solutions for all GRECO recommendations.
10. The public competition for the appointment of the Director of the Police should be repeated after the adoption of the Law on Internal Affairs and the introduction of new rules in line with GRECO recommendations.
11. Taking into account the purpose of the GRECO recommendations, prior to the adoption of the Law on Internal Affairs a special form of public consultations should also be organised in order to examine situations in which suspicions of undue political influence over the conduct of the Police have been raised, so as to assess the need for possible amendments to other regulations and for the adoption of measures that are currently not planned.

Analysis of corruption risks in practice

Legal framework

One of the most important anti-corruption mechanisms, whose significance is increasingly recognized worldwide, is the analysis of corruption risks in regulations. Transparency Serbia devoted a separate study to this topic four years ago, but only a small portion of the recommendations we made at that time has since been implemented.³⁴ Some of the most important recommendations should be implemented through amendments to the Law on the Prevention of Corruption, but it is equally important to pay attention to these issues when amending other regulations as well, in particular the Rules of Procedure of the Government and the National Assembly.

Under the current regulations, the analysis of corruption risks is carried out by the Agency for the Prevention of Corruption, either on its own initiative or upon request by another state authority. Ministries are required to seek the Agency's opinion when preparing draft legislation relating to any of the areas identified as particularly vulnerable in the strategic documents of the Republic of Serbia. Since a new National Anti-Corruption Strategy has meanwhile been adopted³⁵, the number of areas in which this type of consultation is mandatory has been expanded. Previously, there were eight such areas, and now there are thirteen, namely: healthcare, education, taxation, customs, local self-government, public sector management, construction and spatial planning, public procurement, privatization, public enterprises and other legal entities owned by the state, the police, political party financing, and repression.

Practice

U toku 2025. godine Narodna skupština usvojila je 80 zakona, ne računajući potvrđene međunarodne ugovore, kao ni zakone kojima se potvrđuju garantne šeme. Od ovih 80 zakona, njih 28 (35%) spada u 13 oblasti rizičnih oblasti koje su u Nacionalnog strategiji za borbu protiv korupcije identifikovane kao oblasti od posebnog rizika od korupcija. Konkretno, pregled donetih zakona u 2025. godini, po oblastima posebnog rizika od korupcije izgleda ovako:

Public sector management – 5 laws

Public procurement and privatization – 2 zakona

Taxes – 6 laws

Education – 6 laws

³⁴

https://www.transparentnost.org.rs/images/dokumenti_uz_vesti/Koruptivni_rizici_u_propisima_i_lobiranje.pdf

³⁵ https://www.srbija.gov.rs/extfile/sr/802699/nac_strat_borba_protiv_korupc_2024-2028_0017_lat.zip

Construction and spatial planning – 5 laws

Healthcare – 2 laws

Customs – 2 laws

When the Agency's opinion was sought

In response to a request for access to information of public importance, the Agency for the Prevention of Corruption stated that during 2025, five regulations were submitted to it by state authorities for an opinion on corruption risk assessment, and that the Agency prepared opinions for all five regulations. These were the following acts (four draft laws and one draft regulation):

- Draft Law on Amendments to the Law on Free Access to Information of Public Importance;
- Draft Regulation on the Conditions, Qualifications, and Activities of the Commission for the Adoption of Guidelines Determining the General Annual Objectives of Capital Companies;
- Draft Law on Amendments to the Law on Textbooks;
- Draft Law on Amendments to the Law on Civil Servants;
- Draft Law on Amendments to the Law on Salaries of Civil Servants and Public Employees.

Of these five regulations, three laws were adopted. In none of the explanatory memoranda accompanying these three laws is it stated that an opinion on corruption risk assessment was requested, nor that the Agency for the Prevention of Corruption was consulted in the drafting of the legislation.

The Agency did not publish the opinions it issued, thereby undermining the good practice established in the period 2022–2023 (there is still no statutory obligation to do so)³⁶. On the other hand, the Agency did publish its own initiative for amendments to the Law on Culture³⁷

It is important to note that at the time of the conclusion of this report, there are still four draft laws submitted by the Government pending parliamentary procedure, which could have been subject to the obligation to be submitted to the Agency for the purpose of issuing an opinion on corruption risk assessment. For certain laws that were under procedure during this period, Transparency Serbia published separate analyses, which are available on the TS website³⁸

³⁶ <https://www.acas.rs/cyr/opinions/33?page=1>

³⁷

https://www.acas.rs/storage/opinion_files/Inicijativa%20za%20izmenu%20Zakona%20o%20kulturi%2020%206%2025.pdf

³⁸ <https://www.transparentnost.org.rs/sr/inicijative-i-analize>

The practice of appointing acting officials in public administration

Reasons for conducting the research

Since the adoption of the Law on Civil Servants in 2005, a concept has been introduced whereby “appointed officials” within the public administration system (e.g. assistant ministers, ministry secretaries, directors of special organisations) are to be selected following competitive recruitment procedures. This reform measure, recognised as important for the professionalisation of public administration, the reduction of political influence, and the fight against corruption, has not been implemented even two decades later. In the meantime, largely as a result of warnings issued by the European Commission, the Law has been amended several times in order to reduce the scope for circumventing this obligation and to set time limits for ending the unlawful “acting” status.

In response to these messages, the Government set itself a deadline of 30 June 2019 to eliminate the unlawful practice of acting appointments, but this was not done. Instead, the poor practice continued uninterrupted after that date. In addition to the failure to professionalise the administration, an additional problem lies in the fact that many decisions appointing acting officials were adopted in a manner directly contrary to the Law. These unlawful practices take two forms: the adoption of retroactive decisions, and the appointment of acting officials despite the absence of a legal basis, due to the exceeding of the maximum permitted duration of “acting” status (six plus three months).

According to the findings of an analysis by Transparency Serbia, published by the prEUgovor coalition, more than three quarters of the decisions adopted by the Government of Serbia elected in 2020 on the appointment of acting officials in public administration were unlawful. In 30% of cases, the Government determined that officials would assume office on a date that had already passed at the time the decision was adopted

Findings for 2024 and 2025

The subject of the analysis were the decisions of the Government of Serbia adopted at sessions held between 7 May 2024 and 21 August 2025. During that period, the Government was headed by Prime Ministers Miloš Vučević and Prof. Dr Đuro Macut.

At the observed Government sessions, a total of 977 decisions on the appointment of acting officials were adopted.

In only 197 cases (20.16%) were acting officials appointed in accordance with the Law.

The only positive change compared to the period of the previous Government (Prime Minister Ana Brnabić) relates to the reduced share of retroactive decisions. There were 74 such decisions in total (7.56%), of which 54 Government decisions were doubly unlawful — not only were they retroactive, but there was no legal basis at all for the appointment of an acting official. In the most extreme case, a decision was adopted as many as 59 days after the date from which the acting official’s mandate was purported to have begun.

In a further 153 cases, the Government formed in 2024 unlawfully extended the acting status in state administration bodies for persons who had been appointed by decisions of the previous Government.

Finally, the Governments formed in 2024 and 2025 adopted an additional 553 unlawful decisions during this period (56%) — acting officials were appointed even though another acting official had already been serving in the same position for a period of three months. Such situations often involve the unlawful “acting” status being maintained over a prolonged number of years.

The trends are also negative. During the first four months of the current Government of Serbia, the share of unlawful appointments of acting officials amounted to 85.65%.