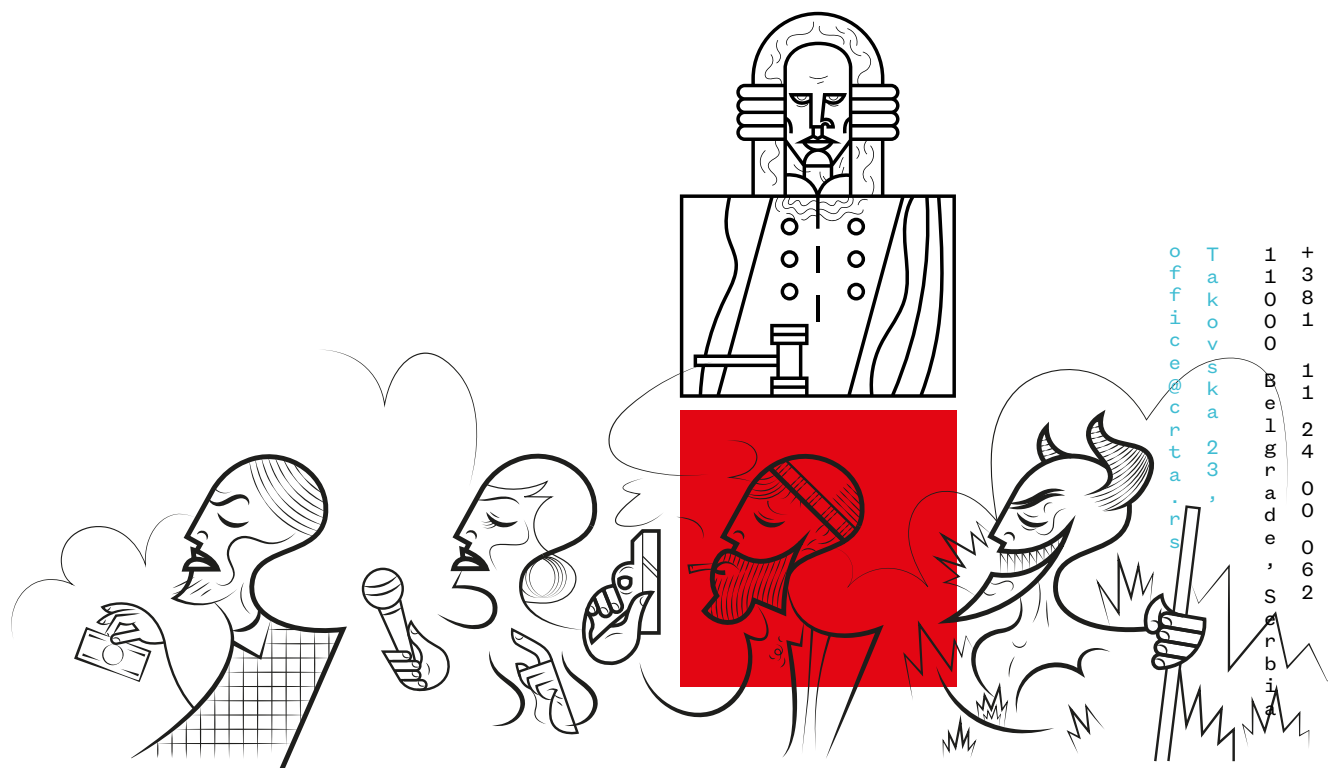


Assessment of Serbia's progress in meeting the political criteria in the scope of the EU negotiation



©  
C  
R  
T  
A  
  
B  
e  
l  
g  
r  
a  
d  
e  
,  
2  
0  
2  
0  
.

# Judiciary in Serbia: Independence on Hold



Author: Vladana Jaraković



**ROYAL NORWEGIAN EMBASSY**

*Belgrade*

This project is financially supported by The Royal Norwegian Embassy in Belgrade. [www.norway.no/en/serbia](http://www.norway.no/en/serbia)

**B | T | D** The Balkan Trust  
for Democracy

A PROJECT OF THE GERMAN MARSHALL FUND

**CRTA** ●●

## Judiciary in Serbia: Independence on Hold

In the Constitution of Serbia, the National Assembly has been given an important role in the election of judicial office holders which was a reason that back in 2007 the Venice Commission in its Opinion on the Serbian Constitution named these solutions “a recipe for the politicisation of the judiciary”. Applying this recipe resulted in the fact that a large number of judges and prosecutors experienced significant pressure in their work from the representatives of the executive and the legislative. Constitutional amendments for the purpose of the depoliticisation and establishment of the normative framework in the aim of a higher autonomy and independence of the judiciary have been prepared since 2016, and the process came to a halt in November 2018 after the Government has instituted the procedure for amending the Constitution in the National Assembly. Postponement of the Constitutional amendments could be an opportunity to establish a new dialogue between government and professionals who had indicated the unacceptable solutions advocated by the Ministry of Justice during the process of consultations. However, in the view of the previous course of the consultation process and the opinions of the representatives of the executive and the legislative on the independence of the judiciary they had openly expressed, the fear remained that there will be no derogation from these solutions which in the opinion of the professional associations were just the solutions meeting the minimum of international standards but not improving the status of the judiciary.

### Postponing Constitutional Amendments in the Area of Judiciary

On 30 November 2018, the Government of the Republic of Serbia submitted the Proposal for amending the Constitution to the National Assembly<sup>1</sup>, which mapped the course of the planned Constitutional amendments in the area of judiciary. Relying primarily on the Opinion of the Venice Commission on the Serbian Constitution published in 2007, the Government proposed the framework which should include specific and formulated normative solutions of the Constitutional amendments. The fundamental goals of the proposed amendments, among other, include:

**Defining precisely the status of the judiciary in the system of the division of power by setting up the relationship between three branches of the government on the basis of mutual scrutiny and/or restrictions instead of mutual control;**

**Realisation of the permanence of judicial office and deputy public prosecutor office from election up to retirement, without three-year probation period for first-time elected judges and deputy public prosecutors by completely excluding the National Assembly from the process of their election and reducing the influence of the National Assembly to the procedure of electing the members of judicial councils;**

**Defining precisely the reasons for dissolution of judges, deputy public prosecutors and public prosecutors at the level of the Constitution, and**

**Providing for Judicial Academy as the institution in which the future judges and prosecutors have to attend the initial training before their first election for the office, by taking into consideration their previous working experience.**

After the sitting of 14 June 2019 when the Committee on Constitutional and Legislative Issues of the National Assembly considered the Government proposal and established that it had been submitted in a required form, the procedure of adopting the proposed amendments stopped, and the MPs had not expressed their views on this proposal in the plenary sitting yet. Considering the complicated procedure of amending the Constitution<sup>2</sup> and the fact that regular parliamentary elections should be held in 2020<sup>3</sup>, it is not obvious when the procedure would be finalised.

Amending the Constitution is one of many activities provided for by the basic strategic documents in the area of the judiciary whose realisation is overdue. The Constitutional amendments in the area of judiciary were provided for by the Action Plan for Chapter 23 back in 2017. The consultative process was launched only by mid-2017, when it was initiated by the Ministry of Justice, without any starting positions, which resulted in several civil society organisations and some of the most prominent professional organisations abandoning the process in October 2017<sup>4</sup>. Since then, although it was not an official proposer of the Constitutional amendments, the Ministry of Justice presented exactly four versions of the amendments drafts. For the version submitted to the Venice Commission for assessment, in the Commission Opinion<sup>5</sup> of 25 June 2018, the Ministry received precisely 44 recommendations for improving the text. After adopting some recommendations, the Ministry resubmitted the amendments to this body of the Council of Europe for an opinion. For the final version of the Constitutional amendments, the Secretariat of the Venice Commission issued the Memorandum taking a note that the recommendations formulated by the Venice Commission had been followed. Unlike the Venice Commission, another body of the Council of Europe – Consultative Council of European Judges issued an opinion<sup>6</sup> indicating numerous lacks of the proposed amendments.

---

2 Pursuant to Article 203 of the Constitution of the Republic of Serbia, a proposal for the amendment of the Constitution shall be adopted by the two-thirds majority of the total number of MPs and if adopted, the act of the amendment of the Constitution would be drafted and reviewed. Following that, the act on amendment of the Constitution shall be debated in the plenum and adopted by the two-thirds majority of the total number of MPs. Finally, for an act amending the Constitutional amendments on the judiciary to be adopted, the citizens have to confirm it in the referendum.

3 Elections for MPs were called on 4 March 2020 and scheduled for 26 April 2020. However, due to spreading of the contagious coronavirus disease (COVID-19), on 15 March 2020 the Government of Serbia proclaimed the state of emergency and under the Regulation on measures during the state of emergency determined the cessation of all electoral activities in the implementation of elections for MPs, by postponing their continuation for the day of the termination of the state of emergency.

4 On 30 October 2017, the Judges' Association of Serbia, Association of Public Prosecutors and Deputy Public Prosecutors of Serbia, Centre for Judicial Research, Association of Judicial and Public Prosecutorial Assistants of Serbia, Lawyers Committee of Human Rights – YUCOM and Belgrade Centre for Human Rights notified the Ministry of Justice on them terminating the participation in the consultations regarding the amendments of the Constitution. The referred organisations published their press release which is available in Serbian <https://www.cepris.org/uncategorized/strukovna-udruzenja-napustila-konsultacije-o-izmenama-ustava/>.

5 Opinion of the Venice Commission no 921/2018 on the Draft Amendments to the Constitutional Provisions on the Judiciary, 25 June 2018

6 Opinion of the Consultative Council of European Judges of 21 December 2018 <https://rm.coe.int/opinion-on-the-newly-proposed-amendments-to-the-constitution-of-the-re/168090751b>

Having in mind the fact that the professional public in Serbia had profusely criticised and indicated the unacceptable solutions provided for by the Ministry of Justice in its final Draft amendments<sup>7</sup>, postponement of the constitutional amendments leaves space for launching new dialogue and identifying the best solutions. However, taking into consideration the manner of referring to the independence and the autonomy of the judiciary by the representatives of the executive and the legislative government in 2019, there is no room for optimism for a radical future twist which would result in essential improvement of the solutions offered by the Ministry of Justice.

## **Procedure of Reviewing Strategic Documents in the Area of Judiciary**

In 2019 and 2020, the process of reviewing both umbrella strategic documents in the area of judiciary in Serbia continued – National Judicial Reform Strategy and Action Plan for Chapter 23.

National Judicial Reform Strategy for period 2019 – 2024<sup>8</sup> working paper was published in May 2019, which was followed by the public hearing on this paper. The Proposal of the Strategy was published in November 2019<sup>9</sup>, but the Strategy which was to be applied from the beginning of 2019 was not adopted that year. In January 2020, the Ministry of Justice referred to the National Assembly Committee for Judiciary, Public Administration and Local Self-Government a request for the opinion on the Strategy. Despite the Committee assessment of the Strategy being positive, during the debate some MPs, members of this Committee<sup>10</sup>, stated their disagreement with those provisions of the Strategy aimed at ensuring the higher independence of the judiciary from the National Assembly<sup>11</sup>. To the day of publishing of this report the Strategy has been not adopted.

In February 2019, Ministry of Justice published the first draft of the reviewed Action Plan for Chapter 23. After the public hearing being held, the concerted version of the document was published the same year in June, which included some comments of the civil society organisations. The second draft of the reviewed Action Plan for Chapter 23 was published in February 2020 on the Ministry of Justice website, but only in English. Professional associations indicated that the process of its drafting was not sufficiently inclusive, and that in the drafting process the relevant actors were not provided enough time to prepare comprehensive comments on the submitted draft text. Moreover, it is believed that the deadlines set out in the Action Plan have not been “projected so as to enable realistic and high-quality performance of the activities and essential participation of all main bodies”<sup>12</sup>.

---

7 Draft amendments to the Constitution of the Republic of Serbia of 15 October 2018 available at <https://www.mpravde.gov.rs/sekcija/53/radne-verzije-propisa.php>

8 Follow-up of the former National Judicial Reform Strategy 2013-2018

9 Proposal of the National Judicial Reform Strategy 2019-2024 of 24 November 2019, available at <https://www.mpravde.gov.rs/sekcija/53/radne-verzije-propisa.php>

10 The MPs from the ruling coalition – Djordje Komlenski and Nedjo Jovanovic expressed their negative position on cancelling the election role of the National Assembly as regards the area of judiciary planned by the Strategy, as well as Sreto Peric, an MP from Serbian Radical Party.

11 Minutes from the 76th Sitting of Committee on Judiciary, Public Administration and Local Self-Government, held on 13 January 2020

12 Judges' Association of Serbia, *The Judges' Association of Serbia Comments to the document titled as ACTION PLAN FOR CHAPTER 23, Introduction and Judiciary, February 2020*, 12 March 2020

## Management of the Judiciary

Although planned, the amendments to the normative framework ensuring that the National Assembly will have less influence in the procedure of electing members of judicial councils have not been implemented in 2019. The composition of High Judicial Council and State Prosecutorial Council and methods of electing their members, as the bodies safeguarding independence and autonomy of judges, and autonomy of prosecutors, have been subject to huge criticism, including the criticism of the Venice Commission, made back in the days of adopting the 2006 Constitution. Constitutional reforms in the area of judiciary in Serbia should include the amendments to the composition and methods of electing members of both judicial councils, but the amendments proposed in the final Draft of the Constitutional Amendments proposed by the Ministry of Justice in October 2018, as assessed by the professional public, do not exclude the possibility of politically elected parts of councils exercising influence on the decisions of the councils.

Making High Judicial Council independent from the Ministry of Justice budget-wise was in the end abandoned after the decision of the Constitutional Court IUz 34/2016<sup>13</sup> from November 2018. In its decision, the Constitutional Court declared unconstitutional the provision of the Law on Court Organisation which stipulated that administration of the court budget should be transferred from the Ministry of Justice to the High Judicial Council. Before the Constitutional Court adopted this decision, the deadline for shifting the competences regarding the proposal and implementation of the court budget to the High Judicial Council (HJC) had been postponed by the amendments to the Law on Court Organisation year after year, so HJC was never given the competences provided for under National Judicial Reform Strategy 2013-2018. If the Draft of Constitutional amendments drawn up by the Ministry of Justice in 2018 would remain the final text of the Proposal of the Constitutional Amendment, taking into consideration the competences of HJC listed in this draft, the requirements for this judicial council to become independent budget-wise would not be met in the future as well.

As Judges' Association of Serbia believed the reactions of the judicial councils were insufficient and inadequate in cases of inappropriate public appearances of certain state officials of the highest rank and statements in the media commenting on public prosecutor's office's and court's criminal proceedings that have not been validly terminated, on 20 January 2020 they had sent an open letter to the High Judicial Council, State Prosecutorial Council and Republic Public Prosecutor, asking those institutions to call attention to, among other, unacceptable and unlawful conduct of representatives of the executive and legislative authorities and the media and demand assurance of appropriate conditions for smooth functioning of the judiciary<sup>14</sup>.

---

13 Constitutional Court of Serbia, Decision on Establishing Inconsistency IUz 34/2016 of 25 October 2018 ("Official Gazette of RS" No. 88/18)

14 Judges' Association of Serbia, Open Letter to HJC, SPC and RPP, 20 January 2020 <https://www.sudije.rs/index.php/en/aktuelnosti/saopstenja-za-javnost/567-open-letter-to-hjc-spc-and-rpp.html>

## Independence and Autonomy

In 2019, the normative framework was not strengthened so it would guarantee the judicial office holders to be free from illicit influence and pressure. For the future period, the strategic goals should ensure permanence of the judicial office and deputy public prosecutor's office from the moment of the election up to the retirement, without a three-year probation period, by excluding completely the National Assembly from the election of judges and deputy public prosecutors and prescribing reasons for dismissing of judges, deputy public prosecutors and public prosecutors at the level of the Constitution.

In practice, making comments on the court decisions in media is one of the most frequent instruments used by the other government office-holders to exercise their influence on judicial office-holders in Serbia. Such behaviour is not declining despite both Government and National Assembly Codes on permissible limits in commenting judicial decisions and procedures<sup>15</sup>.

During 2019, the Association of Public Prosecutors and Deputy Public Prosecutors carried out a survey<sup>16</sup> establishing that 41% of public prosecutors and deputy public prosecutors who participated in the survey believed that prosecutors' work in Serbia was highly or extremely exposed to various forms of pressure. The pressure of the superiors is set out as the predominant, as 65% of prosecutors was exposed to it, 56% felt the pressure of the media, while 46% of prosecutors experienced the pressure from other government office-holders.

The Judges' Association had the similar finding in its 2017 survey,<sup>17</sup> establishing that in their practice 44% of judges experienced the pressure in their work to adopt a particular decision. Among them, 27% of judges felt open or direct influence from other government office-holders.

In 2019, the tabloid media were leading a negative campaign against Goran Ilic, Deputy Republic Public Prosecutor, Deputy President of High Judicial Council and Commissioner for the Independence of Public Prosecution, who often criticised the negative occurrences from the Serbian judiciary in public. However, the case which echoed the public the most was the photo on the front pages of some tabloids from the party hosted by a public prosecutor, also a member of State Prosecutorial Council, where Ilic was a guest, and on the photo from a party Ilic and several other holders of public prosecution office were in the same room as the persons whom tabloids had linked with specific criminal activities. Although the present prosecutors denied they knew the disputed persons,<sup>18</sup> after many years of failing to appear in the public, for the first time now, the Republic State Prosecutor made an announcement on the occasion of this case against Ilic and other prosecutors present at the party and submitted to the Ethics Committee of the State Prosecutorial Council an initiative for an opinion on the conduct of these holders of public prosecutors' office. Believing that it is necessary to completely clarify the facts regarding the mentioned event, the Ethics Committee submitted its opinion to the disciplinary bodies of the State Prosecutorial Council, to proceed as under disciplinary action<sup>19</sup>. The outcome of SPC disciplinary bodies proceedings on this case has not been familiar yet.

---

15 In 2016 the Government of Serbia adopted the Conclusion on adopting the Code of Conduct for members of Government on the permissible limits in commenting judicial decisions and procedures, and in 2017 it adopted the Code of Conduct for MPs on the permissible limits in commenting judicial decisions and procedures.

16 <https://www.uts.org.rs/aktivnosti/vesti/1618-istrazivanje-uts-i-cesid-neprimereni-uticaji-na-tuzilastvo>

17 Judges' Association of Serbia, Strengthening independence and integrity of judges in Serbia, 2017, p. 47

18 Insajder, *Prosecutor Goran Ilic: Procedure before the Ethics Committee as an attempt of discrediting*, 10 September 2019

19 The Ethics Committee of HPC Press Release No. 678/19 of 9 September 2019

The state secretary of Ministry of Justice statement brought a lot of attention and criticism from the expert public, as in January 2020 he noticed that judiciary and prosecution became “the irresponsible branch of government”, adding that the Constitution of Serbia has to be changed so there would be an external control of the judiciary, mentioning that, for example, in France the President of the state appoints judges and prosecutors<sup>20</sup>.

## Liability

Pursuant to the law, any person shall be able to instigate a disciplinary action against the work of judges and prosecutors in Serbia. However, the procedure of filing complaints has not been made sufficiently transparent both by the courts and prosecutors’ offices. On the basis of the survey on openness of judicial authorities in Serbia in 2018 carried out by CRTA, it has been established that a limited number of courts and prosecutors’ offices in Serbia published an instruction for filing a complaint against the work of judges and court employees on their website<sup>21</sup>.

Both judicial councils have adopted codes of ethics and established ethics committees. In September 2018 the High Judicial Council adopted the Rules of Procedure on the work of Ethics Committee of the High Judicial Council, a body in charge of supervising the application of the Code of Ethics. Rules of Procedure for the work of the Ethics Committee of State Prosecutorial Council were adopted in July 2018.

In November 2019, in its Non-paper on the state of play regarding Chapters 23 and 24 for Serbia, the European Commission took note that existing codes of ethics need to be amended, in the aim of aligning with European standards.<sup>22</sup>

## Efficiency

Rationalisation of the network of courts in Serbia has been done to some extent by adopting new Law on the Seats and Territorial Jurisdiction of Courts and Public Prosecutor’s Office applied since 1 January 2014. Fundamental reason for reorganising the network was the uneven distribution of workload between different courts. However, even after six years of application of this Law, it is obvious that uneven distribution of judges’ workload remains to be a huge problem of the judiciary in Serbia.

---

20 Insajder, *Professionals’ Reactions to the Proposal of the State Secretary that President Appoints Prosecutors and Judges: Additional Pressure on the Judiciary*, 20 January 2020, available at <https://insajder.net/sr/sajt/vazno/16679/>.

21 CRTA, Analysis of openness of the judicial authorities in Serbia and the region in 2018, <https://cрта.rs/wp-content/uploads/CRTA-Otvorenost-pravosu%C4%91a-2018-FIN.pdf>

22 European Commission, Non-paper on the state of play regarding Chapters 23 and 24 for Serbia, November 2019 [https://www.mei.gov.rs/upload/documents/eu\\_dokumenta/non\\_paper\\_23\\_24/non\\_paper\\_pg\\_23\\_24\\_19\\_sr.pdf](https://www.mei.gov.rs/upload/documents/eu_dokumenta/non_paper_23_24/non_paper_pg_23_24_19_sr.pdf)



In the statistics on the work of the general jurisdiction courts in Serbia for 2019<sup>23</sup>, it has been established that an average inflow of cases per judge in basic courts ranges from 22.9 to 133.49 which means that a court with the highest workload actually has 5.83 times more cases per judge than a court with less workload, or a court with the lowest average inflow of cases per judge. Although the differences in judges' workload decreased compared to 2018, they are still higher than at the time of the last reorganisation of the courts network<sup>24</sup>.

In 2019, the total number of unsolved cases was 1,656,654 which is less compared to 2018 when at the end of a year 1,701,580 unsolved cases remained. However, if the enforcement cases in primarily trial cases are exempted, the number of unsolved cases still grew and by the end of 2019, there were 1,072,156 of cases<sup>25</sup>.

Number of old unsolved cases has been mildly decreasing, but since the methodology of assessing the old cases has been changed, amended by the Court Rules of Procedure, which entered into force on 27 June 2019,<sup>26</sup> it is impossible to determine to which extent the number of old cases has decreased compared to 2018<sup>27</sup>. Competent authorities expect that the amendments to the Law on Enforcement and Security applied since 1 January 2020 will have a positive effect on increasing the efficiency of the judiciary.

## Judicial Academy

Unlike the existing judicial framework providing for a double system of access to the judicial profession, in the most recent Draft of the Constitutional Amendments in the area of judiciary from October 2018, the Judicial Academy was provided for as a constitutional category, and completing an initial training in this institution would be a mandatory requirement for getting an office of a judge or a deputy public prosecutor.

Taking into consideration that the Judicial Academy would thus be conferred a role of “the sole gatekeeper” of the entrance to the judiciary, the professional public pointed out the danger of shifting the election of judges and prosecutors from the National Assembly to the Judicial Academy, which should perform a pre-selection of judges.

---

23 Supreme Court of Cassation, *Statistics on the work of general jurisdiction courts in the Republic of Serbia for period from 1 January 2019 to 31 December 2019*, p. 422

24 At the moment of adopting the Law on the Seats and Territorial Jurisdiction of Courts and Public Prosecutor's Office, the judges with the highest workload had 5.73 times more cases than their colleagues with the lowest workload. As the proposer of the Law, the Government of Serbia has provided this information in the Rationale of the Proposal of the Law on the Seats and Territorial Jurisdiction of Courts and Public Prosecutor's Office. [http://www.parlament.gov.rs/upload/archive/files/cir/pdf/predlozi\\_zakona/3551-13.pdf](http://www.parlament.gov.rs/upload/archive/files/cir/pdf/predlozi_zakona/3551-13.pdf)

25 Supreme Court of Cassation, Annual Report on the work of courts in the Republic of Serbia for 2019, p. 12

26 The Court Rules of Procedure amending the Court Rules of Procedure (“Official Gazette of RS” 43/19)

27 After the amendments to the Court Rules of Procedure, the old cases shall be those not solved within three years from the day of submitting of the initial act, whilst under the previously applicable provisions of the Rules of Procedure the old case was considered to be a case not solved within two years from the day of submitting of the initial act. For this reason, for 2019 the number of unsolved old cases referred to in the annual report on the work of courts was 621,324 out of which 86,962 were trial cases at the end of 2019. Having in mind the significant changes in the methodology, it is not possible to ascertain to which extent the number of old cases actually dropped compared to 2018. According to information of Supreme Court of Cassation of June 2019, before the methodology had changed, up to and including 30 June 2019, 148,271 old cases were solved, out of which 54,734 were enforcement cases, while for the same period in 2018, 176,202 of old cases had been solved, out of which 87,754 had been enforcement cases, meaning that the rate of solving old cases has decreased.

When electing judges, the High Judicial Council and State Prosecutorial Council would be practically limited by the previous selection of trainees made by the Academy.

In its assessment of the Draft amendments, the Venice Commission assessed it would be advisable to protect the Academy from potential inappropriate influence. In the Draft amendments the Judicial Academy is defined as an independent institution, but with managing bodies reflecting the composition of High Judicial Council and High Prosecutorial Council. Taking into consideration the proposed composition of the two judicial councils, if the solution provided for by the Draft amendments would be adopted, the majority in the Academy managing bodies, compared to the representatives of the judges and prosecutors, would be the representatives of the legislative and executive authorities. Composition of managing bodies is essential if known that precisely a managing body appoints the Programmatic Council that appoints the members of the commission for the entrance exam. It is of key importance that postponement of the constitutional reforms would be used to consider the status of the Judicial Academy in a more comprehensive way through a dialogue between all relevant actors.

## Sources:

CRTA, *Analysis of openness of the judicial authorities in Serbia and the region in 2018*, <https://crtars/wp-content/uploads/CRTA-Otvorenost-pravosu%C4%91a-2018-FIN.pdf>

Judges' Association of Serbia, *Strengthening independence and integrity of judges in Serbia*, 2017, p. 47

Judges' Association of Serbia, *The Judges' Association of Serbia Comments to the document titled as ACTION PLAN FOR CHAPTER 23, Introduction and Judiciary, February 2020*, 12 March 2020

Judges' Association of Serbia, Open Letter to HJC, SPC and RPP, 20 January 2020, <https://www.sudije.rs/index.php/en/aktuelnosti/saopstenja-za-javnost/567-open-letter-to-hjc-spc-and-rpp.html>

European Commission, *Non-paper on the state of play regarding Chapters 23 and 24 for Serbia, November 2019*, [https://www.mei.gov.rs/upload/documents/eu\\_dokumenta/non\\_paper\\_23\\_24/non\\_paper\\_pg\\_23\\_24\\_19\\_sr.pdf](https://www.mei.gov.rs/upload/documents/eu_dokumenta/non_paper_23_24/non_paper_pg_23_24_19_sr.pdf)

Insajder, *Professionals' Reactions to the Proposal of the State Secretary that President Appoints Prosecutors and Judges: Additional Pressure on the Judiciary*, 20 January 2020, <https://insajder.net/sr/sajt/vazno/16679/>

Insajder, *Prosecutor Goran Ilic: Procedure before the Ethics Committee is an attempt of discrediting*, 10 September 2020

Opinion of Consultative Council of European Judges of 21 December 2018, <https://rm.coe.int/opinion-on-the-newly-proposed-amendments-to-the-constitution-of-the-re/168090751b>

Venice Commission Opinion no 921/2018 on the Draft Amendments to the Constitutional Provisions on the Judiciary, 25 June 2018

Draft amendment to the Constitution of the Republic of Serbia of 15 October 2018, <https://www.mpravde.gov.rs/sekcija/53/radne-verzije-propisa.php>

National Assembly of the Republic of Serbia, Report and Video Recording from the Sitting of the Committee on the Judiciary, Public Administration and Local Self-Government held on 13 January 2020, <http://www.parlament.gov.rs/>

Proposal of the National Judicial Reform Strategy 2019-2024 of 24 November 2019, available at <https://www.mpravde.gov.rs/sekcija/53/radne-verzije-propisa.php>

Proposal of the Law on the Seats and Territorial Jurisdiction of Courts and Public Prosecutor's Office, [http://www.parlament.gov.rs/upload/archive/files/cir/pdf/predlozi\\_zakona/3551-13.pdf](http://www.parlament.gov.rs/upload/archive/files/cir/pdf/predlozi_zakona/3551-13.pdf)

Ethics Committee of HPC Press Release No. 678/19 of 09 September 2019

The Court Rules of Procedure amending the Court Rules of Procedure ("Official Gazette of RS" No. 43/19)

Association of Public Prosecutors and Deputy Public Prosecutors of Serbia and CESID, *Survey "Inappropriate influence to the Prosecutors' Office*, 14 March 2019, <https://www.uts.org.rs/aktivnosti/vesti/1618-istrazivanje-uts-i-cesid-neprimereni-uticaji-na-tuzilastvo>

The Constitution of the Republic of Serbia ("Official Gazette of RS" No. 98/2006)

The Constitutional Court of the Republic of Serbia, Decision on Establishing Inconsistency IUz 34/2016 of 25 October 2018 ("Official Gazette of RS" No. 88/18)

Government of the Republic of Serbia, Proposal for the amendments to the Constitution, [http://www.parlament.gov.rs/upload/archive/files/cir/pdf/akta\\_procedura/2018/010-3691\\_18\\_Predlog.pdf](http://www.parlament.gov.rs/upload/archive/files/cir/pdf/akta_procedura/2018/010-3691_18_Predlog.pdf)

Supreme Court of Cassation, *Annual Report on the work of courts in Republic of Serbia for 2019*, <https://www.vk.sud.rs/sites/default/files/attachments/Godisnji%20izvestaj%20o%20radu%20sudova%20u%202019.pdf>

Supreme Court of Cassation, *Statistics on the work of general jurisdiction courts in the Republic of Serbia for period from 1 January 2019 to 31 December 2019*, <https://www.vk.sud.rs/sites/default/files/attachments/STATISTIKA%20-%20OPSTA%20NADLEZNOST%202019.pdf>