

1. Good practice and opinions on organization, training and education in public administration

The Law on Civil Servants (Official Gazette of RS Nos 79/05, 81/05 - amendment, 83/05—amendment, 64/07, 67/07 – amendment, 116/08 and 104/09) applied to employees in public administration bodies, courts, public prosecutor offices, the Republic Public Attorney, services of the National Assembly, the President of the Republic, the Government and the Constitutional Court and services of the authorities whose members are elected by the National Assembly, prescribes the right and the duty of a civil servant to professional development according to the needs of a state authority. Professional development of civil servants in state authorities is implemented as a general (horizontal) training planned and carried out by the Human Resources Management Service and a special training carried out by the state authorities in accordance with the specific needs.

Programme for general professional development of civil servants in state authorities and the Government services is adopted for each year by the Government on the proposal from the Human Resources Management Service. The Human Resources Management Service is also competent for the organisation of professional development according to the adopted programme. So far, 6 annual programmes for general professional development have been adopted dealing, in different ways, with the area of human rights with a tendency to a more comprehensive approach.

Within the programmes for 2008 and 2009 on the subject of the constitutional order the training “Human and minority rights and freedoms” have been planned and carried out.

Programme for 2010, although it did not include a special subject on human rights, contributed to the development of the culture of respect for human rights and freedoms through trainings on different subjects. For example, the aim of the training “Equal opportunities for all” within the subject “Civil Servants System” was the presentation and practical application of the adopted Law on Prohibition of Discrimination besides the presentation of the important provisions of the Law on Civil Servants, the Labour Law and the Code of Conduct for Civil Servants. Since 2010, on-line training “Social Inclusion and Poverty Reduction: Approaching the EU Social Process” has been carried out.

In the programme for general professional development of civil servants for 2011, the special subject of the protection of human rights and data confidentiality was included within which trainings on the following subjects were planned and carried out: *Gender equality, Protection against discrimination – legislation and practice, Personal data protection and Protection of classified information.*

In the Programme for 2012, within the subject of the protection of human rights and data confidentiality, trainings on the following subjects were planned and carried out: *Cooperation of independent state authorities and public administration bodies in the protection of human rights, Protection against discrimination, Gender equality, Personal data protection, Protection of classified information, Protection of human rights and Ombudsman.* Realization of all trainings was carried out in the cooperation with relevant institutions, from where competent lecturers for the subjects were engaged. In that way, cooperation with expert services of the Commissioner for the Protection of Equality, the Commissioner for Information of Public Importance and Protection of Personal Data and Ombudsman. In cooperation with the Ministry for Labour and Social Policy, the Gender

Equality Administration with the support from the project "Fight against gender and sexual violence" as a part of UN Development Programme, "Manual for civil servants on gender equality and gender-based violence" has been published and distributed to the participants of other trainings.

In the text of the Resolution of the Human Rights Council "Role of good governance in the promotion and protection of human rights" it was highlighted that the fight against corruption on all levels has an important role in the promotion and protection of human rights and in the process of creation of favourable environment for their full achievement. In that regard, the Service in the last five years, as a part of annual programmes, planned and carried out trainings on the fight against corruption and intensively cooperated with the Anti-Corruption Agency since its establishment in 2010. In the Programme for 2012 within the subject "Fight against corruption" trainings on the following subjects were planned and carried out: *Mechanisms for the prevention of corruption, Monitoring and implementation of the activities for reducing corruption, Openly on corruption, Integrity plan and guidelines for its drafting, Ethics in public administration, Right to access information of public interest.*

Possibility of a professional development of a public servant, availability and customization of training subjects as well as the organisation and realisation of the trainings comply with the observance of the equality principle. All civil servants have equal opportunity to an education in accordance to job requirements and own interests in further career development. Target groups for all trainings are defined in accordance with the defined aims of the trainings. Conditions and manner of organization and realization of the trainings are customized to target groups.

One of the principles that guides the Service in the preparation and realization of the trainings is that the education on protection and respect of human rights can be successful only in the environment where human rights are consistently exercised and respected.

The Law on Public Servants envisages that the programme for special professional development of public servants is adopted by the head of an authority for each year according to specific needs of that authority.

Also, the law provides for the possibility of an additional training of a civil servant if needed for a state authority. Civil servant who will receive additional training is chosen by the means of an internal tender where the advantage is given to a public servant with a higher average evaluation grade in the last three years. Rights and obligations of a public servant attending the additional training are governed by a contract.

Apprentices i.e. persons entering the employment for the first time are trained for independent work according to the programme adopted by the head and with a mentor who follows his/her training and at the end submits a written opinion on his/her training to the head.

The Law envisages a possibility of a contract with unemployed persons for professional development without a fee and for professional development or acquiring work experience and conditions for state examination of professional competence.

Separate law governing certain subject can also provide for professional development for certain types of jobs. For example, the Law on Civil Registers governs the conditions for performing activities of the registrar and/or his deputy and envisages that the registrar and/or his deputy must be a person with an university education (graduate academic studies – master, special academic studies, special vocational studies) in the field of science and education in social studies or basic studies lasting for at least four years in social sciences, passed professional exam for registrar and authorisation for performing

activities of the registrar.

For performing activities of the registrar and/or his deputy specific knowledge from different subjects is required such as family and legal protection, citizenship, legalization of documents in international legal transaction, collision norms and law applicable in statutory and family relations with an international element; application of bilateral and multilateral agreements etc., which is a reason why the Law on Civil Registers prescribes test for professional competence for certain duties and authorisations of the registrar and/or his deputy - by taking special professional exam before the commission of the ministry competent for administration work and programme and method for taking the special professional exam for registrar is defined in the Rulebook on Programme and Method for Taking the Special Professional Exam For Registrar (Official Gazette of RS No 101/09). **By the end of July 2012 this exam was passed by 1107 registrars/deputies and right now organization of the tests for another 510 registrars/deputies is under way.**

So far, the training of registrars/deputies was carried out in all authorities handling delegated work on the registers for work in the Central system for electronic processing and storage of data and saving second copy of the registers and the module of the Central application for data entry from the first copy – the register source in the Central system as well as the training for issuing certificates from birth registers based on data from the Central system, ensuring the application of the provision of the Law on Civil Registers according to which certificates from birth registers can be issued regardless of a local jurisdiction of a body responsible for keeping the register thus allowing easier, faster and more economical exercise of the citizens' right in this field.

These solutions guarantee professionalism and continuity on the strategic level of administrative decision-making and by that a pre-condition for well trained, responsible and efficient administration capable to provide high level quality service to the citizens.

In accordance with the Strategy for the Reform of State Administration, the Government of RS adopted **the Strategy for Professional Development of Civil Servants for 2011 – 2013** (Official Gazette of RS No 56/2011) providing basic guidelines for establishing new – comprehensive and sustainable system for professional development of civil servants completely in the function of achieving the aims of the reform of the public administration.

The Strategy sets priority programmes for general professional development of civil servants:

- programmes for training apprentices for taking the professional state exam and their introduction to the work;
- programs for new civil servants;
- programs of continuous professional development of civil servants;
- programs for civil servants who manage internal organizational units and
- training programs for lecturers.

New system for professional development of civil servants will not exclude the need for defining a program for special professional development in every state authority which will remain a responsibility of the authorities' heads in accordance to special requirements of the authority.

Transfer to the new system for professional development of civil servants will be carried out in two phases to avoid unnecessary financial and human resources implications. In the first phase of the realization of the Strategy the point will be on adaptation of the existing organizational structure in the Human Resources Management Service – specialized training

sector to a new system for professional development. In the second phase, a central national institution will be established that will handle the activities of the implementation of the programme for special professional development of civil servants.

Immediate activities according to the Action Plan for the implementation of the Strategy for professional development of civil servants are: drafting a law on amendments to the Law on Public Servants, compliance, a Decree on the establishment of the Human Resources Management Service with amended provisions of the Law on Public Servants, drafting relevant by-laws, establishing competence of standing committees for general programs for professional development and their preparation, establishing the control over the implementation of the general program for professional development in the ministry competent for professional development of civil servants.

For the purposes of the amendments to the legislation and drafting the by-laws, relevant Project team consisting of the representatives of relevant state authorities was formed.

2) Activities designed with a view to help and support public services on national, regional and international level, especially in cases when some aspects of human rights have been under considerations and influenced the improvement of public services.

The Ministry for Human and Minority Rights, State Government and Local Government, the Administration for Human and Minority Rights within the European Commission's IPA 2007 project in 2010 carried out trainings for employees in local government units and representatives of organizations for civil development that were attended by more than 300 participants from 35 local governments. The focus was on international and regional standards for the protection and improvement of human and minority rights and overview of the current situation in the Republic of Serbia.

Internship program for young people from minority groups in public institutions in Serbia in duration of six months from September 2011 is carried out by the Ministry for Human and Minority Rights, State Government and Local Government, the Administration for Human and Minority Rights in partnership with OSCE Mission in the Republic of Serbia with a financial support from the Embassy of United Kingdom. The aim of the project is greater participation of Roma, Bosnian and Albanian communities in public life and their enforced inclusion in Serbian state institutions.

In 2011, the Ministry for Human and Minority Rights, State Government and Local Government, the Administration for Human and Minority Rights approved, through a public tender, a financing for 11 best projects from associations whose aims were to improve and protect human rights in the Republic of Serbia and support positive behaviour and actions of a broader community towards vulnerable groups such as: persons with disabilities, children and youth, groups who are vulnerable based on sex, gender and sexual orientation and other vulnerable groups. Approved projects' aims were: removing stereotypes about persons with disabilities; developing tolerance and respect of differences; support to inclusive education; support to Roma children in education and integration; education of Roma children on their rights; education of employees in the Social Service Centre on characteristics of LGBT population; development of tolerance towards LGBT person within a family; training and engagement of young people with intellectual difficulties on the open labour market; enforcement and education of girls on the subject on gender-based violence and work on SOS phone. These projects were implemented in the period from July to December 2011.

In the Ministry for Human and Minority Rights, State Government and Local Government, the Administration for Human and Minority Rights and the Office of Commissioner for the Protection of Equality in the second half of 2012 implementation of IPA 2011 project "Enforcement of Anti-discriminatory Policy" should start. The aim of the project is an efficient and effective implementation of the anti-discriminatory policy in accordance with the European standards and examples of a good practice.

IPA 2011 project should enable the enforcement of different mechanisms for the efficient implementation of anti-discriminatory legislation and training of representatives from relevant public institutions with the aim to improve respect for tolerance, equality and differences. Within the project, *inter alia*, activities for the enforcement of the capacities of the Office of the Commissioner for the Protection of Equality are envisaged.

The Ministry for Human and Minority Rights, State Government and Local Government, the Administration for Human and Minority Rights carried out a public tender for associations' projects for the improvement and protection of human rights in the Republic of Serbia for the programme "Human Rights Calendar 2012". It is about the programme where every month of a year will be dedicated and designed for a number of activities contributing to the improvement of the position of certain groups/minorities, promotion of the values and principles of basic human rights. Selection of the field/subject follows the international holidays of the United Nations and other holidays celebrated on the international level. Project activities include education of certain groups, and before all the young population, on the subject designated for that month.

In order to implement Recommendation CM/REC (2010) of the Committee of Ministers on measures in the fight against discrimination based on sexual orientation or gender identity, the Administration for Human and Minority Rights started initiative for the participation in the realisation of the project of the Council of Europe titled "Fight against Discrimination Based on Sexual Orientation and Gender Identity". This initiative was accepted and in 2012 the Republic of Serbia became one of the partner countries on the above mentioned project (together with Albania, Italy, Latvia, Montenegro, Poland). During the realization of the project which should last by the end of 2013, the Administration for Human and Minority Rights takes special interest in, *inter alia*, focusing on the activities in connection with the education of representatives of relevant state institutions and raising public awareness about the prohibition of discrimination based on a sexual orientation or gender identity.