**Resume of research on proceeding of the National Assembly on independent state organs’ reports that deal with fight against corruption**

**Independent state organs** that were in focus of this research **submitted timely in 2012 their reports for 2011**: Anticorruption Agency, State Audit Institution and Commissioner for Information of Public Importance and Protection of Personal Data by 31st March, while Ombudsman did so on 15th of March 2012.

Parliamentary **Rules on Procedure** envisage scrutinizing of a report by the authorized Committee in **30 days deadline** since submitting to National Assembly. By expiration of that deadline authorized committees haven’t scrutinized the reports. In Serbia, elections were held on May 6th 2012, Parliament wasn’t in session at that time, although, certain parliamentary committees held sittings even in election period.

**Transparency - Serbia turned to** president of the National Assembly and members of authorized parliamentary committees on 18th of September 2012 to emphasize necessary scrutinizing of mentioned reports. Letter with similar content was sent to all deputy groups in the Parliament. Deputies were also directed to extreme significance of active monitoring of implementing National Assembly’s conclusions, e.g. through deputy questions to representatives of executive authority regarding resolving of problems raised by the independent state organs' reports, through submitting of draft laws or amendments in the cases where problems could be resolved by legal intervention.

In October, TS delivered to Judiciary Committee (authorized for the reports of Anticorruption Agency, Commissioner and Ombudsman), as a contribution and impetus to work of departmental Committees, and to Committee for the Culture and Information (authorized for free access to information of public importance from Commissioner’s report), **analysis of annual reports on work of these independent bodies, with distinguished recommendations** that were repeated in the reports for 2010 and 2011 and for which TS feels should be specially treated by the Committees when formulating preposition of conclusions to which Parliament should declare later on. Analysis should emphasize significance of certain recommendations for fight against corruption. TS consulted independent bodies for choosing recommendations.

**Preposition of systemic measures that could be scrutinized along with annual report of SAI was delivered** to Committee for Finances (authorized for SAI report), having in mind that auditor doesn’t present systemic recommendations in annual nor in audit reports.

Committee for Judiciary, State Administration and Local Self-governance, in a sitting on 31st October 2012 scrutinized Ombudsman’s Regular Annual Report for 2011, Anticorruption Agency’s Annual Report on Work for 2011 and report on Implementing Law on Free Access to Information of Public Importance and Law on Protection of Personal Data for 2011. After debate on submitted reports, Committee concluded that it is necessary to prepare, for one of its following sittings, preposition of conclusions and recommendations that should be later on proposed to National Assembly for adoption after scrutinizing of independent state organs’ annual reports on work.

Committee for Finances, Republic Budget and Control of Public Assets Spending scrutinized and accepted State Audit Institution’s Report on Work for 2011, presented by the president of Supreme Audit Institution’s Council Radoslav Sretenović in 13th November 2012 sitting. Committee determined only preposition of conclusions for accepting annual report.

Committee for Judiciary, State Administration and Local Self-government in a sitting on 14th of December 2012 determined preposition of conclusions to reports of three independent organs. Preposition of conclusions comprehended more specific recommendations of independent bodies than in previous year.

When it comes to activities of deputies, appeal of TS was responded by **deputy Jadranka Joksimović,** who posed a question to Government on December 27th 2012 „whether there is any plan and possibility for the Government to assist in resolving problem of independent state organs’ premises in adequate way, having in mind that increasing number of citizens rely on work of independent state organs, SAI, Commissioner, and Ombudsman“. By the end of March 15th, Parliament **hasn’t received any answer from the Government of Serbia regarding this matter.**

Deputy **Radojko Obradović,** on September 21st, during Parliamentary debate on election of SAI Council, pointed out to **missing reports and recommendations of SAI in Parliamentary agenda.**

Independent state organs were mentioned in certain parliamentary debates. Thus, during the debate on Draft Law on Special Conditions for Entering Property Rights to Buildings Constructed Without Construction Permit, there was addressing on recommendations of Anticorruption Agency to that content, during election of Ombudsman there was a debate on its role and significance of its work (without mentioning recommendations, their implementation and non implementation or problems with Ombudsman’s premises), and independent bodies were mentioned during the debate on amendments submitted by the Ombudsman to Laws on determining maximum salary in public sector, amendments to the Law on Military Security Agency and Military Intelligence Agency.

Especially important and worrying is the fact that Ombudsman already submitted new annual report, for 2012 (15th of March 2013), that SAI, Anticorruption Agency and Commissioner will submit their reports for 2012 in the following ten days, and that **National Assembly still hasn’t scrutinized reports, and preposition of conclusions formulated by authorized parliamentary committees for 2011.**

By the end of February 2013, TS submitted letter to president of the Parliament where it reminds him of the necessity of scrutinizing these conclusions. Letter also points out to **missing of some of the most important recommendations in preposition of conclusions** to which independent state organs pointed out to (even in previous reports), **although formulations**, according to estimation of Transparency – Serbia, are of better **quality than in 2011 and leave space for National Assembly to accomplish its supervisory role, but also to take initiative itself in resolving of certain problems indicated by independent state bodies**.

It was indicated to President of the National Assembly that the Laws that establish **two independent state organs** (Fiscal Council, on the basis of Budget System Law, Republic Commission for Protection of Rights in Public Procurement Procedures, on the basis of Public Procurement Law) **don’t prescribe obligation of submitting annual reports to National Assembly**. Due to that, National Assembly remains deprived for important information on problems these two organs face with in work and has less possibility to perform its supervisory role in the area of public finances.

Simultaneously, TS delivered preposition of amendments to deputy groups for amending conclusions of parliamentary committees. Those amendments have dual purpose – to encourage National Assembly to enlist into conclusions certain important matters that Committees haven’t entered into their preposition and to establish one time mechanism for monitoring of that conclusion’s implementation. Although it remains to be seen whether this initiative of TS will be accepted, it should be mentioned that there is a chance to improve that status. Namely, current **draft of National Anticorruption Strategy refers to this matter, envisages changes of parliamentary Rules on Procedure to secure monitoring of implementation of National Assembly’s conclusions regarding independent state organs’ reports.**

The hope remains that public advocacy of Transparency – Serbia, recognizing significance of parliamentary supervision and role of independent state organs in efficient fight against corruption, will result in scrutinizing of the reports timely this year, that parliamentary committees will comprehend all important matters with their conclusions and that National Assembly will take care of these conclusions’ implementation even after their adoption.