



Letter to Members of Parliament –Law on Prevention of Corruption does not solve important problems

May 13, 2019

Transparency Serbia sent proposals for improvement of 65 out of 114 articles of the Law on Prevention of Corruption to all parliamentary groups in the National Assembly.

Transparency considers that, among other things, the solutions are not satisfactory in terms of preventing the abuse of public officials for political promotion ("functionary campaign"), the conditions for election of the director and the way of selecting members of the Board/Council of the Agency, cumulation of functions, resolving conflicts of interest, reporting of property and punishment for giving false information about the property and income of a public official.

We particularly draw attention to the fact that the proposal is worse in relation to the previous drafts, for the reason that, without explanation, those who perform their functions in the companies established by public enterprises and non-privatized companies are excluded from the circle of public officials.

The Law on the Anti-Corruption Agency, according to the plans from the anti-corruption strategy, should be significantly improved in 2014, and according to the obligations from the negotiation chapter 23, in 2016. However, even after the three previously published drafts, neither the draft law that is submitted to the parliamentary procedure resolves problems that are observed in practice.

Although a public debate was organized in 2016, 2018 and 2019, the Ministry of Justice, contrary to the obligation under Article 41 of the Government's Rules of Procedure, did not publish a report from a public debate in which it would indicate why it considers unacceptable the proposals received and that proposed solutions are better than those suggested by participants in the public debate.

Transparency also indicates that there is no reason why it is necessary to discuss this act in an urgent procedure (meeting GRECO recommendations). Namely, it is a matter of obligations for which the first deadline expired on December 31, 2016, and the new additional deadline is December 31, 2019, while the beginning of the full implementation of the law is foreseen for September 2020. Therefore, TS proposes that the Assembly discuss this proposal in regular procedure, allowing for a thorough review of all contentious issues.

TS letters and comments are available on the [*Initiative and Analysis*](#) page in Serbian.