**Recommendations of independent anticorruption organs from annual reports for 2010 and Conclusions of authorized Committees of National Assembly**

|  |  |
| --- | --- |
| **Ombudsman – recommendations from annual report for 2010 that refer to National Assembly**  | **Justice and Administration Committee** |
| * Insist on inserting provisions on cooperation with Ombudsman and other independent control organs into Rules of Procedure.
* Insist on asking from Supreme Judges’ Council executing of legally prescribed obligation of cooperation with Ombudsman in proceedings from its jurisdiction.
* Insist on considering of special report of Ombudsman on preventive control visit to Security Information Agency by the authorized Committee.
* Insist on considering and supporting the implementation of Code of Good Management delivered by the Ombudsman.
* Insist on considering the report in the case of „missing babies“delivered by the Ombudsman.
* Insist on emphasizing significance of full and efficient protection of activists and civil society organizations that pledge for promotion of respecting human rights and initiating of simulative atmosphere for their work.
* Insist on ratifying the Optional Protocol to International Pact on Economic, Social and Cultural Rights.
* Insist on assessing through public hearing or some other appropriate method, whether possibility for employees in public administration organ (state, provincial, local government, public service, organization with public authorizations...) to work additional job of same kind without special mechanisms of protection from abuse should remain (public or private), and that it doesn’t represent conflict of interest.
 | CONCLUSIONSonRegular annual reporting of Ombudsman for 20101. National Assembly assesses that in its Annual Report on work Ombudsman presented complete status of human and minority rights in Serbia and quality of their implementation before state organs, indicated to necessary changes in work of public sector completely that would promote their implementation and protection, as well as complete overview of Ombudsman’s activities in executing of constitutional and legal jurisdictions
2. National Assembly ascertains that the duty of all state organs and holders of public authorizations is to respect, in performing of their authorities, recommendations of Ombudsman in the goal of accomplishing and protection of human and minority rights and freedoms, as well as how to proceed in accordance with good governance provisions.
3. National Assembly will, in performing of its control function determined with Constitution and Law, monitor work of executive organs and holders of public authorizations from the perspective of respecting recommendations of Ombudsman from submitted report, and in accordance with its jurisdictions, contribute to implementation and respecting of human and minority rights and freedoms.
 |
| **Commissioner for Information of Public Importance and Protection of Personal Data** | **Culture and Information Committee** |
| **With a view to improving the exercise of freedom of information and personal data protection, the Commissioner proposes in particular that the National Assembly, when enacting new regulations and amending the existing ones, with due observance of relevant European standards, should take the following measures:** 1) Ensure unity and consistency of the legal system in the field of freedom of information and personal data protection, 2) Insist on the use of mechanisms and guarantees for practical implementation of regulations in the fields of freedom of information and personal data protection, as well as on effective supervision of compliance with and implementation of those regulations, 3) Insist on accountability for omissions in the work of public authorities and public office holders in the fields of freedom of information and personal data protection,   4) Provide appropriate support in an effort to enable full independence of the Commissioner in his work.  | CONCLUSIONRelated to considering of the Report on Implementation of the Law on Free Access to Information and Protection of Personal Data for 2010Report on Implementation of the Law on Free Access to Information and Protection of Personal Data for 2010, submitted by Commissioner for Information of Public Importance and Protection of Personal Data is accepted.When enacting new regulations and amending the existing ones National Assembly will, with due observance of relevant European standards, take the following measures: 1) Ensure unity and consistency of the legal system in the field of freedom of information and personal data protection, 2) Insist on the use of mechanisms and guarantees for practical implementation of regulations in the fields of freedom of information and personal data protection, as well as on effective supervision of compliance with and implementation of those regulations, 3) Insist on accountability for omissions in the work of public authorities and public office holders in the fields of freedom of information and personal data protection,   4) Provide appropriate support in an effort to enable full independence of the Commissioner in his work.  |
| **State Audit Institution** | **Finance Committee** |
| There were no recommendations | CONCLUSIONOnAnnual Report on Work of the State Audit Institution for 20101. Annual Report on Work of the State Audit Institution is accepted
2. This conclusion will be published in the “Official Gazette of the Republic of Serbia”
 |
| **Anticorruption Agency** | **Justice and Administration Committee** |
| On the basis of experience from the first year of work, following recommendations were formulated:• Changing of provisions from other laws and regulations that regulate public officials’ conflict of interest, to be in compliance with the Law on Anticorruption Agency, in order to create consistent and harmonized legal framework that regulates this area;• Adoption and implementation of the Law on Financing of Political Activities as soon as possible, to control the financial report for 2010 in compliance with adopted Law;• Efficient implementation of the Law on Financing of Political Activities (after the adoption), established control mechanisms for regular and extraordinary financial reports of political subjects, cooperation with state organs in that field and established network of external Agency’s associates for control of political subjects’ financing;• Demand responsibility of officials that govern state organs, who decided on civil rights and obligations, for efficient and legal behavior in their resolving;• Insist on obligation of state organs to update regularly the Agency on taking public office and termination of duty;• All holders of public authorizations should appoint person that will be in charge of jobs related to cooperation with Anticorruption Agency (and other independent bodies whose jurisdiction is directly or indirectly related to preventing corruption and strengthening integrity of institutions with public authorizations); these jobs would be related, regarding the Agency, to implementation of Action Plan for National Anticorruption Strategy, creating and implementation of integrity plans and organization of trainings for employees;• All holders of public authorizations should have obligatory trainings for all employees (officials and executives) in ethics, corruption prevention, strengthening of integrity and public responsibility of employees and institutions;• Establish and implement mechanism of transparent and responsible awarding of budget assets to organizations of civil society and administrate matter of media property in transparent way;• Undertake measures that state organs, who decide on civil rights and obligations, should resolve these requests in legally prescribed deadline;• Establishing of information relation and faster exchange of information between the Agency and cooperating organs, with respect and implementation of secrecy principle for certain working documents;• creating preconditions for development of institutional methods of data control and verification through reports on officials’ property;• changing provision of the Law on Anticorruption Agency, that regulates status of employees on the basis of Law on Civil Servants, which is necessary for attracting and maintaining of quality personnel that possess necessary skills and knowledge significant for specific competence of Agency’s work;• providing of adequate office space, with appropriate infrastructure, necessary for efficient functioning of the Agency. | At the sitting organized on 21 June, Justice and Administration Committee, considered Annual Report on Work of Anticorruption Agency for 2010, regular Annual Report of Commissioner for Protection of Equality and Report on Implementation of the Law on Free Access to Information of Public Importance and Law on Protection of Personal Data for 2010.Cooperation of National Assembly with independent regulatory bodies in previous year was assessed in the discussion as appropriate and that in the period to come priority will be further improving of that cooperation. Committee received these reports, with conclusions and recommendations, and national Assembly will declare on it in one of the following sittings. |

*This is not an official translation*