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**JUDICIAL REFORM & GOVERNMENT
ACCOUNTABILITY PROJECT (JRGA)**

JUDICIAL REFORM AND GOVERNMENT ACCOUNTABILITY PROJECT

Annual Report – Year 5

July 1 2015 – June 30 2016



This publication was produced for review by the United States Agency for International Development. It was prepared by National Center for State Courts.



PREKRŠAJNI SUD U BEOGRADU OTVORIO JE SVOJA VRATA GRUPI OD 59 UČENIKA DVEJU BEOGRADSKIH SREDNJIH ŠKOLA



ZORAN PAŠALIĆ



CILJ: MLADIMA PRIBLIŽITI ZNAČAJ PRAVOSUDA I PODSTACI NA RAZMIŠLJANJE O



DA ČUJEMO UTISKE KOJE SU PONELE SA OVOG DRUŽENJA

On the cover, photos from the Open Court Day held on April 22, 2016 in the Misdemeanor Court in Belgrade.

DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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TABLE OF ACRONYMS

AC	Administrative Court
ACA	Anti-Corruption Agency
ACS	Anti-Corruption Strategy
AMC	Appellate Misdemeanor Court
AMJ	Association of Misdemeanor Judges
APP	Association of Public Prosecutors
CAFV	Counseling Against Family Violence
CEP	Commissioner for the Protection of Equality
Cfi/PDP	Commissioner for Information of Public Importance and Personal Data Protection
COI	Conflict of Interest
COP	Chief of Party
CROSO	Central Registry of Compulsory Social Insurance
CSO	Civil Society Organization
DoJ	U.S. Department of Justice
EDC	Education Center Leskovac
FOIA	Freedom of Information Act
HCC	High Court Council
IAs	Independent Agencies
IAD	Income and Asset Disclosure
IT	Information Technology
JA	Judicial Academy
JRGA	Judicial Reform and Government Accountability [Project]
LOM	Law on Misdemeanors
MC	Misdemeanor Court
MCCMS	Misdemeanor Court Case Management System
MOJ	Ministry of Justice
NGO	Non-Governmental Organization
NARS	National Assembly of the Republic of Serbia
OPDAT	Office of Overseas Prosecutorial Development Assistance and Training
OSCE	Organization for Security and Cooperation in Europe
PDC	Partners for Democratic Change
PMP	Performance Monitoring Plan
RFA	Request for Applications
RFP	Request for Proposals
RFQ	Request for Qualifications
SAI	State Audit Institution
SIPRES	Sistem prekršajnih sudova Srbije (Serbian Misdemeanor Courts' Case Management System)
SoM	Serbia on the Move
STTA	Short-Term Technical Assistance
TS	Transparency Serbia
USAID	United States Agency for International Development
Y5	Year 5
WG	Working Group
WP	Work Plan

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EXECUTIVE SUMMARY

During Year 5, the Judicial Reform and Government Accountability project (JRGA) continued with efforts in securing the continuity and sustainability of assistance mechanisms geared at meeting the Project's **overall objectives**:

- Strengthen the rule of law, the independence of the judiciary, and the administration of justice in Serbia;
- Increase public awareness of reforms in the judicial sector;
- Strengthen the ability of the Serbian government, independent agencies, and civil society to detect and prevent corruption.

The implementation of activities outlined in the JRGA Year 5 Work Plan was aimed at achieving incremental progress towards expected results. Activities were logically sequenced and combined both process-oriented and result-oriented interventions.

JRGA support provided under **Component 1** continued to run on two parallel, complementary tracks – targeted technical assistance at the local level geared towards improving case processing and efficiency in courts combined with national-level policy and operational reforms with system-wide impact. This approach proved to be most effective as complementary activities result in strengthening leadership and management functions within the administrative and misdemeanor court systems so that court personnel are able to sustain results achieved. Systemic-level interventions were focused on amending the Law on Misdemeanors (LOM) on the basis of deficiencies identified in the course of implementation; rolling out a comprehensive software solution for efficient case management in misdemeanor courts – SIPRES; ensuring coordinated and swift systemic protection for victims of domestic and family violence through the new procedural Law on the Prevention of Domestic Violence; and enhancing the image of misdemeanor courts through facility upgrade interventions and community outreach activities.

Monitoring the implementation of and amending the LOM framework, with the roll out of the misdemeanor court case management system, SIPRES, that is covering both instances of the misdemeanor procedure and operating in all 153 locations of misdemeanor court seats and units, served as drivers of JRGA's holistic approach in improving the efficiency of misdemeanor courts in the past five years of the Project. The misdemeanor courts have come a long way from the most recent addition to the Serbian judiciary in 2010, often operating in poorest conditions, being under-equipped and out of sync with modern tendencies in court administration. With JRGA assistance that spanned the revised legislative framework, court automation, facility interventions and comprehensive training, the misdemeanor courts are back on the map as some of the biggest revenue generators for the state, with EUR 105 million collected through court costs and fines, and another EUR 25 million readily collectible by enforcing consequences of being a registered debtor in the Registry of Unpaid Fines. The introduction of the misdemeanor order contributed significantly to better caseload management and drove up the voluntary compliance rate to 75% as opposed to barely 30% with the mandatory fines under the old legislative framework. Improved procedural efficiencies, particularly enforcement, trained judges and staff, renovated facilities and outreach activities targeting the local community in turn enhance the image of misdemeanor courts and judges as fair and accountable which in turn reinforces the overall rule of law in Serbia.

Leveraging funds for maximum impact in partnership with the Ministry of Justice yielded particularly successful results in Year 5. JRGA and the Ministry brought to fruition several

years of efforts on consolidating operations of the largest misdemeanor court in the country – the Belgrade Misdemeanor Court – from 13 different locations dispersed across the Serbian capital to a single facility. Apart from enabling better streamlining of business processes through optimization of staff and other resources, this joint initiative is illustrative of an emerging trend that gained momentum in Project Year 5 – the Ministry of Justice assuming an overall leadership and managerial role in delivering facility upgrades, driving both the selection of facilities to be renovated and the organizational and logistical aspects of the process, as well as taking on the more significant financial portion of the joint venture. This was also evident in the case of Misdemeanor Court in Raska for which the Ministry built the first completely new judicial facility in the past 20 years in Serbia, while JRGA provided equipment and furnishings.

JRGA provided legislative drafting support and logistical assistance to the Ministry of Justice in the process of drafting a new procedural Law on the Prevention of Domestic Violence. The Law institutionalizes the so-called ‘Zrenjanin model’ of inter-agency cooperation and coordinated community response in cases of domestic violence. This lends sustainability to JRGA efforts under the grants program over the previous years in supporting the dissemination of this victim protection model in numerous local communities in Serbia. JRGA also supported the process of wide stakeholder consultations for the draft law by facilitating seven public hearings held throughout Serbia in April and May.

Cross-component efforts were particularly significant in delivering a large-scale training campaign for the new Law on the Protection of Whistleblowers targeting judges and judicial assistants from all courts in Serbia. In cooperation with the Judicial Academy, JRGA delivered over 1600 person/days of training. The mid-term review evaluating the first effects of the implementation of the Law showed that the Serbian judiciary stepped up to the challenge and delivered timely judicial orders granting interim relief to whistleblowers in 27 of 36 of the first rulings.

Under **Component 2**, JRGA provided technical assistance and training intended to strengthen independent agencies and their capacity to interact with courts, enforcement bodies, especially the Parliament, and administrative agencies. JRGA worked with the Anti-Corruption Agency (ACA, the Agency) and the State Audit Institution (SAI) in particular on revising and strengthening their organizational and strategic frameworks.

Together with the Ministry of Justice, JRGA supported the Agency in redrafting the organic Law governing its functioning and reshaping the provisions related to conflict of interest, income and assets disclosures and complaints to align them further with global best practices. JRGA and the Organization for Security and Cooperation in Europe joined forces to support the Agency in organizing a stakeholder conference on the political finance oversight mechanisms which resulted in proposals for amending the existing legislative framework in Serbia in order to enable more efficient control. In the period leading up to the April 2016 elections in Serbia, JRGA supported the ACA in training 150 election campaign monitors on basic tenets of observing and reporting on campaign spending. In parallel with this, JRGA provided help with strengthening the managerial and leadership roles within the Agency, enhancing their capacities for reporting and effective messaging, and facilitated the development of a three-year strategic plan as well as an actionable 2016 annual work plan

JRGA also provided assistance to the ACA related to its roles and responsibilities under the Anti-Corruption Strategy. The Action Plan for Implementation of the National Anti-Corruption Strategy introduced an obligation for public officials, civil servants and other public sector employees (estimated at 700,000) to undergo training on a range of anti-corruption measures contained within the strategic framework. JRGA provided technical

assistance to the ACA in developing tools that would be used to quickly and cost-effectively deliver training on issues related to anti-corruption and integrity to all eligible public sector employees. Several other Project initiatives were directly founded on the Action Plan for Implementation of the National Anti-Corruption Strategy. JRGA assisted the ACA in carrying out a legislative corruption risk assessment for the sector of customs and the pharmaceutical sector.

Similar assistance was provided to SAI. JRGA helped SAI leadership with the definition of the five-year strategic plan while in parallel providing extensive support to the performance audit team. Apart from targeted short-term technical assistance for two ongoing performance audits, JRGA also worked on building capacities of the performance audit team to become in-house trainers for SAI, able to provide training to existing and new staff members and increase the number of performance audits carried out by SAI every year, which is in line with their strategic plan.

JRGA provided guidance for effective messaging and report drafting to the staff of the Ombudsperson's office as well. Clear and concise reports with well thought out messages formulated for a broad audience are essential for independent agencies in getting their views across to the general public as well as those in the executive and judiciary branch tasked with implementing their recommendations. Coordination between independent agencies and the misdemeanor courts and the Parliament was continued, while JRGA joined forces with the U.S. Department of Justice – OPDAT to establish new avenues of cooperation and knowledge-exchange between the State Audit Institution and the Prosecutors through meetings and joint trainings.

JRGA maintained a functional **project coordination mechanism** involving representatives of counterpart institutions in order to ensure consensus for implementing reforms, monitoring of the project progress and resolving policy-level issues that arose during the implementation (*see* Annex D for the full list of project counterparts).

In February 2016, JRGA was notified of a six-month no-cost extension for the Project activities, until November 2, 2016. The purpose of the no-cost extension is to build upon the Project's successes by ensuring the sustainability for all key results, deepening the capacity of our local counterparts and transferring responsibility for various Project initiatives to our local partners.

Gender Mainstreaming

JRGA program activities were planned and implemented so as to promote gender equity and women's empowerment. The Project continued cooperation with the Commissioner for Protection of Equality in order to work more intensively on gender discrimination issues. JRGA also worked with the JA to assist its efforts to develop gender equity programming and ensure that women are well represented both as faculty and as trainees. Gender breakdown of judicial and other government officials that were trained by JRGA during Year 5 is presented in the report on the Performance Monitoring Plan (*see* Annex B).

Grants Program

All projects awarded grants under the sixth Request for Applications (RfA) that began in Year 4 successfully completed their activities in Year 5. Their results/deliverables were widely disseminated and utilized.

Long-term grant partnerships that were established in Year 3 were also successfully completed in Year 5. The partnerships proved to have multiple benefits – the mentoring relationship between grant partners and with JRGA enabled the existence of strong, issue-

focused civil society organizations (CSOs) that can continue to act on judicial reform and anti-corruption matters with improved self-sustaining capacities.

Year 5 Annual Report

This annual report outlines the current status of affairs, key achievements to date, and progress with regard to activities envisaged under the Year 5 Work Plan. It also provides data and relevant annexes for JRGA activities carried out in Quarter 4 of Year 5. Furthermore, the Annual Report is complemented by a report on the Performance Monitoring Plan presented as Annex B which provides information on achievements against the previously set targets. Budget execution for Year 5, as well as a forecast of expenditures for the remainder of the Project, are presented in Annex A. Administration and project management are described under a separate section of the Report, while the project staffing list is presented as Appendix C.

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HIGHLIGHTS FROM YEAR 5

Component 1: Judicial Reform

Legislative Reform:

- Working Group appointed by the Minister of Justice finalized work on drafting amendments to the new Law on Misdemeanors with legal drafting assistance from JRGA. Amendments adopted in February 2016.
- Changes are aimed towards ensuring a wider application of the misdemeanor order and plea agreement provisions and improving efficiency of the misdemeanor procedure, particularly enforcement.
- The new Law on Misdemeanors as reflected in the SIPRES Registries has generated EUR 130 million in collected and pending revenue since March 2014. This figure includes EUR 105 million in budget revenue that has already been collected and an additional EUR 25 million readily collectible by enforcing consequences of being a registered debtor in the Registry of Unpaid Fines.

Facility Upgrades and Renovations:

- Ministry of Justice and JRGA joined forces in consolidating the operations of the Belgrade MC from 13 locations to a single facility, enabling procedural efficiencies, streamlining of operations and better management of human and other resources, as well as improved service for court users.
- JRGA provided equipment and furnishings for the first completely new judicial building in Serbia – the building of the Raska MC. Similar assistance was provided for the new seat of the Appellate Misdemeanor Court in Belgrade.

Misdemeanor Court Case Management System - SIPRES:

- JRGA developed and created all necessary infrastructure and other preconditions for rolling out a comprehensive software solution for case management in misdemeanor courts – SIPRES.
- SIPRES is operating in all 153 locations of misdemeanor court units and seats, covering both instances of misdemeanor procedure. It has over 3 million cases to date with almost 1.800 users.
- SIPRES allows full interconnectivity among courts, with the Appellate Misdemeanor Court, as well as with external justice system partners – the traffic police, the Treasury and the Central Registry of Compulsory Social Insurance.
- JRGA transferred SIPRES under the care of the Ministry of Justice in the last quarter of Year 5 since the Ministry has undertaken steps to ensure system stability and sustainability: contracting for one year of SIPRES maintenance and development and creating a SIPRES policy guidance commission, composed of select misdemeanor judges and staff, instrumental in SIPRES creation.

Systemic Prevention of Domestic Violence and Coordinated Victims' Protection:

- JRGA provided legislative drafting assistance to the MoJ working group tasked with developing a new procedural Law for the Prevention of Domestic Violence.
- The Law institutionalizes the so-called 'Zrenjanin model' of inter-agency cooperation and coordinated community response to cases of domestic violence that JRGA supported through its grants program since the beginning of Project activities.
- JRGA also supported the process of wide stakeholder consultations on the draft Law by facilitating seven public hearings across Serbia.

Misdemeanor Judges Training 2013-2014:

- Misdemeanor and Administrative Court judges and staff trained on topics covering the Law on the Protection of Whistleblowers, communication and PR skills, asylum regulations and IT. 4413 person/days of training delivered in Year 5.

Community Outreach:

- 23 Open Court Days for over 700 high school students organized in total since November 2013, raising awareness of Serbia's youth on the important and responsible work of the misdemeanor courts and their importance for the overall rule of law in Serbia.

Component 2: Government Accountability

Strengthening Capacities of the Anti-Corruption Agency:

- JRGA provided support to the Ministry and the Anti-Corruption Agency on revising the ACA's organic Law, expanding provisions particularly related to the conflict of interest, income and assets disclosure, and complaints. It is expected that the draft Law will be considered for adoption in the summer.
- JRGA provided capacity building and technical assistance to the Agency in adopting a 2016-2018 Strategic Plan with a goal-oriented Annual Work Plan giving direction and concrete steps for the further development of this independent agency.
- The Project also provided assistance with performing legislative corruption risk assessment in the area of customs and the pharmaceutical sector (clinical trials) as the ACA lacked internal capacities for this effort.

Support to Political Finance Monitoring:

- JRGA assisted the Anti-Corruption Agency in promoting results of their report on Financing of Political Activities for 2014 and 2015 at a conference organized in January 2016.
- The event was also an open discussion forum for all stakeholders to weigh in on the existing mechanisms for monitoring the financing of political activities in Serbia and formulate recommendations for potential future changes to the legal framework.
- In light of the April 2016 elections, JRGA also assisted the ACA by providing training to 150 select election campaign monitors during six training sessions held in March.

Law on the Protection of Whistleblowers:

- JRGA expert and the world-renowned expert on whistleblowing, Tom Devine, conducted a mid-term review of the implementation of the Law on Whistleblower Protection since its effective date in June 2015. Overall, the courts have supported whistleblowers in 27 of the first 36 rulings resulting in Serbia having 'the world's best track record for timely judicial orders granting interim relief'.
- After completing delivery of training on the Law on the Protection of Whistleblowers for over 1600 judges from all courts in Serbia, JRGA also delivered a 'training of trainers' session for a select group of judges in March. This lends sustainability for the extensive capacity building already implemented by JRGA and ensures that this training course can become part of the continuing judicial education program in the Judicial Academy.

Strengthening Capacities of the State Audit Institution:

- JRGA provided intensive technical support to the performance audit team of SAI both for the ongoing two performance audits as well as by building their capacities as in-house trainers for SAI, enabling an increase in the number of performance audits carried which is in line with SAI's strategic goals.
- JRGA also provided assistance to SAI leadership in strengthening their capacities for defining a mission and vision statements for the institution and translating them into operational goals and activities contained in the five-year strategic plan.

Effective reporting and Messaging for the Ombudsperson's Office:

- JRGA provided capacity building on effective messaging and reporting to the staff of the Ombudsperson's office. They already internalized some recommendations as evident from the structure of the special report on the work of health councils and patients' rights counselors presented to the stakeholders and the general public with JRGA support.

Coordination of the Independent Agencies and the judiciary:

- JRGA supported continued cooperation between independent agencies and the misdemeanor courts, particularly during the process of amending the LOM. New avenues of cooperation were explored by establishing a coordination mechanism between the SAI and the office of the Republic Public Prosecutor.

Grants Program:

- All grant recipients for the sixth Request for Applications (RfA) successfully completed their activities which were widely disseminated and utilized.
- Long-term grant partnerships that were established in Year 3 were also successfully completed in Year 5. The partnerships proved to have multiple benefits – the mentoring relationship between grant partners and with JRGA enabled the existence of strong, issue-focused civil society organizations (CSOs) that can continue to act on judicial reform and anti-corruption matters with improved self-sustaining capacities.

COMPONENT 1 – JUDICIAL REFORM



Public hearing for the draft Law on the Protection Against Family Violence, Novi Sad, April 2016



Conference on the direction of the future development of criminal code in Serbia, April 2016



Signing of the Cooperation Protocol between the Association of Misdemeanor Judges, Faculty of Law and the Students' Union, May 2016

JRGA efforts in Year 5 brought to fruition several initiatives from previous Project years. Most notably, what started as a one-module application enabling the functioning of two electronic registries (of sanctions and debtors) mandated by the revised Law on Misdemeanors (LOM), grew into a comprehensive software solution for case management in misdemeanor courts in Serbia. SIPRES (according to its Serbian acronym) is a software application covering both instances of the misdemeanor procedure, utilized daily at 153 locations of misdemeanor courts and their units across Serbia, with over 2.000 users and over 3 million cases in the data base to date.

SIPRES is a unique application in the Serbian judiciary. It is a centralized application, housed on servers in the Data Center of the Ministry of Justice (MOJ, the Ministry) in Belgrade, with users accessing it via internet. It is also an application allowing full interconnectivity – among a court seat and its unit(s), among courts, with the Appellate Misdemeanor Court and, most importantly, with external justice system partners – the Traffic Police, the Treasury and the Central Registry of Compulsory Social Insurance (CROSO). This extent of interconnectivity and data exchange protocols in place to ensure almost instant exchange of information and managing accurate tracking of e.g. payments of court costs and fines is unparalleled in any other software currently in use in the Serbian judiciary.

With verification mechanisms in place preventing errors in data entry, SIPRES is synonymous with accurate data. This in turn generates reliable statistical reports, which is a click-of-a-button operation in SIPRES rather than an arduous manual task. Due to its centralized architecture, SIPRES has a single point of access for system and user management and monitoring, making it comparably easy and less costly to maintain and update in order to ensure stable functioning.

JRGA undertook all necessary activities to ensure that SIPRES is fully rolled out and in daily use in all misdemeanor courts as of January 1, 2016. In parallel with procuring and installing requisite hardware and network equipment, as well as releasing two critical versions of the application in September and December 2015, JRGA conducted a large-scale training campaign. As many as 1.625 person/days of training were delivered during 161 classroom training sessions. This was reinforced through over 80 field visits to misdemeanor court seats and units throughout Serbia to deliver on-the-job training. The combination of the two training approaches proved to be the most efficient modality for implementing such a high-volume training campaign. Intensive user support was also delivered through the SIPRES help desk manned by JRGA staff and tasked with filtering issues identified in the use of application towards relevant service providers (program-code related, hardware or network problems) as well as providing assistance with the utilization of the application.

The real impact for this continuous, sustained effort on introducing automation in misdemeanor courts in Serbia was achieved with transferring SIPRES under the care of the Ministry of Justice. As of April 2016, the Ministry is in the possession of unlimited and irrevocable use rights for the software. In parallel with this, the Ministry entered into a one-year maintenance and sustainable development agreement for SIPRES with a selected commercial vendor. The process of fully transferring all responsibilities related to system management, maintenance, monitoring and updating is still ongoing and will be completed during the extension phase of JRGA. However, the Ministry already assumed a leadership role in this process thereby lending true sustainability to SIPRES and ensuring all stakeholders' buy-in in making this software application a success.

JRGA built SIPRES by investing internal know-how and resources and utilizing in-house lawyers, IT staff and programmers. In addition to this, a group of select misdemeanor judges and staff was instrumental in translating the misdemeanor courts' business processes and best

practice examples identified during previous years of intensive cooperation, as well as guidance contained in the Judicial Bench Book, into features and functionalities that make SIPRES a comprehensive software solution. Upon JRGA's recommendation, these Project partners now comprise an official SIPRES commission, appointed by the Ministry, which continues to provide policy-level and strategic guidance for the future development of SIPRES. The commission had its first meeting in June 2016.

In parallel with court automation as one of the preconditions for improved procedural efficiencies, JRGA worked with the Ministry of Justice and the courts on transferring practical experience and issues identified in the two-year implementation period for the revised Law on Misdemeanors into a set of amendments. These were prepared in consultation with all stakeholders and with JRGA legislative drafting assistance and adopted in February 2016. The focus of the changes was primarily in expanding the utilization of the Misdemeanor Order as it holds a steady voluntary compliance rate of 75% since it was introduced; streamlining the appeals and the service of process provisions; further regulating the plea agreement so as to ensure its more widespread use and allowing the implementation of a full set of consequences of being a registered debtor.

This was particularly reflected through JRGA supporting the development and launching of a publicly accessible portal for the Registry of Unpaid Fines. The portal enables the citizens to verify their status *vis à vis* the Registry by utilizing their personal identification number. If they are in the Registry, they are unable to e.g. renew their driver's license or register their car as the Traffic Police are also privy to the information on the debtor status of the citizens. The portal had as many as 300.000 visitors the first day it was launched (end of January 2016) and generated EUR 5.2 million in the first five weeks of it being available on-line. This enforcement and collection mechanism proved to be one of the most efficient measures stipulated by the LOM, on a par with the efficiency and the high voluntary compliance rate in the utilization of the misdemeanor order.

To round off improvements to the legislative framework and operational procedures in the misdemeanor courts, JRGA and the Ministry partnered in resolving one of the burning issues plaguing the largest misdemeanor court in the country – the Belgrade Misdemeanor Court (Belgrade MC) for over a decade. In November 2016, almost 400 employees of the Belgrade MC, previously operating in 13 different locations dispersed across the Serbian capital, were finally situated under one roof, for the first time since the court was founded. The Ministry took the lead in this facility upgrade intervention consolidating the operations of the Belgrade MC. This proved to be a notable trend in other joint ventures undertaken during JRGA Year 5 – construction, furnishing and equipping of the first new court building in the Serbian judiciary in the past 20 years, now housing the Raska MC (February 2016) and the relocation of the seat of the Appellate Misdemeanor Court (AMC) in Belgrade into new premises (April 2016). JRGA provided both material support as well as technical assistance with the relocation process and the consolidation of operations of the Belgrade MC. In all facility interventions, JRGA also contributed with technical assistance to the design process, incorporating court space engineering best practices honed during previous Project years and 19 facility interventions on judicial buildings across Serbia.

Another important initiative supported by JRGA since the beginning of Project activities, and particularly through our grants program, materialized during Year 5. Namely, the so-called 'Zrenjanin model' – an interagency cooperation model ensuring swift and coordinated response of all relevant actors to cases of domestic/family violence, was translated into the key provisions of the new procedural Law for the Prevention of Domestic Violence. JRGA supported the MOJ-appointed working group in the legislative drafting process as well as

during a broad public consultation process through seven public hearings held across Serbia in April and May 2016. JRGA ensured the involvement of our grant partners – the Association of Public Prosecutors (APP) and the Counseling Against Family Violence (CAFV) as the draft law lends sustainability to many initiatives they promoted in the previous years through their grant projects. In parallel with the legislative drafting, CAFV continued operating the Legal Aid Network for victims of domestic violence, helping over 350 women and men in drafting lawsuits and criminal charges in 22 towns and cities in Serbia.

Building on the success and interest expressed in court community outreach events in the past years, JRGA continued with the organization of Open Court Days. With the seven events organized during Year 5, JRGA facilitated 23 Open Court Days in total since November 2013 for over 700 senior high-school students. These events provided Serbia's youth with the opportunity to witness the functioning of misdemeanor courts first-hand, as well as to improve their team work and analytical skills in preparing and delivering moot court simulations. This two-way formula for Open Court Days, enabling students to learn about the importance of misdemeanor courts for the overall rule of law in Serbia while in turn letting them present their skills and knowledge through hearing simulations, has proven to be a success.

JRGA worked together with our partner, the Association of Misdemeanor Judges (AMJ) in delivering Open Court Days as well as in facilitating a series of court guided tours and information seminars for students of Serbian Law Faculties. These initiatives were primarily geared towards improving the public perception and image of misdemeanor courts and judges, as well as eliciting interest among this target population into pursuing a career in the misdemeanor courts.

JRGA continued implementing a robust training program during Year 5. Apart from SIPRES and IT-related training, it included modules on the Law on the Protection of Whistleblowers, the procedural and material aspects on the right to asylum for the judges of the Administrative Court, and internal and external communication training in order to improve the service to the citizens in misdemeanor courts. Project activities across the board received due media attention on both the national and local level with Project stakeholders delivering numerous interviews and promoting joint achievements, in particular related to the implementation of the LOM, introduction of SIPRES and the consequences of the Registry of Unpaid Fines, new Law on the Prevention of Domestic Violence and all facility upgrades.

Task 1.1 Establish baselines for indicators in the Performance Monitoring Plan

1.1.1. Capture Progress Data and Update Targets

During Year 1, JRGA developed a Performance Monitoring Plan (PMP) to document project performance and monitor impact using indicators, baselines and targets to measure results achievement. During Year 5, the Project continuously collected data, monitored progress and updated results in line with the PMP.

Reporting against PMP indicators and targets for Year 5, are presented in Annex B to this Report.

Task 1.2 Assist the High Court Council, the judiciary and any other relevant bodies or actors to make open hearings of all Administrative, Misdemeanor and High Misdemeanor Courts routine, dignified, accessible, safe, efficient, and promote fairness for all parties

During Year 5, JRGA worked with the Ministry of Justice (MoJ) on several facility upgrade interventions, the most notable of which was the renovation of the building that was to become the new seat of the Belgrade Misdemeanor Court (Belgrade MC). This marked the pinnacle of cooperation between the Project and the Ministry on improving the working conditions in misdemeanor courts and resolved the burning space and facilities issue that plagued the largest misdemeanor court and one of the largest courts overall in the Serbian judiciary for more than a decade. In November 2015, operations of the Belgrade MC have been consolidated from 13 different locations dispersed throughout Belgrade in a renovated single building, housing almost 400 employees of the court under one roof for the first time since the court was founded.

Other facility interventions included collaborating with the Ministry on furnishing and equipping the first completely new building in the Serbian judiciary in the past 20 years – the new premises of the Misdemeanor Court in Raska. In the last two quarters of Year 5, JRGA also supported the Ministry in finalizing the renovation of the new space for the seat of the Appellate Misdemeanor Court in Belgrade. The most notable characteristic of the joint endeavors is the shift that occurred in roles assumed by JRGA and the MoJ respectively. The MoJ has gradually increased its financial participation in the facility interventions, as well as the overall managerial and leadership role. JRGA continued providing invaluable support to improving the working conditions in the courts but our participation in the overall effort has proportionally decreased over time.

Apart from these joint efforts, JRGA complemented previous smaller scale investments into space re-engineering and furnishing in the seat of the Administrative Court in Belgrade by redoing the court's archives.

1.2.1 Facility Inventory, Upgrade and Renovation

Facility Inventory: During Year 2, JRGA completed a full review of MC facilities (*Assessment of the buildings of the Misdemeanor Courts in the territory of the Republic of Serbia*) that provided the MoJ decision-makers with an accurate picture of the legal and functional status of facilities. In the subsequent Project years, JRGA worked on updating the document with information pertaining to completed facility upgrades.

The Assessment has already proven its fact-based planning value as the facility interventions that the MoJ has undertaken in the past several years were targeting courts marked in the Assessment as some of those operating in the worst conditions – Sabac (Year 4) and Belgrade

and Raska (Year 5). The MoJ's Annual Procurement Plan for 2016, published in January this year, demonstrates the commitment of the Ministry to tackle the facilities of the misdemeanor courts in Uzice, Pancevo and Pozarevac by providing them with new buildings. All these facilities were categorized in the Assessment as needing urgent relocation.

This further proves the value of the *Assessment* in ensuring sound and sustainable investment of what remain limited public funds in the improvement of the working conditions in courts. This, in turn, enhances the overall perception of the transparency and accessibility of the Serbian judiciary among the general public.

JRGA continues updating the *Assessment* and also coordinating with the Ministry and other partners in the donor community on utilizing the methodology behind the *Assessment* for carrying out a similar evaluation of other judiciary facilities in Serbia.

Facility Upgrades and Renovations: Apart from joining forces on completing the consolidation of operations of the largest misdemeanor court in the country – the Belgrade MC (*see below*), Year 5 saw a shift in the roles JRGA and the Ministry assumed in the process of facility interventions. The Ministry has gradually increased its participation and taken over the lead in planning the facility upgrades and renovations over the course of the past few years. This became particularly obvious with several large renovation projects that the Ministry has undertaken since last summer – renovating the premises for the new seat of the prosecutor's office, relocating the Appellate Misdemeanor Court in a newly renovated building and consolidating the operations of the Belgrade Misdemeanor Court. Also, the Ministry built the first new judicial building in Serbia in the past 20 years – the new premises of the Misdemeanor Court in Raska. JRGA partnered with the Ministry on these projects and leveraged funds so as to ensure maximum impact for resources available.

In all these initiatives, JRGA also provided technical assistance to the Ministry with concept design for the facilities. This was instrumental in adding value to proposed space solutions as JRGA incorporated best practices in organizing the court premises to support optimal business processes honed through the years of improving working conditions in misdemeanor courts across Serbia.

In case of the Raska MC, JRGA provided furniture and network equipment for the new building constructed with MoJ funds. Joint effort resulted in a court building with sufficient courtrooms, a one-stop-shop service counter, disability access and a multipurpose room at the attic serving as a meeting room for the court and the venue for court community outreach activities, such as Open Court Days, or training sessions.

The Appellate Misdemeanor Court relocated to new premises at the beginning of this last quarter of JRGA Year 5. The Ministry contracted for the renovation of the space and JRGA provided furniture and equipment. According to best practices in court design, and upon technical assistance provided by JRGA, the administrative functions of the court were grouped so as to improve the efficiency of court operations, while a separate courtroom/chamber was provided for every judges and their typist. The court has one large courtroom, a meeting room, and a library, all equipped and furnished by JRGA. JRGA also provided signage boards for the court, marking the space throughout the building for easy access and increased transparency of the court's work.

In addition, during Year 5, JRGA also implemented a smaller scale facility upgrade for the seat of the Administrative Court in Belgrade. To complement the previous efforts from February 2015, when some additional space acquired by the court was converted to a registry office accommodating up to 24 employees, JRGA subsequently upgraded space available for court's archives. Main archive space was reorganized to allow installing more shelves and

adding levels to the existing ones in order to maximize the usage of available surfaces. This intervention increased the available capacity of archiving space by 70%.

All facility upgrades were carried out with the aim of reorganizing the physical space and improving the facility within the limitations imposed by the structure of each building/space, thereby improving operational efficiencies and public convenience. JRGA especially sought to improve access to justice and transparency of court operations by using opportunities to engineer the space so as to fit in the one-stop-shop information and intake counters that allow the court users and the citizens to complete all their administrative tasks at one place and improve their perception of the treatment they get and the efficiency of the judiciary.

Belgrade MC: Planning for the consolidation of operations of the Belgrade MC into a single location started back in Year 3 of the Project (summer of 2013) when the Ministry selected the facility already serving the judiciary in Ustanička Street as the future seat of the Belgrade MC. The building was, at the time, housing the First Basic Court which needed to be relocated to their future premises for the works on renovating the Ustanička facility to begin.

JRGA emphasized the need for bringing all 13 locations of the Belgrade MC dispersed throughout the Serbia's capital under one roof since the beginning of Project activities. Partnering with the Ministry of Justice on resolving this burning issue for the largest misdemeanor court in the country allowed for optimization of business processes and increased efficiency, enabled economies of scale to expedite case management and reduce backlog, and eliminated redundant non-personnel and facility maintenance costs.

The Ministry contracted for renovation works and initiated them in May 2015. Working together with the Ministry's contractor and coordinating on-site activities, JRGA implemented its share of renovation works – repairing the roof and replacing the windows throughout the building – in September 2015. JRGA also provided furniture and equipment for 11 biggest courtrooms in the building and installed three auxiliary service counters to complement the big one-stop-shop in the central hall.

In parallel with the works, the Project also worked with the court management to prepare for the move to the single location and consolidation of their operations. JRGA prepared the Business Continuity Plan to ensure minimum of court operations - concerning court staff, equipment and other technical prerequisites – would be in place to support court users while the move is taking place. JRGA also provided assistance in planning for the organization of the work and services of the court once all personnel and equipment were housed in a single facility. The actual move to the consolidated location happened at the beginning of November 2015. Although the process was more disorderly than envisaged by the Plan, the Court managed to move with as little disruption as possible. Moving of the court's archives and their consolidation in a single facility took place in the first half of December 2015.

Apart from having a courtroom for every judge, the new building provides for large courtrooms fit for hearings in cases involving numerous participants such as those related to public order violation misdemeanors. This court building is located in the vicinity of some of Belgrade's busiest traffic routes making it easier for the citizens to access the court.

The building was officially inaugurated on November 6, 2015 in the presence of the Serbia's Prime Minister and other high-ranking officials and the U.S. Ambassador to Serbia. JRGA has since supported the court with providing additional necessary equipment and furnishings, such as blinds for large window panes in the building. These were installed in the last quarter of Year 5.

Renovation of the Ustanička facility and the subsequent consolidation of the operations for almost 400 employees of the Belgrade MC represent the pinnacle of joint efforts of the

Project and the MoJ on improving the working conditions in misdemeanor courts. In total, for the five years of the project, JRGA implemented 19 facility upgrades in misdemeanor, Appellate Misdemeanor and Administrative courts, as well as the Judicial Academy.

1.2.2 Best Practices

In all the facility upgrade initiatives, JRGA provided technical assistance to the Ministry with concept design for the court premises. This was instrumental in adding value to new/renovated facilities as JRGA incorporated best practices in organizing the court premises to support optimal business processes honed through the years of improving working conditions in misdemeanor courts across Serbia. JRGA also worked with courts wherever possible to enable disability access, install appropriate signage throughout facilities directing court users to all public functions of the court, and provided suitable bulletin boards for courts to display hearing schedules in an easily accessible manner. The implementation of one-stop-shops, serving the court users as a single place in the court to carry out all administrative tasks, has become a hallmark of JRGA facility interventions over the years bringing misdemeanor courts in Serbia closer to global standards of modern, efficient judiciary institutions.

Impact: Information counters, improved court layouts, and signage will directly improve public access to relevant information and staff, while ensuring that judges and other court staff are able to focus on their tasks. Posted and publicly available information about hearings will encourage public attendance. Fact-based investment planning on the part of the Ministry will contribute to better targeting the capital improvements to judiciary facilities that will in turn result in better public perception of court transparency and efficiency.

Task 1.3 Assist the High Court Council, the judiciary and any other relevant bodies or actors to reduce backlogs and improve case processing times and procedures in the Administrative, Misdemeanor and High Misdemeanor Courts

Throughout Year 5, JRGA continued to make progress in assisting the judiciary with improving efficiency, and reducing case processing delays.

Since the new Law on Misdemeanors (LOM) came into effect on March 1, 2014, JRGA has worked with the Ministry of Justice (MoJ), the Appellate Misdemeanor (AMC) and Misdemeanor Courts (MCs), the Association of Misdemeanor Judges (AMJ) and authorized petitioners to enable full and effective implementation of the Law. Monitoring the LOM implementation during Year 4 already prompted the courts and other stakeholders to articulate the need for revising and/or fine-tuning some of the provisions in order to ensure maximum effectiveness.

In July 2015, the Minister of Justice appointed a working group to draft amendments to the LOM. JRGA provided legislative drafting assistance and logistical support to the working group. The final draft of the amendments was completed in December 2015 and the amendments to the LOM were adopted in February 2016. The most important changes further regulate the provisions concerning the service of process, the misdemeanor order and the plea agreement, as well as offer improvements for some of the issues noted by both the courts and the authorized petitioners during the implementation of the LOM in the past two years.

Revised LOM has been in implementation for two and a half years to date and has proven its efficiency. The introduction of the misdemeanor order increased the rate of voluntary compliance to 75% compared to barely 30% with the mandatory fines under the old Law. As much as 105 million EUR was collected through court costs and fines since the Law came into force on March 1, 2014. Another 25 million EUR are readily available for collection by enforcing consequences of being a registered debtor in the Registry of Unpaid Fines.

The two electronic registers mandated by the revised LOM were made possible by the creation of SIPRES – the misdemeanor court case management system. In Year 5, JRGA made the Registry of Unpaid Fines publicly accessible as a convenience to the citizens so that they can check their status related to misdemeanor fines before they go to the Police to e.g. register their car or extend the driver's license. The Registry of Sanctions introduces harmonization to the penal policy across the misdemeanor courts and equal treatment for misdemeanants which was previously impossible as the judges had no ready means of checking a defendant's previous sanctions' record. It also often happened that judges pronounced significantly different sanctions for the same type of misdemeanors.

In parallel with the legislative reform, Year 5 saw JRGA complete the misdemeanor court case management system – SIPRES and roll it out in 153 locations of misdemeanor and Appellate Misdemeanor Courts across Serbia. What started as one software module supporting the functioning of the Registry of Unpaid Fines and Registry of Sanctions in March 2014, grew into a comprehensive system covering both instances of the misdemeanor procedure and enabling interconnectivity with external justice system partners – the Police, the Treasury and the Central Registry of Compulsory Social Insurance (CROSO). In the period September – December 2015, JRGA released two major versions of the system. As of January 1, 2016, all misdemeanor courts are working daily in SIPRES and entering all new incoming cases in the application. This ensures data accuracy for both the two mandatory registries as well as for the comprehensive statistical reports the courts are required to produce.

In order to ensure all preconditions are met for the SIPRES roll out, JRGA procured and installed additional hardware and network equipment for the courts. This brings the total of computer equipment for misdemeanor courts procured in the five years of the Project to over 3000 pieces. JRGA also continued with an intensive training campaign, combining classroom training with practical elbow-training sessions in courts throughout Serbia. The two training modalities have proven to complement each other to create optimal conditions for knowledge transfer and user support. SIPRES help desk also continued to field calls from users resolving both issues with glitches in the application and their application usage issues.

In the last quarter of Year 5, JRGA worked with Project counterparts in the Ministry of Justice on transferring SIPRES and ensuring sustainability for the period beyond Project completion. The Ministry procured and contracted for SIPRES maintenance and sustainable development services in April 2016. JRGA immediately set up communication and cooperation channels with the new vendor and initiated the process of transferring all aspects of SIPRES maintenance, monitoring, updates and user support. This process will be completed in the coming quarter. The Ministry also appointed a commission, composed of members of the two working groups that were instrumental in providing guidance for JRGA during the creation of SIPRES. They will continue to provide strategy and policy guidance for the future changes to the application.

Assistance was also provided to the MoJ working group drafting amendments to the Law on Enforcement and Securities, the working group on family violence issues, and an informal working group charged with drafting new instructions for the Post Office on service of court

process. During the last quarter of JRGA Year 5, the Ministry adopted a revised Court Rules of Procedure. However, as the implementation of new provisions regarding misdemeanor courts would have considerable technical and financial ramifications regarding SIPRES, these proposed changes were reversed without consequences for the stable functioning of the system and the everyday work of the courts.

1.3.1. Regulatory Reform for Improved Case Processing

Law on Misdemeanors:

The positive impact of the novelties and provisions introduced by the new Law on Misdemeanors is evident. The introduction of the misdemeanor order - a key innovation in the law – has had a dramatic impact on the efficiency of authorized petitioners and MCs, and has provided a convenient and easy to understand process for defendants to accept responsibility or demand a court hearing. The expedited charging procedure has saved significant staff time for authorized petitioners and MCs, since the charging document is delivered on-site at the time of interaction with the defendant, eliminating the need for service of process at a later time. Defendants have the opportunity to accept responsibility and pay a reduced fine. Defendants wishing a hearing must express the wish do so within 8 days after delivery of the misdemeanor order, meaning that MCs can focus its adjudication process on fewer cases.

Since the new Law came into effect in March 2014, the voluntary compliance rate has risen to 75%, in comparison to a compliance rate of only 30% for mandatory fines under the old Law. The expedited charging process and high voluntary compliance rate allow MCs to focus its efforts on more complex cases and on improving enforcement in cases without voluntary compliance. MCs are tasked with adjudicating cases ranging from straight-forward traffic violations to more complex cases ranging from work-related discrimination to matters dealing with the work of a broad range of inspections, to complex customs and finance cases. The increased efficiency of the misdemeanor order process means fewer routine cases require the attention of misdemeanor judges leading to more timely resolution and increased quality of decisions in complex cases. Similarly, judges and enforcement staff have more time to focus on difficult enforcement cases. The improved efficiency and quality of the adjudication and enforcement processes will increase public trust and confidence in the misdemeanor courts, as well as the entire judicial system.

Based on the experience gained in assisting MCs and justice system partners with implementation of the LOM, and collaborative assessment of the Law's impact carried out by JRGA and MCs in prior quarters, JRGA worked with the MoJ to establish a new working group tasked with identifying necessary adjustments to the revised LOM. In July 2015, the Minister of Justice adopted a decision to form a working group to draft a working version of the Law on Amendments and Addenda of the Law on Misdemeanors, based on input from JRGA.

JRGA provided both legislative drafting assistance and logistical facilitation to the working group. After taking on board issues identified in practice by different stakeholders, the working group finalized the draft of the amendments in December 2015. The amended LOM was adopted by the National Assembly in February 2016.

The amendments focus on further regulating the following provisions of the Law:

- **Utilization of the Misdemeanor Order**: the amendments envisage increasing the maximum amount of a fixed fine so as to allow for a broader range of misdemeanors for which the Misdemeanor Order can be utilized. The Misdemeanor Order has proven to be a highly efficient mechanism for processing misdemeanors thus broadening the

scope of its application is expected to further improve efficiency and continue generating considerable revenue. In addition, the amendments set a limit of up to one half of the maximum fixed fine amount for fines issued by the local and regional authorities regulates. This helps regulate the significant discrepancies between fixed fine amounts previously set by different local self-government bodies. The amendments also stipulate that the misdemeanor order can be issued as an electronic document.

- **Appeals process**: Amendments to the LOM remove the possibility of repeated appeals in order to improve the efficiency of the misdemeanor procedure. The Appellate Misdemeanor Court (AMC) can reverse the decision of a first instance court only once. After this, it is the AMC that makes the final decision by forming a judges' council to decide the matter. The council can decide to hold a hearing, which was not previously a possibility for the AMC.
- **Service of Process**: Changes to the Law allow the court to serve the party to the misdemeanor procedure by posting the case document on the notice board of the court if service of process at the registered address fails. This helps speed up the proceeding and allow the court to obtain the information whether the defendant resides at the registered address or not.
- **Bench Warrant becomes an Arrest Warrant**: This provision covers the situation where the defendant is on the run or is purposefully avoiding appearing before the court. The Police are now allowed to search for the defendant on an address different than the address provided in the court files and bring the defendant to the court.
- **Plea Agreement**: Provisions governing the implementation of a Plea Agreement were formulated more precisely in order to remove all procedural obstacles for its application.
- **Consequences of being listed in the Registry of Unpaid Fines**: These provisions are formulated more precisely in order to better regulate their implementation. Now the consequences of being in the Registry reflect on that person's inability to renew/extend their driver's license or provisional license; obtain/extend the confirmation of vehicle registration, registration certificate, registration plates and registration sticker; conduct temporary vehicle registration, and obtain temporary registration plates; and cancel the vehicle registration. These provisions do not encroach upon human and minority rights guaranteed by the Constitution.

In the final quarter of Year 5, JRGA worked with the Appellate Misdemeanor Court, the Association of Misdemeanor Judges and misdemeanor courts on reaching authorized petitioners and other stakeholders and informing them on changes brought by the amended LOM. A roundtable for authorized petitioners was held in cooperation with the Misdemeanor Court in Kraljevo in June. Continuing previous successful collaboration with the Chamber of Commerce, JRGA helped deliver three training sessions on the initiation of misdemeanor proceedings for legal entities and corresponding changes to the LOM to their members from Belgrade in May and June.

Previously, in the second quarter of Year 5, JRGA delivered a series of 9 roundtables/training sessions for the representatives of the customs administration and various inspections acting as authorized petitioners in the misdemeanor procedure. These were delivered in consultation with the Appellate Misdemeanor Court, the Belgrade Misdemeanor Court and the Association of Misdemeanor Judges. Over 200 participants from all parts of Serbia attended these events.

The effects of the reform processes set in motion with the revised LOM framework were promoted in different events through Year 5, such as the Annual Judges' Conference and the Annual Conference of the Association of Misdemeanor Judges. In April, JRGA facilitated the attendance of a group of misdemeanor judges at the conference on the direction of the future development of the criminal code in Serbia. The three-day event was organized by the Association of Public Prosecutors (APP) with assistance from JRGA, the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe and UNICEF.

JRGA supported the roundtable on the subject of the implementation of the Law on Misdemeanors and the relation between the misdemeanor and criminal proceedings on the second day of the conference. The roundtable was an opportunity to address a wide audience – prosecutors, judges, representatives of the academic community, Ministry of justice and Ministry of Interior and the Bar Association - and present the successes in the reform process in the misdemeanor court system to date. It was also an opportunity to discuss problems that still plague the misdemeanor courts particularly issues related to the inefficient service of process, considerable lawyer fees and related abuse, and lack of sufficient administrative staff in the courts. Chief Judge of the Belgrade Misdemeanor Court, Milan Marinovic, and JRGA Senior Staff Attorney, Branko Nikolic delivered the presentations during the roundtable and moderated the ensuing discussion (*see* Annex S for the presentations).

Other Laws and Regulations:

In preceding quarters, JRGA legal staff provided technical assistance to the MoJ working group for the revision of the Court Rules of Procedure. JRGA staff identified and proposed changes on the basis of on ongoing assistance to MCs in implementing provisions of the revised Law and technical assistance to MCs on business process revision. The draft rules were to be circulated for public comment during the 2nd quarter of JRGA Year 4, however, finalization of drafting efforts was delayed.

In April 2016, without any further consultations with the working group, the Ministry of Justice published the amended version of the Court Rules of Procedure. It was to become effective on April 23, 2016. JRGA carried out an assessment of the proposed changes and identified that they require introducing four new registry books for misdemeanor courts in order to further differentiate among case types and enable more equal and precise case assignment resulting in more accurate statistics. While JRGA found no fault with the intention of preparing the ground for case weighting and performance monitoring, the Project determined that the wider ramifications of these decisions were not considered by the Ministry. Namely, introducing four new registry books would have considerable technical and financial ramifications related to further development and adjustments of the SIPRES application. Apart from the financial consequences, now to be borne by the Ministry itself as the SIPRES has already been transferred under their care, this would require time in order to complete programming and testing the amended application.

JRGA addressed the Ministry with the analysis of the proposed changes detailing their consequences for SIPRES and smooth functioning of the courts (*see* Appendix H). The Ministry amended the decision on the Court Rules of Procedure. There will be no procedural changes related to misdemeanor courts for the time being.

Throughout Year 4 and during the first two quarters of Year 5, JRGA legal staff provided technical assistance to a MoJ-appointed working group convened to draft amendments to the Law on Enforcement and Securities. The amended Law has system-wide application regarding enforcement of judgments. The draft has been finalized and adopted by the National Assembly in December 2015. Its effective date is July 2016.

1.3.2. Misdemeanor Court Case Management System

Year 5 saw all efforts JRGA invested in previous Project years on introducing a case management system into Serbian misdemeanor courts come to fruition. With two critical version releases in September and December 2015, the misdemeanor court case management system – SIPRES (according to its Serbian acronym) is now fully operational in all 153 locations of misdemeanor and Appellate Misdemeanor Courts across Serbia, with over 3 million cases entered into the system to date. It is a comprehensive software application, covering both instances of the misdemeanor procedure. SIPRES is unique in that it is a centralized application, unlike other systems in use in the Serbian judiciary, with external connectivity and data exchange protocols in place with judicial system partners such as the Traffic Police, the Treasury and the Central Registry of Compulsory Social Insurance.

SIPRES was developed as a joint endeavor between the Project and the select groups of misdemeanor court judges and staff. This ensured that all best operational practices identified in the previous Project years through work with partner courts, as well as recommendations for optimizing and streamlining court procedures contained in the Best Practice Compendium and the judicial Bench Book, were translated into the court automation system with the primary goal of improving efficiencies in the misdemeanor procedure.

Throughout Year 5, JRGA worked on ensuring all preconditions for SIPRES are met – procuring and installing hardware and network equipment, implementing physical networks in courts to ensure full connectivity, working with partner agencies on policy agreements and technical conditions for data exchange protocols, all the while supporting SIPRES users through training and help desk. This concerted effort was necessary to get SIPRES off the ground and bring misdemeanor courts to the level of functional capacities and skills needed for utilizing court automation software. As of January 1, 2016, all misdemeanor courts in Serbia are using SIPRES as the main case processing and management tool in their daily work.

In parallel with developing and launching SIPRES, the Project worked with the counterparts from the Ministry of Justice in ensuring system sustainability post-JRGA. A particularly important step in this process was transferring the ownership and responsibility over SIPRES to the Ministry in April 2016.

Software Development:

SIPRES – misdemeanor court case management system is a comprehensive software solution geared at improving efficiencies, reducing case processing delays and streamlining operations of misdemeanor courts in Serbia. With JRGA assistance, in the past five years of the Project, misdemeanor courts have come a long way - from the technically least equipped courts with insufficient computers, network connectivity and staff lacking in basic IT skills, to fully outfitted and connected courts, integrated through a centralized case management application that is SIPRES.

The first module of the system supporting the two electronic registries mandated by LOM - of sanctions and unpaid fines - was successfully deployed on time for implementation of the revised Law on March 1, 2014. This was the foundation for growing SIPRES into a comprehensive case management system. Year 5 was key in bringing the hard work of previous years to fruition. Utilizing in-house legal and IT expertise and working with a team of programmers, JRGA finalized SIPRES in the first quarter of Year 5. Two critical version

SIPRES – MAIN CHARACTERISTICS

Centralized Application: SIPRES is stored on servers in the Data Center of the Ministry of Justice while users access it via internet. Software maintenance, upgrades and monitoring are carried out through a single access point because of the system's centralized architecture. This makes SIPRES relatively easy and comparably less costly to maintain than other case management systems in use in the judiciary.

Interconnectivity: SIPRES enables direct connectivity between misdemeanor courts and their units, among courts and with the Appellate Misdemeanor Court. This level of interconnectivity between misdemeanor courts makes it increasingly easy to communicate and exchange data and case files without resorting to paper and post.

SIPRES is also the first system in the Serbian judiciary connected to external entities – the Treasury, traffic police and the Central Registry of Compulsory Social Insurance. This enables automatic data exchange and considerable savings in time and resources needed to process misdemeanor orders, track payments or check a person's employment status.

Accurate and Reliable Data: SIPRES is synonymous with accurate data. Instead of typing data manually up to 20 times for one case, SIPRES allows users to perform a single data entry and automatically pull up data throughout the system in all instances that same case is processed. SIPRES also has validation fields which prevent users from making mistakes with data entry.

Statistics and Performance Tracking: Accurate data are a necessary prerequisite for reliable statistics. Generating 11 different statistical reports required by the Court Rules of Procedure on the quarterly, semi-annual and annual basis and 2 additional summary reports requested by the High Court Council is a click-of-a-button operation in SIPRES instead of an arduous manual task. These reports are standardized, based on the same set of criteria applied universally for all courts, avoiding inconsistencies caused by different interpretation of the rules.

SIPRES introduces the possibility of performance tracking and monitoring on the level of individual judges and courts. The so-called performance dashboard uses graphic interface to display comparative case management reports that allow real-time performance evaluation of a judge's work.

Document Generation: JRGA and misdemeanor courts worked jointly on developing a Judicial Bench book, a practical guide for conducting misdemeanor proceedings, with the references to the text of the Law, standardized forms, checklists, and process diagrams for use by judges in their everyday work. Out of 300 forms contained in the Bench book 150 are now part of SIPRES. These are automatically generated by users with all data on a case already filled in; however, the forms are also customizable, giving users the option to adjust them to their needs.

Active System: SIPRES is not a mere case record-keeping system. It is an active system that utilizes the calendaring function and a set of reminder options to push users into action. Statute of limitations reminders are a built-in function and are automatically created as a case is created. Apart from scheduling e.g. hearings, calendars are customizable and anything from national holidays to a judge's vacation days can be entered into the system to make managing events on a case a lot easier to handle.

Registries: Apart from supporting every-day operations of the courts, SIPRES supports the functioning of two registries mandated by the Law on Misdemeanors – Registry of Sanctions and Registry of Unpaid Fines. The Registry of Sanctions introduces a single penal record, tracking sanctions imposed in all misdemeanor cases for reference by judges and enforcement agencies when considering subsequent cases. The Registry of Unpaid Fines is a central register of outstanding fines, costs and other financial obligations due to Misdemeanor Courts for the purpose of withholding licenses, registrations, and other certificates to persons who have unpaid fines.

releases of the system were launched in Year 5 – in September and December 2015. This resulted in all 153 locations of misdemeanor and the Appellate Misdemeanor Courts working in SIPRES daily and entering all incoming cases into the application as of January 1, 2016. There are over 3 million cases in the application to date.

SIPRES is a complete case management and record-keeping system, which includes case registration, case tracking, enforcement management and tracking, document management and calendaring. It has a centralized database, full interconnectivity between courts and with external justice system partners, and a single point of system and user management and monitoring. All licenses for its functioning are permanent and have been purchased by JRGA. Changes to the system are propagated centrally without the need for field visits and user PC adjustments. All this results in comparably low-cost and easy maintenance for SIPRES (*see box on the opposite page for more detailed system information*).

In order to enable automatic data exchange between SIPRES and external agencies, JRGA worked on developing relevant protocols and policy agreements between the AMC, MCs and the MoJ with relevant justice partner agencies. Full connectivity protocols were established with the Traffic Police, enabling automatic upload of misdemeanor orders, causing significant savings in time needed for their manual entry into the system; with the Treasury, allowing tracking of collection of court costs and fines which was previously sporadic at best and inaccurate; and with the Central Registry of Compulsory Social Insurance (CROSO) which enables the courts to check a defendant's/misdemeanant's employment status and employment address in order to effect service of process or wage garnishment.

During the second quarter of Year 5, with the support of the Minister of Justice, agreement was secured with the Ministry of Interior to implement provisions of the revised LOM regarding withholding of license and vehicle registrations for persons with unpaid fines. JRGA IT staff provided technical assistance to MoI IT staff in establishing linkages to allow MoI staff to access the Registry of Unpaid Fines.

In parallel, in cooperation with the MoJ, JRGA worked on enabling technical conditions for a publicly accessible part of the Registry of Unpaid Fines that would allow citizens to obtain information on outstanding misdemeanor fines utilizing their personal identification number prior to attempting to register their car or obtain a driver's license. The portal was officially launched on January 27, 2016 on the following web address: <https://rnk.sipres.sud.rs/>. As many as 847.228 citizens visited the portal since it was released. 5.2 million EUR in unpaid fines was collected in the first five weeks of launching the portal (compared to 2.8 million EUR in the five weeks preceding the launching of the portal). The portal is functioning smoothly and it has proven its efficiency as illustrated by the figures above.

However, the need to maintain accurate records in the Registries as they became publicly accessible created additional demands on the courts to look into their business processes and further streamline their work in line with SIPRES. JRGA facilitated a meeting between the representatives of the Ministry of Justice and misdemeanor courts to clarify procedural issues related to the functioning of the Registry of Unpaid Fines.

Among conclusions from the meeting, it was agreed that instead of refreshing and updating the Registry once during the 24 h, this will be done every 60 minutes. This means that, once a person is removed from the debtors' registry by a court, this will be visible in the system after one hour and there will be no further obstacles in finalizing e.g. the process of car registration. JRGA accommodated this request and programmed SIPRES to allow it.

JRGA used several opportunities to present the system and its main features to both the misdemeanor judges and the wider judicial community. JRGA presented SIPRES at the

Judicial Conference in Vrnjacka Banja, and at the Annual Conference of Misdemeanor Judges held in Kladovo, both held in October 2015. JRGA Chief of Party, Laurence Vetter, highlighted the advantages of new software in efficiently managing caseload, maintaining court records, and enforcing misdemeanor judgments.

MCCMS Policy and Software Sustainability:

Throughout Year 5 JRGA worked hand in hand with all its counterparts in the courts and in the Ministry on fine-tuning and optimizing SIPRES and providing full support for its roll-out and utilization. In parallel, JRGA initiated the process of transferring the ownership and responsibility over the system to the Ministry of Justice. With JRGA technical assistance, the Ministry conducted a procurement procedure and entered into a one-year SIPRES maintenance and sustainable development contract with a selected vendor in April 2016. JRGA officially transferred the unlimited and irrevocable right of use for the software to the Ministry also in April. This set off the process of gradually transferring all management, monitoring, updating and maintenance responsibilities under the care of the Ministry and their selected vendor.

JRGA started providing training and guidance for both the Ministry's and vendor's personnel on all aspects of Project efforts related to SIPRES, from system development and management to user support. The vendor took over the team of JRGA programmers thereby ensuring that the best know-how is at hand for the stable, uninterrupted functioning of the application in the transition period and beyond. A member of the vendor's team made several visits to the JRGA office to witness the functioning of our user support system – both the help desk assistance and the ticketing system for reporting bugs and errors in the application.

In parallel with ensuring that the stable functioning of the system is maintained under the Ministry's care, JRGA assisted the Ministry with identifying strategic guidance for further development. SIPRES is the product of joint efforts of the JRGA team and programmers and selected representative of misdemeanor courts who were instrumental in lending expertise and practical experience to the process of analyzing misdemeanor court business operations, designing and programming the application. Building on this, in the third quarter of Year 5, the Ministry appointed a commission composed of these representatives of expert groups who worked with JRGA on creating SIPRES.

The commission had their first meeting on June 14, 2016. Representatives of the Ministry took the lead in organizing and conducting the meeting. JRGA provided technical assistance and facilitation in preparing for the meeting and identifying both short and long-term priority features that need to be upgraded/developed in order to align SIPRES with the most recent amendments to the Law on Misdemeanors (*see* Annex I for meeting minutes).

Together with the source code for the software, JRGA transferred all SIPRES-related documents to the Ministry - both policy guidance and technical documentation. These render the MoJ and their selected vendor capable of deriving information related to SIPRES IT policy, system functionalities, software and hardware infrastructure and operational and maintenance protocols. JRGA will work on further updating this documentation, the User and Training Manual in particular, in parallel with creating a Roadmap for future development of both the software and the management and operational structures responsible for its functioning and growth.

JRGA will continue providing support and guidance to partners across the board in order to successfully finalize this process for the duration of the Project's extension period. The level of responsibility and involvement demonstrated by all stakeholders so far – in the Ministry,

with the vendor and in the courts – sets the tone for the successful transfer and long-term sustainability of the misdemeanor court case management system.

User Support: Help desk is instrumental in providing everyday support to users and determining whether problems reported pertain to bugs/errors in the software, hardware, or network equipment and infrastructure, or are related to the use of the application functionalities and features. In the last quarter of Year 5, JRGA started – through help desk and field support - directing users to the ticketing system as the main vehicle for categorizing, prioritizing and tracking the resolution of reported issues in SIPRES.

After the upgraded version of the system was released at the end of 2015, a total of 3435 calls – requests for assistance were handled by the JRGA SIPRES help desk in the period January – June 2016. Calls have gradually decreased in the past three months as the users were trained to use the ticketing system. The average number of weekly calls now is 80, compared to almost 200 in the period following the big release at the end of last year.

The ticketing system is utilized by JRGA staff and vendor’s programmers as the main monitoring tool in updating the application and removing obstacles for its uninterrupted functioning. It was agreed with the courts to appoint two persons per court and provide them with accounts in the ticketing system in order to enable them to report problems. JRGA will work through the extension period on further educating the users on how to write clear and concise tickets that would streamline the efforts of the maintenance and development vendor, as well as other service providers responsible for the for stable functioning of SIPRES.

JRGA also worked with courts on handling their pending caseload from previous years that was not entered into SIPRES. Procedures for accomplishing full data entry were defined in the meeting with the MC Chief Judges organized in October 2015. JRGA staff monitored the process throughout January 2016. Most courts are caught up with data entry with the exception of two biggest ones – the MCs in Belgrade and Novi Sad. Upon the request of the Misdemeanor Court in Belgrade, JRGA provided hands-on assistance to its registry office to help with data entry. This will continue through summer in order to ensure data accuracy in SIPRES for maintaining up-to-date information in the two registries and enabling reliable statistics. In parallel with man-power, JRGA also provided technical assistance in streamlining business processes and achieving optimal use of resources at hand so that the risk of data entry backlogs would be mitigated in the future (*see 1.3.3 below*).

Apart from covering the needs of users through help desk, JRGA continued with extensive training efforts, particularly focusing on elbow-training and on-site support in order to ensure optimal knowledge and skills transfer.

The focus of Project efforts during the extension period remain the users. JRGA will work on further strengthening their capacities for understanding, utilizing and maintaining SIPRES in conditions relevant to their individual courts.

Hardware procurement: During Year 4, JRGA initiated a procurement of 450 additional computer workstations for MCs and their units, based on the assessment of their needs. During the first quarter of Year 5, the vendor completed delivery of the additional hardware to 38 MCs and MC units across the country. This also included the delivery of 32 workstations for courts in Arandjelovac and Valjevo, which served as test sites for the SIPRES software prior to the release of its first full version

JRGA conducted two additional hardware procurements during Year 5. Namely, as the Belgrade MC settled into in a single facility after previously operating in 13 different locations, the consolidation of the largest misdemeanor court’s operations showed lacks in

quantities of computer equipment available to ensure full operation of SIPRES. JRGA procured additional 100 computers for this purpose.

In the last quarter of Year 5, and after the seat of the Appellate Misdemeanor Court in Belgrade was relocated to their new premises, JRGA carried out another assessment of needs across the board, looking into all courts and their units. As a result, the Project procured additional 60 computers, 100 printers and 2 scanners for the AMC and other misdemeanor courts in Serbia.

This procurement also included 2 servers to act as a disaster recovery site for SIPRES. The main servers hosting the application are located in the Ministry of Justice's Data Center in Belgrade. However, redundancy is needed to shield against any problems that may disrupt the functioning of these servers and ensure the uninterrupted functioning of the SIPRES and other judiciary applications. The Ministry established a separate Data Center for this purpose in the city of Niš in southern Serbia. The site contains all hardware and network equipment necessary to support operations of critical importance. Regarding SIPRES, the site and equipment will support the entire case management system, the Active Directory and the Registry of Unpaid fines as well as maintain connectivity for requisite data exchange with the Ministry of Interior.

Coupled with JRGA's previous hardware procurements of over 2,500 pieces of equipment for misdemeanor courts, as well as all hardware necessary for the development and functioning of a centralized system such as SIPRES, equipment procured and installed in Year 5 ensured that all preconditions for introducing and successfully maintaining court automation in misdemeanor courts in Serbia are met. Misdemeanor courts have come a long way from being seriously under-equipped and IT –challenged parts of the judiciary to courts and units with sufficient hardware and network equipment to enable full court automation and utilization of modern case management software in their everyday operations.

Networking: During JRGA Year 4, the Ministry agreed to take principal responsibility for the installation of necessary wiring and networking equipment in the AMC and MCs, as well as MC units, with JRGA providing technical assistance, and focusing on ensuring availability of IT equipment required for operation of the software.

By the end of Year 4 (June 2015), 103 MC and AMC units had been connected to the judicial network or the Internet to allow direct access to SIPRES. In the run to the roll-out of the full version of SIPRES in December 2015, JRGA and the MOJ made sure that all 153 locations of AMC and MCs had internet access for at least a few computers in order to be able to work in SIPRES.

JRGA spent the last two quarters of Year 5 in both procuring the networking equipment and installing physical networks where necessary in order to enable full connectivity for misdemeanor courts. In particular, JRGA worked on establishing full connectivity for the new, consolidated facility of the Belgrade MC, as well as providing active network equipment for the new court building in Raska and the new seat of the AMC in Belgrade. Remote locations of misdemeanor courts such as seats in Prijepolje and Presevo, and units in Bajina Basta and Cajetina were among the last facilities provided with full, physical networks. Other seats and units received missing equipment and cables which enabled full connectivity. The networks were put in place by either JRGA IT staff or local court IT staff, maximizing cooperation and use of available resources.

All this resulted in 1330 computers fully connected to the judicial network and SIPRES, as well as among themselves in all 153 locations of misdemeanor courts seats and units, including the Appellate Misdemeanor Court.

The SIPRES IT Infrastructure is unique in Serbia, providing benefits in the form of greater data and system security, increased efficiency in the management of hardware and network connectivity, vastly increased efficiency in the management and update of software (allowing software updates to be distributed centrally via network), and centralized management of user access rights. Furthermore, the infrastructure permits a system-wide data base, which allows judicial system managers immediate access to performance and management statistics regarding MCs, and facilitates electronic data exchange with justice system partners such as the Police.

All this centralized monitoring and management is enabled through the use of Active Directory – a centralized domain management tool that, among other things, stores information about members of the domain, including devices and users, verifies their credentials and defines their access rights. The Ministry of Justice recognized this centralized approach as a best practice to implement in other judiciary systems and has taken steps to contract for the requisite services during this year.

Coordination with External Entities: SIPRES is the only system in the Serbian judiciary that is connected to external entities – software applications of judicial partner institutions. As a result of this interconnectivity and the centralized database, SIPRES can perform automatic import of information on Misdemeanor Orders from the Police, which vastly reduces the manual effort for entry of Misdemeanor Orders to MC registries. As of the end of Year 5, data for over one million misdemeanor orders have been entered into the SIPRES database through electronic delivery.

An electronic link established with the Central Registry of Compulsory Social Insurance (CROSO) allows MCs to obtain information regarding an offender's employment automatically, by sending an electronic inquiry at the time of case registration or at any time later during the processing of a case. This utility allows MCs to easily obtain an employer's address for service of process as an alternative to service at an offender's residence, and provides valuable information allowing garnishment of wages in cases where defendants fail to voluntarily pay fines imposed by the court. Wage garnishment has proven to be an extremely cost effective means of enforcement. By the end of June 2016, 75.278 queries had been made regarding offender employment.

Data exchange with the Department of Payments in the Treasury enables complete tracking of payments related to misdemeanor fines and court fees which was previously a time-consuming task often without a complete and accurate picture of the money flow. In order to enable this, JRGA invested a lot of effort on streamlining the processes behind determining the fines and fees payment procedures, together with the Ministry of Justice and the Ministry of Finance.

JRGA continued to work on the development of data exchange policy agreements between the AMC, MCs and the MoJ with relevant justice partner agencies. With the support of the Minister of Justice, agreement was secured with the Ministry of Interior to implement provisions of the revised LOM regarding withholding of license and vehicle registrations for persons with unpaid fines. JRGA IT staff provided technical assistance to MoI IT staff in establishing linkages to allow MoI staff to access the Registry of Unpaid Fines. The Registry on-line portal and the application of the full extent of consequences of a registered debtor started as of January 27, 2016. This is a powerful enforcement tool, already demonstrating its revenue generating potential with 5.2 million EUR collected in the first five weeks since the Registry has been on-line.

Upon the initiative of the Belgrade MC, a meeting was held in March involving representatives of the court, the Ministry and the City of Belgrade to discuss the possibility of setting up the data exchange protocol between the Belgrade MC and the City's Inspection Services and the Communal Police. This avenue of cooperation will be pursued in the coming quarters with JRGA technical assistance and support from the Ministry and its selected SIPRES service provider.

IT training: Sufficient number of trained staff in the courts was critical for the successful roll-out of SIPRES. JRGA started with the IT training for the misdemeanor staff and judges back in Year 1 of the Project. This intensified before the release of the initial, registry modules of SIPRES in March 2014. However, a coordinated training effort was needed more than ever as a preparation for and during the release of the full version of SIPRES, initially in September 2015, and subsequently in December 2015.

As was the case previously, JRGA prepared a detailed training schedule, combining classroom training sessions with field visits and on-the-job, elbow training. Starting in the second quarter of Year 5, JRGA delivered as many as 161 classroom training sessions for 1625 misdemeanor court staff and judges. In parallel, JRGA delivered over 80 elbow training sessions for over 800 court staff, visiting courts and court units across Serbia and providing direct guidance to SIPRES users. On-the-job training sessions were particularly useful in resolving issues related to the utilization of the application, as well as streamlining business processes in order to optimize the use of SIPRES in the everyday work of the courts. Particular on-the-job support was provided and continues to be provided for the Misdemeanor Court in Belgrade due to the specifics in their operations related to the sheer amount of new cases coming to the court (approximately 15.000 new cases every month).

In parallel with assisting judges and court staff in SIPRES use, as of March 2016 JRGA started with an on-the-job training effort for misdemeanor court IT staff as well. JRGA IT staff accompanied SIPRES trainers on their field visits and worked with court IT staff on transferring part of responsibilities administration and user management to them. This is done to ensure that local ITs can perform activities such as user creation, assigning groups and roles, changing access level characteristics, etc. on their own thereby ensuring easy use and management of SIPRES for their court. JRGA will continue this targeted training for court IT staff in the extension period as well.

Training and technical assistance was complemented with help-desk assistance and regular analysis of data base statistics to enable the Project to carefully track and monitor the progress of the implementation of the system by individual MCs, and take follow-up action as needed. JRGA will continue with this support and with the elbow trainings until fall. Also, several thematic working groups/roundtables will be organized to cover both policy-level and technical issues related to using different SIPRES functionalities and features.

1.3.3. Partner Court Best Practices

Best Practice Compendium and Implementation: During Year 3, JRGA prepared and published a Compendium of Best Practices, focused on improving cases management and other core MC business practices. The compendium provides MCs with a practical guide to implementing best practices identified through ongoing work with partner courts and through a series of round tables conducted in collaboration with the AMJ.

The best practices contained in the compendium were utilized in the course of optimizing business processes that were subsequently translated into functionalities and features of SIPRES as well as considered during the work on the amendments to the LOM.

Throughout Year 5, JRGA staff also continued to provide technical assistance to MCs in the implementation of best practices for improving court operations in alignment with those developed by Partner Courts and those documented in the Compendium of Best Practices, as well as those identified in the course of optimizing business processes for development of the SIPRES.

Court Law Harmonization: During Year 4, JRGA staff provided technical assistance to the AMC in establishing a court practice network. The network is intended to assist in the identification and prioritization of legal issues for which uniform court practice should be established, and as an enhanced means of communication between MCs and the AMC on court practice issues. During Year 5, however, despite several prompts from JRGA, the AMC hasn't initiated any meetings for the network. Despite this lack of coordination the need for harmonizing court practice remains and is particularly emphasized by the Supreme Court of Cassation.

The existence of the electronic Registry of Sanctions, on the other hand, helps harmonize the penal policy across the board for misdemeanor courts. Access to the defendant's previous sanctions or verification of sanctions pronounced by other courts in cases handling similar misdemeanors help judges determine fair sentences and ensure equal treatment of misdemeanants before all misdemeanor courts.

Backlog Reduction: Introduction of the misdemeanor order with the revised LOM in 2014 and the amendments adopted in 2016 expanding the range of its application have already contributed to increased efficiency of misdemeanor courts. Traffic cases, which constitute around 60% of misdemeanors presented before misdemeanor courts, are now mainly dealt with through misdemeanor order. The citizens demonstrated a high level of voluntary compliance making timely payments of fines set through misdemeanor orders in 75% of cases and contesting a small number of orders before the courts. This leaves more time for misdemeanor judges to handle more complex cases such as those pertaining to customs, taxes, or filings of independent agencies, which are in turn less likely to be dismissed on the statute of limitations.

More efficient service of process provisions, enabling service at the place of employment as well, also contribute to greater procedural discipline and more efficient handling of cases. The Post Office, in charge of most of the service of process for the courts, is not, however, implementing the relevant provisions of the Law to the full extent which requires further stronger coordination with the MoJ and the courts in order to enable full LOM implementation.

Introduction of SIPRES in everyday work of misdemeanor courts is an important element of reducing backlog. JRGA will continue to provide direct technical assistance to MCs in standardizing their business processes and case management practices in order to reduce backlog and increase efficiencies by utilizing optimized automated procedures contained in SIPRES. In addition, the system of scheduling and reminders available through SIPRES prompts judges and court staff to take procedural steps, expediting actions and preventing discontinuation due to statute of limitations.

Performance Management Statistics: In parallel to the implementation of SIPRES, JRGA has been working to provide court presidents and key administrative staff in misdemeanor courts with assistance in making use of data contained in performance, case management and diagnostic reports available in SIPRES to monitor case management, enforcement of sanctions and other business practices. JRGA will work with AMC and MC president judges in using data contained in these reports in order to strengthen auditing and quality control of

judicial performance in MCs and encourage more efficient, uniform and fair procedure in the courts.

Forms Design and Management: During Year 3, JRGA, in collaboration with a forms management work group, developed over 100 forms for use in conjunction with the Bench Book and to assist courts in implementing the provisions of the revised LOM. By year 4, a complete set of 300 standardized forms was developed in order to standardize the approach to the implementation of the new Law on Misdemeanors and streamline business processes in MCs.

In cooperation with the forms working group, JRGA worked in the first half of Year 5 on determining the priorities among the forms developed that would be converted for use in SIPRES. Over 100 forms had been reviewed for currency, and incorporated into SIPRES. The document creation function of the SIPRES application allows users to select a form for use in a particular case, and the form will automatically be updated to include data from the electronic case file. The judge or clerk can then complete the form by adding in additional required information. The document management function also permits local courts to create customized versions of standard forms, adding in additional standard information that is unique to that court – this adds flexibility to the document creation function and further increases efficiency.

JRGA will continue to work with the forms management group on further improving the forms, developing new ones and making necessary adjustments in line with the LOM amendments. JRGA will organize the final meeting for the forms working group in September.

Service of Process: Service of process provisions in the LOM are not actually implemented in practice to their full extent. This was one of the conclusions of the Working Group on Enforcement that met in the JRGA premises in February 2016. Judges of the misdemeanor and Appellate Misdemeanor Court agreed that if this issue would not be resolved, the efficiency of the sanction policy would be called into question. The judges also concluded that some changes in the Court Rule Book of Procedures are needed to reflect the spirit of the LOM in terms of service of process, as well as that a new agreement between the Ministry of Justice and the Post Office (which refuses to implement the LOM) is needed. JRGA will continue to support the Ministry of Justice and the courts on policy and other initiatives to ensure full enforcement of the service of process provisions.

Belgrade MC: In anticipation of transition to the new consolidated facility for Belgrade, JRGA staff worked intensively with Belgrade MC management to plan for the move of its staff and assets to the completed facility. JRGA staff prepared a planning document, which was adapted as a “living” monitoring document, updated continuously as actions were completed and new ones identified. Despite problems in the MoJ procurement process for furniture and equipment, and last minute changes in the date of the formal “opening” of the facility, the move took place in late October and early November with few disruptions. After the move, JRGA continued to provide technical assistance in completing the set-up of archives, and assessing additional needs for equipment. As noted previously, JRGA procured and delivered additional computer workstations for Belgrade MC (*cf.* [1.3.2](#)).

In Year 4, JRGA collaborated with the Belgrade MC management team to bring the court current on the entry of cases reaching judgment and new enforcement cases to the SIPRES database, in order to ensure that Belgrade MC’s cases in the Registry of Unpaid Fines were current, and to limit the number of cases which would need to be converted to SIPRES once the full application was available. However, Belgrade MC’s monthly case flow is around

15.000, making it increasingly hard to keep current on data entry into SIPRES. This issue was further complicated by the consolidation of operations of the court as it took some time for the court's services to settle in the consolidated facility. The move also brought about the need for further streamlining their business processes as it meant that the court's intake registry offices and archives were now consolidated for the first time in a single location which rendered many actions performed to date unnecessary and required changes to the operating procedures.

JRGA provided intensive technical assistance to the Belgrade MC leadership – the Chief Judge, the Court Manager and Head of the Registry Office in order to develop and implement strategies for rapid and efficient conversion of its pending caseload. Hands-on assistance is provided with entry of all pending cases to SIPRES (regular cases and enforcement cases filed after the effective date of the new LOM) in order to facilitate full use of the system functionalities and allow for the elimination of redundant record-keeping. Technical assistance is provided in incorporating changes to the case initiation business process to align it with an automated environment, reducing redundancy in record handling, introducing quality controls suited to an automated environment, and streamlining the case assignment process. JRGA was increasingly flexible to the specifics of the business operations in the Belgrade MC and allowed some variations in the modality of SIPRES use for the Belgrade MC, particularly in regard to automatic case assignment. However, as Belgrade MC has the highest case volume in the whole misdemeanor court system, this transition process will take time and additional technical assistance in the extension period.

1.3.4 Assistance to the High Court Council

Technical and Advisory Assistance:

During Year 4, the High Court Council (HCC) adopted draft procedures for evaluating the work of judges and court presidents across the entire judiciary system. HCC selected 15 courts to implement a pilot project to test the performance management process. JRGA continued to provide technical assistance to the AMC Commission during the first quarter of Year 5 in the testing of the procedures. JRGA identified data requirements based on the draft evaluation procedures for incorporation into SIPRES.

Also, following up on work with the Belgrade MC during Year 4 to develop specialized divisions, JRGA assisted the Belgrade MC President in making a presentation to HCC representatives regarding a pilot test of alternative quotas for incorporation into the performance evaluation scheme to account for differing degrees of effort for various case types. HCC representatives gave a positive reaction to the proposal, but no formal action has been taken.

Following the roll-out of the complete SIPRES system, JRGA IT staff worked with the HCC to establish a link to SIPRES in order to provide the HCC with access to relevant MC data. HCC users were created in SIPRES with agreed access rights and credentials. HCC staff will be able to retrieve selected data electronically, and generate statistical reports relating to MC case management.

<p>Impact: More efficient service of process will considerably simplify the activities of case participants and court staff, and save court resources. Reduction of backlogs is a direct goal of the project and will lead to faster case processing, and thus higher satisfaction with the courts. Optimization of courts' case flow through an automated case management system will also lead to faster case processing and backlog reduction.</p>
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Task 1.4 Assist relevant official bodies and actors to increase the percentage of assessed court costs and fines from the Misdemeanor and High Misdemeanor Courts which are collected

Introduction of SIPRES to everyday work of misdemeanor courts brought significant changes to business processes and improved efficiency of the misdemeanor procedure. The most important feature of SIPRES regarding the tracking of collection is its interconnectivity and data exchange with the Department of Payments in the Treasury, allowing misdemeanor courts to obtain daily information on payments related to court costs and fines and match these with relevant cases. This level of accuracy in tracking collections was previously impossible as only a few courts did the manual tracking of payments in the proper way. The implementation of consequences of being a registered debtor, in place since January 2016 after joint efforts of JRGA, the Ministry of Justice and the Ministry of Interior, improved the collection rate of previously unpaid fines as it introduced the possibility for the Police to refrain from issuing e.g. vehicle registrations or extend driver's licenses before a debt in the misdemeanor case is settled. To date, 105 million EUR of payments were registered through SIPRES, while there are additional 25 million EUR readily collectable from the Registry of Unpaid Fines.

1.4.1 Regulatory Reform for Improved Collection

Law on Misdemeanors: The new LoM provides for significant new tools for improving collection, including garnishment of bank accounts and income, and the implementation of the Registry of Unpaid Fines. During Year 5, JRGA continued to provide technical assistance in the implementation of these provisions.

JRGA continued to monitor the entry of cases into SIPRES and the timely transfer to the Registry of Unpaid Fines. With the launching of the publicly accessible portal for the Registry of Unpaid Fines in January 2016 and the enforcement of full consequences of being a registered debtor, the need for data accuracy in the Registry has become more pressing than ever. Extensive classroom and on-site training to courts continued as a part of JRGA's efforts on capacity building for users in order to ensure they utilize SIPRES functionalities appropriately and to the full extent.

The Registry of Unpaid Fines, together with the Registry of Sanctions, was officially launched as an electronic application and the first module of SIPRES on March 3, 2014, the first business day after the effective date of the new LoM. It was designed as a means to ensure enforcement of financial penalties imposed in misdemeanor cases, by barring issuance of licenses and certificates by state agencies to persons with unpaid obligations listed in the centrally maintained registry. Full extent of consequences of being in the Registry of Unpaid Fines hasn't been enforced, however, until the beginning of 2016. Previously, the Ministry of Justice and the Ministry of Interior, with technical assistance from JRGA, reached consensus on procedural and technical aspects of implementing consequences related to driver's licenses and vehicle registrations. JRGA identified necessary data exchange protocols with the Police and implemented requisite technical solutions in SIPRES in early January 2016.

Apart from enabling data exchange and access to the records kept in the Registry of Unpaid Fines for the Police, JRGA also worked with the Ministry of Justice on creating and launching a publicly accessible on-line platform for the Registry as a matter of convenience for the citizens. This web service allows citizens to use their personal identification number as the log on credential to check whether they have any outstanding fines in the registry prior to initiating the procedure of obtaining a driver's license or registering their vehicle in the Police. If the search shows that a citizen has an outstanding fine, the Portal also provides

information on which court the fine is owed to and shows instructions for payment. The on-line Registry was launched on January 27, 2016.

The portal has quickly proven to be a powerful passive enforcement tool with EUR 5.2 million collected in the first five weeks since the Registry came on-line. Comparing collection levels in the two weeks prior to the release of the on-line portal and the two weeks following its release, an increase of almost 91% in collection rate is observed. To date, there have been EUR 105 million registered payments through SIPRES. There are another 25 million EUR readily collectible by enforcing consequences of being a registered debtor.

Initially, the Registry database was updated every 24h so that once the owed fine was paid the citizen in question would be removed from the system only a day after the proof of payment (the report of the Treasury containing the payment in its entirety). This and other issues have caused some tension in practice so in order to reach consensus on all procedural issues related to the Registry, JRGA facilitated a meeting involving all stakeholders – representatives of the Appellate Misdemeanor Court (AMC), several misdemeanor courts and the Ministry of Justice on February 12, 2106. The meeting participants all agreed that the Registry has proven its revenue-generating potential and is a great enforcement tool. They established certain procedures for both the courts and the petitioners authorized to issue misdemeanor orders regarding records keeping and data verification that would help authorized Registry data controllers in courts maintain as accurate data as possible. Furthermore, it was agreed that JRGA will make requisite changes to SIPRES so as to allow Registry data to be updated every 60 minutes. Also, a list of all data controllers was shared with all misdemeanor courts so as to enable better coordination in those cases where a misdemeanant resides in the territory on one misdemeanor court while the actual misdemeanor was made in the territory of another court which is then responsible for entering and removing said misdemeanant to and from the Registry.

Implementation of the Misdemeanor Order continues to have a significant impact on enforcement. Voluntary compliance rose to 75% since the beginning of the implementation of the revised LOM, compared to a 30% voluntary compliance rate for mandatory fines prior to enactment of the LOM. This high rate of compliance continues, allowing MCs to focus efforts for adjudication and enforcement on more difficult cases. Amendments to the LOM that were adopted in February 2016 also envisage a wider scope of application of the misdemeanor order. JRGA continues to work with all stakeholders in the misdemeanor court system to reach out to authorized petitioners and raise awareness on the proper use and benefits of the misdemeanor order.

In prior quarters, JRGA legal staff provided technical assistance to the MoJ-appointed working group convened to draft amendments to the Law on Enforcement and Security, which has system-wide application regarding enforcement of judgments. The amendments to the Law were considered and adopted by the National Assembly in December. The Law will enter into force on July 1, 2016.

Certain provisions of this Law will, however, render some of the enforcement mechanisms available to MCs almost impossible to use. The procedure for forced collection through inventory, assessment and sale of movable and immovable assets which is the responsibility of the Basic Court is now to be conducted by bailiffs. This requires the courts to place a down payment before the procedure is implemented, diminishing their incentive in pursuing the collection of fines as amounts collected are paid to other bodies/institutions (authorized petitioners in the misdemeanor procedure).

Revisions to the Law on Financial Transactions have been adopted by the National Assembly, including provisions that clarify the role of the National Bank in garnishment of accounts of natural persons for debts owed to MCs. The National Bank, however, remains reluctant to conduct wage garnishment on the accounts of natural persons, primarily due to lack of resources. JRGA will continue to work with the Ministry of Justice in trying to renew the dialogue with the National Bank and look into a most viable solution for what could become yet another highly effective and low cost means of enforcing financial sanctions.

1.4.2 Collection Monitoring and Information Tracking

Tracking of Collection: The full SIPRES application, which includes payments and enforcement tracking, was put into production in September 2015, with an important application update released at the end of 2015. An important addition to SIPRES is an electronic link to the Central Registry of Compulsory Social Insurance (CROSO), which has information regarding all persons who are employed. The link allows system users to make an electronic query to the Central Registry regarding employment status of a defendant with a single click. Information regarding the defendant's employer, including address of employment, is returned, and can be added to the SIPRES data base. MCs immediately began making use of the new utility, and have made over 75,278 electronic inquiries to the Central Registry to date.

This information is invaluable for MCs in improving service of process and for enforcing sanctions. If service of process is unsuccessful at the defendant's reported address, service may be attempted at his or her place of employment, as envisaged by the amended LOM. In enforcement cases, information regarding employment will allow MCs to order wage garnishment as a means of collecting unpaid fines. Wage garnishment has proven to be a highly effective enforcement mechanism in the U. S. and other countries, and is a much lower cost means of enforcement than traditional methods such as conversion of fines to imprisonment and attachment of assets. This, however, needs further work involving representatives of all stakeholders to find the most viable solution for wage garnishment on natural persons (*cf.* [1.4.1](#) above).

SIPRES also includes an electronic link to the Department of Payments Administration in the Ministry of Finance (Treasury). On a daily basis, SIPRES imports payments information from the Department, and the application allows users to match payments to cases registered in the data base. This utility significantly reduces the level of effort required to match payments to cases, and provides court managers with a tool for obtaining most up-to-date information on payment of financial sanctions. The SIPRES dashboard provides key performance data by judge and by court and includes performance data on collections.

1.4.3 Misdemeanor Court Best Practices

Enforcement Working Group: On February 11, 2016, in JRGA premises, the Project organized a meeting of the misdemeanor courts' Enforcement Working Group. Main topic of discussion among select representatives of Appellate Misdemeanor Court and several misdemeanor courts were amendments to the LOM and their practical and procedural implications on enforcement. Discussions yielded several issues that need to be resolved by including all relevant stakeholders, such as the reluctance of the National Bank of Serbia to conduct the wage garnishment procedure for natural persons, as well as recommendations for procedural tweaks in the courts in order to ensure optimal efficiency such as utilization of the proper account for the collection of court fees and utilization of the CROSO functionality in SIPRES.

Several best practices were identified such as that of the Kikinda MC which has excellent cooperation with the Basic Court in initiating a forced collection procedure for uncollected fees and fines, instead of starting a new enforcement procedure of their own. This is, however, not the case in other cities/towns – Belgrade MC cited particular difficulties in this regard. The meeting participants agreed that the Registry of Unpaid Fines has proven to be a powerful passive enforcement tool and adopted procedures that would make its updating and accurate record keeping even more streamlined. The Kikinda MC conducted an assessment of enforcement efficiency across the board, in all misdemeanor courts in Serbia for 2015 and presented it at the meeting. JRGA will organize another meeting for the Enforcement Working Group in September.

Implementation of Best Practices: As noted previously, JRGA legal staff have provided extensive hands on, on-site technical assistance in the implementation of provisions of the new LOM, including those related to enforcement.

The implementation of an electronic link to the Central Registry of Compulsory Social Insurance (CROSO) has provided MCs with a valuable tool to be used for most effective and cost-efficient enforcement. To assist MCs in making full use of this new tool, JRGA developed a best practice guide for use of information from CROSO. Designed as a supplement to SIPRES user manual and SIPRES training, the guide provides practical examples regarding how to use the CROSO information for improving service of process success rates and for implementing the use of wage garnishments as a cost effective alternative to traditional enforcement mechanisms. The guide provides suggestions for use in improving efficiency in managing new cases, and additional suggestions for implementing a program to address previously filed cases in order to reduce case backlogs and enforcement backlogs.

To supplement this guide, JRGA staff drafted a best practice guide for implementing a wage enforcement program. Based on the principle of graduated enforcement (using the least expensive and least intrusive methods first, followed by other possible remedies as necessary), the guide includes a set of recommended procedures for steps to implement a wage garnishment program. It is constructed to outline the administrative procedures required to allow judges to use wage garnishment as a preferred method of enforcement when appropriate (obviously, judges must make the final decision regarding choice of enforcement remedy). The draft guide has been circulating to members of the Enforcement Working Group and to representatives of the AMC for review and comment, and subsequently finalized.

Promotion of Voluntary Payment:

During the quarter, JRGA continued to support Misdemeanor Courts in increasing voluntary payment through the use of reminder notices. These initiatives are designed to make use of SMS text messages to prompt litigants to make timely payments of outstanding fines. MCs in Kikinda, Arandjelovac, Nis, Kraljevo and Bečej are using SMS text noticing to remind defendants of their outstanding debts to the court. The court in Kikinda is particularly successful in utilizing this type of noticing.

The simplified SMS messaging utility was included in SIPRES. It remains however to be further developed in order to realize its full potential, should it be deemed a development priority by the SIPRES commission.

Coordination with the National Bank: Although the revised LOM envisages the possibility of passive enforcement through wage garnishment for natural persons as a cost-effective and efficient means of collecting fees and fines, there is a lack of willingness on the part of the

National Bank for implementing this procedure. Further coordination between the Ministry of Justice and the Ministry of Finance is necessary in order to put this into practice and enable the implementation of a full range of enforcement and collection mechanisms stipulated by the revised and amended LOM.

Impact: Improved procedures and clearer rules will lead to increased collection of fees and fines. Increased efficiency in enforcement and collection will ultimately contribute to enhanced court credibility and respectability.

Task 1.5 Assist relevant official bodies and actors to increase the physical safety of victims of family and domestic violence cases in all the Misdemeanor and High Misdemeanor Courts, including persons appearing in court

During Year 5, JRGA continued with the implementation of recommendations to improve physical safety for victims and witnesses in family and domestic violence cases within the limitations imposed by the existing court facilities. A protocol for treatment and protection of victims during their visits to the public prosecutor's offices and court buildings was created by the JRGA grant partner – the Association of Public Prosecutors (APP). JRGA also worked closely with the APP and Counseling Against Family Violence (CAFV) on the implementation of activities under their grant partnership, in particular support provided for the establishment and functioning of the legal aid network. Since its establishment in May 2014, the network's lawyers provided legal advice and concrete assistance to 363 victims of family/domestic violence across Serbia. Activities of the APP and CAFV also received significant media attention and contributed to awareness raising on the daunting statistics related to the incidence of family violence in Serbia.

1.5.1. Victim Protection Protocols

Facility Upgrade and Renovation: Facility limitations in many courts make it difficult and frequently impossible to implement provisions for physical separation between parties involved in family violence cases. As facilities are renovated, opportunities for increasing safety of vulnerable victims are sought, and where possible, implemented. In Year 1, JRGA formulated a set of recommendations for courts on safety for parties and continues to make those available to misdemeanor courts.

Our civil society partners, the Association of Public Prosecutors (APP) and the Counseling Against Family Violence (CAFV) finalized their grant partnership in the third quarter of Year 5. As a result of their joint efforts, the APP produced the Manual for handling cases of domestic/family violence and improving the position of the victim in criminal proceedings. The Manual describes practical experiences and examples from prosecutor's offices and courts across Serbia and expands on subjects such as reporting and investigating cases of domestic/family violence, position of the victim in the proceedings, and defining basic elements of cooperation and coordination among different public bodies/institutions in handling these highly sensitive cases. The Manual also contains a model protocol for treatment and protection of victims during their visits to the public prosecutor's offices and court buildings that is created with the aim of ensuring better physical protection of victims during their appearances in the court.

Training: Throughout Year 5, JRGA worked with the Ministry of Justice and our civil society partners on drafting a new procedural Law on the Prevention of Domestic Violence. After the initial drafting process that took place from November 2015 to March 2016 with

legislative drafting assistance from JRGA and the broad public consultations organized in April and May, the draft Law was finalized at the end of May. The working group will continue to work on drafting by-laws and other requisite legislation stemming from the Law in the preparation for its adoption expected in the fall. JRGA will also work with the Ministry and other stakeholders during the extension period on developing a training curriculum for the judiciary that will be implemented as part of the preparations for the implementation of the Law.

1.5.2. Cooperation with Safe Houses

Legal Aid Network: After implementing an intensive promotional campaign in Year 4 that put spotlight on both the incidence of family and domestic violence in Serbia, as well as on assistance offered by CAFV in their safe houses and through the legal aid network, the number of requests for support from victims particularly regarding legal assistance has increased dramatically in the first quarter of Year 5. This resulted in a considerably higher number of cases where assistance was provided. Increased demand for assistance in turn led to shortening the period during which funds for keeping the network functioning were available.

In order to circumvent this issue and keep the network going, last summer CAFV asked the lawyers included in the network to provide legal counseling and associated services free of charge during the summer months. Twenty four (24) lawyers from the network (out of 44) volunteered for this activity. This manner of legal aid provision continued throughout September – December 2015. In January 2016, through fundraising, CAFV managed to secure some additional funding from a private business for the legal aid network and renewed contracts with the lawyers who previously provided their services without compensation – 24 lawyers in 17 cities (Uzice, Loznica, Zajecar, Krusevac, Ljig, Mionica, Cacak, Sabac, Nis, Pozarevac, Zabari, Valjevo, Pirot, Vranje, Leskovac, Kraljevo, Kucevo). In the third quarter of Year 5, on March 15, 2016, JRGA signed the Task Order 3 with the CAFV to fund their grant activities until the end of June 2016.

Cumulatively, since the legal aid network was established in May 2014, the network lawyers assisted 363 victims of family violence throughout Serbia, 325 women and 38 men. Lawyers

drafted a total of 318 lawsuits and 118 criminal charges. The legal aid network became wide-known throughout Serbia and fulfilled its purpose of providing readily available and free legal assistance to victims of domestic/family violence who are often and for a number of mainly economic and dependency reasons prevented from seeking professional help in bringing charges against the abusers. (see Annex J for the grant reports and deliverables).

Building sustainability for CAFV and APP: Throughout Year 5, the Project continued to work with partners on building



the capacity of grantees to raise and manage outside funding to support the long-term sustainability of their organizations. In Quarter 1, JRGA's grantee CAFV's project titled "Saving Lives of Women Violence Victims in Serbia" was approved by the Global Giving Foundation, a US-based global crowd-funding platform for grassroots charitable organizations, to participate in its Open Challenge to secure a permanent spot on Global Giving. Although CAFV initially failed to meet the challenge, the project proposal remained on this fundraising platform and continued the fundraising effort October through December 2015. In January 2016, CAFV was made the Global Giving Partner and their initiative is placed for continual fundraising on the Global Giving website.

CAV was active in pursuing other funding opportunities during Year 5 as well. They submitted a project proposal to the programme funded by the Norwegian, Canadian and Australian embassies. CAFV was also actively seeking funding support from local businesses active in the domain of corporate responsibility.

Awareness Raising: JRGA grant partners implemented a series of activities aimed at raising awareness of the general public in Serbia on the frequency and devastating consequences of cases of domestic/family violence. In September 2015, APP finalized work on filming a short promotional video intended to draw public attention on the negative social phenomenon of family violence. The recorded material was reviewed by JRGA during October and the final editing was completed in November.



The video was since promoted through APP's website and YouTube channel. APP's final event held in March 2016 also served as the opportunity to shed light on the complexity of procedural handling of cases of domestic/family violence and needed improvements.

In order to mark the International Day for the Elimination of Violence against Women on November 25, 2015, CAFV organized an exhibition of handcrafts manufactured by women victims of domestic violence during their stay in the safe houses in Belgrade. The purpose of the exhibition was to show the strength of these women through their skills, potential, and ability, as well as to raise awareness on the need to create a social environment which would become increasingly sensitized to and intolerant of domestic violence. The event received significant media attention. On the same day, CAFV became one of the signatories of an inter-institutional agreement on the level of the City of Belgrade between all relevant stakeholders – police, courts, prosecutor's offices, social and health care centers, aimed at providing integrated and quick response in cases of domestic violence and maximum

protection for victims. The CAFV coordinator also had a series of media appearances and interviews both preceding and following this event.

CAJV participated in three TV debates at the beginning of 2016 – on local televisions in Pancevo, Cacak and Pirot. The aim of these appearances was to promote the legal aid network and other activities aimed at protection of victims, as well as raise overall public awareness on this issue. At the beginning of January, the Serbian Prime Minister, Aleksandar Vucic and several ministers from the Serbian government visited the Safe House for victims of family violence in Belgrade that is managed by CAFV. This visit also generated significant media attention.

The public hearings organized as part of the stakeholder consultation process for the new procedural Law on the Prevention of Domestic Violence was widely publicized and garnered significant media attention on both the national and local level (*see* Annex K for press clipping).

Impact: Dissemination of the inter-service cooperation model existing in Zrenjanin and improving access to legal aid for victims of domestic/family violence is contributing towards a reliable legal and judicial protection framework.

Task 1.6 Assist relevant official bodies and actors to improve the coordination of cases involving related issues and/or parties, including those pertaining to family violence

During Year 5, JRGA continued to support counterpart coordination on all levels. Particular efforts were invested in supporting the Ministry of Justice in drafting a new procedural law that would help preventing domestic violence cases and provide better and quicker systemic protection for the victims, as well as better case coordination. The draft Law on the Prevention of Domestic Violence was finalized in May 2016, after several intensive sessions by the working group appointed by the Ministry and supported by JRGA, and after a wide public consultation process that yielded useful proposals for improving the draft provisions. The draft law also incorporates and institutionalizes the successful inter-agency cooperation model – the ‘Zrenjanin model’ – promoted since the beginning of JRGA activities through our grants program and the partnership with the Association of Public Prosecutors (APP) and the Counseling Against Family Violence (CAFV). This is lending sustainability for the efforts of improving the position and protection of the victim in the judiciary procedure, as well as ensuring swifter resolution of legal actions in these cases.

JRGA also continued supporting coordination between the Independent Agencies and the misdemeanor courts, working with the Association of Misdemeanor Judges (AMJ) on ensuring sustainability for the roundtable mechanism set up across both Project components since the beginning of JRGA activities. JRGA also continued with the successful roundtables and training sessions for the authorized petitioners as this approach proved to be of paramount importance in ensuring full implementation of the Law on Misdemeanors.

1.6.1. Coordination in Domestic and Family Violence Cases

Judicial Protection Framework: Throughout Year 5, JRGA continued to support the coordination of domestic and family violence cases on two parallel yet complementary tracks. Our partner grantees, the Association of Public Prosecutors (APP) and Counseling Against Family Violence (CAFV), finalized the implementation of their grant partnership project in the third quarter of Year 5. The grant resulted in the Manual for handling cases of

domestic/family violence and improving the position of the victim in criminal proceedings. The Manual describes practical experiences and examples from prosecutor's offices and courts across Serbia and expands on subjects such as reporting and investigating cases of domestic/family violence, position of the victim in the proceedings, and defining basic elements of cooperation and coordination among different public bodies/institutions in handling these highly sensitive cases. The Manual also contains a model protocol for treatment and protection of victims during their visits to the public prosecutor's offices and court buildings that is created with the aim of ensuring better physical protection of victims during their appearances in the court. The results of the grant partnership were presented on the final conference held in February 2016.



During April and May, the Ministry of Justice, supported by JRGA and CAFV, organized seven public discussions in (left to right): Novi Sad, Zajecar, Valjevo, Nis, Kraljevo, Belgrade, and Sabac. Feedback obtained during prolific discussions from actors across the board was incorporated in the final draft of the Law, completed at the end of May.

The second set of activities that JRGA supported throughout Year 5 is the legislative drafting process that was initiated by the Ministry of Justice to arrive to a new procedural law that would improve the prevention of domestic violence. This process started with a multiparty coordination meeting organized at the end of June 2015 in Zrenjanin with support and coordination from APP and CAFV. The meeting involved the representatives of the Ministry of Justice and the Parliament. It was during this meeting that the Ministry of Justice announced the creation of a commission that will look into improving the response to family violence building on the positive experience deriving from the implementation of the ‘Zrenjanin model’.

In November 2015, the Ministry officially appointed the working group for drafting the Law on the Prevention of Domestic Violence. In a series of sessions spanning the period November 2015 – March 2016, and with JRGA’s technical assistance and logistical support, the working group finalized the draft Law in March 2016. The working group considered all recommendations and best practice examples identified over the years by the APP and CAFV during the implementation of JRGA-funded grants covering the topic of domestic/family violence. The interagency cooperation model successfully applied in Zrenjanin, the so-called ‘Zrenjanin model’, was included in the draft law. This is lending long-term sustainability to APP and CAFV efforts on promoting the model as the best course of action for helping victims through the legal procedures and coordinating diverse and numerous actors involved in handling cases of domestic violence.

The main purpose of this new procedural law is to ensure more effective protection for the victims of family/domestic violence by ensuring that all relevant institutions act as urgently as possible and in a coordinated manner. The draft law introduces the obligation for the police to carry out a situation assessment immediately after violence is reported and estimate the risk of further escalation. The police will have two protective measures immediately at hand – either to remove the abuser from the family home and even keep him under custody for 48h or to issue a temporary restraint order preventing the abuser to contact and/or approach the victim. In the 48h period the prosecutors and the courts have 24h each to either order some of the protection measures and/or initiate criminal proceedings. If the abuser does not comply with the protective measures, a misdemeanor court may sentence him to up to 60 days in prison.

The draft Law also envisages identifying police officers specialized for cases of family/domestic violence who are first to go out after violence is reported and carry out risk assessments. It also stipulates identifying contact points in all institutions involved in handling these cases – the offices of basic and higher prosecutors, the basic and higher courts, the local police and social care centers. This represents the institutionalization of the ‘Zrenjanin model’. The Law also mandates the creation of a government-level Council on Domestic Violence that would include representatives of all relevant public institutions. It would act as an umbrella body that would provide guidance for further improvement of mechanisms for violence prevention. In parallel with drafting the new procedural Law, the MoJ also initiated work on amending relevant provisions of the Criminal Code and introducing harassment and stalking as new criminal acts, as well as ensuring further protection mechanisms for the victims.

The Ministry made the first draft of the Law on the Prevention of Domestic Violence available to the public on-line on March 18, 2016, thereby opening the process of public consultations. JRGA and the CAFV supported the Ministry in organizing seven public hearings in April and May throughout Serbia: in Novi Sad, Valjevo, Nis, Zajecar, Kraljevo, Sabac and Belgrade. All public hearings were successful, attended by over 350

representatives of all relevant public institutions – medical and social care centers, judiciary, the police - and civil society organizations. The public consultation process received significant media coverage both on the national and the local level.

The working group considered the feedback collected during the prolific discussions held at the hearings and received by the Ministry in written. It was incorporated into the final draft of the Law during the intensive two-day working session held at the end of May. During the extension period, JRGA will continue supporting the Ministry in preparing for the adoption and implementation of the Law. The working group will develop all necessary by-laws and rulebooks that stem from the draft Law as a means of testing the envisaged provisions and carefully thinking through their functioning in practice. This particularly relates to provisions governing inter-agency cooperation and coordination. JRGA will also work on developing a training curriculum for judges so that training can be delivered as soon as the Law is adopted, which is expected in the fall.

1.6.2. Coordination of Cases Filed by Independent Agencies (in coordination with Component 2)

Roundtables: Throughout Year 5, JRGA continued investing cross-component efforts in bringing actors from both components together and working on resolving joint issues. JRGA facilitated a consultative meeting between the stakeholders in order to ensure that IAs are given an opportunity to present their proposals for amendments to the existing LOM in a consolidated manner. This resulted in the MoJ appointed working group taking on board several amendments proposed by the IAs, including the proposal from the Commissioner for Access to Information of Public Importance and Personal Data Protection on introducing equal requirements on the provision of personal data when initiating misdemeanor procedure for natural persons and legal entities (*cf. 1.3.1. above*).

To further discuss issues related to personal data protection, in December 2015, JRGA facilitated a roundtable involving the representatives of the office of the Commissioner for Information of Public Importance and Personal Data Protection and misdemeanor courts. Initiated by the misdemeanor courts, this roundtable focused on discussing and finding solutions for issues related to misuse in initiating misdemeanor cases on the basis of the Law on Access to Information of Public Importance and Law on Personal Data Protection.

JRGA invested other efforts in order to ensure sustainability for the roundtable mechanism between misdemeanor courts and Independent Agencies established as part of JRGA's assistance on enabling better case coordination in the misdemeanor procedure. Together with the Association of Misdemeanor Judges (AMJ), JRGA drafted a memorandum of understanding between this professional association and the Commissioner for the Protection of Equality, the Commissioner for Information of Public Importance and Personal Data Protection, the Anti-Corruption Agency, the State Audit Institution and the Agency for Road Safety. These independent bodies act as authorized petitioners in the misdemeanor procedure and coordination of their often very complex cases is of utmost importance for their timely resolution. The Memorandum envisages roundtables, bilateral or multilateral meetings and/or training sessions that will take place at least twice a year in order to ensure continuity in coordination efforts and experience and knowledge exchange. All parties to the Memorandum will also designate contact points in their institutions that will manage inter-institutional coordination and the related administrative and logistical issues. It is expected that the MoU will be signed in the fall.

In Year 5, JRGA also delivered an intensive and high-volume training campaign on the Law on the Protection of Whistleblowers and facilitated the establishment of a coordination mechanism between the State Audit Institution and the Public Prosecutors (see [2.X.3](#)).

1.6.3. Coordination of Other Cases

Coordination of Cases with Different Petitioners: Building on the success with the roundtables organized for representatives of varied and numerous institutions acting as authorized petitioners in the misdemeanor procedure that preceded the beginning of the implementation of the then new LOM, JRGA continued implementing a similar mechanism during Year 5. Namely, in consultation with representatives of the Appellate Misdemeanor Court, the Belgrade Misdemeanor Court and the Association of Misdemeanor Judges, JRGA is supporting a series of roundtables/training sessions for the representatives of the customs administration and various inspections in order to discuss practical problems they encountered in the field since the beginning of the implementation of the LOM. These one-day events also served as the opportunity to present those provisions of the LOM most pertinent for the particular subject-matter their services are covering, especially the new mechanism for initiating the misdemeanor procedure. In the period September – December 2015, JRGA delivered 9 one-day sessions for over 200 participants from all parts of Serbia.

Upon the request of the Misdemeanor Court in Kraljevo, JRGA delivered another roundtable for the local authorized petitioners in June. Also, JRGA supported the Appellate Misdemeanor Court and the Chamber of Commerce for delivering another three training sessions on the initiation of misdemeanor procedure for their members. This training is specifically tailored for legal entities and their position in the misdemeanor procedure.

Impact: Improved coordination between MCs and external stakeholders will contribute to the more efficient and fairer administration of justice, decreasing the workload of both Misdemeanor and Basic Courts and substantially easing the burden on case participants.

Task 1.7 Assist relevant official bodies and actors to increase the competency of judges in all the Misdemeanor and High Misdemeanor Courts

In Year 5, JRGA continued with the delivery of high-volume, intensive training campaigns in cooperation with the Judicial Academy. The Project completed delivery of a training course for the new Law on the Protection of Whistleblowers that covered over 1600 judges and judicial assistants from all courts in Serbia. In order to enable sustainability for this course, JRGA facilitated a training-of-trainers session for a select group of judges who can work with the Judicial Academy on including this course in the continuous judicial education program. In order to prepare the ground for the roll out of the full SIPRES application JRGA implemented an intensive training effort for misdemeanor judges and staff through both classroom training and on-the-job assistance. This was essential in ensuring sufficient trained staff in the courts ready to work in SIPRES every day as of January 1, 2016. In total, JRGA delivered over 3.500 person/days of training under Component 1 in Year 5.

1.7.1 Training of Trainers

In light of the roll out of the misdemeanor court case management system (SIPRES), JRGA has continued with an intensive training campaign for the misdemeanor judges and staff. As the complete version of the system was released first in September, the Project organized several train-the-trainers sessions for JRGA trainers/training coordinators from Novi Sad, Nis

and Kragujevac during the first quarter of Year 5. They received guidance on organizing and delivering classroom sessions as well as more direct, on-the-job, elbow-training sessions.

During 2015, JRGA delivered over 1600 person/days of training to judges from all courts in Serbia on the subject of the Law on the Protection of Whistleblowers. Namely, according to the Law, judges need to undergo training and receive certification before they can decide in these cases. This capacity building effort was finalized in the third quarter of Year 5.

In order to ensure sustainability and continuity for this training course, on March 21-22, 2016, in cooperation with the Judicial Academy (JA), JRGA delivered a ‘training of trainers’ session for a select group of judges. Apart from receiving guidance on the substantive part of the training curriculum, the future trainers also received information on training delivery skills from the Judicial Academy’s adult training expert. These judges will continue to work with the Judicial Academy, making it possible to deliver the course on the Whistleblowers Law as part of the continuous judicial education program (cf. [2.X.1](#)).

Another ‘train-the-trainers’ workshop took place in the last quarter of Year 5. This one targeted the performance audit team of the State Audit Institution (SAI) (cf. [2.7.2](#)).

1.7.2. Training Curriculum Development and Delivery

Misdemeanor Judges Curriculum Development and Delivery: During Year 4, JRGA developed the training curriculum for judges on the subject of the implementation of the new Law on the Protection of Whistleblowers. The first round of training sessions for judges of the Supreme Court of Cassation, four Appellate Courts, Administrative Court, Appellate and Misdemeanor Courts, Higher and Basic Courts was delivered between January and May 2015 for almost 1000 judges and judicial assistants. As of June 2015, JRGA began implementing the second round of training on the Law on Whistleblowers, in close cooperation with the Judicial Academy.

Almost 300 judges were trained in the period September – December 2015, bringing the total to almost 1600 judges and judicial assistants trained. Furthermore, in cooperation with the Department of Justice (DoJ), JRGA delivered a training session on this topic to a group of public prosecutors in October. In addition, upon the request of the JA, JRGA delivered a series of four training sessions on the topic of the new Law on Whistleblowers for 54 JA alumni. This training finished in February 2016.

Also during the year, JRGA staff continued to work with individual courts to address issues arising in relation to the practical implementation of the new LoM, and to deliver on-site training for use of the SIPRES application (cf. [Task 1.6.3](#) and *IT training below*).

Administrative Judge Curriculum Development & Delivery: Apart from undergoing training on the Law on Whistleblowers organized by JRGA and the Judicial Academy, the Administrative Court requested the Project to develop and deliver training on the topic of relevant material and procedural aspects of the right to asylum in the Republic of Serbia. The training materials were developed in the first quarter of Year 5, covering the following subjects:

- 1) Right to asylum – international and European standards;
- 2) Right to asylum and proceedings for seeking asylum in the Republic of Serbia;
- 3) Comparative European and international practices and existing practices in relevant Serbian institutions;
- 4) Role of the Administrative Court in settling related disputes.

Two one-day training sessions were delivered for 60 judges and judicial assistants of the Administrative Court on October 20 and 21, 2015 in Belgrade. In addition, JRGA STTA expert and a world-renowned authority on the protection of whistleblowers, Tom Devine, delivered a training session for AC judges and judicial assistants on the new Law on Whistleblowers on October 13, 2015 in Belgrade.

Other Topical Training: In the second quarter of Year 5, upon the request of the Appellate Misdemeanor Court and the Association of Misdemeanor Judges, JRGA engaged subject-matter experts and select judges to develop training materials on the topic of improving communication and public appearance skills for misdemeanor judges. With the aim of ultimately improving service to the citizens, the communication training covered both internal and external communication.

Apart from dealing with how to successfully establish and manage communication with external entities – the media and the public, the training curriculum focused on fostering proper internal communication between judges and with the court staff, as well as on the appearance and manners of judges with both their colleagues and the parties at hearings.

In the period January – May 2016, JRGA delivered 22 training sessions titled ‘Misdemeanor Courts in the Service of Citizens – Improvement of Communication and Public Appearance’ for 425 misdemeanor judges. Two last training sessions held in the last quarter of Year 5 were specifically targeting the misdemeanor courts’ Chief Judges and particularly their PR skills.

IT Training: Year 5 saw JRGA deliver a very intensive training campaign for the misdemeanor court case management system – SIPRES. The full version of SIPRES was initially released in September 2015, with another release containing important updates going live in December 2015. The system with all major groups of functionalities covering both the first and second instance misdemeanor procedure is now in use in all misdemeanor courts in Serbia.

The new functionalities that were included in the release of the full system needed to be presented and its use explained to all court staff and judges in order for them to be fully conversant with all steps and options available in the system.

JRGA updated the SIPRES Manual (*see* Annex L) to reflect all changes and new functionalities available in the system. Training materials were also updated accordingly and JRGA trainers and local training coordinators from Novi Sad, Kragujevac and Nis underwent several ‘train-the-trainers’ workshops in order to gain detailed insight into the full range of system functionalities in order to be able to deliver training and ensure quality transfer of knowledge.

The Project prepared a comprehensive training plan for Year 5. 1625 misdemeanor judges and court staff underwent SIPRES training during 161 classroom training sessions. In parallel with this, JRGA intensified the elbow-training initiative, scheduling two field visits to courts and court units per week on average in the last two quarters of Year 5. Hands-on support to users, helping not only with the application use but also resolving policy-level issues related to the misdemeanor procedure and introducing of the case management system in their everyday work, proved to yield best results in capacity building. Over 80 elbow training sessions were held in Year 5.

In parallel with assisting judges and court staff in SIPRES use, as of March JRGA started with an on-the-job training effort for misdemeanor court IT staff as well. JRGA IT staff accompanied SIPRES trainers on their field visits and worked with court IT staff on transferring part of administrators’ responsibilities for user management to them. This is done

to ensure that local ITs can perform activities such as user creation, assigning groups and roles, changing access level characteristics, etc. on their own thereby securing easy use and management of SIPRES for their court. JRGA will continue this targeted training for court IT staff throughout summer as well.

Training and technical assistance was complemented with help-desk assistance and regular analysis of data base statistics to enable the Project to carefully track and monitor the progress of the implementation of the system by individual MCs, and take follow-up action as needed.

Institutional Capacity Building for the Judicial Academy: Judicial Academy has been JRGA's partner and beneficiary since the beginning of Project activities. Throughout Year 5, JRGA continued working with the Academy on delivering an extensive training program for misdemeanor and other judges. In particular, JRGA and the Academy delivered a comprehensive course on the Law on the Protection of Whistleblowers for more than 1600 judges from all courts. Also, a 'training of trainers' exercise was organized at the end of this course which left the Academy with a pool of trainers on this subject matter that would allow it to include this course into the continuing judicial training program. JRGA will hand over a complete corpus of training courses and materials developed for the duration of the Project to the Judicial Academy at a ceremony to be organized in the fall.

AMJ Annual Conference: On October 21-23, 2015, JRGA supported the Association of Misdemeanor Judges in organizing their annual conference in Kladovo, gathering over 350 judges from misdemeanor courts all over Serbia. After the official opening ceremony, led by the Minister of Justice, Nikola Selakovic, JRGA Chief of Party, Laurence T. Vetter, presented the main Project achievements, particularly emphasizing the completion of the case management software for misdemeanor courts – SIPRES and benefits automation brings for streamlining business processes to make courts more efficient.

SIPRES was among the topics discussed on the second day of the conference as well, with JRGA legal and IT experts explaining its functionalities and considerable savings in time and other resources it brought to both judges and staff in their daily work. Activities ongoing on the changes to the Law on Misdemeanors were also presented and discussed with judges in order to get their feedback on the proposed amendments. On the third day of the conference, among other topics, the Director of the Anti-Corruption Agency, Tanja Babic, spoke on the subject of most common misdemeanors related to the law on financing of political activities and issues encountered in practice.

The conference was a successful knowledge and experience sharing event fostering peer discussion on subjects relevant for efficient functioning of misdemeanor courts.

Judges' Annual Conference: JRGA representatives attended the traditional annual gathering of Serbian judges that was held in Vrnjacka Banja on October 14-16, 2015. On October 15, JRGA short-term technical assistance (STTA) expert, and a world-renowned authority on whistleblowers, Tom Devine, participated in a discussion panel on the topic of the judicial protection of whistleblowers, presenting global best practices in whistleblower protection that have been incorporated in to the Serbian law.

On October 16, JRGA Chief of Party, Laurence T. Vetter, delivered a presentation on the main functionalities of the misdemeanor court case management system, SIPRES, and its significance for improving efficiency and effectiveness of Serbian misdemeanor courts.

1.7.3. Legal Resources

Misdemeanor Judge Bench-book: In Year 2, JRGA initiated work on the development of the Bench Book for misdemeanor judges. In the first quarter of Year 3, JRGA enlisted the help of the president judge of the Belgrade Misdemeanor Court and a judge of the Appellate Misdemeanor Court to finalize the outline of the Bench Book and begin drafting in order to have it ready in time for judges as a reference tool once the new Law comes into effect.

The draft of the publication was finalized in March 2014 and the Bench Book printed (in paper and CD format) and distributed to misdemeanor judges and judicial assistants throughout Serbia in June 2014. The Bench Book is the first guide book of its kind in the Serbian judiciary. It was prepared by judges for judges with JRGA assistance, combining practical guidelines for conducting misdemeanor proceedings, with the text of the Law, standardized forms, checklists, and process diagrams for use by judges in their everyday work.

The Bench Book was updated throughout Year 5, in line with all procedural changes and amendments to the Law on Misdemeanors. Also, all forms that are an integral part of the Bench Book, as well as all procedural best practices that are part of the Bench Book instructions, have been integrated into SIPRES.

Compendium of Best Practices: During the first quarter of Year 3, JRGA completed work on the Compendium of Best Practices. The publication includes best practices in case flow management, records management, and other core business practices identified by Partner Courts and collected through regional roundtables conducted by the Association of Misdemeanor Judges under a grant from JRGA. The compendium was distributed during the Annual Conference of the Association of Misdemeanor Judges in October 2013 and at roundtables for authorized petitioners conducted from December 2013 to February 2014 for introduction of the revised Law on Misdemeanors. In Year 5, best practices identified through working with the misdemeanor courts were also successfully translated to automated solutions contained in SIPRES.

Access to Case Law and Ensuring its Uniformity: In previous Project years, JRGA provided extensive assistance to the Administrative Court (AC) in developing the application supporting the electronic case law database for the court and populating it with relevant court decisions, sentences and opinions. Furthermore, JRGA provided assistance with the redesign of the court's website which also contained a section designated for public access to the redacted versions of representative court rulings, contained in the case law database. These efforts on allowing easy access to court practice and enhancing transparency of AC's work were recognized by the Office of the Commissioner for Access to Information of Public Importance and Personal Data Protection. On September 28, 2015, the International Right to Know Day, the Administrative Court received the Commissioner's award for transparency and access to information in the category of judiciary bodies. This award is the recognition of joint efforts of the Court and the Project on improving the efficiency, service to citizens and overall image of the Administrative Court.

1.7.4. Third-country Learning Opportunities

Study Visits: No third-country learning opportunities were organized during Year 5. However, should an opportunity present itself during the extension period, JRGA may consider delivering a U.S. based study tour for the representatives of the Serbian judiciary and independent agencies.

Impact: Training directly contributes to the task of increasing judicial competency, efficiency of the courts and enforcement of Independent Agency decisions. Wide participation in a range of capacity building opportunities offered by JRGA will have a multiplier effect on knowledge and experience sharing among all levels of the judiciary.

Task 1.8 Assist relevant official bodies and actors to develop practical and user-friendly information for court users about the operations of all the Administrative, Misdemeanor, and High Misdemeanor Courts and to inform the public about the availability of the information

During Year 5, JRGA revised the four existing brochures covering the rights and responsibilities of citizens before the misdemeanor courts and updated them in line with the amendments to the Law on Misdemeanors adopted in February 2016. JRGA also worked with the courts on drafting and utilizing a standardized information directory template in order to harmonize the level and amount of information they provide to the public, in line with the recommendations from the office of the Commissioner for Information of Public Importance and Personal Data Protection.

1.8.1. Access and Information

Facility Upgrade and Renovation: Throughout Year 5, the Project continued to work with MCs undergoing renovation (*cf.* [Task 1.2](#)) to promote accessible services and integrate informational signage and brochures. The design for the facility upgrade work in the Belgrade Misdemeanor Court developed by JRGA included the renovation of the existing ‘one-stop-shop’ in the central hall of the building. In addition to this main service counter JRGA fitted three additional, smaller ones throughout the building. These were designed for the purpose of enabling the citizens and court users easier and faster access to enforcement officers as one of the main reasons for citizens showing up in the court is to take care of fines or getting information on payment, etc.

The renovated facility consolidating the operations of the Belgrade MC is situated near some of the most important urban thoroughfares in the city, allowing easy access to the court from all parts of Belgrade. The building also provides access for the disabled. There are large courtrooms fit for public access and holding hearings involving numerous participants, such as for the public order violations for example. The building is marked with appropriate signage outlining what court services are located in which wing of the building. Public spaces are clearly separated from administrative functions of the court. All courtrooms are numbered and information counters are positioned in a manner that allows court users and general public to easily find their way through what is a judicial building of considerable size.

Relevant court design best practices were also incorporated in the concept solution for the new court building of the Misdemeanor Court in Raska that was finalized in February 2016. The space in the court is organized so that it allows for disabled access, information counters are set up in the ground floor of the building and appropriate informational signage installed throughout the building. The same applies to the design and space engineering for the new seat of the Appellate Misdemeanor Court in Belgrade. JRGA furnished and equipped this space, providing it with adequate signage.

Development and Distribution of Print Information Materials: Amendments to the Law on Misdemeanors were adopted in February 2016. JRGA revised the contents of the four informational brochures for misdemeanor courts and court users in order to align them to the changes brought about with the revision of the LOM. Brochures on how to prepare for the court, what is a misdemeanor order, how to get information on a case and enforcement procedures for fees and fines were amended and reprinted. An additional, fifth, brochure was designed covering the topic of the Registry of Unpaid Fines. Given that the amendments to the Law have more precisely regulated the implementation of the consequences of being a registered debtor and that the Registry portal was launched on-line in January 2016, this brochure provides necessary guidance to court users on what being a registered debtor means and which steps need to be undertaken before getting removed from the Registry. All five brochures were distributed to courts across Serbia in the last quarter of Year 5 in almost 30.000 copies.



Brochures and posters on prominent display in MCs

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Internet Webpage and Information Directory: In Year 2, JRGA worked with the AMC to make required information directories developed by MC's available to the public on-line through the AMC

website. During Year 4, JRGA and select Misdemeanor Courts – from Cacak and Kraljevo, developed an information directory template that standardized and unified the formatting and contents of the directory, in line with the Law on Access to Information of Public Importance and the deriving Rulebook. Namely, there was no uniformity in the directories developed by MCs thus far, documents differed significantly in the amount and level of information provided and formatting was not user-friendly or consistent. The resulting document was fine-tuned at the beginning of Year 5 in consultation with JRGA Component 2 staff and recommendations of the Commissioner for Information of Public Importance and Personal Data Protection.

The template was circulated to all MCs at the beginning of December 2015 with an accompanying instruction. JRGA emphasized that courts needed to take particular care in publishing directories in the languages of national minorities pertinent for their territorial coverage in order to enable better access to information. The standardized and unified information directories will help to improve public understanding of court procedures and operations.

Since JRGA circulated the unified template in December 2015, several courts contacted the Project as well as the IT person in the Unit of the Appellate Misdemeanor Court in Novi Sad, who was designated as the technical support provider, for fine-tuning the documents and publishing them on the website of the courts. It is expected that all misdemeanor courts will update and publish their information directories during this year.

Training: As part of the Communication Skills training that JRGA delivered in Year 5, (cf Task 1.9.2), misdemeanor judges and court presidents received guidance on how to develop different types of informational brochures and materials – leaflets, posters, media packets and press releases, as well as how to draft texts for the websites, speeches, and public addresses for community events identifying and presenting key messages during interviews and media appearances.

Impact: Better information availability will reduce demands on court staff. User-friendly information will educate the public about their rights and court procedures. Increased availability of timely, accurate information will lead to increased trust in courts and the judiciary.

Task 1.9 Assist relevant official bodies and actors to improve the reputation of all the Misdemeanor and High Misdemeanor Courts among court users and the public

During Year 5, JRGA continued providing support to a wide range of outreach and training activities for the misdemeanor courts that enhanced their reputation among court users and the general public. The Project delivered a course on internal and external communication for 412 misdemeanor judges and organized seven Open Court Days across Serbia bringing the total to 23 events for almost 700 high-school students since November 2013. JRGA collaborated with its counterparts in order to raise awareness among the general public on the importance of improvements to the misdemeanor court system. All facility upgrade activities were publicized with media on both the national and local level. The consolidation of operations of the Belgrade MC garnered biggest media attention. SIPRES and the realization of full consequences of the Registry of Unpaid Fines were also intensively promoted.

1.9.1 Reputation Among Court Users

Facility Upgrade and Renovation: During Year 5, the Project continued to work with Partner Courts undergoing renovations (cf. Task 1.2) to promote accessible services and integrate informational signage and brochures. The biggest facility upgrade intervention to date implemented jointly by the Ministry of Justice and the Project – the consolidation of operations of the Belgrade MC, into a single location – was primarily aimed at improving the public perception and reputation of what is the largest misdemeanor court in the country. Bringing almost 400 employees from 13 different locations to a single building significantly improved access to justice and service to court users. The new building is conveniently situated in the close proximity of the motorway and some of Belgrade’s busiest thoroughfares enabling easy access to the court from all parts of the city with both car and public transport.

The court has one large ‘one-stop-shop’ service counter in the main hall of the building, complemented by three smaller, auxiliary ones in order to enable quick access to information on the court or a particular case as well as the completion of all administrative tasks at one place. There is one large and 11 big courtrooms with ample space for hearings involving multiple parties, necessary particularly in the public order violation cases, all furnished and equipped by JRGA.

The renovation of the misdemeanor court in Raska that was completed in February 2016 is an example of a facility upgrade intervention spearheaded by the MOJ that resulted in the first new court building in Serbia in the past 20 years. The court has sufficient courtrooms, a ‘one-stop-shop’ service counter on the ground floor for improved service to citizens, and allows disability access. The facility was constructed in line with the basic energy efficiency

principles. It greatly improved the working conditions of this court as well as the public perception of a functional and efficient justice system.

The seat of the Appellate Misdemeanor Court (AMC) in Belgrade was relocated to renovated premises at the beginning of this last quarter of JRGA Year 5. The Project supported the efforts of Ministry of Justice in providing adequate premises for the AMC by furnishing and equipping the new space, as well as providing guidance in the design for the optimal organization of court's services.

These court space engineering best practices were applied in all 19 judiciary facility interventions that JRGA executed for the 5 years of the Project. Different in their scope and scale, nevertheless, all contributed to improving the working conditions in the misdemeanor courts and enhancing the public perception of this part of the judiciary and the quality of service provided to the court users. The 'one-stop-shop' service counters became a particular trademark of JRGA's renovation efforts, bringing together all administrative services of the courts and enhancing the experience of court users by enabling them to complete most of their tasks at one place. Improved look and organization of judge's chambers, which often serve as the courtrooms as well due to space constraints in most misdemeanor courts, elevates their reputation among the public appearing in court and contributes to timely delivery of justice in decent and reputable working conditions. Finally, marking and signage installed throughout renovated court buildings, and specific separation of public spaces from administrative operations of the courts allows court users to complete their official business in the court much faster.

1.9.2 Reputation Among the General Public

Court Information, Communications, and Outreach Activities: JRGA continued to work with counterparts on promoting joint achievements and raising awareness among the general public on the improvements to the functioning of the misdemeanor court system.

During Year 5, JRGA delivered a series of seven Open Court Days – held during the school year 2015/2016 at misdemeanor courts in Backa Palanka, Trstenik, Loznica, Mladenovac, Raska, Belgrade and Zajecar - for students of secondary schools from their respective towns/cities. These bring the total of Open Court Days organized by misdemeanor courts with support of JRGA since 2013 to twenty three (23) events.

The formula for delivering Open Court Days has been simple but very effective since the beginning: court judges and staff introduce the secondary school students to the organization and functioning of misdemeanor courts, while students in turn deliver a moot court simulation of a misdemeanor case – usually either a traffic violation or a domestic violence case. Preparing for and enacting hearing simulations also benefits students by improving their team work, analytical and public speaking skills and ability to develop an argument.

In addition, in most towns/cities, courts would also invite representatives of their local partners – the police and the social care center, to educate students on their rights and obligations with regard to the Law on Traffic Safety, Law on Public Order and especially obtaining probationary and permanent driver's licenses, as well as understanding the court proceedings in misdemeanor cases involving minors. Approximately 700 high-school students from across Serbia took part in these events in the course of almost three years.

The events would usually generate significant attention from the local community and local media (*see* Annex K for the list of media coverage for the events). The Open Court Day held in the Belgrade Misdemeanor Court in April 2016 received video coverage also from the USAID mission in Serbia. A short clip was filmed featuring students from one Belgrade secondary school who delivered the moot court simulation and recounted their impressions

from the event. JRGA made a follow-on video clip as well in a bid to capture the atmosphere and energy of this successful event. Both videos received significant attention on social media (*see* Annex L for the video material).

Association of Misdemeanor Judges was JRGA’s constant partner in the delivery of Open Court Days. These events have proven to be an effective way to improve the public perception of misdemeanor courts and their work, as well as attract the interest of students in a career in the justice system. Supporting and participating in these events goes in line with the AMJ’s Strategy and activities aimed at improving the image and perception of misdemeanor judges.



Year 5 also saw JRGA support promotional activities under the grant partnership awarded to the Association of Misdemeanor Judges (AMJ) and Alterfact. As part of their activities, JRGA grantees organized guided visits to misdemeanor courts for law students. Faculties of Law from Belgrade, Novi Sad, Nis, Kragujevac and Novi Pazar were selected as partner institutions for this activity the primary goal of which was to promote the role and reputation of misdemeanor courts. The guided visits took place in Novi Sad, Nis, Novi Pazar and Kragujevac in December 2015, while the visit to the Belgrade MC took place in February 2016.

The visits were all similar in structure – a group of up to 50 students was taken on a tour of a court’s premises with Chief Judge acting as the guide and presenting the organization and functioning of a misdemeanor court. This was followed by students attending actual hearings taking place in the court on that day. The guided visits have proven to be very popular among students, raising awareness on the profession of a misdemeanor judge and the complex jurisdiction of misdemeanor courts. The guided visit to the Belgrade MC was repeated in April 2016 (*see* Annex J for grant reports and deliverables).

Another complementary activity took place in the last quarter of Year 5. This time, the courts and judges ventured among the students of three Law Faculties – in Belgrade, Novi Sad and Kragujevac, and not the other way around. The AMJ joined forces with JRGA and the Student’s Union of the Belgrade University Faculty of Law and organized a two-day seminar on May 19-20, 2016 on the new solutions for improving the efficiency of the misdemeanor



Information seminar for law students, Belgrade, May 2016

procedure and the position of misdemeanor courts (*see* Annex M for the agenda and the materials). This seminar was an opportunity to reach a group of almost 100 future legal professionals preparing for a career in the judiciary and raise their awareness of the successful reforms that have significantly transformed the misdemeanor court system in the past few years. All the speakers at the event emphasized the important and responsible work carried out by misdemeanor judges, contributing to the overall rule of law in Serbia.

At the beginning of the event, the dean of the Faculty of Law, representatives of the Student's Union and the Association of Misdemeanor Judges signed a cooperation protocol in order to formalize their future efforts related to education and awareness raising for students and further promotion of the profession of the misdemeanor judge. These initiatives are in line with the strategic plan of the Association, developed with JRGAs assistance in the previous years of the project. Two more seminars were held in June for the students of the Faculty of Law in Novi Sad and Kragujevac (*see* Annex J for grant reports and deliverables).

Outreach and Communication Training: In the second quarter of Year 5, upon the request of the Appellate Misdemeanor Court and the Association of Misdemeanor Judges, JRGAs engaged subject-matter experts and select judges to develop training materials on the topic of improving communication and public appearance skills for misdemeanor judges. Apart from dealing with how to successfully establish and manage communication with external entities – the media and the public, the training curriculum focuses on fostering proper internal communication between judges and with the court staff, as well as on the appearance and manners of judges with both their colleagues and the parties at hearings.

In the period January – May 2016, JRGAs delivered 22 training sessions titled 'Misdemeanor Courts in the Service of Citizens – Improvement of Communication and Public Appearance' for 425 misdemeanor judges. Two last training sessions were specifically targeting the misdemeanor courts' Chief Judges and particularly their PR skills.

Public Relations Training: In parallel with this training on the broader topic of communication, JRGAs grantees, AMJ and Alterfact, developed training materials on the subject of Public Relations, Public Appearance and Negotiation Skills. These two-day trainings were targeting judges that are members of the AMJ Commission for Increasing Membership and Professional Development and the Commission for International Cooperation and Communications and are a more practical guidance for judges on how to deliver media appearances and promotional and outreach activities. Training sessions were designed to equip them with skills necessary for successful and effective communication with journalists, public speaking and citizen outreach, as well as presenting the Association, its purpose and role and misdemeanor matters to a public audience. The training on negotiation

skills introduced the participants to the main principles of advocacy, negotiation as a key advocacy tool and its practical implementation with the aim of building AMJ capacities in lobbying and advocacy with institutions, interest groups, stakeholders and professionals. Three two-day training sessions took place on October 8-9, November 4-5 and December 10-11, 2015. An additional one was held on May 19-20 in Kragujevac (*see* Annex J for grant reports and deliverables).

Publication of Improvements: JRGA continued promoting the Project and counterpart activities throughout Year 5. The facility upgrades, release and use of SIPRES case management application, Open Court Days, activities of Project grantees all featured on the Project website, social network platforms and both local and national-level media.

The official inauguration of the renovated Ustanicka judicial facility that is now home to the Belgrade MC, held in November 2015, received particular attention of the public and the media. For that occasion, JRGA developed and produced a promotional video highlighting the past four years of cooperation between the Project and the Ministry of Justice. The video showcased the most important achievements concerning legislative and regulatory reform for more efficient functioning of misdemeanor courts, upgraded work spaces for better access to justice and enhanced service to court users and the introduction of SIPRES through joint efforts of all stakeholders. The video was produced in both English and Serbian.

It was presented at the beginning of the press conference that followed the ceremony of unveiling the sign for the newly renovated court building and the tour of the premises of the Belgrade MC. The Minister of Justice, Nikola Selakovic, the U.S. Ambassador to Serbia, Michael Kirby, the Serbian Prime Minister, Aleksandar Vucic, Mayor of Belgrade, Sinisa Mali, USAID Mission Director, Azza El-Abd, Belgrade Court Chief Judge, Milan Marinovic, Appellate Misdemeanor Court Chief Judge, Zoran Pasalic, and JRGA Chief of Party, Laurence T. Vetter attended the tour. During the press conference all speakers emphasized the importance of this facility for better and faster access to justice, improved service to court users and increased transparency of court operations, as well as considerable savings in time and other resources needed for speedy delivery of justice. (*see* Annex K for press clipping).

The beginning of 2016 saw the Chief Judges of the Appellate Misdemeanor Court and the Belgrade Misdemeanor Court intensively promoting SIPRES and the use of a case management system in everyday work of misdemeanor courts. JRGA Chief of Party was interviewed for the Serbian daily newspaper, Novosti, explaining the benefits of court automation for improving the efficiency of misdemeanor courts in Serbia. Launching of the on-line web portal for the Registry of Unpaid Fines also received significant media attention. Since the Misdemeanor Court in Raska is the first completely new judicial building in Serbia in the past 20 years, its official opening ceremony that took place in February 2016 garnered significant media attention accordingly.

In the last quarter of Year 5, JRGA placed particular emphasis on promoting the efforts of the Ministry of Justice and our grantee, Counseling Against family Violence on holding public hearings for the draft Law on the Prevention of Domestic Violence (*cf.* [1.6.1](#)). JRGA supported the organization of 4 events in April with CAFV supporting additional 3 in May. Public hearings received significant media attention and were promoted on social media (*see* Annex K for press clippings).

JRGA also promoted the Open Court Days organized in cooperation with misdemeanor courts. These events received significant media attention from local news outlets around Serbia. Also, a promotional video was made for the Open Court Day held in April in Belgrade (*see* Annex M for the video). The video captures the atmosphere of an event

involving a group of enthusiastic high-school students and their positive experiences from learning about a functioning of a court first-hand.

Impact: Strategic approach towards communicating with the public on the position of judges and the misdemeanor system within the judiciary shall help send out positive messages on their credibility and respectability thus improving their public image.

Task 1.10 Encourage reform of Serbia's judicial system by assisting local organizations supporting and advocating for improvement in the rule of law, the judicial sector, and the culture of personal responsibility/respect for the law through the provision of Grants under Contract, comparative information on substantive issues, and technical assistance on the institutional development of the organization

1.10.1. Grants Program

Grant Administration: In Year 3, after consultation with USAID, JRGA introduced a new concept for grant implementation and management focused on developing the sustainability of selected grantees. The Project developed long-term partnership relationships with selected grantees to develop the capacity of selected CSOs to sustain judicial reform and anti-corruption activities. Framework agreements were established partnering organizations with similar objectives and complementary capacities, allowing grantee organizations to pursue mutual objectives and simultaneously increase their own organization capacities. Two separate framework agreements were established by JRGA relating to judicial reform, one partnering the Association of Misdemeanor Judges (AMJ) and Alterfact, and the other partnering Counseling against Family Violence (CAVF) and the Association of Public Prosecutors (APP).

During the third quarter of Year 5, joint activities under both partnerships were finalized. JRGA received a six-month no-cost extension, until November 2, 2016. In this light, the Project chose to extend funding for some of the grantees until the end of June 2016. Under the Framework Agreements, JRGA extended activities for the Association of Misdemeanor Judges and the Counseling Against Family Violence through a third Task Order. They were awarded funds to conclude ongoing activities and round off their grants in the most logical manner.

Association of Misdemeanor Judges (AMJ) – Alterfact

During Year 5, Alterfact and AMJ worked together with JRGA on furthering the partnership goals defined under their Framework Agreement:

1. Improving case management efficiency through Plea Bargaining: AMJ and Alterfact joined forces in organizing promotional activities for misdemeanor judges and authorized petitioners describing the case management efficiency benefits of the plea agreements as an alternative case resolution mechanism. Instructions for implementing plea agreements were formulated in a Manual that initially covered traffic cases, but it was later expanded to include cases filed by the Tax and Customs Administrations. 1.000 copies of the Manual were printed and distributed to all misdemeanor courts in Serbia and offices of target authorized petitioners. Since the grant partnership was put in place and AMJ and Alterfact implemented activities supporting the utilization of plea bargaining, the traffic police alone signed over 25,000 plea agreements.

In addition, and after assessing the training needs of the AMJ members, Association developed and delivered a training course on the subject of new legislation regulating working hours of road transport vehicle crew and tachographs. Four training sessions were delivered for over 120 judges. An E-Manual was developed to accompany the training and distributed to more than 600 misdemeanor judges in Serbia in electronic format (CD).

2. Increasing transparency of MCs and raising awareness on their role: In order to strengthen the ability of the AMJ and its membership in public outreach and advancing its goals for improving the effectiveness of the misdemeanor justice system, AMJ and Alterfact developed a training course on the following topics: public relations, public appearance (for speaking engagements and media appearances) and negotiation skills. Over 50 judges from misdemeanor courts across Serbia took part in four two-day training sessions that included both theoretical presentations as well as practical exercises covering a wide range of subjects – from improving their presentation techniques and public speaking skills, communicating with media and formulating pertinent messages, tips and tricks on body language in public appearances, particularly one-on-one interviews, to advocacy strategies and negotiations in practice.

3. Supporting the positive image of MCs as fair, efficient and accountable through outreach activities targeting students: the assessment carried out by AMJ and Alterfact on the misdemeanor judges' positions that will be vacated in the upcoming three-year period showed that there will be upward of 100 judicial positions to be filled in misdemeanor courts across Serbia. For this reason, AMJ targeted two rounds of promotional activities to future legal professionals who could potentially be interested in pursuing a career in misdemeanor courts – students of law faculties.

The first round of promotional activities was structured as guided court visits in five towns with faculties of law – Belgrade, Novi Sad, Nis, Kragujevac and Novi Pazar. Groups of students visited court premises which gave them first-hand insights into the operations of misdemeanor courts, organization of work and actual hearings. These took place in the period December 2015 – February 2016 and covered over 100 students.

The second round of events saw the roles reversed – representatives of the AMJ management board, Chief Judges of the AMC and several misdemeanor courts, ventured to the faculties in Belgrade, Novi Sad and Kragujevac to reach even greater numbers of students (over 200 in total) and present the effects of the sweeping reform process that has been taking place in misdemeanor courts in the past several years. During these events, the AMJ signed cooperation protocols with the three faculties of law ensuring further joint activities on promoting the profession of a misdemeanor judge among future law school graduates.

4. Improving institutional capacities of AMJ and developing strategic plans: As a part of joint efforts of the AMJ and Alterfact to strengthen the ability of the AMJ to accomplish its strategic goals and particularly to strengthen the engagement of its membership, a scheme of regional representation was developed during Year 4. In August 2015, after approval of the new organization by the executive board, a call for candidates for regional representatives was made. In September, the commission for nomination of Governing Board and Regional Representatives identified proposed Regional Representatives and candidates for the Governing Board. Nominees were elected by the AMJ General Assembly at its annual meeting held in October 2015 in Kladovo.

Alterfact assisted AMJ in defining a scope of work for the regional representatives including recommendations for improvement and increasing their efficiency of performance. The first meeting of the regional representatives and the AMJ leadership was held in June in

Kragjevac. Also, AMJ defined an outline of the Action plan of the future activities with the short and long-term priorities based on the previous assessment of needs carried among the AMJ members.

During their partnership, Alterfact supported the AMJ in building their internal capacities in order to ensure further funding and sustainability for their project activities. With assistance from Alterfact, AMJ drafted four project proposals of which two were awarded funds for implementation by different donors.

Association of Public Prosecutors (APP) – Counseling Against Family Violence (CAFV)

During Year 5, APP and CAFV worked together with JRGA on furthering the partnership goals defined under their Framework Agreement:

1. *Continued support for the functioning of the Legal Aid Network:* Established in May 2014, the goal of the legal aid network was to provide free legal counseling to victims of domestic violence across Serbia. CAFV conducted the selection of lawyers and provided them with specialized training before officially establishing the network in 17 cities and towns in Serbia. In the two years of its existence the network provided assistance to 363 victims of domestic violence, 325 women and 38 men. The lawyers drafted 318 pleadings for family law matters (including complaints for divorce, custody, or protective orders), and pressed 115 criminal charges for cases of family violence.

Although there was a vacuum of funds available to finance the functioning of the network for a period of time (summer and autumn of 2015), most of the network lawyers agreed to work pro bono and maintain the provision of legal aid (24 out of the initial 40 lawyers involved). CAFV managed to secure funds from a private business as well as additionally from JRGA under Task Order 3 to maintain the running of the network.

An online forum was created for network lawyers on the CAFV website, allowing lawyers to maintain communication with one another and share their experience and expertise on family violence protection issues. In the course of time, it became evident the forum is less utilized as a tool for experience sharing than an on-line knowledge repository to be consulted and expanded. In addition, network lawyers established a practice of reaching out to local justice and social welfare institutions in the cities they serve to strengthen coordination and cooperation with those institutions.

2. *Continued expansion of the ‘Zrenjanin model’ of inter-institutional cooperation:* For years, the APP worked on promoting and disseminating the so-called ‘Zrenjanin model’ of inter-agency cooperation in cases of domestic violence that requires coordinated and swift response of all involved public institutions/services in ensuring maximum protection for the victim. Their experience and best practice recommendations formulated during the years of working with offices of public prosecutors and other authorities across Serbia were translated into a Manual for Handling Cases of Domestic/Family Violence. The Manual contains lessons learned from pilot prosecutors’ offices, a model of a safety protocol, and, recommendations for case management and fast-tracking family violence cases, covering the practice of police and courts as well as interagency cooperation. The publication was presented during the event that marked the finalization of the grant partnership held in February 2016.

More importantly, representatives of the Ministry of Justice took part in that event to present the draft Law on Prevention of Domestic Violence that, among other things, institutionalizes the model of interagency cooperation and community response implemented in Zrenjanin. The Law thus lends sustainability to these efforts, as well as includes other victim protection mechanisms contributing to their better treatment and safety.

3. *Raising public awareness on the widespread problem of domestic violence and importance of community support for victims:* During the implementation of grant activities both APP and CAFV implemented numerous awareness raising initiatives including participation in TV debates and other TV appearances, production of video clips and other promotional materials and organization of events to bring public attention to the absolute necessity of ensuring swift and comprehensive systemic protection for the victims of domestic violence.

Most notably, in order to mark the International Day for the Elimination of Violence against Women on November 25, 2015, CAFV organized an exhibition of handcrafts manufactured by women victims of domestic violence during their stay in the safe houses in Belgrade. The purpose of the exhibition was to show the strength of these women through their skills, potential, and ability, as well as to raise awareness on the need to create a social environment which would not tolerate domestic violence. The event received significant media attention.

On the same day, CAFV became one of the signatories of an inter-institutional agreement on the level of the City of Belgrade between all relevant stakeholders – police, courts, prosecutor’s offices, social and health care centers, aimed at providing integrated and quick response in cases of domestic violence and maximum protection for victims. The CAFV coordinator also had a series of media appearances and interviews both preceding and following this event.

4. *Increasing institutional capacity of CAFV to sustain further activities:* APP provided mentoring and guidance to CAFV in initiating serious fund raising to secure resources for financing further activities. CAFV developed project proposals for the Norwegian Embassy, Australian Embassy, Canadian Embassy (Canada Fund for Local Initiatives) and applied to possible local funders on governmental level – Office for Human and Minority Rights. In addition, business sector was also approached with tailor-made documents and proposals. CAFV received funding from the Australian Embassy, as well as some material assistance from the Azerbaijan Embassy. Funding was also secured from business sector in order to maintain the functioning of the Legal Aid Network.

With technical assistance from JRGA, CAFV applied for and was granted the opportunity to participate in Global Giving’s online charitable donation website program. Although CAFV initially failed to meet the challenge, the project proposal remained on this fundraising platform and continued the fundraising effort October through December. In January 2016, CAFV was made the Global Giving Partner and their initiative is placed for continual fundraising on the Global Giving website.

APP worked with CAFV on developing of an Action Plan 2015-2020. Working group members were asked to provide input/comments/suggestions on activities, expected results, indicators, important stakeholders, timeframe and source of funding that are part of the implementation of the Strategic Plan. Responsibility for each activity was defined. The Strategic plan was published on CAFV website (<http://www.sigurnakuca-beograd.com/sr-yu/>) and it is accompanied by the Action Plan. CAFV Strategic Plan and the accompanying Action Plan were disseminated to all CAFV members (*see* Annex J for grant reports and deliverables).

<p>Impact: Award of the grants marks the Project’s concrete results in including civil society in judicial reform issues. Grantee partnerships have yielded significant results, reflecting continued and increased interest on the part of civil society organizations in judicial reform, as well as giving rise to strong and sustainable local partners empowered in line with USAID objectives.</p>

COMPONENT 2 – GOVERNMENT ACCOUNTABILITY



First coordination meeting for State Audit Institution and public prosecutors, May 2016



Training of trainers for the performance audit team of the State Audit Institution, April 2016



Training on the process of budgeting for activities envisaged under Chapter 23, May 2016, Palic

Year 5 saw several important government accountability initiatives spanning previous Project years materialize with significant results. Cross-component efforts were necessary to make the Law on the Protection of Whistleblowers a success that it is one year into the implementation. In parallel with the Law coming into effect in June 2015, JRGA worked with the Ministry of Justice, the Supreme Court of Cassation and the Judicial Academy on delivering a large-scale training campaign for judges from all courts in Serbia. As a result, over 1600 judges received Law-mandated certification that allows them to adjudicate in whistleblower cases. JRGA also delivered a ‘training-of-trainers’ session for a select group of judges enabling them to continue to deliver the training course on the Law on the Protection of Whistleblowers as part of the continuous judicial education program in the Judicial Academy, thereby lending sustainability to JRGA’s efforts.

JRGA and its partners also worked on promoting the Law through a month-long media campaign that took place in July 2015. First results of the implementation of the Law were presented during the Annual Judges’ Conference in October 2015. JRGA facilitated a roundtable for the stakeholders in May 2016 to present the findings of the mid-term review for the implementation of the Law on the Protection of Whistleblowers, highlighting both the results and the implementation-related issues needing corrective action. Courts have shown to be very active in whistleblower cases, particularly in providing temporary relief measures that offer swift assistance to whistleblowers in e.g. returning them to their workplace or revoking dismissal decisions, etc. Since June 2015, when the Law came into effect, the courts have supported whistleblowers in 27 of the first 36 rulings. This resulted in Serbia having ‘the world’s best track record for timely judicial orders granting interim relief’. The mid-term review was conducted by the Ministry of Justice and it was based on the implementation tracking methodology previously developed with the assistance of JRGA’s short-term technical assistance (STTA) expert for this subject-matter and a world-renowned authority on whistleblowing, Tom Devine.

In June 2016, the first decision of a court of first instance in a case based on the Law on the Protection of Whistleblowers was made and it was positive for the whistleblower. This case was handled by the legal team of the JRGA grantee and long-term partner, Eutopia, which provided legal advice and assistance to over 800 whistleblowers to date through their helpline and pro bono court representation, both made possible through funding provided by JRGA. The Project will bring all the stakeholders together for a conference scheduled for September to present results of the one year of the implementation of the Law.

JRGA efforts on improving both internal capacities as well as the legislative framework governing the work of the Anti-Corruption Agency (ACA, the Agency) bore fruit in Year 5. The Agency revised their internal procedures for handling complaints and difficult clients after intensive training and technical assistance from JRGA experts. Further training on basic managerial skills and work on defining the direction of the future development of the Agency resulted in a strategic plan for 2016-2018, containing also a goal-oriented Annual Action Plan for 2016. JRGA provided assistance to both the Ministry and the ACA in revising the organic law governing the work of the Agency. The draft was finalized in February 2016 and is expected to be considered for adoption in the summer.

The Project supported the ACA in organizing the promotion of results of their 2014 and 2015 report on the financing of political activities in Serbia. The event held in January 2016 also served the purpose of enabling wide stakeholder consultations on the existing political finance oversight mechanisms and yielded proposals for future legislative changes. In light of April 2016 elections in Serbia, JRGA supported the ACA in training 150 election campaign monitors in March on basic tenets of observing and reporting on campaign spending.

The Action Plan for Implementation of the National Anti-Corruption Strategy introduced an obligation for public officials, civil servants and other public sector employees (estimated at 700,000) to undergo training on a range of anti-corruption measures contained within the strategic framework. JRGA provided technical assistance to the ACA in developing tools that would be used to quickly and cost-effectively deliver training on issues related to anti-corruption and integrity to all eligible public sector employees. JRGA and the ACA developed a series of seven short educational videos covering key integrity and anti-corruption standards that should be upheld by civil servants at all levels of the Serbian public administration. On a more substantive level, JRGA and the ACA began working in June on the Anti-Corruption Training Compendium. This publication, to be completed during the summer, will contain texts and training materials developed to date on a range of anti-corruption topics from the scope of work of the Agency and serve as a starting point for developing and delivering training courses to the public sector employees.

Several other Project initiatives were directly founded on the Action Plan for Implementation of the National Anti-Corruption Strategy. JRGA assisted the ACA in carrying out a legislative corruption risk assessment for the sector of customs. With the help of the JRGA grantee, Serbia on the Move, the corruption risk assessment was developed for the pharmaceutical sector – the clinical trials in particular. This cross-sector pairing of a civil society organization (CSO) with a proven track record in uncovering, preventing and eradicating corruption in the health-care sector in Serbia with the ACA proved to be successful and could serve as a model for further joint efforts on covering other sectors of the society with high corruption risks.

Upon the request of the MoJ, JRGA provided technical assistance with an analysis of the context, benefits and potential objections for introducing non-conviction based forfeiture as a highly efficient anti-corruption tool in the existing legal framework in Serbia. JRGA also delivered a training session for the representatives of the ACA, the Ministry and the judiciary on the subject of the potential risks for corruption in the process of budgeting for the functions of the state in the areas covered by the Chapter 23 of the EU negotiations – judiciary and the fight against corruption. This was particularly relevant in the light of the recently adopted National Financial Investigations Strategy.

JRGA delivered comprehensive institutional capacity building efforts throughout Year 5 to aid the State Audit Institution (SAI). The Project provided assistance to SAI in a strategic planning exercise and in reviewing the design matrices and report drafting for the two ongoing performance audits. In order to ensure sustainability for a concerted training effort and capacity building delivered previously to the performance audit team, JRGA facilitated a training-of-trainers exercise for SAI's performance auditors. This five-day training course strengthened their position as in-house trainers qualified for providing future training to existing and new staff members and increasing SAI's capacities for more performance audits which is in line with their strategic goals.

JRGA also supported SAI in facilitating their cooperation with the Subcommittee for the Consideration of Reports on Audits Conducted by the State Audit Institution of the National Assembly of the Republic of Serbia. JRGA organized a joint workshop for the subcommittee members and SAI on the subject of performance auditing and its potential impact on policy making. Similar cooperation and coordination was set in motion between SAI and the prosecutors through joint efforts of JRGA and the U.S. Department of Justice/OPDAT. After a successful initial roundtable which helped stakeholders on both sides identify issues that require closer cooperation, JRGA facilitated a joint training session which focused on

utilizing the findings of audit reports as a basis for initiating investigations and/or bringing criminal charges.

JRGA provided technical assistance and training to the Ombudsperson's staff on effective reporting and messaging. They have since demonstrated that structuring clear and concise reports with messages formulated to have maximum impact on the target audience (bodies of the legislative, executive and judiciary branches of the government, the media and the general public) is key for effectively presenting the important work carried out by this office and communicating Ombudsman's recommendations. This was evident in the March 2016 report on the work of patients' rights counselors and the health councils in 2015. JRGA is also providing assistance to the Ombudsman's office in drafting a special report on privatization effects on the media broadcasting in minority languages.

JRGA grantees continued activities both under the competitively awarded grants and the framework agreements. All projects awarded funds under the 6th Request for Applications (RfA) were completed and achieved significant results such as launching a portal with open data for the Commissioner for Access to Information of Public Importance and Personal Data Protection (Educational Center Leskovac), the first of its kind in Serbia, developing a Guide for Personal Data Protection in Public Institutions (SHARE Foundation) and strengthened coordination on detecting and preventing corruption in the health-care sector in Serbia (Serbia on the Move).

Task 2.1 Establish baselines for indicators in the Performance Monitoring Plan

2.1.1. Capture Progress Data and Update Targets

During Year 1, JRGA developed a Performance Monitoring Plan (PMP) to document project performance and monitor impact using indicators, baselines and targets to measure results achievement. During Year 5, the Project continued to collect data, monitor progress, and update results in line with the PMP.

Reporting against PMP indicators is presented in Annex B to this Report.

Task 2.2 Assist the Anti-Corruption Agency and its Board to:

- a) enforce conflict of interest and property registration provisions in the Anti-Corruption Agency Act;**
- b) detect violations of those provisions of the Act;**
- c) initiate and conduct proceedings to establish if violations of the Act have occurred; and**
- d) order measures under Article 51 of the Act as it read on January 2, 2010, when appropriate.**

In Year 5, JRGA continued with capacity building activities for the Anti-Corruption Agency (ACA). Staff of the ACA's Conflict of Interest, Complaints, and Income and Asset Declaration Departments completed a training course on customer relations (handling difficult clients) and communication skills that JRGA started delivering in Year 4. This activity also resulted in an internal shift in handling complaints and the reorganizations of business processes related to this task of the ACA.

Furthermore, JRGA agreed with the Ministry of Justice and the ACA leadership to support the process of revising the organic law governing the work of the ACA. JRGA provided legislative drafting assistance and facilitated several working sessions that yielded the final

draft of the Law in February 2016. It is expected that the Law will be considered and adopted during the summer.

2.2.1. Conflict of Interest

Staff of the ACA's Conflict of Interests Department work with government officials (at all levels) who request a ruling from the ACA on accepting another contemporaneous function. The Agency maintains a registry of about 25,000 positions to cover this requirement. Staff within this department may request additional information, explanations and documentation from the person requesting this ruling.

In agreement with the ACA leadership, in the period February – October 2015, JRGA delivered a series of customer service and communication skills training sessions, with particular focus on handling difficult clients, for the staff of several ACA departments, including the Conflict of Interests Department. The participants gained skills which would enable them to recognize communication patterns in daily management of complaints received from citizens, and help them resolve eventual conflicts and stress.

During the process of the revision of the Law on the Anti-Corruption Agency, provisions regulating the conflict of interest (CoI) procedure were discussed and revised as well. JRGA advocated for the broadening of the definition of the conflict of interest and incorporating best global practices for a more efficient procedure. Working group, comprised of the representatives of the Agency and the Ministry of Justice, took these recommendations on board and further expanded and refined the provisions of the new draft Law that govern the conflict of interest. It is expected that the text of the draft will be fully finalized and presented to the National Assembly for adoption after the elections and after the new government is formed, most probably this summer.

2.2.2. Complaints process

In order to increase the ACA's internal capacities for efficient and effective relations with complainants and public institutions which are subjects of complaints, two STTA experts were engaged by JRGA in Year 4 (as of mid-February 2015) to train staff of the ACA's Complaints Department (and departments of CoI and IAD) in the following areas: standards for efficient and effective interviewing and exchange of information (communication skills, conflict resolution, etc.); dealing with complainants whose behavior is challenging; dealing with public administration bodies that are the subjects of complaints - standards for building mutual respect and improving communication; and dealing with whistleblowers. After four one-day training session held in Year 4, the two final sessions were held in September and October 2015. This training was aimed at helping ACA staff to better manage the complaints process and to be able to conduct more effective triage of the complaints. This would in turn result in eliminating eventual backlogs, and reducing "burnout effect" associated with this type of work.

The final one-day consultation session held on October 22, 2015, had the goal of institutionalizing experiences and knowledge gained during previous sessions. It included a retrospective of 14 topics related to communication and psychological mechanisms for coping with difficult emotions arising as consequences of challenging clients and situations. JRGA STTAs also conveyed basic principles of adult teaching techniques to participants and discussed possibilities for sharing knowledge they gained with other ACA colleagues.

In addition, together with the participants and as a result of their interactions during this series of training sessions, the two STTA experts designed an internal guidelines document for communication with clients. These guidelines contain recommendations, techniques and

methods identified as essential for effective and productive communication and serve as a basis on which the ACA will model their internal procedures for handling clients.

Building on recommendations stemming from this capacity building exercise, as well as previous technical assistance provided by JRGA, the Agency remodeled their handling of complaints in the third quarter of Year 5. On the basis of the new work place systematization, the Complaints Department was dissolved and their employees seconded to other departments in the ACA to make handling of complaints more effective and streamlined. The representatives from different departments meet on a weekly basis and go through the received complaints doing the triage for subject matter as well as progress status for the complaints already being processed. The newly received complaints are assigned to the relevant department to avoid parallel processing. Also, a complaints liaison officer was seconded to the cabinet of the ACA Director to help streamline complaints coming to the cabinet as well as coordinate other processes.

This procedural and organizational shift already implemented in the ACA has also been translated into the draft of the new Law on the Anti-Corruption Agency, expanding considerably this section of the Law which has previously dealt only cursory with the complaints.

2.2.3. Income and Assets Disclosure

The working group tasked with drafting the revised Law on the Anti-Corruption Agency considered provisions regarding income and assets disclosure (IAD). Draft Law now describes this procedure in greater detail and translates some of the operational issues identified in the work of the ACA to date into better legislative solutions. For income and assets declarations the Law now envisages the utilization of the electronic signature which, if adopted, would greatly simplify and streamline this procedure for both the ACA and the public officials submitting declarations. On the other hand, the draft Law envisages broadening the scope of the persons connected to the public official which are required to submit IAD declarations in order to enable better insight into potential conflicts of interest and assist in preventing, detecting and prosecuting illicit enrichment.

Staff of the ACA's Department for Income and Assets Disclosure also participated in the customer service and communication skills training as described above (see [2.2.1](#)).

Task 2.3 Assist in developing and implementing investigative, monitoring and enforcement procedures governing the financing of political parties and election campaigns.

After providing technical assistance to the ACA in the previous Project years on election monitoring and issuing first reports on campaign spending and financing of political activities, JRGA and the ACA solidified the results of this assistance in Year 5. Partnering with the Organization for Security and Cooperation in Europe (OSCE), JRGA facilitated a conference which included participants from all relevant sectors and yielded proposals for future revisions of the legislative framework governing the financing of political activities in Serbia. JRGA also supported the ACA in the period leading to the April 2016 elections.

2.3.1. Political Finance Oversight

In second quarter of Year 4, the Serbian Parliament adopted the Law amending and modifying the Law on Financing of Political Activities. The amendments resulted in the reduction of budget funds allocated to political parties by more than 30%, along with a slew

of other relevant by-laws that political parties are bound by when filing annual financial reports.

The ACA received a new set of annual financial reports from political parties in April 2015. JRGA met with the new Head of Department for Control of Financing of Political Activities at the beginning of Year 5 and agreed on areas of cooperation. The ACA finalized the annual report on the control of financing of political activities for 2014 and 2015 in the first quarter of JRGA Year 5. JRGA provided technical assistance to the ACA in completing the assessment process.

JRGA teamed with the Organization for Security and Cooperation in Europe (OSCE) to support the Agency in organizing an event that would gather all stakeholders and serve as an opportunity to promote the report on the control of financing of political activities for 2014 and 2015, as well as open a discussion platform on the existing oversight mechanisms for financing of political activities and resulting potential legislative reforms.

The event took place on January 26, 2016. It gathered representatives of public institutions, political parties, independent agencies, the judiciary, civil society organizations and the media. Panel discussions centered around the following topics: the effects of implementation of political finance regulation – how effective is the political finance control in Serbia; political finance control from the perspective of political entities - what are the effects and obstacles in party finance control; and political finance from the perspective of CSOs and media - what the public wants to know and what does it really know about money in the politics.

JRGA Government Accountability Team Leader, Marijana Trifunovic-Stefanovic, spoke at one of the panels, presenting some of the most important comparative practices applied internationally in the area of political finance and identified key issues that need to be tackled by future reforms of the legislative framework. As a follow-up to the conference, together with the OSCE, JRGA provided assistance to the Agency in preparing the publication that contains all presentations/speeches from the event and summarizes conclusions and recommendations for improving the political finance oversight mechanisms and the corresponding legislative framework.

The general elections in Serbia took place on April 24, 2016. The Anti-Corruption Agency requested JRGA support in capacity building for the network of election monitors that would observe the political parties' compliance with the Law on Financing of Political Activities. In February, the Agency conducted interviews with candidates for election monitors and selected approximately 150 persons for this job. On February 29, 2016, JRGA and the ACA began delivery of training for the monitors. In six one-day training sessions the monitors were trained on basic principles governing the financing of political activities as well as the methodology for election campaign monitoring according to the rulebook prepared by the ACA with JRGA support. After the elections, JRGA also provided some guidance to the Agency in reviewing and processing information obtained from the reports of the field monitors.

Task 2.4 Assist Independent Agencies to achieve more timely and stringent enforcement of their decisions and implementation of their recommendations by other government agencies, and to track the relevant processes

Task 2.5 Assist relevant official bodies and actors to develop and implement procedures to increase coordination between courts and relevant government agencies that reduce the processing times of selected administrative provisions and procedures

Task 2.6 Assist with improving ability of Independent Agencies to work with each other to monitor and improve administrative practices and other government operations

JRGA has found that, in practice, dealing with these three tasks in a consolidated manner provides an opportunity to leverage resources and address challenges of independent agencies in a holistic, systematic manner. Accordingly, during Year 3 and in the subsequent Project years, the project continued addressing these three tasks together and focused on promoting dialogue between independent agencies and enforcement bodies, helping independent agencies and their counterparts to prepare and respond to independent agencies' recommendations, and addressing specific areas of government accountability.

Throughout Year 5, JRGA continued to provide cross-component technical assistance to strengthen the work of counterparts of the Project's two components. JRGA facilitated activities that fostered better cooperation between the National Assembly and the independent agencies, SAI in particular, ensured the continuation of dialogue between the IAs and the courts (consultation with IAs during the process of drafting amendments to the LOM) and provided assistance with reporting to several IAs in order to enable a broader reach within the target audiences for their recommendations. In particular, the Project worked with counterparts under both JRGA components to ensure successful implementation of the Law on the Protection of Whistleblowers by coordination and delivering a high-volume training campaign for the Serbian judiciary.

2.X.1. Interaction with Courts

Roundtables: The Project continued to encourage dialogue and informal exchange between the judiciary and key government accountability actors. Building on the roundtable mechanism established at the beginning of the Project involving representatives of misdemeanor courts and the Independent Agencies, JRGA supported the Association of Misdemeanor Judges (AMJ) in drafting a Memorandum of Understanding (MoU) between the AMJ and the IAs. The Memorandum envisages roundtables, bilateral or multilateral meetings and/or training sessions that will take place at least twice a year in order to ensure continuity in coordination efforts and experience and knowledge exchange. All parties to the Memorandum will also designate contact points in their institutions that will manage inter-institutional coordination and the related administrative and logistical issues. The Memorandum will be signed at the Annual Conference of the Association of Misdemeanor Judges scheduled for September 2016. This will signify the institutionalization of JRGA coordination efforts and lend sustainability to activities that have proven to yield results in coordination of cases filed by IAs before MCs.

Furthermore, during the process of drafting amendments to the LOM, the Project advocated for a meeting between the MoJ-appointed working group, tasked with drafting amendments, and the representatives of IAs in order to make sure their input related to the Law on

Misdemeanors is taken on board in a cohesive manner. The coordination meeting held in October 2015 resulted in the working group taking on board several amendments proposed by the IAs, including the proposal from the Commissioner for Access to Information of Public Importance and Personal Data Protection on introducing equal requirements on the provision of personal data when initiating misdemeanor procedure for natural persons and legal entities.

The cooperation between the courts and the Commissioner continued in December 2015. Upon the request of the courts, a roundtable was organized involving the representatives of the office of the Commissioner for Access to Information of Public Importance and Personal Data Protection and misdemeanor courts. This roundtable focused on discussing and finding solutions for issues related to frequent misuse in initiating misdemeanor cases on the basis of the Law on Access to Information of Public Import and Law on Personal Data Protection.

In the last quarter of Year 5, JRGA initiated a new track of cooperation between the judiciary and the Independent Agencies. Partnering with the U.S. Department of Justice – OPDAT, the Project facilitated the first roundtable between the representatives of the State Audit Institution and the Public Prosecutor’s Office on May 16, 2016. The impulse for setting up a coordination mechanism between these institutions came from the Financial Investigations Strategy recently adopted by the Ministry of Justice as part of the overall anti-corruption effort. Both institutions have also recognized the need for closer cooperation as they stand at the frontline of fight against corruption and introducing financial discipline into the public sector.

This first meeting served the purpose of mapping out key open issues identified by both parties in their work to date and formulating concrete steps to improve cooperation. Meeting participants expressed the need to organize joint training on the scope, procedures and methodology of preparing audit reports, as well as on how to formulate audit findings so that they can be optimally utilized by the prosecutor’s office as a basis for investigation and/or prosecution. Establishing a regular communication channel so that the State Audit Institution can be informed of the status of their filings with the prosecutor’s office was discussed, as well as introducing quarterly coordination meetings for the two institutions.

U.S Department of Justice (DoJ) – OPDAT also facilitated the presence of Monica Edelstein, Assistant U.S. Attorney, District of Arizona and DOJ Tax Prosecutor/Expert who presented U.S. good practice in the use of audit reports and evidence in criminal investigations/prosecutions (*see* Annex N for the roundtable agenda and presentations).

As a direct result of this roundtable, the second coordination meeting was held on June 30 - July 1, 2016. JRGA and DoJ/OPDAT facilitated coordination for 20 representatives of SAI and Prosecutor’s offices. It included a joint training session on the legal framework governing the audit process, international and other standards applied by audit authorities and their methodology. Utilization of audit reports as basis for initiating investigations by Prosecutors was also discussed and U.S. best practices presented. Participants worked in groups on case studies based on real cases from the rich practice of SAI auditors (*see* Annex O for the agenda and materials).

Law on the Protection of Whistleblowers: Under the provisions of the Law on the Protection of Whistleblowers, judges need to undergo training and be certified in order to decide in these cases. Since February 2015, and ending in February 2016, JRGA delivered over 1600 person/days of training on the subject of the Law on the Protection of Whistleblowers for judges of the Supreme Court of Cassation, Appellate Courts, Administrative Court, Basic and Higher Courts and Misdemeanor Courts from across Serbia.

In order to ensure sustainability for this training course, in cooperation with the Judicial Academy JRGA organized a ‘training of trainers’ session on March 21 and 22, 2016 for a group of select judges. They received both substantive instruction and guidance on training skills in order to be able to continue as trainers and deliver the whistleblowers training course as part of the continuous judicial education through the Judicial Academy. JRGA short-term technical assistance (STTA) expert and a world-renowned authority on whistleblowing, Tom Devine, participated in this capacity building exercise during his visit with the Project.

Apart from conducting a month-long media campaign for the Law in July 2015, JRGA worked on promoting the Law among the judicial community. During the panel session on the topic of the new Law on Whistleblowers held in October 2015 as part of the Annual Judges’ Conference, JRGA STTA expert on the subject, Tom Devine, presented global best practices in whistleblower protection. These were included in the Serbian Law making it one of the strongest in the world in terms of options and measures that are at the disposal of the whistleblowers and the judiciary to protect them from retaliation and other wrongdoing

In October 2015, the expert also delivered a training session on the topic of the new Law for 60 judges and judicial assistants of the Administrative Court, as well as a training session for the staff of the Public Prosecutor’s Offices, in cooperation with the Department of Justice/OPDAT. Together with a judge of the Belgrade Misdemeanor Court, who also participated in the working group that drafted the Law on the Protection of Whistleblowers, Mr. Devine developed a methodology for tracking the implementation of the Law.

This methodology was utilized by the MoJ to develop a mid-term review on the effects of the implementation of the Law. After conducting meetings with the representatives of the judiciary, the Ministry of Justice, Eutopia and their lawyers working with whistleblowers and representing them in court, as well as whistleblowers themselves, the JRGA STTA expert assisted with the finalization of the mid-term review. The results of the review were presented and discussed during a roundtable facilitated by JRGA in cooperation with the Judicial Academy and the Forum of Judges on March 18, 2016.

The overall conclusion of the mid-term review is that the Serbian judiciary stepped up to the challenge and, as stated in the report, ‘already it has the world’s best track record for timely judicial orders granting interim relief, which was provided in the first seven cases’. Overall, the courts have supported whistleblowers in 27 of the first 36 rulings. The review also showed that Labor Inspectorate oversight has fostered strong implementation in government agencies. As many as 282 oversight inspections were conducted by the Labor Inspectorate and five by the Administrative Inspectorate in the nine-month period covered by the review.

Key recommendations for improving the effects of the implementation of the Law concern enforcement as well as introducing meaningful accountability through tougher penalties for violating rights in the law, and in particular for violating judicial orders when whistleblowers earn legal victories. Training, as well as distribution of ‘right to know’ materials on rights and responsibilities should be expanded to more effectively cover the private sector generally and lawyers in particular.

First efforts in that regard have already been undertaken by JRGA in cooperation with Eutopia and Mr. Devine. On March 23, 2016 Eutopia delivered a training session on whistleblower protection to the representatives of companies, members of the Serbian Chamber of Commerce. The aim of this training was to provide businesses with guidelines on utilizing proper channels and ensuring procedures are in place for whistleblower protection.

The final quarter of Year 4 saw the first decision in a case adjudicated according to the Law on the Protection of Whistleblowers before a first-instance court (the Higher Court in Novi Sad). The decision was in favor of the whistleblower.

JRGA will continue to support the judiciary and the Ministry in monitoring the effects of the Law and formulating recommendations for improvement. It is planned that in September JRGA will facilitate a stakeholder conference on the one year of the implementation of the Law.

2.X.2. Response to Independent Agency Recommendations

Improving Capacities for Parliamentary Oversight: JRGA provided considerable assistance to the State Audit Institution (SAI) in previous Project years on improving the capacities of the SAI to present key findings from their reports to the Members of the Parliament and ensure their greater involvement on following up on the recommendations contained in those reports. As an outcome of this raised awareness among SAI leadership on the importance of strong cooperation with the Parliament, the President of the State Audit Institution and the Chairman of the National Assembly's Finance, State Budget and Control of Public Spending Committee signed a Protocol on Cooperation in June 2015. This prompted the creation of a Subcommittee for the Consideration of Reports on Audits Conducted by the State Audit Institution.

In order to build the capacities of the members of this subcommittee to act upon SAI's reports, JRGA agreed with the subcommittee members to organize a workshop that would provide them with practical information on the relationship between the SAI and the Parliament, and the SAI's performance audits, their goals, and consequences for policy making. The workshop took place on October 1, 2015. JRGA STTA expert, Joseph Christoff, focused the main message of the workshop on the partnership that can evolve between the subcommittee and SAI, as well as on how SAI's performance audits can give rise to interesting oversight hearings.

It is the subject of impactful parliamentary hearings and their importance for the oversight process that were the focus of the second workshop for the members of the National Assembly's sub-committee that took place in November 2015. The subcommittee Chair, Vladimir Marinkovic, other members of the subcommittee and SAI President, Sretenovic, attended the presentation that focused on the different types of parliamentary hearings; how to prepare for and conduct a hearing; and post-hearing follow-up activities. As a direct outcome of the presentation, the subcommittee Chair asked JRGA to help plan for a hearing to take place in the coming period that the subcommittee could undertake based on one of SAI's performance audit reports.

JRGA also provided the members of the parliamentary subcommittee with a tracking tool that would help them record recommendations issued in SAI reports and monitor their implementation on the part of the relevant public entities.

On October 26, 2015, in the National Assembly, with the support from JRGA, the Commissioner for the Protection of Equality organized a public hearing on the subject of discrimination against the elderly. The objective of the hearing was to raise public awareness on the issue of ageism in Serbia which is evidently present but rarely publicly acknowledged and discussed. Apart from the Commissioner, Brankica Jankovic, the present representatives of the civil society and members of the Parliament were addressed by Meho Omerovic, Chairperson of the Parliamentary Committee for human and minority rights and gender equality, as well as Natasa Todorovic from the Red Cross of Serbia, explaining the place of Serbia in the Global Age Watch Index for 2015.

Improving Reporting Skills of Independent Agencies: Well-structured reports, with clear and concisely formulated key messages make recommendations of IAs contained within more actionable and far-reaching among the target audience in the parliament and other institutions, as well as with the media and the general public. The Project continued to work on improving the reporting skills of Independent Agencies throughout Year 5. Apart from ongoing efforts with SAI, which were more focused on their performance audits and related reports (see 2.7.2 below), the JRGA STTA expert, Joseph Christoff, worked with both the staff of the Ombudsman's office and the Anti-Corruption Agency on improving their messaging and preparation of effective reports.

The expert held three training sessions on the subject of reporting for the staff of the Ombudsman's office – in October 2015, November 2015 and February 2016. The first session provided the Ombudsperson's staff with practical information on evidence and examples of good practice and tools for powerful writing and messaging in the reports that will in turn make bigger impact on the legislature, administration and public in general. The training was very well received by the participants and attended by the Ombudsman himself, testifying to the relevance of the topic and quality of training delivered.

In November, JRGA STTA expert delivered a follow-up two-day training on the subject of the analytical framework for drafting special reports. It focused on the following topics: setting strategic priorities; designing effective analyses; collecting sufficient evidence; interviewing for information; developing reportable findings; and ensuring a quality report. Participants discussed the methods an institution can use to prioritize its work, develop topics for the activities or projects it intends to undertake and design those projects using a standard framework. The expert provided the staff of the Ombudsperson's office with a design matrix suitable for developing special reports on 4 topics identified during the training.

As a follow-up of the November training, JRGA STTA expert held another training related to effective report writing and messaging in February 2016. This time the training focused on how to design a good research project by applying the U.S. Government Accountability Office (GAO) design matrix – a structured methodology for selecting researchable questions; identifying the criteria and sources of information for answering the questions; determining an appropriate scope and methodology; identifying potential limitations, and articulating a potential report message. This training focused in particular on how to apply the GAO design matrix to a research topic the Ombudsman selected for a special report: "Effects of Privatization of Media Outlets on Citizens' Access to Information in Minority Languages". The expert followed-up on previous assistance provided during his visit in April and will work with the staff of the Ombudsman's office during the final visit in September 2016.

However, it was noted that the staff of the Ombudsperson's office put the STTA expert's input into action on another special report they prepared and presented in March 2016. The report on the work of local health councils and counselors for the protection of patients' rights in the past year was presented and discussed with the relevant stakeholders with the purpose of pointing out deficiencies in the functioning of the counselors across Serbia and non-compliance with the requirements contained in the Law on the Patients' Rights demonstrated by a significant number of local self-governments. The report contained clearly formulated and actionable recommendations targeting its audience – the representatives of the local self-governments which are responsible for setting up local health councils and appointing patients' rights protectors and the Ministry of Health which is responsible for monitoring the implementation of the Law, as well as being informative enough for the general public. Representatives of the Ministry of Health and other stakeholders discussed

recommendations outlined in this special report and agreed on modalities for their implementation.

JRGA previously supported the office of the Ombudsperson in delivering training for the patients' rights counselors in 2014 and 2015. Ombudsperson's office utilized information obtained from the field during this intensive capacity building exercise from 146 representatives from 86 local self-government units in preparing the report.

The same STTA expert initially held a short, one-day introductory training session for the staff of the Anti-Corruption Agency (ACA) on effective messaging and reporting in November 2015. The expert followed up with the ACA during his assignment in April 2016. The Agency submitted a report on the monitoring of the implementation of the Anti-Corruption Strategy to the National Assembly in April. The ACA took on board guidance received from JRGA's STTA expert for formulating clear and concise reports with a carefully crafted set of key messages. They produced a two-part document with an executive summary containing key findings complemented by a comprehensive report with all supporting documentation. The expert will continue to work with them on improved reporting during his final assignment scheduled for September 2016.

2.X.3. Anti-Corruption Coordination

During Year 5, JRGA worked with the Anti-Corruption Agency and the executive branch on fulfilling requirements under the relevant strategies (the Anti-Corruption Strategy and corresponding Action Plan, the Financial Investigations Strategy, the Chapter 23 Action Plan).

To this end, JRGA provided assistance to the Anti-Corruption Agency in conducting two corruption risk assessments. Namely, according to the Action Plan for the Anti-Corruption Strategy, the ACA is tasked with development of the legislative corruption risk assessment methodology and its implementation for different sectors of government. The ACA already developed assessments for sectors such as police, public procurement and higher education using their in-house expertise and resources. JRGA provided targeted technical assistance to the ACA in the second quarter of Year 5 in conducting a corruption risk assessment for the sector of customs as the ACA's Prevention Department lacked particular expertise on this topic.

The JRGA STTA expert finalized the assessment in January 2016. Based on the findings of the legislative analysis, determining the list of risks and description of their correlation with specific regulatory framework, and after defining the legislative conditions for the emergence of risks that characterize the corruptive practices of the customs services, recommendations were made for definition of possible improvements in the existing normative framework.

In the final quarter of Year 5, again upon the request of the ACA, JRGA facilitated the process of corruption risk assessment for the pharmaceutical sector in Serbia, with particular focus on new drugs' clinical trials and issuing permits for their usage. In order to conduct this assessment, JRGA fostered a partnership between the Agency and a long-term JRGA grantee and partner, Serbia on the Move, a civil society organization with the proven track record in detecting, reporting and preventing corruption in the health-care sector. Serbia on the Move agreed with the counterparts in the Agency on the list of institutions – health-care institutions, the line Ministry, pharmaceutical companies - and contact persons to interview in the process of developing the assessment and conducted this task throughout May.

The assessment was finalized in June and presented to all stakeholders at a roundtable held in JRGA's office on June 29, 2016 (*see Annex P for the Assessment*). Discussions that took place demonstrated the significance of such assessments in pointing out grey areas in both the

existing legal framework and in practice that need to be corrected in order to contribute to overall corruption prevention in the health-sector. The cross-sector partnership created to conduct the assessment has proven to be an efficient way to harness the know-how existing in the CSO sector and potentially lacking in state bodies to efficiently complete complex tasks.

Furthermore, upon the request of the MoJ, JRGA provided technical assistance during Year 5 on the subject of seizure of assets and introduction of non-conviction based forfeiture. JRGA STTA expert, Stewart Gilman, was working on an analysis of the context, benefits and potential objections for introducing this highly efficient anti-corruption tool in the existing legal framework in Serbia. Non-conviction based forfeiture can have an important role in fighting corruption in Serbia. It is an additional tool for the government to use in ensuring that corrupt officials are not allowed to enjoy the fruits of their labors. It also allows the government to recover assets and safeguard that they will be used for their original purpose albeit education, health or infrastructure. The STTA expert finalized the analysis in consultations with the MoJ in January 2016. Main recommendations for the Ministry concern carrying out an in depth review of the Civil Forfeiture research that has been previously done for Serbia as well as contacting neighboring countries with NCB legislation to understand how it is working. The MoJ included the model proposed by the JRGA STTA expert in the new Law on the Origin of Assets which is being drafted through joint efforts with the Ministry of Finance.

In the last quarter of Year 5, also upon the request of the Ministry of Justice, in order to comply with the recently adopted Financial Investigations Strategy, JRGA facilitated a two-day training session on corruption risks in budgeting for activities contained in the action plan for the Chapter 23 of the EU-negotiations – the judiciary and the fight against corruption. The representatives of courts and prosecutor's offices, the Ministry and the Anti-Corruption Agency obtained information on the international and national legislative framework for financing state functions related to the judiciary and fight against corruption (areas covered under the EU-negotiations Chapter 23) how closely monitoring the budgeting process can decrease corruption risks, in turn contributing to a more efficient fight against organized crime and corruption (*see* Annex Q for the training materials and the Annex R for the STTA report and deliverables).

2.X.4. Government Accountability Topics

Upon the invitation of the European Policy Center (CEP), JRGA's Government Accountability Team Leader, Marijana Trifunovic-Stefanovic, spoke at the consultation meeting on the Open Government Partnership (OGP) action plan held on September 21, 2015. CEP was tasked by the OGP initiative to conduct the process of monitoring the implementation of goals and measures outlined in Serbia's action plan as the Independent Reporting Mechanism for Serbia. This meeting was organized as part of the consultation process with other CSOs in Serbia to present the first results of CEP's monitoring. CEP also invited other CSOs to get actively involved in the process of monitoring and organized group work according to the areas that corresponded to the obligations of the Action Plan: fiscal transparency, fight against corruption, access to information and public participation. JRGA supported the Ministry of Public Administration and Local Self-Government in Years 3 and 4 in the preparation of the original OGP Action Plan that Serbia submitted to become a fully-fledged member of the initiative. No request for further assistance by JRGA was received during the remainder of Year 5.

Task 2.7 Encourage improvements in governance and official integrity, and to reduce corruption, to monitor political party financing (including financing of local and national elections), and to promote compliance with EU norms, through the provision of: Grants under Contract; comparative information on substantive issues, and technical assistance on the institutional development of the organizations.

2.7.1. Grants Program

Grant Administration: JRGA continued to administer and monitor grant awards in accordance with the procedures outlined in the project’s approved grant manual. Grants awarded under the 6th RfA were completed in the third quarter of Year 5 with the exception of the project implemented by Transparency Serbia which was granted an extension to complete some assessments that would complement original findings under their research. Serbia on the Move was also awarded additional funding in April in order to assist the ACA in conducting a corruption risk assessment for the pharmaceutical sector (*see 2.X.3 above*).

See Annex J for grantee reports and deliverables.

Partners for Democratic Change Serbia (PDC)

Partners for Democratic Change Serbia’s project “Transparency and Privacy in Court Decisions” resulted in a Model Rulebook for Anonymization of Court Decisions. The rulebook was completed through research and a process of stakeholder consultations involving the representatives of the judiciary, the bar association, media and the civil society. The objective of guidance contained within the Rulebook was to find a balance between the transparency of court decisions and protection of privacy of parties involved. The Model Rulebook was distributed to all courts in Serbia, which now have a tool to meet both transparency and privacy requirements when making court decisions available to public. The Rulebook was presented to the public and the media on March 22, 2106 during the final event for the project.

Transparency Serbia (TS)

Under their project titled “Improvement of the Work of the Administrative Court in the fight Against Corruption” Transparency Serbia implemented activities related to the analysis of decisions of the Administrative Court (AC) in cases based on the Law on Public Procurement and the Law on the Anti-Corruption Agency.

Initially, TS carried out five assessments concerning AC case law on the free access to information, Law on the Anti-Corruption Agency, Law on Public Procurement, transparency of AC decisions and making information on court’s rulings publicly available. In order to complement these assessments, TS requested a month-long extension in order to work on the evaluation of AC cases where one of the parties is the Commissioner for FoI/PDPs, as well as the media coverage of the AC and the light in which their decisions are presented to the public.

Under the grant, TS also worked with the AC on improving the content and appearance of their information directory. Their joint efforts, as well as assistance provided by JRGA in the previous years on allowing public access to the AC’s case law data base, were recognized by the office of the Commissioner for Access to Information of Public Importance and Personal Data Protection which awarded the AC for transparency and access to information in the category of judiciary bodies in September 2015.

In parallel, TS continued providing assistance to the citizens and the media in formulating and submitting requests for access to information of public importance (FOIA requests), as

well as initiating administrative litigation in case of the absence of a response. Since the beginning of the project, TS submitted a total of 60 FOIA requests for strategic litigation to the bodies from article 22 Para 2 of FAI Law – the National Assembly, the President, the Government of the Republic of Serbia, the Supreme Court of Cassation, the Constitutional Court and the Republic Public Prosecutor.

TS drafted a bilingual e-publication “Administrative court and anti-corruption legislation” which includes information on the role of the Administrative Court in holding Government accountable, AC practice in upholding the implementation of anti-corruption laws with recommendations for improvement of both the legislative framework and court practice, and AC best practices the domain of transparency.



Joint media conference, Transparency Serbia and the Administrative Court April 2016

TS organized a joint press conference with the Administrative Court on April 5, 2016, in order to present the results of their assessments of the role of the AC in the application of anti-corruption regulations. TS emphasized the important role of the AC in this regard, particularly their decisions in cases such as the failure of Government to act in line with the Law on the Access to Information of Public Importance. On the basis of the work done by the AC

and after analyzing their decisions, TS formulated recommendations for improving the anti-corruption regulations in Serbia. TS also presented important work carried out by the AC, with the assistance of JRGA in the past years, on improving transparency of court operations making this court a best practice example in the Serbian judiciary.

TS grant project was finalized at the beginning of May 2016.

Share Foundation

The Share Foundation’s 12-month project ‘Personal Data in the Public Sector: Mapping Public Data Processing Infrastructure in Serbia’ was designed to improve access to public information by reviewing procedures in selected institutions and recommending improvements to both the target institutions and the Commissioner for Information of Public Importance and Personal Data Protection.

Share conducted extensive research on legal, organizational and technical aspects of personal data processing in the public sector, as well as in the light of media coverage of data protection in public institutions in the last 10 years. Their research included six public institutions: Business Registers Agency, Center for Social Work Belgrade, Central Registry of Mandatory Social Insurance, National Health Insurance Fund, Pension and Disability Insurance Fund and Tax Administration. These are all important and significant data controllers which have huge databases and some of them process especially sensitive data (health information, data about adopted children etc.).

The research resulted in six comprehensive reports on each of the six target institutions. SHARE presented and discussed the findings from the reports during a two-day working session with the representatives of these institutions as well as the staff of the Commissioner for Access to Information of Public Importance and personal Data Protection that took place in February 2016. Overall conclusions pointed out to some examples of best practice in place in these institutions, as well as to significant deficiencies, particularly related to resources.

This was most evident in the case of Center for Social Work Belgrade which also handles some of the most sensitive personal data.

The grant activities were completed in March 2016. As a direct outcome of discussions held with the Commissioner and the target institutions, a training session on the subject of personal data protection was delivered for representatives of the Center for Social Work Belgrade in June by the staff of the office of the Commissioner Sabic.

SHARE also prepared a Guide for Government Authorities on Personal Data Protection. The Guide discusses the basic concepts of data protection providing clarification for their meaning and most important principles for their implementation. To complement the guide, SHARE also set up a website mojipodaci.rs (my data) containing the electronic version of the Guide as well as reports on six target institutions and some of the most frequently asked questions related to personal data processing and protection.

Education Center in Leskovac (EDC)

The Education Center – Leskovac’s project, ‘Better Use of Serbian Independent Agencies’ Data by Civil Society, Journalists and Citizens for Prevention of Corruption, and for Transparency and Accountability in the Public Sector’, was designed to create means for presenting data from these agencies in various open electronic formats in order to make them more readily usable for analysis.

EDC worked with the Commissioner for Information of Public Importance and Personal Data Protection on selecting data elements from that agency to incorporate into the web data platform of the Open Data Portal for the office of the Commissioner. The portal was launched in February 2016. It is the first website of this kind in Serbia. It also makes the office of the Commissioner the only institution of its kind in the world which published the complete set of public data in its possession in the open data format. A total of 13 sets of data were opened containing public information in the possession of the Commissioner’s Office for which there were technical conditions to be published.

Open data makes government information available to the public as machine readable, accessible and usable, comparable and interoperable, as well as timely and comprehensive, in order to facilitate government transparency, accountability and public participation. Open data also support technological innovation and economic growth by enabling third parties to develop new kinds of digital applications and services.

Serbia on the Move

Serbia on the Move’s project titled “Right to Know” was designed to educate and engage citizens in a campaign to increase the transparency and accountability of the Serbian health care system.

The most important outcome of project activities was establishing an electronic register of *bona fide* medical doctors in Serbia with valid licenses for practicing medicine on the web portal of the Serbian Medical Chamber. As a direct result of grant activities and cooperation with the Medical Chamber of Serbia, this list became available on the Chamber’s website as of October 27, 2015 marking a new level of transparency in the system of health care in Serbia.

SOM also produced an assessment on ‘*Transparency Against Corruption in the Health Care Sector*’ in cooperation with their partner organization, ‘Legal Scanner’ and organized three roundtables involving different stakeholders to discuss the findings of the assessment and formulate the overall direction that combined efforts of public institutions and civil society

organizations need to take in order to improve transparency and accountability in the health care sector in Serbia.

To further complement the project's primary aim of eradicating health-care related corruption, SOM implemented 40 workshops for citizens of Belgrade, Nis, Kragujevac and Vranje in the period May-October 2015. As a follow up of the training, six local advocacy teams were created in November – two in Nis, two in Belgrade and one each in Vranje and Kragujevac. These teams implemented a series of local actions - 15 events in total, aimed at informing citizens about the list of *bona fide* doctors and instructing them on how to use it. These engaged almost 1000 citizens in live actions/events and around 4500 citizens in online campaigns.

These grant activities were finalized in March 2016. However, JRGA awarded some additional funds under this grant to Serbia on the Move in April in order to allow them to assist the Anti-Corruption Agency in conducting a corruption risk assessment in the pharmaceutical sector, with particular emphasis on the new drugs' clinical trials and issuing permits for their usage on patients. This was done to respond to request for technical assistance from the Anti-Corruption Agency which does not possess internal expertise for this sector. On the other hand, Serbia on the Move is a CSO with a proven track record and extensive understanding of the corruption-related issues in the health-care sector in Serbia which prompted JRGA to propose this cross-sector partnership.

Serbia on the Move agreed with the counterparts in the Agency on the list of institutions – health-care institutions, the line Ministry, pharmaceutical companies - and contact persons to interview in the process of developing the assessment and conducted this task throughout May. The assessment was finalized in June and presented to all stakeholders at a roundtable held in JRGA's office on June 29, 2016 (*see Annex P for the Assessment*). Discussions that took place demonstrated the significance of such assessments in pointing out grey areas in both the existing legal framework and in practice that need to be corrected in order to contribute to overall corruption prevention in the health-sector.

Partnership Grant Award - Eutopia:

In the period November 2014 – June 2016, JRGA implemented three task orders under the grant partnership agreement with Eutopia. The main objective of these activities, funded under the Project's grant program, was to support the continuous functioning of the whistleblower helpline (established previously in May 2014 also with JRGA grant funds, under the 5th RfA) which would further result in greater engagement of the public in the prevention and elimination of corruption. In parallel, the partnership was put in place to enable capacity building for Eutopia resulting in a successful, strong civil society organization with access to funding allowing sustainability of their operations.

Eutopia's whistleblower helpline provided timely legal advice, free of charge, to over 800 whistleblowers in the past two years. Sound legal guidance enabled better protection of whistleblowers' rights and proper investigation of their claims. Apart from helpline advice to whistleblowers and/or potential whistleblowers, Eutopia provided legal drafting assistance, working with whistleblowers and their lawyers on preparing and filing court requests and/or appeals on first instance rulings. Eutopia's lawyers also offered pro bono representation to whistleblowers. In May 2016, this resulted in the first court decision before a first instance court (Higher Court in Novi Sad) in a case based on the Law on the Protection of Whistleblowers. The decision favored the whistleblower and Eutopia's legal assistance was instrumental in securing this outcome. In total, Eutopia had 884 calls on the helpline; 51 whistleblowers/potential whistleblowers were provided with in-depth advice in direct contact

with lawyers and project team on how to file for court protection under the law and how to appeal court decisions, including writing court submissions for these whistleblowers; 5 whistleblowers received *pro bono* representation from Eutopia's team.

Five lawyers expressed interest in becoming part of Eutopia's legal assistance network and providing *pro bono* services to whistleblowers. They received requisite training by Eutopia's lawyers and staff under the final, third Task Order in the last quarter of JRGA Year 5.

Eutopia became a veritable whistleblower resource center over the course of grant activities. They developed seven case studies in total for lawyers and whistleblowers/potential whistleblowers showing representative cases of internal, external and public whistleblowing in both the public and private sectors. Training on the basic premises of whistleblowing and protection available under the new Law was also delivered for public prosecutors, journalists and representatives of the private companies, through collaboration with the Chamber of Commerce.

Eutopia translated the provisions of the Law on the Protection of Whistleblowers in a clear and concise Handbook that provides guidance for both the general public and the whistleblowers on the rights and protection mechanisms available under the new legislative framework. Eutopia developed and printed 400 copies of posters and 8000 copies of leaflets distributed to courts, police stations, trade unions and journalistic associations in Serbia to raise awareness and inform on the Law on the Protection of Whistleblowers.



In June, JRGA filmed the Eutopia leadership and staff, as well as one whistleblower represented by Eutopia's lawyers, for the special video summarizing joint efforts of all stakeholders in Serbia on adopting and implementing the Law on the Protection of Whistleblowers.

Through activities implemented both under the JRGA grant as well as with other funding and independently, Eutopia became the face of whistleblower protection not only in Serbia but also in the region and internationally, helping put Serbia on the whistleblowers' map and gain recognition for all the good work done both in adopting and implementing the new Law. Promotional activities were further supported by articles and investigative stories based on information from whistleblowers published on Eutopia's internet portal, Pistaljka, as well as through interviews with world-famous whistleblowers such as Walter Tamosaitis and Franc Serpico.

In the implementation of all these activities Eutopia closely collaborated with JRGA as well as our subject-matter STTA expert, Tom Devine, particularly in the delivery of different training activities.

In parallel with providing assistance to whistleblowers, promoting the helpline and the new Law and raising awareness among the general public on the importance of whistleblowing in the fight against corruption, Eutopia worked on strengthening their capacities as a successful

civil society organization. Its staff underwent training on budgeting, procurement and management, and a supervisory and managing board were formed to ensure sound strategic planning for the future growth of the organization. Also, additional funding was secured by submitting project proposals to the Ministry of Culture and Information (funding for two initiatives approved) and the Open Society Fund (funds for one project approved). Two more project proposals are being considered – by the Civil Society Facility of the European Commission and by the Dutch Embassy. If accepted for funding, coupled with the other three initiatives, these efforts should allow Eutopia to function in a sustained manner in the couple of years to come and expand their potential as a whistleblower resource center.

One event was envisaged under the third and final Task Order for Eutopia's grant partnership – organization of a conference to mark the one year of the implementation of the Law on the Protection of Whistleblowers. The idea was to involve all stakeholders in the judicial, executive and legislative branches of the government, as well as civil society representatives and whistleblowers themselves and present achieved results, as well as identify areas for improvement. However, in the aftermath of the recent April elections, the Government was not formed in June, leaving no official counterparts in the Ministry of Justice to work with on the organization of the conference. In agreement with JRGA, this event will be delivered in September.

2.7.2. Comparative Information – governance related policies and regulations

Reporting and Outreach:

After officially announcing the start of the implementation of the new Law on Whistleblowers on the press conference held on June 4, 2015, the Ministry of Justice and JRGA implemented a national-level education and outreach campaign titled “Whistleblowers are Stronger Now” (<http://uzbunjivaci.rs/>) throughout July 2015. The campaign was aimed at raising public awareness about the new safeguards of the Law and increasing citizen participation in the fight against corruption. It generated extensive positive media coverage in Serbia's key print, electronic and internet media outlets.

After a successful public awareness campaign, the Project continued work on the promotion of the Law. JRGA STTA expert and a world-renowned authority on whistleblowing, Tom Devine, appeared in several TV shows with high ratings during his October 2015 assignment with the Project. After the appearance at the morning news show on the national television, RTS, Mr. Devine was interviewed for the ‘Pravi ugao’ talk-show on the Vojvodina TV (RTV), as well as spoke for various press outlets. In the organization of JRGA grantee, Eutopia, the expert delivered a training session for a group of journalists during his visit. Together with Eutopia representatives, Mr. Devine spoke on the subject of protection of whistleblowers and journalists' sources in the light of the new Law, as well as how to handle cases of public whistleblowing and placement of sensitive information through media.

JRGA supported its Component 2 counterparts throughout Year 5 in promoting their results and raising awareness on anti-corruption and government accountability topics. The Anti-Corruption Agency presented the report on the financing of political activities to a wide audience in January 2016. In March 2016, the Ombudsman presented the special report on the work of patients' rights counselors and the health councils in 2015. The report was clearly formulated and structured along the guidelines provided by the JRGA capacity building STTA expert's recommendations for effective messaging. It targeted all relevant stakeholders including the general public and contained informative conclusions. Clear and concise reports with well thought out messages formulated for a broad audience are essential for independent

agencies in getting their views across to the general public as well as those in the executive and judiciary branch tasked with implementing their recommendations.

Over the past year, JRGA has provided technical assistance to the Anti-Corruption Agency's (ACA) Education Department to develop a training plan for public officials, civil servants and other public sector employees on integrity and elimination of corruption. As the Action Plan for Implementation of the National Anti-Corruption Strategy introduced an obligation for public officials, civil servants and other public sector employees (estimated at 700,000) to undergo training in this area, JRGA worked with the ACA on developing a set of tools that would be used to quickly and cost-effectively deliver training on issues related to anti-corruption and integrity to all eligible employees. Working with a competitively selected vendor, JRGA and the ACA produced a series of seven short educational videos covering key integrity and anti-corruption standards that should be upheld by civil servants at all levels of Serbian public administration.

On a more substantive level, JRGA and the ACA began working in June on the Anti-Corruption Training Compendium. This publication, to be completed during the summer, will contain texts and training materials developed to date on a range of anti-corruption topics from the scope of work of the Agency and serve as a starting point for developing and delivering training courses to the public sector employees.

In the last quarter of Year 5, JRGA responded to the request from the Commissioner for Equality to improve the technical capacities of their website. Back in Year 3, JRGA supported the then fledgling independent agency in setting up their website, organizing its appearance and content and providing a vehicle for communicating Commissioner's decisions and publicizing their activities. Over the years, the corpus of information shared on the website has grown considerably, making it increasingly harder to navigate. Over the summer, JRGA will provide assistance with moving the content to a new management platform to allow the Commissioner's staff easier updating of the website and a better user experience for the visitors.

Strategy and Management:

During Year 5, JRGA counterparts have demonstrated increased willingness to consider assistance on strategy and management issues.

In the spring of 2015, the SAI began the process of updating its five-year Strategic Plan with the aim of completing this revision by the end of 2015 and covering the time frame 2016-2020. Building on assistance provided in the last quarter of Year 4, JRGA STTA expert, Joseph Christoff, continued working with the SAI senior staff on the strategic planning exercise. The strategic document that was finalized in the last quarter of Year 5 is based on the key guidance document that SAI is to follow - INTOSAI's Strategic Planning Handbook, Capacity Building Needs Assessment Guide and Peer Review Guidelines INTOSAI recommends.

The focus of JRGA assistance was helping SAI complete all steps in the strategic planning process that lead to the formulation of goals and concrete activities. After the SAI working group tasked with implementing the strategic planning exercise collected a considerable amount of data during the Needs Assessment Analysis stage, JRGA provided technical assistance in carrying out a gap analysis that would provide information necessary for developing 4-5 strategic goal statements, as well as on conducting outreach sessions with external stakeholders in Parliament, CSOs, media and audited entities. To supplement findings of the gap analysis and the outreach sessions, JRGA STTA expert working with SAI recommended conducting an environmental scan that would provide SAI with a big picture

view of important issues facing Serbia in the upcoming period, upon which SAI may wish to focus its future audits.

Upon the request of SAI, JRGA engaged a local STTA in November to assist with carrying out the environmental scan. The environmental scan was finalized in December 2015 and its outcomes were included in the subsequent steps in the strategic planning process. SAI's strategic working group defined four key goals and 2-5 objectives per goal in January. They have reduced the number of core values identified to three and developed three alternative vision and mission statements. JRGA international STTA expert provided feedback on this version of the document, recommending further work on articulating detailed activities for each of the goals, as well as developing performance indicators that will track and measure the institution's achievements (an INTOSAI requirement).

The five-year strategic plan was completed in the last quarter of Year 5. If requested, JRGA will provide further feedback on its contents during the STTA expert's final assignment planned for September.

Throughout Year 4, JRGA held discussions with the ACA's senior management to identify and determine possible management skills training to support the work of the Agency. Building on a successful tailor-made training program delivered in May 2015 by two JRGA local STTA experts on seven topics covering basic managerial skills, the ACA requested a continuation of this assistance in Year 5. JRGA engaged the same STTA experts to deliver further training on the topics of organizational culture, risk management, reporting and presentation skills, while in parallel working through on-the-job training and mentoring process on implementing the strategic planning exercise for the ACA, centering on the need to reorganize the work of the Agency.

Seven training sessions were delivered in total in the period October 2015 – February 2016. ACA senior staff members and members of the Agency's board received training on efficient time management, priority-based planning, problem solving, decision making, stress and crisis management. They also went through the strategic planning exercise, working through a SWOT analysis, defining strategic and operational goals for the ACA and determining priorities. On February 18-19, 2016, JRGA facilitated an intensive working session for the leadership of the ACA in Vrdnik. This event served as the opportunity for JRGA STTA experts to help the ACA senior management to finalize the 2016-2018 Strategic Plan for the Agency. The plan is structured around the identified vision and mission statements (Our Mission – work alongside the society in protecting public interest, decreasing corruption risks and promoting integrity and accountability of the public institutions and officials; and Our Vision: Reduce the corruption to an incident.) The plan also contains a well-structured and actionable Annual Work Plan for 2016. The ACA Board discussed and adopted the 2016-2018 Strategic Plan in March, including a goal-oriented 2016 Annual Work Plan for the Agency.

Counterpart Capacity:

Throughout Year 5, JRGA continued to strengthen capacities of the State Audit Institution (SAI), focusing in particular on the provision of the technical assistance to the performance audit team. JRGA STTA expert, Joseph Cristoff, who has been working with the SAI intensively for the past two years, conducted several assignments during Year 5 and provided guidance to the performance audit team on carrying out their third and fourth performance audits. The expert provided on-the-job training and advice on the design matrices for the two reports, amendments to researchable questions included and revised criteria SAI used to identify the subjects of the two performance audits. As the work on the two reports

progressed, the expert provided written comments on the preliminary findings and the initial messages.



The five-day training-of-trainers exercise for the performance audit team of the State Audit Institution was instrumental in sustaining the intensive capacity building assistance delivered by JRG. At the same time this enabled SAI to use its own resources to institutionalize and expand its performance audit capabilities. All members of the performance audit team received certification after this training, rendering them effectively in-house trainers for the entire institution.

In November 2015, the expert also delivered a one-day workshop for the SAI leadership, Council members and Supreme Auditors on the subject of quality assurance and quality control. The workshop included a focus on leadership, human capital, audit performance and monitoring/policy review. It was based on the Government Accountability Office (GAO) Quality Assurance Framework, adapted to emphasize the issues that SAI's strategic planning working group was currently evaluating. In parallel with technical assistance, the expert also worked with all SAI representatives on improving their soft skills and their functioning and communicating as a team.

In April 2016, in order to solidify results achieved through intensive capacity building efforts and sustain the institution's significant progress, the expert delivered a five-day 'training of trainers' session for the SAI performance audit team. Twenty SAI leaders and auditors participated in this training, including SAI's President, Chief of Staff, three members of the Council, two Supreme State Auditors and the entire performance audit team. The five-day course consisted of a three-day class on performance auditing, followed by a two-day class on adult learning/facilitation skills. JRG developed a Performance Audit Instructor manual that provides Power Point slides, exercises, and detailed Instructor Notes for 6 lessons on performance auditing.

This training program enabled SAI to use its own resources to institutionalize and expand its performance audit capabilities. The current performance audit team effectively became the in-house trainers for the entire institution who can train subsequent candidates to become certified performance auditors. It also contributed to furthering SAI's strategic goal of significantly expanding the number of performance audits it undertakes as an institution each year (*see* Annex R for the STTA report and deliverables).

ADMINISTRATION AND PROJECT MANAGEMENT

During Year 5, JRGA continued to maintain all administration and project management mechanisms related to financial management, human resources management, and procurement. The project staffing list is presented as Annex C. JRGA also maintained a comprehensive reporting mechanism, submitting weekly, bi-weekly, monthly and quarterly reports accompanied by appropriate annexes.

JRGA ensured compliance with all applicable branding and related requirements, guidance, and instructions of USAID in the implementation of all project activities. In line with the branding strategy outlined in the contract, JRGA regularly updated the Project website (www.jrga.org) and pages on social media platforms in order to describe JRGA and its current and planned activities and progress to date, including success stories, other noteworthy events and accomplishments, and lessons learned.