

# 2009 PROGRAMME BUDGET PERFORMANCE REPORT

## MISSION TO SERBIA

Summary Annual Resource Requirements (EUR)				
Main Programme Programme	Financial Resources*		Human Resources**	
	2009 Revised Resources	Resources Utilization %	2009 Positions	Utilization %
Office of Head of Mission	966,000	100%	28.50	97%
Fund Administration Unit	790,600	100%	28.00	99%
<i>Common Operational Costs</i>	1,504,900	98%	17.00	100%
Police Affairs	1,803,400	100%	47.00	91%
Democratization	1,210,700	100%	22.00	86%
Media	420,000	100%	11.00	90%
Rule of Law and Human Rights	1,159,700	100%	20.00	94%
<b>TOTAL FUND RESOURCES</b>	<b>7,855,300</b>	<b>99%</b>	<b>173.50</b>	<b>94%</b>

\* Percentage utilization rates reflect the estimated year-end expenditure at the point of PBPR preparation vs. 2009 Current Revised Budget including Programme transfers as per Fin. Reg. 3.02 (b)

\*\* Reflects the latest PC approved Post Table – Percentage utilization rates reflect the filled positions vs. approved positions as a weighted average utilization % throughout the year.

Note: Augmentation financial and human resources, where applicable, are included with the respective Programmes that utilize them.

### OVERALL CONSTRAINTS AND LESSONS LEARNT

In 2009 the Mission worked in a favourable political context dominated by stable, pro-reform government that set integration into the European Union as its main priority. While the late approval of the budget caused some delays in launching various Mission initiatives, the overall environment allowed the Mission to work in partnership with its key interlocutors to develop policies and strategies in areas defined by the Mission's mandate. Notably, as a result of high-level consultations with the Ministry of Interior, a programme for co-operation for police reform was updated and formalised in a Memorandum of Understanding. The Mission held similar policy-level discussions with the Ministry of Justice and the Ministry for Human and Minority Rights. While Serbia made tangible progress towards the European Union, the political urgency for reform laws at times came at the expense of public consultation. Accordingly, following the establishment of independent watchdog bodies and the passage of a substantial number of reform laws in 2009, the Mission intends to work closely with the government during the coming period to ensure more effective operation of the new structures and implementation of the new laws. Despite budget pressures, the government maintained its commitment to ethnic minority and human rights policies.

Following the implementation of the provisional Financial-Administrative Instruction 15 on implementing partners, the number of implementing agency agreements decreased from approximately 80 in 2008 to some 50 in 2009. A growth in a number of special service agreements was noted. Several vacancies remained open throughout most of 2009. The number of candidates nominated by participating States for certain seconded posts continued to decrease. Decrease in ICT purchases generated savings that were used for covering additional programmatic activities.

### PROGRESS TOWARDS OBJECTIVES

#### Category: A.1 Policy and Direction

##### A.1.1 Programme: Office of Head of Mission

**OBJECTIVE 1: TO PROVIDE POLITICAL DIRECTION AND STRATEGIC GUIDANCE TO ALL STAFF, AND INCREASE AWARENESS OF THE IMPLEMENTATION OF THE MISSION MANDATE.**

**Outcome 1.1: The Mission benefits from strengthened partnership, dialogue and co-operation with national and international actors in the host country on the implementation of OSCE commitments and values.**

The Mission, through good offices of the Head of Mission and its officers, provided regular feedback to its interlocutors on the compliance of their decisions and policies with OSCE principles and commitments. The host government used the Mission's advice in passing the laws on non-discrimination, on prevention of money-laundering, environment, the package of judicial laws and the laws amending criminal code and the criminal procedure code, as well as regulating special detention regime for organised crime convicts, thereby bringing Serbia closer to OSCE standards in these areas. The Mission supported the work of independent regulatory bodies, such as the Anti-Corruption Agency. Serbia made important steps towards its stated objective of integration into the European Union. The latest EU progress report noted a significant contribution of the Mission to Serbia reaching the best international standards in areas of human rights, rule of law, media and democratic governance.

**Output 1.1.1: National authorities' continued awareness of the Mission's goals is further promoted.**

The host government made frequent references to the Mission's assistance when developing policies in fields of law enforcement, legal reform, democratisation and transparency of public institutions, fight against impunity for war crimes, energy efficiency and media privatisation policies. Many of the specific programmes implemented with Mission support were referenced in the 2009 Progress Report on Serbia developed by the European Commission.

**Output 1.1.2: Information of the Mission's priorities and work is disseminated to diverse target groups and the general public.**

The media paid substantial attention to the activities of the OSCE Mission to Serbia. Thanks to the Mission's pro-active approach, media professionals better understood the Mission's mandate and the role of the OSCE. The Mission's opinion on political and other issues covered by its mandate was highly valued by media professionals and served as a basis for their reporting. They sought the Head of Mission's views on different political developments in the country. The Head of Mission and other Mission members were interviewed by domestic and international broadcast and print media contributing to a more positive image of the Mission. The reporting on issues involving the OSCE was more accurate and positive. The Mission's support to public debates and well targeted information campaigns on anti-discrimination, reform of the judiciary, organized crimes and war crimes helped the public familiarise itself with these issues and increased their knowledge about the Mission's work. University students and members of civil society groups learned about the Mission's activities thanks to the Mission's outreach.

**Output 1.1.3: Co-operation, internally within the OSCE and externally with international organisations and bilateral partners is strengthened.**

The Mission marked 2009 with a high level of co-operation both internally and externally. Specific examples of intra-OSCE co-operation included joint efforts on refugee/IDP and organized crime matters, conducted in co-ordination with several sister field operations in the region. The Mission also hosted representatives from the OSCE field operations in Central Asia and Caucasus regions to share experiences in supporting the drafting and implementation of the national anti-trafficking strategy and action plan. Co-operation in relevant areas has been proceeding smoothly with ODIHR, the High Commissioner on National Minorities and the Representative on Freedom of the Media. Co-operation with colleagues in the Secretariat's Conflict Prevention Centre was regular and mutually supportive. Externally, the Mission informed regularly the participating State delegations in Vienna as well as their embassies in Belgrade on ongoing issues. Several meetings were held to co-ordinate interventions in areas of mutual concern. Co-operation remained at the high level with the UN Resident Co-ordinator, UNHCR, the Council of Europe and the Delegation of the European Union to Serbia. In its programmes, the Mission worked closely with the civil society actors at both national and local level.

**Outcome 1.2: Mission staff effectively plan and implement their activities in accordance with the Mission mandate in a positive working environment.**

**The Mission held a strategic planning meeting in May 2009 to discuss the shifting political and economic environment in which the Mission operates. This led to an intensified dialogue with Serbian authorities on Mission priorities. Further, the Mission has embraced the PBPB approach, drawing together sections and looking critically at how programmes lead to impacts that support mandate goals.**

**Output 1.2.1: Programmes' alignment with OSCE policies, host country priorities and Mission goals is continuously ensured.**

The Mission completed the first round of re-evaluation of its programmes, looking at the relevance of its assistance to the host country priorities. As a result, the new Memorandum of Understanding was signed with the Ministry of Interior and specific agreements made with the Ministry of Justice. The Mission will engage both governmental and civil society partners in further consultations. Particular attention was dedicated to minority participation, refugee and IDP integration, and equal opportunities.

**Output 1.2.2: OSCE rules, regulations and best practices are observed and best possible working conditions, with special emphasis on secure environment and equal opportunities, are ensured.**

The Mission successfully adapted to the requirements of performance-based planning of its programmes and resources. It expanded the use of the methodology to measuring progress at the level of annual outputs as well as to the development of projects intended to extra-budgetary funding. Head of Mission's Office worked with Fund Administration Unit to receive better rates for bulk purchases. Savings were made on telephone charges also in 2009, following the signing of renegotiated mobile phone contract and switching landlines to Voice over Internet Protocol in 2008. When consulted, the Mission provided comprehensive feedback to the Secretariat's Department for Management and Finance on provisional administrative and financial instructions. It maintained its ongoing excellent co-operation with this Department. Staff turn-over continued to be a challenge. No Mission member was injured at work in 2009.

**Outcome 1.3: Security and stability in the host country are enhanced, with particular focus on southern and south-western Serbia.**

**The host country abided by OSCE standards on Confidence and Security Building Measures and Small and Light Weapons. The host authorities made efforts to increase transparency of defence and security policy, through adoption of the National Security and National Defence Strategies. The country's security and defence services actively reached out to the public, especially through the media. The state authorities engaged actively within framework of the Co-ordination Body on Presevo, Bujanovac and Medvedja in southern Serbia. While political and religious differences within the Bosniak community in south-western Serbia continued to affect the progress on security, the economy and democratic practices, early signs of reconciliation were observed between the rival Bosniak leaders.**

**Output 1.3.1: Implementation of OSCE commitments in the political-military dimension is promoted.**

The host country met reporting, inspection and other requirements under CSBM and SALW. In this context, the Mission maintained its contacts with the relevant sections of the Ministries of Foreign Affairs and of Defence, as well as with the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). The Mission supported the 43rd meeting of the sub-regional consultative commission on the implementation of the arms control agreement (Art. IV of the Dayton Peace Agreement), hosted by Serbian Foreign Affairs Ministry. This remained an important mechanism for maintaining stability and military transparency in the region.

**Output 1.3.2: Democratic dialogue and tolerance in southern and south-western Serbia are furthered.**

Through regular briefings and facilitating field visits and events, the Mission increased the focus of the international community on the region of south-western Serbia. The Mission leadership contributed to informal discussions at both ambassadorial and technical level so as to direct additional funding to this region. As the attention of the international community to this region grew, the feeling of isolation in south-western Serbia was reduced. The Mission also encouraged national authorities and local political leaders from southern Serbia to negotiate mechanisms for increasing representation of ethnic minorities in local self-government units. Most importantly, the Mission reinvigorated the role of the government's Co-ordination Body for southern Serbia, whose work resumed in 2009. Through the good offices of Mission leadership, local Albanian parties agreed for the first time to participate in the elections for their National Minority Council.

**Category: A.2 Management and Administration**

**A.2.1 Programme: Fund Administration Unit**

**OBJECTIVE 1: TO SUPPORT THE CONTINUOUS IMPROVEMENT OF THE EFFECTIVE AND EFFICIENT MANAGEMENT OF OSCE RESOURCES.**

**Outcome 1.1: Fund and Programme Managers implement their Programmes in compliance with the Common Regulatory Management System.**

The Fund Administration Unit supported the Mission's Programmes in carrying out their work in a transparent and efficient manner. The Unit co-ordinated the Mission's feedback to the Secretariat on proposed changes to the regulatory framework and guided the Mission staff through the implementation of new financial, administrative and staff instructions.

**Output 1.1.1: Mission staff awareness of the OSCE Common Regulatory Management System is ensured.**

Administration of the Mission's financial, human, material, information and communication technology resources was done in compliance with the Common Regulatory Management System. Regular guidance was provided to Mission members on administrative procedures, including through periodic training/briefing sessions and through the provision of on-the-job assistance. Awareness was also raised of the OSCE's green policy, which fostered the implementation of the Mission's recycling practice. The Mission continued with holding an induction programme for all incoming Mission members, which included briefing on the most important CRMS elements.

**Output 1.1.2: Administrative processes and procedures are reviewed and adapted to the operational environment.**

The Unit consulted programmatic staff on the newly introduced administrative and financial instructions, in order to provide for their smooth enactment. Special attention was paid to Financial/Administrative Instruction 15 on Implementing Partners, Staff Instruction 26/2009 on Short-Term Monthly Appointment and the Uniform Guidelines on the Administration of Project Personnel paid from ExB funds. Mission members were briefed and consulted regarding the application of the new procedures, so as to ensure their gradual and smooth rollout across the Mission.

**Outcome 1.2: Programme Managers' administrative tasks are serviced within an efficient and professional management setting.**

The Unit supplied Programme Managers with administrative support in their implementation of activities. Programme Managers were regularly provided with additional reports on expenditure, facilitating analysis and improvement of work practices. Payroll administration was improved ensuring accurate management of staff entitlements and benefits. The administration of human resources was further standardised. The Mission increased the capacity of the staff on project management, on the use of advanced information and communication technology and on interviewing and selection skills. Cost efficiency measures were successfully introduced. Safety of the network equipment as well as field offices' network and internet speed was upgraded. Delivery of procurement services continued to be improved.

**Output 1.2.1: Support in executing administrative tasks in project implementation is ensured.**

The Unit supplied Programme Managers with administrative support in their implementation of activities. Programme Managers were regularly provided with additional reports on expenditure, facilitating analysis and improvement of work practices. Payroll administration was improved, thus ensuring accurate management of staff entitlements and benefits. The Mission increased the capacity of the staff on project management, use of advanced information and communication technology and on interviewing and selection skills. Cost efficiency measures were successfully introduced. Safety of the network equipment as well as field offices' network and internet speed was upgraded. Delivery of procurement services continued to be improved.

**Output 1.2.2: Fund Administration Unit work process lead time is minimized and resources stabilised.**

The process employed by the Fund Administration Unit, while in compliance with the Common Management Regulatory System, continued to be improved in order to provide a better service to the customers. This was achieved primarily by enhancing the co-ordination between the Unit's different sections, which in turn helped ensure that the Unit's final product was timely and of high quality.

**Category: B.1 Politico-Military Dimension**

**B.1.1 Programme: Police Affairs**

**OBJECTIVE 1: TO ASSIST THE HOST COUNTRY IN THE REFORM OF THE POLICE SERVICE SO AS TO ENSURE EFFECTIVE LAW ENFORCEMENT.**

**Outcome 1.1: The Ministry of Interior and police service have increased capacities for strategic planning, policy-making and evaluation.**

The Ministry of Interior displayed increased awareness of the importance of strategic planning, especially in the context of attaining international standards. The Ministry applied strategic planning to several important areas at the operational level. The National Strategy on Combating Organised Crime was adopted. The Ministry developed its communication strategy, expected to be adopted in 2010. It carried out an evaluation of key strategic planning, policy making and senior management functions, as a basis for further capacity building in these areas. By doing so, it moved closer to applying a holistic approach to police reform at the national level. However, the Ministry is yet to develop an overall strategic plan that will be based on wide internal consultations and define main priority reform areas and change management requirements. A public opinion survey commissioned by the Ministry of interior and the Mission for the second time in a row was indicative of the Ministry's resolve to abide by a more transparent and people-oriented working method. Survey results informed the Ministry's decisions on 2010 priorities such as combating corruption and drug related crime (concerns about drugs increased to 48% compared to 36% in 2008). Furthermore, the survey results showed an increase of 5% in people's trust in the Ministry (from 24% in 2008), whereas the trust in police remained the same (27% in 2009).

**Output 1.1.1: Concept of strategic planning and management within the Ministry of Interior is strengthened.**

General understanding of strategic planning and management concepts continued to increase within the Ministry of Interior. This is particularly true for the Ministry's middle management involved in planning as the Mission helped them improve their theoretical knowledge of the methodology. With the Mission's support, they applied the methodology in a more professional and systematic manner to drafting strategies on combating organised crime and on internal and communication within the regional and European frameworks. The Ministry's principal unit responsible for strategic planning, the Bureau for Strategic Planning, noted increased engagement in the planning process. The Government's tool for annual operational planning and budgeting, very similar to the strategic planning approach, was consistently utilised within the Ministry as a whole, a practice encouraged by the Mission. Notably, the Ministry is now fully engaged in the governmental annual operational planning

process.

**Output 1.1.2: Capacity of the Ministry of Interior to conduct analysis to the benefit of strategic planning and policy making is increased.**

The Ministry of Interior's analytics directorate underwent organisational restructuring in 2009. The uncertainties this restructuring created reduced the Mission's assistance in 2009. The Mission maintained an open dialogue with the directorate on the role of analytics in informed decision making and its future needs. The Mission assisted the Ministry in conducting an assessment of its existing document and business process management systems. It led to developing a concrete proposal for modernising these systems, which is still pending funding. However, the process of devising the proposal got support from the highest level within the Ministry. The Ministry's report on the results accomplished in the period of January to November 2009 was based on inputs provided also by the Analytics Directorate. The report shows a better presentation style and is more analytical, when compared to mainly statistical and descriptive ones issued in the past.

**Outcome 1.2: The Ministry of Interior and police service have enhanced capacity to combat organised and other forms of serious crime as well as to investigate violations of international humanitarian law.**

The most significant achievements of the Ministry of Interior in 2009 were the adoption of the National Strategy for the Fight against Organized Crime in April and the accompanying Action Plan in September. The Ministry of Interior achieved significant progress in the area of forensic and crime scene investigations resulting in its acceptance into the European Network of Forensic Science Institutes (ENFSI) in May. As regards asset seizure, the Law on Seizure and Confiscation of the Proceeds from Crime came into effect in March followed by the establishment of a financial investigation unit within the Ministry's Criminal Police Directorate in June. The Mission and the Ministry of Interior conducted a revision of the Memorandum of Understanding, agreeing that the war crimes and crime scene investigations will no longer be among priorities of co-operation between the Mission and the Ministry. Both programmes were closed by the end of 2009, with final evaluation reports produced.

**Output 1.2.1: The conduct of crime scene investigations and forensic examinations in line with internationally recognised best practices is sustained.**

The Mission continued to invest efforts in 2009 to bring crime scene investigations and forensic examinations in line with the best international practices. The process of modernising the National Criminal Technical Centre in Belgrade was completed by the end of 2009. With two regional centres in Nis and Novi Sad fully operational, the country's capacity to fight crime has considerably advanced. The Mission supported the introduction of the Quality Management System to ensure that evidence is preserved from crime scene to the court. Although the process of accreditation of the Belgrade Technical Centre with the relevant international standardisation organisation was not initiated in 2009, a number of activities were implemented to that end. Most notably, the Centre conducted an assessment of its capacity for the accreditation, producing a set of recommendations and terms of reference for a quality manager expected to be appointed in 2010. With Mission support, representatives of the Belgrade Technical Centre attended meetings of the European Network of Forensic Science Institutes. The Centre officially received the Network's membership certificate in May. Completing the majority of the originally set objectives, support to forensics will no longer be a Mission's priority. Completion report on its five-year engagement was prepared.

**Output 1.2.2: The police service's capacity to use special investigative methods and a unified criminal intelligence system in the fight against organised and other forms of serious crime is enhanced.**

The police service made limited progress in setting up a unified criminal intelligence system, although it maintained a dialogue on the issue with the UNODC, the Swedish National Police Board and the Mission. Following the adoption of the Law on Seizure and Confiscation of the Proceeds from Crime, the Mission increased the capacities of the staff from the newly established financial investigations unit to conduct financial investigations. The number of criminal investigations involving asset seizure and forfeiture significantly increased, with property in the value of 320 million RSD and 4.5 million Euros seized in the second half of 2009. In accordance with the National Strategy for the Fight against Drugs, the Mission facilitated the creation of the National Commission for Narcotic Drugs and Precursors to oversee the implementation of the Strategy and the pertinent Action Plan. The main partners in the Commission are the Ministries of Health, the leader in the process, as well as Interior, Education, Labour and Social Policy, Justice, Culture and Finance. In parallel, it increased the capacities of the Ministry of Interior to apply special techniques to investigating drug-related crimes. 28 drug-related gangs were identified and 118 of their members arrested. Taking into account best international and regional practices, the Mission advocated for the establishment of multidisciplinary teams to investigate cases of organised crime. Depending on the nature of the cases investigated, a number of such teams were established. The Ministry actively participated in a number of initiatives of the South-East European Police Chiefs Association, including in the regional network of women police officers.

**Output 1.2.3: Capacity of the Ministry of Interior and the police service to combat cyber crime is increased.**

Serbia ratified the Council of Europe Convention on Cyber Crime in April, which came into effect in August 2009. The Mission supported the Ministry of Interior in establishing an adequate structure in charge of combating cyber crime and built the capacities of its cyber crime investigators to detect, investigate and prosecute this type of criminal activity. Particularly, the Mission promoted the use of special techniques in investigating criminal offences with elements of cyber crime. International police and judicial co-operation in this area was promoted. The Mission supported the exchange of know-how between Croatia, Bosnia and Herzegovina, Montenegro and Serbia.

**Output 1.2.4: Capacity of the police service to investigate violations of international humanitarian law, including through regional and international co-operation, is enhanced.**

The Mission agreed with the Ministry of Interior to close its war crimes programme at the end of 2009. This came after the Mission and the Ministry conducted an extensive assessment into the capacity of the police service to investigate violations of international humanitarian law. The assessment noted improvements in the analytical capacity of the Ministry that were made possible also through the Mission's support. The report contains guidance for the Ministry to make its document management and analytics software more contemporary. The Mission facilitated visits of the analytics department of the Ministry of Interior, the Belgrade District's War Crimes Prosecutor's Office and the War Crimes Chamber to Bosnia and Herzegovina's International Commission on Missing Persons. This helped establish a dialogue on possible future cooperation. The Mission produced a completion report on its exit from this area of development.

**Outcome 1.3: Border policing meets the standards set in the Integrated Border Management Strategy.**

Four main border services, Border Police, Customs Administration, Phyto-Sanitary and Veterinary Inspections, succeeded in establishing a Co-ordination Body for integrated border management, as foreseen by the National Integrated Border Management Strategy. The Co-ordination Body will be crucial in developing strategic approach to institutionalising co-operation between the four border services. Other than this, moderate results were achieved in implementing the Strategy. Laws and by-laws complementary to the 2008 Law on State Border Protection still need to be adopted, especially those regulating cross-border and regional co-operation. As the Mission and the Ministry of

Interior sat down to re-negotiate the terms of co-operation, an assessment of the achievements made in the implementation of the integrated border management was done. One of the country's achievements in 2009 was attaining visa-free travel regime for the citizens of Serbia to the countries signatories to the Schengen Agreement. The Mission agreed with the Ministry to close co-operation on this issue by the end of 2009 and leave it to the national authorities to complete the implementation of the integrated border management concept.

**Output 1.3.1: Capacity of border police to fight crime at border crossing points and along the border is increased.**

With the Mission's assistance, the capacity of the Serbian Border Police and Customs Administration to conduct efficient and expeditious border checks in line with international standards was increased at border crossing points along Serbia's state border. As a follow-up to a number of specialised basic training courses on detection of forged documents and stolen vehicles that have trained more than 350 officers of relevant state border services, the Mission organised an advanced workshop. Serbia signed bilateral agreements on co-operation with the relevant authorities of Croatia, Montenegro, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia and Hungary. Furthermore, it signed re-admission agreements with Slovenia, Switzerland and France.

**Output 1.3.2: Formal co-operation among Integrated Border Management authorities is strengthened.**

In February 2009, the Ministries of Interior, Agriculture, Forestry and Water Management, Finance, and Infrastructure signed a multilateral umbrella agreement regulating inter-agency co-operation between the four border services. Bilateral agreements between each of the border services yet remain to be signed to enable smooth inter-agency co-operation. In the course of 2009, the Mission advised the relevant border services in drafting these bilateral co-operation agreements.

**OBJECTIVE 2: TO ASSIST THE HOST COUNTRY IN THE REFORM OF THE POLICE SERVICE SO AS TO ENSURE DEMOCRATIC POLICING.**

**Outcome 2.1: The police service has effective and transparent accountability policies and practices in line with the principles of good governance.**

Government consolidation in 2009 made it possible for the Ministry of Interior to achieve modest progress in advancing accountability and professional standards, and in strengthening internal oversight mechanisms across the police service. The awareness among the police on the importance of accountability as one of the pillars of democratic policing was strengthened as well as the police personnel's professional competence to adhere to international human rights standards relevant to policing.

**Output 2.1.1: Competence of police personnel is enhanced to adhere to international human rights standards and good practices.**

Continuing reform efforts in the area of police accountability, the Mission was able to establish effective co-operation with the relevant sections of the Ministry of Interior, which resulted in joint activities focusing on the relationship between policing and the protection of human rights. Police professionals from the uniformed police, criminal investigations police and internal affairs division expanded their understanding of international human rights standards relative to their work. Custody officers advanced their competences for providing custodial care in line with internationally recognised standards and good practices. The Mission developed basic guidelines for the police service in Serbia on how to put in place necessary strategic and operational policies to raise standards of custodial care and thus reinforce the fundamental safeguards granted to persons in police custody.

**Output 2.1.2: Development of mechanisms for proactive investigation and inspection of the police is facilitated.**

The Mission supported the Ministry's Internal Affairs Division in further enhancing their operational capacities at both central and regional level to conduct proactive investigations. The investigative teams' capacity to apply basic surveillance tactics and techniques and use covert surveillance and specialist, IT and other equipment, was enhanced. This equipped the relevant organisational units within the Ministry of Interior to proactively investigate reported cases of corruption and other criminal activities among the Ministry staff.

**Outcome 2.2: Effective relationship between the community and the police service is developed through the implementation of the community policing concept.**

The Ministry of Interior demonstrated its renewed interest in boosting outreach to citizens, especially through media. Its relationship with the media visibly improved in 2009. Improvements in its communication and co-operation with the civil society were also noticeable. Furthermore, the survey mentioned above showed an increase of 5% in people's trust in the Ministry compared to 24% in 2008. Civil society produced several policy papers on ethnic minorities' perception of the police service, police accountability and police reform strategy. For the first time, the civil society was able to communicate their recommendations directly to the Ministry of Interior. However, co-operation with the local self-government units through municipal safety councils, mechanism for citizens to voice their feedback on the police work, remained a challenge. Furthermore, the Ministry is yet to finalise the national plan for community policing. The Memorandum of Understanding signed in 2009 between the Ministry and the Mission reiterates the Ministry's resolve to complete and implement the community policing concept at the national level.

**Output 2.2.1: Building of a strong partnership between the police service and the civil society and local self-government is facilitated.**

In early 2009 the Mission reached out to all municipalities across Serbia in an effort to support the setting up of municipal safety councils at local level. However, due to the lack of participation from the Ministry of Interior, the initiative was slow. The Mission assisted interested local stakeholders to establish municipal safety councils in Becej, Zrenjanin, Pancevo and Kikinda. Following the signing of the Memorandum of Understanding with the Ministry and given the visible and sustainable achievements in southern Serbia, the Mission decided to close its community policing initiatives there. The municipalities from the south of Serbia greatly contributed to the development and application of the concept of community policing. The adoption of the national community policing plan is expected to contribute to expanding the accomplishments in this area. With the Mission support, the civil society was actively engaged in the ongoing police reform. Several policy papers addressing ethnic minorities' perception of police service, police accountability and police reform strategy were produced and shared with the Ministry.

**Output 2.2.2: Sensitivity of the policing practices to diversity and minority issues is enhanced.**

While the Ministry of Interior appointed community liaison officers across Serbia, it did not create separate job positions within the Ministry. Instead, police officers who had undergone the Mission-led basic training on diversity and minority issue were assigned this additional duty. These community liaison officers performed well as they were easily accessible to the minority representatives in their respective communities. Apart from the regular annual international forums on community policing, the Mission facilitated the Ministry's representation in the forums dealing with the relationship between policing and Roma and Sinti communities. With the Mission support, the Ministry drafted guidebooks on best practices in this area of police work. Societal developments in 2009 emphasized the need for institutionalizing policy against hate crimes. At the time, such cases

were handled jointly by the uniform and criminal police directorates, under the lead of the uniform police directorate. However, it still remains for the Ministry to amend the legislative framework and create a specialised unit at national level to investigate hate crimes.

**Output 2.2.3: Co-operation between the Ministry of Interior and the media is improved.**

Communication between the media and the police, an indispensable element of community policing, noticeably improved in the course of 2009. On a number of occasions, the Mission gathered police spokespersons and heads of all 27 police districts in Serbia to discuss conditions for greater accessibility of the police service to the media. In parallel, at the strategic level, the Mission supported the Ministry in developing a strategy dealing with public relations and internal and external communications. The revised Memorandum of Understanding between the Mission and the Ministry of Interior introduced a new priority area of police reform – public relations and communication. This is expected to enhance transparency of the Ministry's work, both externally and internally. As a continuation of an initiative from 2008, the Mission supported the creation of an advocacy network of media from several municipalities. It enhanced journalists' skills to report on local safety issues, thus encouraging their communication with the local police.

**Outcome 2.3: Police service has sufficient capacity to develop and sustain the training and education system in line with democratic policing principles and best internationally recognised practices.**

**The Police High School ceased to exist in May 2009 giving way to the newly established Basic Police Training Centre. The first generation of cadets was fully integrated into the police service in the course of 2009, upon the completion of six-month field training. This was a major milestone in the reform process. The second and the third generation of cadets started their training at the Training Centre in March and August respectively. The basic training curricula and methodologies were further developed in line with the evaluation findings. However, upgrading classroom and staff capacities and ensuring a more balanced ethnic representation at the basic training level remains a challenge. Revision of the Memorandum of Understanding between the Ministry and the Mission was completed in September 2009. This affected further development of specialized and advanced (management and leadership) training. On a positive note, trainer development programme was revised, and the Ministry expressed its intention to take full ownership of programme from the Mission by mid-2010. Due to budget restrictions, there was no major reorganization in the Ministry. Despite limited staff capacities, the Ministry's Directorate for police education, professional development and science was efficient in exercising its role a training co-ordinator.**

**Output 2.3.1: Assistance in institutionalising the new concept of basic police training is provided.**

The last generation of pupils from the former Police High School graduated in May 2009. This denoted the end of the transition to the newly established Basic Police Training Centre. The first generation of graduates from the Training Centre completed their six-month field training and passed the final exam in June 2009, upon which they were sworn police officers. Through continuous work with field training officers and co-ordinators, the Training Centre was actively involved in integrating its graduates into the operational police work. The Mission helped field training officers and co-ordinators identify areas of development for focussing on in 2010. The second and third generation started their twelve-month training programme at the Basic Police Training Centre in March and August respectively. This significantly increased the volume of activities at the Training Centre. The Mission supported evaluation of the first cycle of training, following which the curricula and training methodologies were modified. Due to limited classroom capacities at the Centre, the fourth generation of trainees took longer to start their training. For this reason, there was no new recruitment in 2009. One was announced for early 2010, and in the meantime, initiatives were undertaken to improve the ethnic balance in the basic police training. Particularly, the Mission helped the Training Centre host orientation visits by the Roma, encouraging them to apply.

**Output 2.3.2: Specialised and advanced training system is further developed.**

In March 2009, the Mission enabled a senior delegation of the Ministry of Interior to get acquainted with the approach to complex specialized police training system at international role-model institutions. The delegation had the opportunity to learn about development of standards of training, development of curricula and integration of practical situational training into the curricula. The visit served to open discussion on the reform of specialized training system in Serbia. However, the revision of the Memorandum of Understanding with the Ministry slowed down other initiatives in the first half of 2009. Upon signing of the Memorandum, the Mission and the Ministry agreed on the forthcoming course of action, planned to be realised in early 2010. The Ministry undertook the initiative to establish working groups to develop curricula for advanced training on management and leadership. Working groups' formal initiation is expected to take place in 2010.

**Output 2.3.3: The human resource management capacity of the Ministry of Interior is improved to efficiently manage training and education in line with adult-learning principles.**

Due to limited financial resources, the Ministry postponed a major internal reorganisation. The position of its directorate for police education, professional development and science thus remained unchanged. However, the directorate became more significantly involved in the Ministry's training initiatives, both by co-ordinating various training courses and advising in the development of important strategic documents with an effect on future training initiatives. The working group revising the Mission-led trainer development programme, consisting of representatives from both the Ministry and the Mission, was very productive throughout 2009. It reviewed the existing set of courses as well as recommended that a training management course be developed. The decision on introducing such a course is now pending Ministry approval. In parallel, a trainer development programme continued and the number of Ministry staff who received the training since 2003 now exceeds 1,000 people. The Mission initiated preparations for handing over the programme to the Ministry in 2010.

**Output 2.3.4: The Ministry of Interior's co-operation with international and national counterparts supporting police training and education is enhanced.**

The Ministry's Basic Police Training Centre developed intensive co-operation with its counterpart institution in Hungary, the Police School of Szeged, as well as with the International Law Enforcement Academy from Budapest. The Mission facilitated an exchange of expertise on training and curriculum development, particularly with regards to integrating practical situational training into the basic police training process. With the Mission's support, the Serbian Ministry of Interior participated in the US Department of Justice's International Criminal Investigative Training Assistance Program and its regional initiative on training development in April 2009. The event gathered police training professionals from all of the countries of the Western Balkans region, thus creating a regional forum for exchange of experiences and improvement of trainings skills within the Serbian Ministry of Interior. Awareness was raised among the Roma community on the possibility of joining the police service in Serbia. Roma youth were encouraged to apply for basic police training at the Training Centre in Sremska Kamenica. The leading Serbian non-governmental organisation in the area of security sector reform, the Centre for Civil-Military Relations, positively assessed the Ministry's willingness to co-operate with international and national counterparts as being 3 on the scale from 1 to 5. The Centre made extensive references to the Mission's contribution in this regard.

## Category: B.3 Human Dimension

### B.3.1 Programme: Democratization

#### OBJECTIVE 1: TO ASSIST SERBIA IN BUILDING AN INCLUSIVE DEMOCRACY WITH EFFECTIVE INSTITUTIONS.

##### Outcome 1.1: The Parliament is better able to cope with its legislative and oversight function in a transparent and inclusive manner.

In February 2009, the Parliament adopted amendments to the Rules of Procedure that increased its oversight role and introduced more efficient discussions at plenary sessions. The Law on Parliament and further amendments to the Rules of Procedure that are to strengthen the legislative and oversight function of the Parliament are still pending. The number of laws tabled by caucuses and individual MPs has increased. The Parliament has still not established a regular practice of holding public hearings. Still, selected parliamentary committees held an increased number of roundtables and consultations involving civil society. In co-ordination with the Government and the Office of the President, the Parliament expanded its public outreach, introducing focus on youth education. In November 2009, the Parliament passed a new Statute of Vojvodina Province, thereby devolving more competencies from the central to the provincial level. In line with the new Statute, the workload of the Provincial Assembly increased, challenging the capacities of the Assembly's administrative service.

##### Output 1.1.1: The role of parliamentary committees in the policy-making process and the oversight of the Government is strengthened.

The Mission continued to advocate for passage of the Law on Parliament and amendments to the Rules of Procedure intended to strengthen the Parliament's oversight and legislative role. It helped the Parliament in holding public discussions on selected aspects of the proposed legislative changes. Special focus of these discussions was the work of the parliamentary committees and the need to strengthen their legislative and oversight role. The adoption of the proposed acts is expected in early 2010. The Mission produced an assessment of the parliament committees' role in amending the legislative proposals submitted by the Government, to be shared with the Parliament in 2010. Following the adoption of the Statute of Vojvodina Province, the Mission assisted a working group of the Vojvodina Assembly in devising a new staff organisation in line with international standards. As a result, the working group proposed a draft internal organisation act that is pending adoption by the provincial Assembly.

##### Output 1.1.2: Transparency and openness of the Parliamentary work is increased.

In 2009, the Parliament continued to invest efforts to increase the transparency of its work. With the Mission's support, it expanded its public outreach activities, with a particular focus on minority communities. The Parliament upgraded its programme for citizens' visits by including visits to the Government and the Office of the President as an integral part of the programme. It established more regular visits by high school students to these three state institutions, giving them an insight into all stages of the legislative process. The new programme was successfully launched in 2009. The Parliament's outreach efforts also included simulations of the parliamentary work in high-schools throughout Serbia. These simulations were initiated and fully supported by the Mission since 2008. The very positive feedback from the initial twelve simulations indicated high interest of the schools to include this in school curriculum. The Ministry of Education will consider this in 2010.

##### Outcome 1.2: Local self-governments have increased competencies passed on from the central government and stronger capacity to exercise them with strengthened transparency and accountability.

Serbia continued to regulate the work of local self-governments in 2009 by amending and adopting legislation. In these efforts, the Ministry of Public Administration and Local Self-Government drew on the advice of the Mission and other relevant international organisations. The adopted laws further increase the competencies of local self-government units, creating grounds for their more efficient work and provision of better service to their citizens. Further efforts at decentralising the country in terms of governance and administration featured frequently in debates at both local and central level. The Government established the National Council for Decentralisation to accelerate the process and ensure participation and involvement of all relevant stakeholders. The Council includes both state and municipal authorities as well as representatives of civil society and independent experts. An increased number of initiatives by civil society organisations additionally contributed to deliberations on the process of decentralisation.

##### Output 1.2.1: Continued legal reforms empowering local self-government are supported.

In 2009, the Mission supported the Ministry of Public Administration and Local Self-Government's efforts to develop and implement a number of laws that are further empowering local self-government units. It supported the Ministry in drafting the law on communal police, adopted by the Parliament in July 2009. As a follow-up, the Mission helped the Ministry to develop by-laws. To encourage implementation of this new legislation in local self-government units with the city status, the Mission supported the Ministry in conducting a promotional campaign at national and local level. In these efforts, the Mission helped ensure that the campaign was inclusive and observed gender equality. In addition, the Mission helped in developing and promoting a new set of laws governing local elections. It assisted public institutions in preparing for implementation once the laws have been adopted. To this end, the Mission helped establish a pool of fifty trainers to train members of local polling boards. With Mission support, local governments and civil society organisations identified areas where further intervention is needed to advance decentralisation of the country. Their findings were communicated to the relevant state bodies. Finally, in order to refine mechanisms for citizens' participation, the Mission supported the Ministry's working group in developing a new Law on Referendum. The draft law was sent to the Venice Commission for analysis.

##### Output 1.2.2: Transparent and inclusive performance of local self-government is further supported.

With the aim to increase transparency and accountability of the work of local self governments, the Mission trained activists from twelve civil society organisations throughout Serbia to use monitoring mechanisms and tools. The Guide for Better Monitoring the Work of Local Self-Governments, developed with Mission support in 2008, served as a reference document. The Mission advocated among the trainees to pay particular attention to the implementation of local policies affecting disadvantaged groups, national minorities, gender equality, human and environmental security. In co-operation with the national association of municipalities, the Mission strengthened the capacities of municipal boards monitoring the implementation of the Code of Ethics. Training included municipalities where these bodies had been established. In accordance with the law on local self-government, 68 municipalities in Serbia need to establish inter-ethnic relations councils. To accelerate this process, the Mission developed a model decision on their establishment and model rules of procedure. Some 40 councils were established in Vojvodina and three in central Serbia by the end of 2009.

##### Outcome 1.3: Democratic oversight over the armed forces is exercised and concept of comprehensive security streamlined within the security sector.

Legislative and policy framework for the democratic oversight of the security sector was further consolidated in 2009 as the Parliament adopted the National Security and Defence Strategies, the Law on Military Security and Intelligence Agencies, and the Law on Data Secrecy. The National Security Strategy reflects commitment to international human

rights standards, regional co-operation and good-neighbourly relations. The new Law on Security Information Agency and relevant by-laws are still pending. Apart from this, the Parliament made minimal progress in overseeing the work of the security sector. This was also due to a large number of pending laws related to Serbia's accession to the EU, which consumed most of its time. The adoption of the Law on Parliament and the amended Rules of Procedure was delayed for 2010, postponing the introduction of a more efficient structure in the Parliament to oversee the security sector. The parliamentary committee for security and defence undertook for the first time a series of field visits to security and intelligence services. It formed a working group to formulate mechanisms for improved oversight in this area. The National Security Council was operational in 2009 and communicated its work to the public on an irregular basis. Further efforts are required to improve the Council's communication and accountability to the Parliament. Civil society organisations were more actively involved in the democratic oversight of the security sector. As a consequence, communication between these two sectors improved somewhat.

**Output 1.3.1: Parliamentary oversight of security sector is further strengthened.**

Increasing the expertise and professionalism of parliamentarians to oversee the work of the security sector institutions remained a focus of the Mission work in 2009. The Mission familiarised parliamentarians and state officials with good international practices and standards in the area, helping them develop strategic documents, such as the national security strategy. Bringing together the committee members and the media representatives, the Mission increased the awareness of MPs on the importance of communicating to the media and public. The Mission supported MPs' more frequent interaction with relevant civil society actors so as to help their better informed decision-making on various issues on the agenda. Still, further efforts are needed for the Committee to introduce consultations with civil society as a regular practice.

**Output 1.3.2: Further development of legislative framework governing the work of security and intelligence agencies is supported.**

In line with the provisions of the Law on the Basic Set up of Security and Intelligence Agencies, the Parliament adopted a set of laws and policy documents regulating the work of security sector institutions, including the Law on Military Security and Military Intelligence Agencies, and the National Security and Defence Strategies. The new Law on Security Information Agency is still pending adoption. The Mission provided technical support to the Ministry of Defence in drafting the National Security Strategy. It facilitated public debate on the law on military security and intelligence agencies. In co-operation with the ODIHR, the Mission provided opinion on the draft law on data security, assessing its alignment with the international standards. It supported the relevant working group drafting the law. The Law on Data Secrecy was adopted in December 2009, incorporating remarks made by the stakeholders.

**OBJECTIVE 2: TO ASSIST GOVERNMENT INSTITUTIONS AND CIVIL SOCIETY TO MEET OSCE COMMITMENTS ON HUMAN RIGHTS AND EQUAL OPPORTUNITIES.**

**Outcome 2.1: State institutions and civil society are strengthened in order to protect the rights of national minorities and promote tolerance and non-discrimination.**

Serbia made significant progress in 2009 in the area of equal opportunities with the adoption of several important pieces of legislation. The Law on Anti-Discrimination was adopted in March 2009. This legislation is broad in its protection against discrimination and calls for the establishment of a Commissioner with the authority to advise and publicly comment on cases of discrimination. The Commissioner will be appointed during the first quarter of 2010. The Law on National Minority Councils came into effect in September, following a drafting process that took several years. The Law details the authority of national minority councils and sets out a comprehensive timeline for their election, scheduled to take place in 2010. On a similar note, the Republican National Minority Council met in October for the first time in three years, following a Governmental decree regulating its composition and scope of activities. The Law on Gender Equality was adopted in December 2009 with a broad support from political parties. In addition to providing a foundation for state institutions to promote gender equality, it also legislates for local gender equality mechanisms, making the creation of such mechanisms at municipal level obligatory.

**Output 2.1.1: Further development of institutional and legislative framework related to minority and integrative policies is supported.**

In 2009, the Mission supported the Ministry for Human and Minority Rights in developing the Law on National Minority Councils. The final version broadened the mandate of national minority councils and established a clear timeline for organising elections. The Serbian Parliament passed the law in September. At the Ministry's request, the Mission participated in a working group co-ordinating the organisation of elections and provided the Ministry with legal expertise on the electoral process. The Mission also supported a national campaign encouraging representatives of minority communities to participate in the elections. The Mission further advocated for incorporating elective courses on minority language and culture into the school curriculum. However, in the absence of legislation governing the national minority councils at the time and the lack of co-operation between the Ministry of Education and the National Minority Councils, there was only limited progress in this area.

**Output 2.1.2: Legal mechanisms and activities promoting tolerance and non-discrimination are supported.**

The Mission helped strengthen and standardise the work of legal clinics at law faculties providing pro bono legal aid to vulnerable groups. Selected faculties had an opportunity to learn about good models and practices of education on different areas of legal aid. It further facilitated discussion on common standards whose development is expected to lead to the establishment of an association of legal clinics. In parallel, the Mission supported a summer school at the Belgrade Law Faculty on discrimination issues. Particular emphasis was given to discrimination against the Roma community. The course inspired the formation of a legal clinic at the Faculty that would address cases of discrimination. The Mission helped institutionalise gender equality mechanisms in the country. It reviewed its programme of municipal level gender equality mechanisms and as a result of this assessment, improved the terms of reference for the programme. The new terms of reference were shared with the Gender Directorate of the Ministry of Labour and Social Policy as a reference tool for the Ministry's gender equality mechanism programme.

**Outcome 2.2: Respective public institutions have increased capacities to address the specific needs of the Roma community and effectively promote their inclusion and more active participation in public life.**

The Serbian Government adopted National Strategy and Action Plans for Roma Inclusion in March and April 2009. It continued to allocate resources, albeit limited, to the Roma National Strategy Secretariat to implement key documents and advance the position of Roma in the country. The state and local authorities made efforts to legalise informal Roma settlements in eight municipalities, with the Ministry of Environment and Spatial Planning providing funds for developing respective urban plans. The Ministries of Education and Health further strengthened the networks of Roma teacher assistants and Roma health mediators, allocating funds in support of programmes improving access by Roma to health and education.

**Output 2.2.1: Enforcement of state policies that refer to the position of Roma within the public sector is supported.**



Based on its extensive experience of Roma inclusion issues, the Mission contributed to the work of a group drafting the National Strategy and Action Plans for Roma Inclusion. The resulting documents provide a comprehensive approach to Roma inclusion. Following their adoption, the Mission supported the Ministries of Interior and for Human and Minority Rights to develop an orientation programme for Roma youth stirring their interest to increase their representation within the police force. These initial activities laid the foundation for the respective Ministries to work more comprehensively on integrating Roma into the police. The Mission supported a group of younger generation Roma leaders in developing the concept for an information exchange and advocacy network. The structure enables enhanced political and civic participation of the Roma community, including effective engagement with line Ministries in discussing public policy relating to Roma inclusion. The Ministry of Human and Minority Rights endorsed this concept and intends to implement it in 2010. Through its regular visits to municipalities, the Mission advocated for developing strategies for Roma empowerment at a local level. In 2009, eighteen additional municipalities adopted strategies. The ministries for education, health, social affairs and environment and spatial planning created new working groups for Roma inclusion issues. The relevant Roma civil society groups were regular participants in these meetings, as was the Mission.

**Outcome 2.3: State institutions and civil society have increased capacities to respond to the concerns of youth and encourage their participation.**

**Following the 2008 adoption of the National Youth Strategy, the Government adopted the respective National Action Plan in 2009. The Action Plan was developed in an open and inclusive manner, with high participation of relevant stakeholders. In line with the Plan, over one hundred youth offices have been established at the municipal level. The Ministry of Youth and Sports undertook the leading role in this process and supported a number of initiatives by local self-governments and civil society organisations to better respond to the concerns of youth. Further efforts are required to ensure implementation of the Action Plan, consolidation of the institutional framework deriving from it and the sustainability of local youth offices.**

**Output 2.3.1: Further development of the institutional framework foreseen under the National Youth Strategy is supported.**

The Action Plan for the Implementation of the National Youth Strategy was adopted in January 2009. The Mission supported the development of the Action Plan and improved communication amongst stakeholders relevant for its implementation. The Mission further supported municipal working groups and newly established local youth offices in four municipalities in south-eastern Serbia with predominant Albanian and Bulgarian minority populations to develop local youth action plans. Municipal assemblies in these municipalities adopted local youth action plans in December 2009, committing thereof to a more systematic approach to responding to local youth needs. In addition, the municipal authorities introduced a separate budget line for the work of youth offices, ensuring their sustainability. Through these efforts, the Mission helped improved communication between the line Ministry and targeted municipalities which resulted in direct co-operation on youth matters.

**Output 2.3.2: State institutions are encouraged to further develop and promote human rights awareness and education.**

The Mission worked with the Ministry of Education to increase the capacity of teachers to address and instruct on issues such as the Holocaust and anti-Semitism in a spirit of tolerance and understanding. It conducted a refresher course on intercultural education for teachers from minority areas. This additional expertise provided them with the qualifications required for the extension of their teacher's licences. Furthermore, the Mission enabled outstanding law students to advance their knowledge on human and minority rights at institutes abroad and supported the establishment of minority rights course at the Belgrade Law Faculty. The course was incorporated into the Faculty's curriculum as an optional subject that will make future lawyers better aware of minority rights. The Mission also encouraged public debates and supported activities raising awareness on hate crimes.

**Outcome 2.4: Institutions have improved capacity to fairly address human rights issues and respond more comprehensively to the phenomenon of trafficking in human beings.**

**Serbia saw a gradual improvement in its ability to adequately address human rights issues. Reform of the state's mechanism of reporting on human rights issues to UN treaty monitoring bodies is finally underway. More concrete progress was made in the field of combating human trafficking where Serbia sets a best practice example with the mechanism of victim identification and referral with strong state ownership. The state deserves credit for its efforts in co-ordinating and policy-making on these matters. The Ministries of Interior, Finance, Employment and Social Policy, Education and Justice signed an inter-ministerial co-operation agreement, ensuring co-ordinated policy-making in combating trafficking in Serbia and harmonizing the approach to prevention and protection. The draft Law on Social Protection, expected to be adopted in 2010, has for the first time defined victims of trafficking as beneficiaries of social services. This is a crucial step in standardizing their eligibility to social assistance services. In light of this ongoing reform of the social protection system, the institutional framework for the core body within the National Referral Mechanism, the Agency for Co-ordination of Protection of Human Trafficking Victims, remains to be defined. Despite effects of the economic crises, significant efforts were made at preventing trafficking in human beings. Main state and specialist civil society actors met regularly in 2009 leading to better identification and recovery of victims of trafficking. According to the official statistics, there was more than a 100% increase in the number of identified victims compared to 2008.**

**Output 2.4.1: Capacity of state institutions and civil society to report within the treaty reporting cycle and to provide adequate redress is strengthened.**

The Mission teamed up with the UN Office of the High Commissioner on Human Rights to support the Ministry of Human and Minority Rights in reforming its mechanism of reporting to UN treaty monitoring bodies. The Ministry set up a working group at the beginning of 2009 consisting of focal points from relevant line ministries and civil society representatives. With the support of the Mission and the UN Office, the Ministry increased awareness of the working group members on the state's obligation to report on the status of human rights to the UN treaty bodies. The working group drafted a common baseline document on the general overview of the human rights situation in the country, to be finalised in 2010. The document represents a crucial step in eventually developing a human rights intervention agenda. The Mission improved professional competence of state officials and civil servants to participate in a dialogue on adequate redress mechanisms and actions to be taken in order to improve Serbia's human rights record. In parallel, it improved the capacities of specialised civil society organisations to monitor the implementation of the Convention on the Rights of the Child in Serbia. A group of civil society organisations, together with the Save the Children and UNICEF, prepared two shadow reports on the use of children in armed conflicts, sale of children and child pornography. The Mission witnessed encouraging signs of the state promoting and enforcing human rights. This was particular the case for the Ministry for Human and Minority Rights, which signed a memorandum of co-operation with over 150 non-governmental organisations active in this field.

**Output 2.4.2: Strengthening of the institutional set-up for policy-making and policy implementation in the field of combating human trafficking is assisted.**

The Mission maintained good co-operation with all national anti-trafficking actors within the comprehensive mechanism for

victim identification and assistance, the National Referral Mechanism. The Mission further developed the professional capacity of the police, prosecutors, judges and social workers to combat trafficking in human beings. With the Mission's advice, the state started the implementation of the National Strategy for Combating Human Trafficking. To this end, the Mission supported the drafting and adoption of the National Action Plan for 2009-2011. Due to the economic situation, only those activities from the Action Plan were implemented that required minimal budget contributions.

**Outcome 2.5: Relevant institutions are better able to protect the rights of refugees and internally displaced persons.**

The Commissariat for Refugees initiated in 2009 a revision of the National Strategy for Resolution of Issues Pertaining to Refugees and Internally Displaced Persons. Its adoption would create proper legal framework for resolving refugees' housing issues. The strategy would also identify mechanisms for enabling full access to rights by refugees and internally displaced persons, ultimately improving their living conditions. The process encouraged the creation of alliances between the government and civil society actors, and strengthened cross-sector co-operation, accelerating problem solving processes. A total of 60 municipalities endorsed local action plans for integrating refugees and internally displaced persons, followed by adequate budgetary allocations. Also, the Commissariat for Refugees was supported in identifying proper redress for specific outstanding issues in the implementation of the Serbia's Road Map. Serbia was actively engaged throughout 2009 in re-opening the dialogue with the countries from the region on issues pertaining to refugees. The process of permanent consultations between three organisations (EC, UNHCR and the Mission) was initiated and served as a basis for providing advice and assistance.

**Output 2.5.1: State institutions, and the Commissariat for Refugees as lead agency, are supported in identifying factors impeding final closure of the refugee file in the region.**

Together with the office of the UN High Commissioner for Refugees, the Mission assisted the Commissariat for Refugees and other state institutions in prioritising refugee issues still to be solved either in the country of origin or of refuge. As refugees are dispersed throughout the country, the majority of activities stemming out of the Serbia's Road Map need to be carried out at the local level. The Mission thus supported the Commissariat for Refugees in training civil servants to develop and implement local action plans for integrating refugees and internally displaced people. As a result, 60 local self-government units throughout the country adopted and started with the implementation of their respective action plans. As this is a complex issue, the Mission will continue supporting it.

**Output 2.5.2: State institutions are supported in advancing the protection and fulfilment of the rights of internally displaced persons.**

The ongoing revision of the National Strategy for Resolution of Issues Pertaining to Refugees and Internally Displaced Persons is expected to also grant internally displaced persons access to all rights, thereby improving their living conditions. The Commissariat for Refugees used as one of its sources in this endeavour the 2008 study supported by the Mission on internally displaced persons' access to justice and socio-economic rights, which identified gaps in legal and other relevant practices. The Mission supported the revision also by facilitating participation of relevant line Ministries in its development. It helped the Commissariat for Refugees organise public discussions with the participation of civil society and refugee/IDP associations, making the whole process more inclusive and transparent. The revised National Strategy is expected to be submitted to the Government for adoption at the beginning of 2010. As mentioned under Output 2.5.1, the Mission supported the development of local action plans for integration of refugees and internally displaced persons. Their implementation is expected to increase access to socio-economic rights by internally displaced people at local level. However, more will need to be done to ensure that these persons get access to documentation and the right to enjoy their property rights in their places of origin.

**OBJECTIVE 3: TO SUPPORT THE SUSTAINABLE DEVELOPMENT OF THE COUNTRY WITH A FOCUS ON ENVIRONMENTAL PROTECTION.**

**Outcome 3.1: State authorities are better able to co-operate and engage in international and regional initiatives on environmental protection.**

The State continued to pursue its international obligations with regard to environmental protection. It enacted legislation harmonized with international standards and in line with the conclusions of the Environment for Europe Conference held in Belgrade in 2007. In May 2009, the Serbian Parliament adopted eleven environmental laws and amendments to two cross-cutting laws, and ratified three international treaties, among them the Aarhus Convention. Furthermore, it adopted the Law on the Environmental Protection Fund, creating conditions for the establishment of instruments for funding environmental initiatives. Notwithstanding the progress in the environmental legislative framework, further efforts are needed to develop by-laws and enforce adopted legislation at all levels. The Government was responsive to international initiatives and participated in cross border initiatives on environmental issues.

**Output 3.1.1: Serbia's participation in international and regional processes related to environmental protection is supported.**

The Mission supported state and civil society organisations' participation in relevant international and regional initiatives dedicated to environmental protection. Given the fact that climate change was in the spotlight of international interest in 2009, preference was given to this issue. In preparation for the UN conference on climate change, the Mission helped the Ministry of Environment and Spatial Planning prepare state's delegates, selected environmental journalists and municipal representatives from affected municipalities for informed and active participation at the conference. The Mission also facilitated participation of relevant civil society representatives at a World Congress on Waste Management where they shared local experiences of waste management practices with international experts.

**Output 3.1.2: Co-ordinated action of all relevant stakeholders on the national and local level in creating and implementing strategies on environmental protection is facilitated.**

In May 2009, the Serbian Parliament enacted eleven environmental laws, adopted amendments to two horizontal laws and ratified three international treaties. In co-operation with the Ministry of Environment and Spatial Planning, and the Ministry of Justice, the Mission trained 146 environmental inspectors at state and municipal levels and 262 lower court judges on the implementation of the new environmental legislation thereby ensuring that the judiciary timely reacts to inspector's files and processes environmental cases more expediently. It also helped establish better communication between the judiciary and inspectorates. This proved to be crucial for removing obstacles to faster processing of environmental cases. To complement this and in support of the newly appointed lower court judges and prosecutors, the Mission developed a manual for processing environmental cases before lower courts. To better explain the link between democracy, human security and environment, the Mission supported local self governments and civil society in southern Serbia in identifying local environmental threats and matching them with the citizens' perceptions of threats in these communities. The Mission enabled the local actors to share the outcomes of the exercise with the central government and other municipalities.

**Outcome 3.2: Public awareness on environmental security and participation in the country's environmental programmes is enhanced.**

The legislation enabling citizens' access to information on environmental issues is in place. State authorities and civil society organisations continued to develop and implement programmes that promote environmental protection. There was an increased number of local initiatives to promote environmental awareness and information. To support these initiatives, the Ministry of Environment and Spatial Planning has for the first time earmarked funds for projects of environmental non-governmental organisations. A remarkable number of non-governmental organisations were granted funding for their projects (40 out of 390 who applied). The public survey conducted at the end of 2009 indicates a positive change in the citizens' attitudes toward environmental issues, compared to the very low level of interest in this matter shown at the beginning of the year. Despite increased number of extra curricular educational activities on environmental matters, mandatory educational courses are yet to be established.

**Output 3.2.1: Information-sharing and educational programs on environmental matters are supported.**

The Mission supported a number of environmental initiatives in 2009 meant to increase general awareness on environmental degradation and protection. It initiated dialogue on local energy efficiency policies among local self-governments and representatives from the industry, education, the media and civil society organisations in five cities in Serbia with existing environmental initiatives. It helped non-governmental organisations and journalists throughout Serbia to more effectively communicate on environmental issues and produce better researched articles on these matters. Consequently, a number of reports and articles were published in both local media and on the most visited eco-website in the country. The Mission supported the production of six video lessons on energy efficiency that emerged from a regional conference organised by the civil society. The videos were distributed to all participants and other relevant stakeholders, enhancing their knowledge on energy efficiency. In order to expand environmental educational programmes available in the country, the Mission boosted the work of the largest extracurricular scientific centre and organised workshops on energy efficiency for 600 high school and university students. Teaming up with local authorities, the Mission shared practical and theoretical knowledge on recycling among primary school students. Further in line with these efforts, the Mission supported publication of a recycling manual and production of an eco-documentary targeting the youth and advocating for environmentally-friendly behaviour.

## **B.3.2 Programme: Media**

**OBJECTIVE 1: TO SUPPORT DEVELOPMENT OF PROFESSIONAL MEDIA WHICH CAN DISPASSIONATELY AND ACCURATELY REPORT ON NEWS OF PUBLIC IMPORTANCE TO ALL CITIZENS OF SERBIA.**

**Outcome 1.1: The media-related legal framework in Serbia is more aligned with the international standards and better implemented.**

Further reform of the media legislation is required if the country is to ensure the existence of a professional and media substantially free from political and economic influences. With this in mind, the Ministry of Culture set up a working group tasked to develop a long-awaited media strategy. The strategy will be crucial for ensuring further alignment of Serbian legislation with international standards. Furthermore, future legislative activities depend on it. Amendments to the Law on Public Information were adopted in an urgent procedure without public debate in mid-2009. Fortunately, the most controversial of the proposed amendments that could have seriously endangered the freedom of the Serbian media were waived after a public outcry and the Mission's involvement. The Law on Classified Information was adopted and the Law on Free Access to Public Information amended. The new Law on Advertising and amendments to the Broadcasting Law are being drafted.

**Output 1.1.1: Governmental bodies are assisted in harmonising media legislation with the relevant international standards.**

Together with the Council of Europe and USAID, the Mission supported a working group amending the Broadcasting Law. This is one of the key laws aligning Serbian audio-visual media services with applicable international standards. The group finalised a great number of amendments to be submitted to the Ministry of Culture for further procedure in 2010. The Mission supported the Ministry of Culture in finalising a draft law on media concentration and transparency of ownership. The draft law entered inter-ministerial procedure after being subjected to public debate. The Law on Public Information was amended without consulting the Mission. Media professionals, the Council of Europe and the Mission worked with the Ministry of Culture to ensure that the most controversial provisions were waived from the version submitted for adoption. Following demands from journalist and media organisations, seriously impacted by the economic crisis, the Ministry of Trade set up a working group to draft the new Law on Advertising. The Mission observed the process, with particular attention to preserving public service broadcasters' advertising entitlements at the present level. Upon invitation from the Ministry of Culture, the Mission joined the working group developing media strategy, which will provide the overall framework for aligning media legislation with international standards.

**Output 1.1.2: Capacity of the supervisory authorities in the implementation of media legislation is strengthened.**

The Mission achieved only moderate results in this field as the most important piece of the legislation, the Law on Transparency of Ownership and Prevention of Media Concentration, remained on hold. At the Mission's behest, the Ministry of Culture proposed to the government that the draft law be submitted to the Parliament. Upon its adoption, the Mission will support the Ministry in the implementation of the Law. The Ministry of Trade set up a working group to draft a new law on advertising. At the Ministry's invitation, the Mission will monitor the work of the group. Relations with the Council of the Republic Broadcasting Agency were not fully established in the past year, so the Mission was not able to advise them on the implementation of the current Law on Advertising.

**Output 1.1.3: Capacities of state institutions to implement the legal framework regulating free access to information of public importance and classified data is improved.**

The Office of the Commissioner for Information of Public Importance and Protection of Personal Data improved its overall performance in 2009. At the Mission's recommendation, the government passed a decision to increase the capacity of the Office. The Commissioner's budget was doubled compared to previous years and the number of employees increased from seven to fourteen. The amendments to the Law on Free Access to Information of Public Importance, adopted in 2009, improved somewhat the previous version of the law. Among the positive changes, the responsibility for observing the law's implementation was transferred from the Ministry of Culture to the Ministry of Public Administration and Local Self-government, instead of. The latter Ministry's inspection unit possess the expertise to observe the application of the law and initiate legal proceedings against those who violated it. In addition, the Mission trained over 100 journalists on the right to free access to information and its use in investigative journalism and the fight against corruption. In co-operation with the Commissioner, the Mission marked the International Right to Know Day and informed the general public both on the advantages of using this right and the problems the Commissioner's office faced in its work. In co-operation with the Institute for Social Sciences, the Mission conducted a research on media freedoms in Serbia, to be published in 2010. In addition, the Mission reported on the findings regarding attacks on journalists and other violations of media freedoms in Serbia. The report was widely distributed to the relevant domestic and international institutions and the general public.

**Output 1.1.4: Operating of the broadcasting transmission system in greater compliance with the Broadcasting Law is advocated**

for.

The 2002 Broadcasting Law envisaged the separation of the broadcasting transmission system from the public service broadcaster, the Radio-Television Serbia, and the establishment of a public company to provide transmission service to all broadcasters under equal conditions. The Mission continually advocated for the implementation of this provision. This has resulted in the Serbian Government adopting a decision on the establishment of a separate public company in charge of the transmission system. The Government has appointed members of the company's managing board, although the company is not yet functioning. This development is of great importance, especially as this system will play a major role in the imminent digitalisation of the broadcasting system in Serbia. Following advocacy by the Mission, Serbian authorities received donor funding of 13.6 million Euros for the digitalisation of the Serbian transmission system.

**Outcome 1.2: Relevant media institutions and regulatory authorities have increased capacities to enforce professional standards.**

The year 2009 witnessed improvements in the transparency, accountability and efficiency of the Republican Broadcasting Agency's Council. The Council regularly published their decisions on the Internet. They have increased the capacity to monitor broadcasters. Broadcasting and telecom regulators struggled in dealing with pirate stations and with reducing unfair competition with licensed broadcasters, aggravating the latter's already difficult financial position. The state has yet to amend its penal policy on illegal broadcasting. Licensed broadcasters were burdened by high broadcasting and frequency fees set by the Republican Broadcasting Agency and the Republican Telecommunications Agency respectively. The Broadcasting Agency revoked over twenty broadcasting licences due to unpaid fees. The Government approved the regulation decreasing broadcasting fees, but has not yet acted to decrease fees for the use of frequencies. Cable broadcasting remains unregulated. The Press Council was established in December 2009, creating an important self-regulatory mechanism advancing professionalism in the media sector. The Serbian and international media organisations, such as the South East Europe Media Organisation and the International Press Institute, established important avenues for co-operation.

**Output 1.2.1: Accountability of the Republic Broadcasting Agency Council is enhanced.**

The Council of the Republican Broadcasting Agency passed a decision on broadcasting licenses at the end of 2008. The issuing of licences continued in 2009, as complain period slowed down the process. Some decision on local and regional licenses raised particular concerns as to the transparency of the process. The Supreme Court ruled in favour of several broadcasters, ordering reconsideration of previous decisions. However, the Council of the Broadcasting Agency re-confirmed those decisions. All throughout the process, the Council worked with limited capacities, as new members were not appointed by the Parliament to replace those with expired mandates. Independent assessments of the Council's work suggested that the Council was ineffective in dealing with pirate broadcasters, broadcasting fees and the lack of regulation for cable broadcasters. However, despite some improvements in the transparency of the Republican Broadcasting Agency, it continued to operate with inadequate institutional and regulatory capacities. The Mission maintained its interest in the Council's work, advocating for greater accountability.

**Output 1.2.2: Capacity of journalist associations and media institutions to safeguard the rights of journalists is increased.**

The Mission supported associations of journalists and publishers in establishing for the first time in Serbia a self-regulatory body, a Press Council. Following the adoption of the statute and the rules of procedure, the Council was formally registered at the end of the year. In co-operation with Deutsche Welle, the Mission enabled representatives of journalists' and media associations, and the Ministry of Culture to learn about the media system and mechanisms for journalists' protection in Germany. The Mission supported a working group drafting the new statute of the Independent Journalists' Association of Serbia to enable the association to more effectively safeguard the rights of journalists. In co-operation with this Association, the Mission promoted the establishment of a first database on journalists in Serbia. More than 4,000 journalists have registered in the database, creating a unique tool for networking among them. This became particularly relevant as the profession was being more severely affected by the global economic crisis and all the more journalists were looking for alternative employment. The Mission continued publicising attacks on journalists in 2009. According to its findings and reports of the Independent Journalists Association of Serbia, the incidence of such attacks decreased by about fifty percent compared to the year before.

**Outcome 1.3: Media professionals are better able to report on issues of public relevance.**

Media professionals and media outlets assisted by the OSCE Mission to Serbia are better equipped to report on issues of public relevance. After receiving instruction on production and work organisation, media outlets and professionals now produce more timely, attractive and easier to understand radio and TV programs and print articles. At the same time, the topics to be covered were selected with more attention to their relevance to the audience and addressed broad strata of subjects, most notably local politics, war crimes, organised crime and the judiciary, in a more balanced manner. According to available audience researches, current affairs programmes of media involved in the Mission-led courses increased their ratings. Media outlets and their staff demonstrated repeatedly their commitment to improving their reporting. Consequently, there was a great interest in and feedback to the media training programmes organised by the Mission. Particular interest was expressed in receiving more in-house, in-depth and longer term support.

**Output 1.3.1: Capacity of journalists and media outlets to cover selected issues is further strengthened.**

The Mission continued to encourage media professionals in covering particularly sensitive issues such as the judiciary, corruption, war crimes, organised crime, economics and the environment in an accurate and unbiased manner. Journalist reporting on war crimes and a selected group of editors had a chance to visit the International Criminal Tribunal for former Yugoslavia in The Hague. The visits encouraged several feature stories and articles to be published in national and local print media outlets nationwide. Moreover, the outreach material about the Tribunal was broadcast in local media in southern and south-western Serbia. The Mission held a number of training courses, seminars and roundtable discussions throughout the year, attended by up to 200 media professionals, increasing the capacity of media professionals to report on selected topics.

**Output 1.3.2: More professional and unbiased coverage of issues of local concern in southern, south-western and eastern Serbia is enhanced.**

The Mission assisted radio and TV stations in southern and south-western Serbia in raising the quantity and quality of news programmes produced. Radio station in southern Serbia that had no news programmes until 2009, started airing three regular newscasts per day after receiving training by the Mission. Another radio station in the same region increased number of news items in their daily programmes. TV stations in southern and south-western Serbia standardised formats of their newscast, making them more attractive and accessible to their viewers. The Mission worked with licensed media outlets in these regions that produced or intended to air current affairs news programmes. It improved communication between local authorities and the media in southern and south-western Serbia. As a result, media professionals were able to obtain, process and present information of interest for their local audiences in a much faster way, as opposed to previous period when information from local institutions was provided to the media in a non-systematic manner. Due to reduced resources in the second half of 2009, the Mission did not expand similar initiatives to the region of eastern Serbia.

**Output 1.3.3: Knowledge and awareness of students of journalism of international best practices in media reporting are enhanced.**

The journalism department at the Belgrade University's Faculty of Political Science introduced, at the Mission encouragement, organisation of students' study visits into its regular curriculum. This development increased the interest for

participation in study visits among students and was beneficial in their earning additional ECTS credits. In line with its previous practice, the Mission facilitated study visits to the Netherlands and the United Kingdom for eight best students of journalism.

**Output 1.3.4: Competitiveness of local media outlets is increased.**

Over fifteen media outlets throughout Serbia attended the Mission's seminars on basic marketing and sales techniques. Seminars were developed so as to help media outlets remain operational and resistant to political and economic pressures, thus safeguarding citizens' right to independent and objective reporting. The immediate feedback from the participants was positive. Particular focus was on the region of south-western Serbia. A prominent local station from Novi Pazar considered in professional circles as independent and operating with high ethical standards was supported in creating a marketing unit. Before the year was over, the station witnessed an increase in its marketing revenues.

**Outcome 1.4: Provincial public broadcaster better responds to the needs of society with strengthened independence and accountability.**

The Mission has supported since 2007 the public broadcaster Radio Television Vojvodina to provide independent, responsible and professional service to two million people living in the culturally diverse region of Vojvodina. Complete turnover in the top management and senior programme editors at the beginning of 2009 was disruptive to these efforts. It took some time and patience to ensure that the new management understood and supported the concepts of good independent broadcasting and effective management. The assistance was adjusted to concentrate more on the management and the Radio Television Vojvodina's radio services and minority language sections. This support ensured that the TV news programmes remained the mainstay of the programme schedules. Compared with the same periods in 2007 and 2008, the daily news and current affairs magazines have continued to increase their audience share. The latest audience figures for Radio Novi Sad showed a significant increase following the UK study visit and changes to output introduced after those visits. Novi Sad School of Journalism analysis and the broadcaster's opinion polls show improvements in the public perception of this radio-television station.

**Output 1.4.1: Transformation of the news service of Radio Television Vojvodina is facilitated.**

With the Mission's guidance, the Radio Television Vojvodina introduced more relevant, people-orientated journalism driven by editorial planning. The effects are particularly visible on the stations' morning and evening news, and current affairs programmes. Senior managers are now developing regional news as their top priority. The station launched seven regional correspondence offices so as to provide better coverage for the whole province. It developed a concept of linking radio, TV and the Web services to share story information. The Mission helped introduce the standard of reporting from the location. The Mission monitoring showed that the Radio Television Vojvodina's news service used more graphics, produced more attractive and informative daily weather reports and had fewer on-air mistakes. While the share of audience for the station's morning, evening and current affairs news programmes increased, there was no increase in the overall viewer share for the station as a whole compared to the year before. This could have been due to the change of senior management, followed by the change of many department heads and programme editors.

**Output 1.4.2: Radio Television Vojvodina Presentation and Promotion Department is strengthened.**

The new management grasped the importance of good on-air presentation and well-planned program promotion. The TV promotions unit, established with the Mission support, worked extremely well, with cleverly produced programme junctions and more promotions for the station's second channel, broadcasting in languages of national minorities. The Mission helped develop the service further and establish clearer channel branding for the station's both channels. The Mission also advised on the switch to digital equipment to allow for live programme presentations on both channels. Although the transmission on both channels became more professional and disciplined as a result of the Mission's support, the overall viewing of RTV television has not increased compared to the same quarters in previous year.

**Output 1.4.3: Preparation of a radio development plan by Radio Television Vojvodina is facilitated.**

In close co-operation with the Mission, management of Radio Novi Sad started implementing a development plan for the station, which airs in Serbian and nine minority languages. As a result of the efforts made, the quality of news programmes and their orientation towards provincial topics improved during the year. Radio Novi Sad involved a number of correspondents from all over the province, increasing the number of their daily live reports. Radio programmes were better formatted. According to the latest audience research from October 2009, listeners in Vojvodina started to respond positively to these changes. As the audience figures show, more people spent more time listening to Radio Novi Sad than in previous years.

### **B.3.3 Programme: Rule of Law and Human Rights**

**OBJECTIVE 1: TO PROMOTE REFORM OF THE SERBIAN LEGAL SYSTEM WITH PARTICULAR EMPHASIS ON CRIMINAL JUSTICE.**

**Outcome 1.1: Judicial and legislation systems are more effective and transparent.**

Serbia improved its legal and institutional framework for the fight against corruption. In the previous period, the state passed several important laws in the area of public governance and prevention of corruption, including the Law on Anti Corruption Agency, the Law on State Audit Institution, a new Public Procurement Law and a number of by-laws. As for their implementation, more time will be required for the state to install all of the planned mechanisms. The authorised institutions such as the State Audit Institutions, the Public Procurement Office and the Commission for Protection of Rights are still not efficiently monitoring and controlling budgetary expenditure and public procurement procedures. Their work is impeded by insufficient human and financial resources, and the general lack of attention from the state. Overall, Serbia has made a little progress in this area, as reflected in the 0.1 point increase in the Transparency International's corruption perception index compared to the same period the year before.

**Output 1.1.1: Establishment of the Judicial Training Academy is further facilitated.**

The Mission supported the drafting of the Law on the Judicial Academy, including by providing an assessment of the Law's budgetary impact, comparative analyses and expert opinions. The efforts culminated in the adoption of the Law on the Judicial Academy in December 2009, paving the way for the transformation of the current Training Centre into an Academy. Due to the late adoption of the Law, the Judicial Training Centre, in co-ordination with the Mission, started developing an interim strategy on internal restructuring of the Academy, which will be completed and, hopefully, adopted in 2010.

**Output 1.1.2: Strengthening of the position and organisation of judges and prosecutors is encouraged.**

The Mission supported the professional associations of prosecutors and judges in drafting rules and regulations on evaluation, promotion and disciplinary procedures for judges and prosecutors. It also helped in publishing and presenting these guidelines, later endorsed by the High Judicial and State Prosecutorial Councils. The judges' association, with the support of the Mission, organised a series of peer-to-peer expert meetings in southern, south-western and northern Serbia, thus enabling members of the association to better acquaint themselves with the new set of judicial laws, discuss how to

improve the internal organisation of the association and encourage branch offices to get more involved in the association's regular activities. These peer-to-peer meetings led to the development of an online mailing system for members, an action plan for 2010 and improved co-operation with professional associations in other countries. In partnership with the prosecutors' association, the Mission increased the skills of prosecutors from southern and south-western Serbia to better utilize legislation regulating violations of environmental law and encouraged their better co-ordination with relevant local government officials. The professional associations' public role has notably improved, with significant media attention given to their opinions on the court reorganization and re-election process.

**Output 1.1.3: The unified law-drafting methodology and use of Regulatory Impact Analysis are promoted.**

In helping the Ministry of Justice to better prioritise, plan and draft legislation in a more transparent and effective manner, the Mission increased the awareness in professional circles of the need to standardise the process of law-making. The Mission gathered prominent experts from the executive and legislative branches and the Belgrade Law Faculty to draft a set of rules codifying the law-drafting. The working group presented in September 2009 a draft model law, merging the best elements of the Serbian legislative tradition and modern law-making techniques. Understanding among judicial officials of the benefits of analysing impact and implementation costs of proposed legislative pieces was improved. The Mission supported the Ministry of Justice in completing such an impact analysis of the draft law on Judicial Academy, which indicated that the costs of its implementation were higher than those earmarked. The Ministry opted for not disclosing findings of this analysis to legislators and the public. Instead, it forwarded the draft law to the Parliament without the analysis of its impact. The Mission piloted another impact analysis of the draft law on criminal procedure. As the working group drafting the law is yet to complete its work, the analysis is expected to be finalised in 2010. Overall, despite positive reactions from the authorities to the general concept of introducing more modern techniques of law-making, the level of enthusiasm in actually applying regulatory impact analyses was low due to its considerable budgetary implications at the time of financial pressures.

**Outcome 1.2: Serbian judiciary has increased capacities to deal with organised crime.**

The Government invested significant efforts in 2009 in creating conditions conducive to effectively curbing organised crime. The first ever National Strategy for Combating Organised Crime was adopted, enabling for a more coherent response by all state authorities to the challenges posed by organised crime. Subsequently, the state developed an Action Plan for its implementation, setting clear, time-bound objectives and identifying judicial authorities as the main stakeholders responsible for their accomplishment. Furthermore, the country started implementing the new legislation on assets seizure that provides for enhanced forfeiture possibilities for proceeds of organised crime and corruption. It established a new institution in charge of managing the seized and confiscated assets. Consequently, first seizures of proceeds of criminal activities started. Finally, new legislation extending the mandate and the jurisdiction of the prosecution office dealing with organised crime cases was adopted in 2009. The legislation improved conditions for more effective use of special investigative techniques and introduced stricter imprisonment regime for those convicted for their involvement in organised crime. However, continued efforts need to be made to sustain the process and enable Serbian judiciary to effectively counter organised crime.

**Output 1.2.1: Conditions for an effective use of special investigative techniques by the prosecution service are improved.**

The Mission assisted local authorities in improving legal and technical conditions for a more effective use of special investigative techniques by the prosecution service. It helped local judges, prosecutors and police officers exchange best practices with their peers working in foreign countries, namely Italy and USA, on undercover operations and strengthen mutually beneficial partnerships. This led to an improved understanding of the challenges involved in conducting such type of operations, while the most relevant findings were integrated in the Criminal Procedure Code. The identity of undercover agents will now be better protected throughout the entire proceedings, with the possibility to engage foreign nationals as undercover agents. The Mission lobbied for acknowledging the prominent role played by the prosecution in conducting organised crime investigations. This was reflected in the adopted National Strategy and the Action Plan for combating organised crime. At the Mission's insistence, new co-ordination mechanisms between the police and the prosecution were created for conducting criminal investigations. For the first time in many years, investigations were conducted jointly with foreign prosecution and police authorities. Overall, application of special investigative techniques in the past year increased by almost 25% compared to 2008.

**Output 1.2.2: Ability of the judiciary to deal with seized assets in accordance with international standards is enhanced.**

In 2009 the capacity of Serbian authorities to deal with extended asset seizure significantly improved also thanks to the Mission's comprehensive engagement. Together with Italian and US experts, the Mission trained close to 120 prosecutors, judges and police officers throughout the country on the new procedures for asset seizure and financial investigation techniques. This led to a more careful application of the new forfeiture mechanisms by local authorities, especially in relation to defendant's rights. The Mission supported the newly established bodies, such as directorate for managing seized assets in the Ministry of Justice and financial investigation units in the Ministry of Interior in better implementing their mandate. In an attempt to promote wider understanding among the judiciary of the asset seizure regulations, the Mission published a legal commentary of the new law and the relevant case-law of the European Court for Human Rights. This will serve as a reference document for those practitioners implementing the provisions of the law on assets seizure in the future. The Mission's engagement in this area was instrumental to ensuring that the complex system necessary for implementing the law on asset seizure would start functioning. The first nine cases of seizure in line with the legislation of real-estate, together with some personal property and bank accounts, were recorded in 2009.

**Outcome 1.3: Serbian authorities have increased capacities to prosecute war crimes in an environment more supportive of war crimes trials.**

Serbian authorities initiated six new war crimes cases in 2009, largely as a result of good co-operation between the Serbian and the judiciaries of the neighbouring countries. The Government maintained its support for prosecution of war crimes trials before the Serbian courts and improved its co-operation with the International Criminal Tribunal for the former Yugoslavia in the Hague. The unit offering support to witnesses and victims appearing at war crimes trials that was established at the Belgrade War Crimes Chamber in 2006 became a fully fledged judicial service in 2009. Based on its positive experience the Ministry of Justice and Supreme Court of Cassation expressed the wish to open similar services in other Serbian courts and one such service was opened in Novi Pazar Court. The general re-election of judges and prosecutors affected the ongoing war crimes trials. This impact was less felt at the War Crimes Chamber than in courts of general competence. A public opinion poll, commissioned by the Mission in the first half of 2009, showed that the public had become more supportive of domestic war crimes prosecution, while support for the ICTY decreased.

**Output 1.3.1: Regional and international co-operation in war crimes matters is further improved.**

The Mission facilitated various consultative meetings and conferences of judicial practitioners and experts from the region and international courts. They served for exchanging know-how and experiences, as well as for discussing modalities of practitioner level co-operation. This led to an increase in the sharing of evidence, in particular between prosecutors from

Croatia and Serbia. With the Mission support, the International Criminal Tribunal for the former Yugoslavia in the Hague transferred knowledge to the Belgrade war crimes chamber and prosecutor's office to a far more advanced extent. Serbia adopted a law on international legal assistance in criminal matters, enabling for the transfer of cases from Serbia to foreign courts without limitations, which was strongly advocated by the Mission. The law provided a basis for narrowing the impunity gap that arises when suspects holding multiple nationalities flee from one country to another. New indictments were raised and investigations launched on war crimes committed on the territories of Croatia and Bosnia and Herzegovina. The number of ongoing investigations almost tripled. The total number of ongoing cases increased from eight to sixteen. Three cases were adjudicated swiftly. Co-operation with the judiciaries of these countries was crucial to this end. At the same time, co-operation with the prosecution from Bosnia and Herzegovina was limited, a consequence of disagreements on jurisdiction over certain cases and differing points of view about investigations of those cases.

**Output 1.3.2: Provision of judicial support to war crimes victims and witnesses is more efficient.**

The Mission supported the Belgrade district court's war crimes chamber in strengthening the capacities of its specialised unit to provide necessary support to victims and witnesses of war-time atrocities testifying at the court. It also made court staff, court guards, judges and prosecutors better aware of how to deal with traumatised witnesses. This has led to their more receptive attitude towards witnesses and better addressing of concerns the witnesses might have in relation to their appearance at court. In a number of cases, witnesses saw their concerns adequately addressed and agreed to give testimony. With the witness/victims support unit at the Belgrade district court maturing into fully equipped and competent service, the Mission assisted in setting up similar services in other courts in Serbia covering ordinary criminal cases. Following an experiences sharing by the Belgrade district court and the district court in south-western Serbia, similar service was put in place in Novi Pazar. In order to institutionalise these services country-wide and ensure that they operate in a uniform way, the Mission will advocate for developing adequate legislative framework in 2010.

**Outcome 1.4: The system of enforcement of penal sanctions, including alternative sanctions and measures, is brought into line with international standards.**

In September 2009, the Serbian Parliament adopted two most important pieces of legislation regulating this area, Amendments to the Law on Enforcement of Criminal Sanctions and the Law on Special Imprisonment Regime for organised crime cases. With their adoption, a new normative framework is set in place making the country's prison system closer to the relevant international standards. Their full effect will be seen in 2010, once the necessary by-laws have been adopted. All these normative changes create a solid foundation for better protection of prisoners' human rights. They also have a positive effect on the security of the society in general, as special imprisonment regime prevents those sentenced for involvement in organised crime to continue with their criminal activities while in prison. The Ministry of Justice's service for implementation of alternative sentences also became operational in 2009 with the first ever alternative sanctions implemented in Serbia. Further development of alternative sentencing system will gradually contribute to reducing overcrowding in prisons and better reintegration of offenders into society.

**Output 1.4.1: Capacity of penal institutions' external oversight bodies is enhanced.**

The biggest problem in Serbian prisons remains overcrowding. The Mission assisted the Ministry of Justice and its prison administration to draft comprehensive strategy for reducing overcrowding. Its adoption is envisaged for 2010. The strategy defined a wide scope of normative, organisational and operational changes and actions to be undertaken by relevant state institutions within defined timeframe. Considering that overcrowding jeopardises the prisoners' basic human rights, the Mission enhanced the capacities of the Office of the Protector of Citizens, as an external oversight body, to safeguard the rights of persons deprived of their liberty. With the Mission's support, the department of the Protector of Citizens in charge of external prison oversight increased their awareness on prisoners' rights and skills to apply oversight methods. The department adopted methodology and internal rules for prison visitation. Its first visits to the prisons took place in 2009, following which the department drafted reports and set of recommendations for improving conditions in prisons, and delivered them to prison authorities. The Mission also offered support to the Parliament in exercising its duties in overseeing penal sanctions' enforcement. However, the relevant parliamentary commission was not established in 2009.

**Output 1.4.2: Capacity of the Ministry of Justice's service for the implementation of alternative sanctions to effectively perform their duties is increased.**

The first office of the service of the Ministry of Justice implementing alternative sanctions in Belgrade became fully operational. The Mission helped the staff of the Belgrade office in drafting internal rules and procedures for implementation of alternative sanctions, which were adopted by the prison administration. The office carried out half of all alternative sanctions pronounced on the territory of Belgrade in the period 2006-2009 and enforced 65% of all sanctions pronounced in 2009. Overall, these efforts had a positive effect on reducing overcrowding in prisons and rehabilitation of offenders. The Ministry's service created conditions for wider use of alternative sentencing in 2009, which will gradually contribute to lowering the number of certain groups of repeated offenders and making savings in the state budget.

**OBJECTIVE 2: TO SUPPORT GREATER ACCOUNTABILITY OF PUBLIC ADMINISTRATION AND FOSTER ECONOMIC GROWTH.**

**Outcome 2.1: Citizens of Serbia have and make use of functional National Human Rights Institutions (Ombudspersons) as an instrument to protect them from mal-administration and human rights abuse.**

The capacity of the Republican Protector of Citizens to deal with cases in the areas of gender equality, children, minority and rights of persons deprived of liberty increased in 2009. The institution deepened its co-operation with the Vojvodina Provincial Ombudsman and offices of municipal ombudsmen. Comparing figures from the annual reports published in 2008 and 2009, the number of complaints submitted to the Ombudsman's Office continued to increase in line with expectations. However, the institution's efficiency was compromised by the continued lack of adequate premises and insufficient staff.

**Output 2.1.1: The capacities of the national and provincial Ombudspersons' sector departments are increased.**

Following the appointment of four deputies to the state Protector of Citizens, the Mission increased the capacity of their departments to deal with gender issues and the rights of children, minorities and those deprived of liberty. With the Mission's support, all deputies engaged in a number of outreach activities mainly targeting the region of southern Serbia. The Mission helped the Protector of Citizens to develop a methodology for monitoring places of detention, including standardised questionnaires for detainees and guidelines on how to collect statistics and report on conditions. The Office has started to apply this methodology. The Deputy Ombudsman in charge included the information collected in a special report that will be published as part of the 2009 annual report. The Mission provided an assessment of minority rights, increasing the capacity of the Office of the Protector of Citizens to deal with complaints related to minority rights increased, particularly in relation to reported violations of the right to official use of minority languages. The Mission helped Ombudsman's office to draft a communication strategy in the area of children rights. Staff of all four departments attended English language courses, enabling them to benefit from comparative international legislation and studies. As expected, the institution processed an increased number of claims - 20% more cases than in the previous year. Such increase in percentage applied evenly to all

departments. By supporting its participation in relevant international associations, the Mission also strengthened the capacity of the Provincial Ombudsman Institution, especially with regards to children rights.

**Output 2.1.2: Awareness of the citizens of the role of the Protector of Citizens and his deputies in the area of children rights, antidiscrimination and deprivation of liberty is increased throughout Serbia.**

The Mission supported the state Protector of Citizens in creating a special online presentation on the rights of children and youth. The web-site stirred interest among these groups for the work of this human rights institution as evidenced by an increased number of queries submitted by students. Consequently, the Office of the Protector of Citizens developed a communication strategy for reaching out to children. The institution was frequently present in the media in 2009. With the Mission assistance, the institution designed and printed informational material targeting elementary and high school students throughout Serbia. These robust outreach initiatives aimed at increasing visibility of the institution resulted in an increase in the number of received claims. Particularly remarkable was a significant increase in the number of claims originating from southern Serbia, where the institutions held its so-called clinic days. However, the number of claims rejected by the institution as being outside its mandate remained at the 2008 level. Thus, while the public widely acknowledges the existence of this institution, its majority still need to understand how to better distinguish its mandate's limitations and specific competences.

**Outcome 2.2: Authorities better respect good governance principles, with an emphasis on management of public funds.**

**Serbia improved its legal and institutional framework for the fight against corruption. In the previous period, the state passed several important laws in the area of public governance and prevention of corruption, including the Law on Anti Corruption Agency, the Law on State Audit Institution, a new Public Procurement Law and a number of by-laws. As for their implementation, more time will be required for the state to install all of the planned mechanisms. The authorised institutions such as the State Audit Institutions, the Public Procurement Office and the Commission for Protection of Rights are still not efficiently monitoring and controlling budgetary expenditure and public procurement procedures. Their work is impeded by insufficient human and financial resources, and the general lack of attention from the state. Overall, Serbia has made a little progress in this area, as reflected in the 0.1 point increase in the Transparency International's corruption perception index compared to the same period the year before.**

**Output 2.2.1: Level of professionalism of public procurement officials is increased and professional certification standards are introduced.**

Serbia has since January 2009 a new Law on Public Procurement that enhances the transparency of public procurement procedures and requires the position of public procurement officers to become more professional. The Mission actively promoted both changes. The state took important steps to introduce the changes. The Mission supported publishing of a handbook on the examination procedures for the certification of procurement officers. The Public Procurement Office promoted professionalisation of procurement officers and their offices also through preparation of models of tender documentation for goods, services and works, as well as the introduction of electronic reporting system, making the overall process more standardised and transparent. With the Mission support, centralised procurement system was introduced at local level. Municipal procurement agencies of the City of Belgrade and Subotica passed decisions incorporating these electronic systems into their local procurement procedures.

**Output 2.2.2: Awareness and accountability of local self-government financial management is promoted in southern Serbia municipalities.**

In promoting accountability of local self-government units in managing municipal finances, the Mission supported the work of local anti-corruption councils in three municipalities in southern Serbia that had been affected by corruption practices, namely the municipalities of Lebane, Medvedja and Bojnik. The Mission supported representatives of the civil society who took part in the work of the anti-corruption councils to regularly attend the sessions of municipal bodies and gave their account of the bodies' conduct to other members of the councils. Furthermore, local authorities supplied these specialised civil society organisations with reports on municipal budget expenditure. The citizens thus had the opportunity to obtain a better insight into the municipal administration's spending both through anti-corruption councils and the civil society organisation's web presentation, where those reports were shared. The Mission promoted the work of these anti-corruption councils throughout 2009 by facilitating televised public debates with the representatives of the public prosecutor's office and the police. It ensured their visibility while also enhancing the skills of council members on budget management practices. However, work of the councils in two municipalities was hampered by a change in municipal political leadership.

**Output 2.2.3: The capacity of the institutions to investigate and prosecute money laundering and other economic crimes is increased.**

Following changes to the law on Prevention of Money Laundering and Financing of Terrorism introduced in 2009, the Mission helped the Ministry of Finance and the National Bank of Serbia to enhance the skills of their relevant staff. Using the advanced model applied by the Italian financial institutions and financial police, these officials increased their skills on particularly intricate topics relevant for conducting risk analysis, analysing leasing and factoring operations, asset tracking and seizure, and financial and economic investigations, in particular on international frauds on value added tax. With the Mission's support, over 30% of inspectors from the Ministry of Finance, together with 10% of district and municipal prosecutors, were trained to investigate more intricate cases of financial and economic crimes. Thanks to the integrated approach applied to conducting all of these courses, co-operation among different institutions was increased, leading to more successful conduct of investigations. Additionally, administration for the prevention of money laundering within Ministry of Finance's financial intelligence unit stepped up its efforts in promoting better reporting on suspicious transactions by reporting entities.

**Output 2.2.4: The State Audit Institution's capabilities to plan and structure its operations are increased.**

The State Audit Institution made the first partial audit of the state's 2008 budget. As the Institution's work was compromised by a lack of resources, the Mission assisted it in better planning and structuring its operations. It helped the institution's Council and auditors better plan, estimate and carry out the audit of the public procurement, basing their approach on the lessons learnt and best practices of the Slovenian model. However, in order to fulfil its mandate, the State Audit Institutions remains dependant on recruiting additional staff. For an institution with limited resources, it will be a challenge to attract sufficiently qualified candidates.