



PREVENTION AND FIGHT AGAINST CORRUPTION IN SERBIA

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LAW ON PREVENTION OF CORRUPTION

○ **Subject Matter of the Law**

○ **Meaning of Specific Terms**

- Corruption
- Public authority
- Public official
- Public office
- Public resource
- Family member
- Associated person
- Strategic document
- Political entity
- Area that is particularly susceptible to the risk of corruption



ANTI-CORRUPTION AGENCY

- The Agency for the Prevention of Corruption (*Agency*) is an independent state authority accountable to the National Assembly of the Republic of Serbia for performance of work from its purview. The Agency has the status of a legal person.
- Funds for the work of the Agency shall be provided from the special budget section of the *Budget of the Republic of Serbia*, as well as from *other sources*.
- Competencies of the Agency



ANTI-CORRUPTION AGENCY

- Among other things, the Agency:
 - Files criminal charges,
 - Requests for initiating misdemeanor proceedings
 - Initiatives for initiating disciplinary proceedings;
- In practice, this almost does not work. This is especially a problem when it comes to high-ranking public official.
- Of course, it should be noted that the Agency has the specific mechanisms, but it is a far greater problem in the work of the prosecution and the court.



PENAL PROVISIONS

○ Criminal offence

- A public official who, contrary to the provisions of this Law, fails to report his assets to the Agency or provides false information concerning said assets in order to conceal information about the assets, **shall be punished by imprisonment for a term between six months and five years.**

○ Legal Consequences of Conviction

- The prison sentence issued for the criminal offence referred to in Article 101 of this Law shall have the following legal consequences from the day when the judgment has become final:
 - Termination of public office and/or termination of employment;
 - Prohibition of acquiring a public office for a period of ten years from the day the judgment has become final.



ACCEPTING BRIBES / ART. 367 SCC

- An official who, directly or indirectly, solicits or accepts a gift or other benefit, or promise of a gift or other benefit for himself or another to perform an official act within his competence or in relation to his competence that should not be performed or not to perform an official act that should be performed, shall be punished with **imprisonment of two to twelve years.**



ACCEPTING BRIBES / STRUCTURE OF CRIMINAL SANCTIONS

SANCTION	2013	2014	2015	2016	2017	TOTAL
prison / + 5 y.						0
prison / 3-5 y.	5		2	3		10
prison / 2-3 y.	1	2	2	3	1	9
prison / 1-2 y.	7	5	6	2	2	22
prison / 6 m - 1 y.	19	15	9	12	8	63
prison / do 6 m.	3	7	4	1	1	16
fine			1			1
suspendend sentence	8	6	5	9	2	30
house arrest			11	24	14	49
TOTAL						200

* Source: Republic Bureau of Statistics



CONCLUSION

