



**Republic of Serbia**  
**SUPREME COURT OF CASSATION**

**ANNUAL REPORT**  
**ON THE WORK OF THE COURTS**  
**IN THE REPUBLIC OF SERBIA**  
**FOR 2022**

Belgrade, March 2023



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**Republic of Serbia**  
**SUPREME COURT OF CASSATION**  
**Su I-1 94/2023**  
**March 17<sup>th</sup>, 2023**  
**Belgrade**

## **ANNUAL REPORT ON THE WORK OF ALL COURTS IN THE REPUBLIC OF SERBIA FOR 2022**

### **I. INTRODUCTION**

#### **I.1. INTRODUCTORY NOTES**

The Annual report on the work of the courts of the Republic of Serbia for 2022 was prepared on the basis of individual statistical reports of all courts on their work, which are collected and processed by the Supreme Court of Cassation, as the highest court in the Republic of Serbia.

The Annual report on the work of the courts of the Republic of Serbia for 2022 represents a shortened analysis of the work of all the courts of the Republic of Serbia in the previous year, observed through statistical data – indicators of efficiency, success and quality.

In addition to the statistical data on the work of the courts in 2022, data from the annual reports on the work of the courts for the past five years (2018-2022), except for backlog cases, are also presented, where statistical data for the past four years (2019-2022)\* are provided, and in order to monitor progress in reducing the number of pending, especially backlog cases, the workload of courts, the quality and length of court proceedings, as indicators of the court efficiency.

\*With the amendments of the Rules of Procedure of courts, a backlog case is a case older than 3 years from the date of the submission of the initial act (“Official Gazette” No. 43/2019)

## **I.2. WORK OF THE COURTS IN 2022 WAS MARKED BY THE FOLLOWING**

- 1. After the constitutional referendum held in 2022, the National Assembly adopted the Act on Amendments to the Constitution of the Republic of Serbia. The amendments to the Constitution are in the part related to the judiciary, courts, prosecutor's offices, the High Court Council and the State Prosecutorial Council.*
- 2. The courts acted with a reduced number of judges, since the National Assembly stopped working on February 15, 2022, by the Decree of the President of the Republic on the dissolution of the Assembly, and that the first subsequent session was held on December 4, 2022, and that during that period there was no election of judges who are the first-time elected judges.*
- 3. Of the total number of cases pending before basic and higher courts in civil matter (914,190 cases), there is a significant number of cases in which the Republic of Serbia and other state bodies are sued and represented by the State Attorney's Office of the Republic of Serbia. According to the data from the records of the State Attorney's Office, there were a total of 396,335 such cases before the courts.*
- 4. Competent courts are still burdened with a large number of repetitive cases in civil matters (cases with a basis of dispute, for the purpose of collecting the costs of processing bank loans, following lawsuits against banks).*
- 5. As of December 31, 2022 there were 353,670 integral decisions, 47,033 anonymized decisions, 139 legal opinions, 65 jurisprudence bulletins and 55 sentences of the Supreme Court of Cassation in the Jurisprudence Database of appellate and national level courts.*

### **I.3. CONSTITUTIONAL AND LEGAL FRAMEWORK**

Judicial power is unique, and courts are autonomous and independent in their work and they adjudicate in accordance with the Constitution, laws and other general acts, when it is stipulated by the law, generally accepted rules of international law and ratified international treaties.

Courts are autonomous and independent state authorities that protect the freedom and rights of citizens, legally determined rights and interest of all legal entities and ensure constitutionality and legality.

The basic division of courts is the division to courts of general and special jurisdiction.

Courts of general jurisdictions are basic courts, higher courts, appellate courts and the Supreme Court of Cassation.

Courts of special jurisdiction are commercial courts, Commercial Appellate Court, misdemeanor courts, Misdemeanor Appellate Court and Administrative Court.

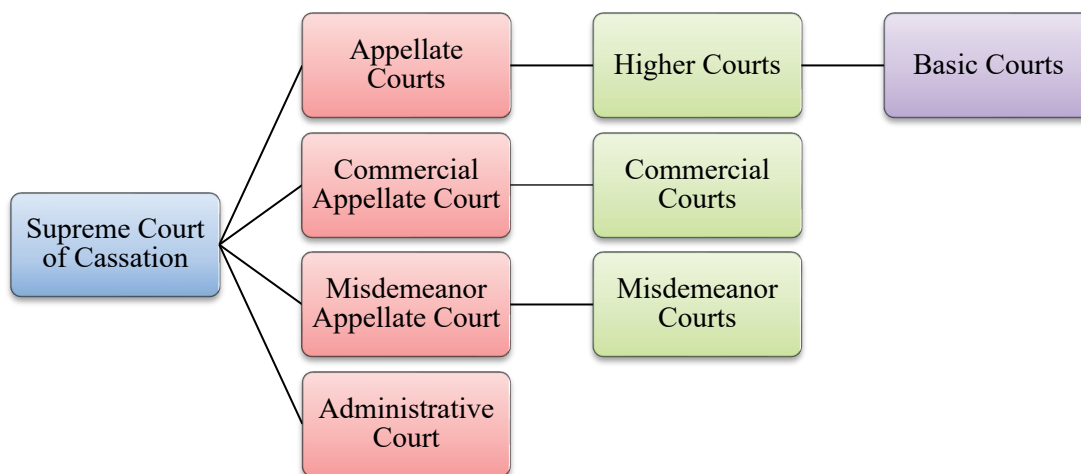
The Supreme Court of Cassation is the highest court in the Republic of Serbia and it is directly superior to the Commercial Appellate Court, the Misdemeanor Appellate Court, the Administrative Court and Appellate Court.

In addition to the Supreme Court of Cassation, the Commercial Appellate Court, the Misdemeanor Appellate Court and the Administrative Court are republic-level courts.

As of January 1, 2014, in the Republic of Serbia there is the total of 159 courts, out of which 66 courts act as basic courts, 25 as higher, 16 commercial, 44 misdemeanor and the Administrative Court. Higher courts act as second instance courts, as well as four appellate courts, Commercial Appellate and Misdemeanor Appellate Court and second instance courts.\*

\* On the territory of the AP Kosovo and Metohija, until the adoption of special regulations, three courts operated: Misdemeanor Court in Kosovska Mitrovica, Higher Court in Kosovska Mitrovica and Basic Court in Kosovska Mitrovica

#### I.4. COURT NETWORK IN THE REPUBLIC OF SERBIA



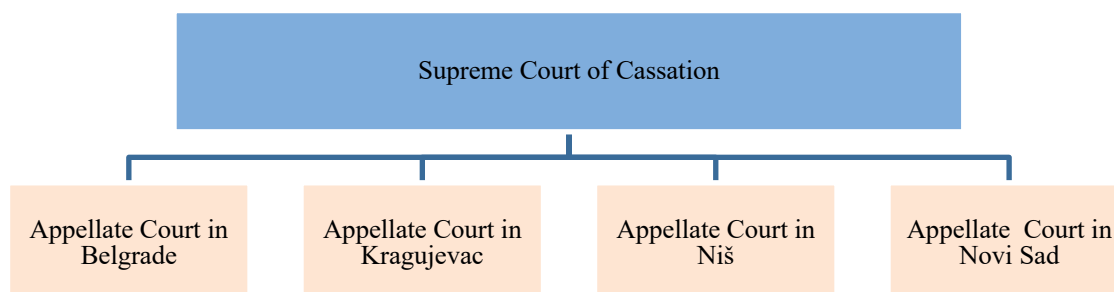
Map No. 1

##### I.4.1. COURTS OF GENERAL JURISDICTION

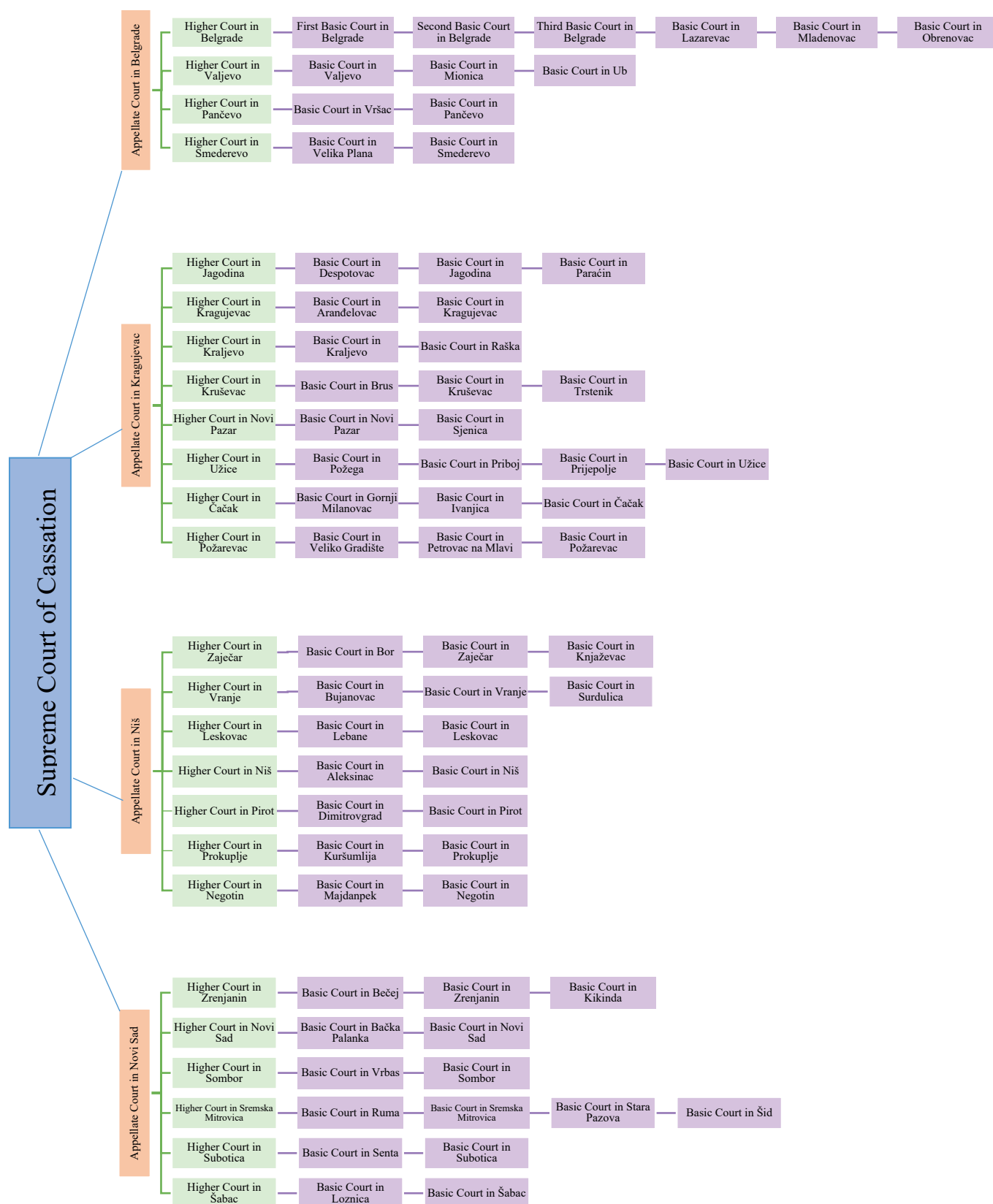
Courts of general jurisdiction are basic courts, higher courts, appellate courts and the Supreme Court of Cassation.

The Supreme Court of Cassation is directly superior to the appellate courts, the appellate courts are directly superior to higher and basic courts, and the higher courts are directly superior to the basic courts.

In the Republic of Serbia, 4 appellate courts were established with seats in: Belgrade, Kragujevac, Niš and Novi Sad.



Map No. 2



## I.4.2. COURTS OF SPECIAL JURISDICTION

Courts of special jurisdiction are: Administrative Court, Commercial Appellate Court, Misdemeanor Appellate Court, commercial courts and misdemeanor courts.

Commercial Appellate Court is directly superior to commercial courts, while the Misdemeanor Appellate Court is directly superior to misdemeanor courts.

Commercial Appellate Court	Commercial Court in Belgrade	Commercial Court in Kraljevo	Commercial Court in Novi Sad	Commercial Court in Sremska Mitrovica
	Commercial Court in Valjevo	Commercial Court in Kragujevac	Commercial Court in Pančevo	Commercial Court in Subotica
	Commercial Court in Zaječar	Commercial Court in Leskovac	Commercial Court in Požarevac	Commercial Court in Užice
	Commercial Court in Zrenjanin	Commercial Court in Niš	Commercial Court in Sombor	Commercial Court in Čačak

Map No. 4

Misdemeanor Appellate Court	Misdemeanor Court in Aranđelovac	Misdemeanor Court in Kikinda	Misdemeanor Court in Novi Sad	Misdemeanor Court in Raška
	Misdemeanor Court in Bačka Palanka	Misdemeanor Court in Kragujevac	Misdemeanor Court in Obrenovac	Misdemeanor Court in Senta
	Misdemeanor Court in Belgrade	Misdemeanor Court in Kraljevo	Misdemeanor Court in Pančevo	Misdemeanor Court in Sjenica
	Misdemeanor Court in Bečej	Misdemeanor Court in Kruševac	Misdemeanor Court in Paraćin	Misdemeanor Court in Smederevo
	Misdemeanor Court in Valjevo	Misdemeanor Court in Lazarevac	Misdemeanor Court in Pirot	Misdemeanor Court in Sombor
	Misdemeanor Court in Vranje	Misdemeanor Court in Leskovac	Misdemeanor Court in Požarevac	Misdemeanor Court in Subotica
	Misdemeanor Court in Vršac	Misdemeanor Court in Loznica	Misdemeanor Court in Požega	Misdemeanor Court in Sremska Mitrovica
	Misdemeanor Court in Gornji Milanovac	Misdemeanor Court in Mladenovac	Misdemeanor Court in Preševo	Misdemeanor Court in Trstenik
	Misdemeanor Court in Zaječar	Misdemeanor Court in Negotin	Misdemeanor Court in Prijepolje	Misdemeanor Court in Užice
	Misdemeanor Court in Zrenjanin	Misdemeanor Court in Niš	Misdemeanor Court in Prokuplje	Misdemeanor Court in Čačak
	Misdemeanor Court in Jagodina	Misdemeanor Court in Novi Pazar	Misdemeanor Court in Ruma	Misdemeanor Court in Šabac

Map No. 5

## **I.5. NUMBER OF JUDGES AND COURT STAFF IN COURTS**

According to the data of the High Court Council as of December 31, 2022, the total number of all judicial positions in all courts in the Republic of Serbia, determined by the Decision of the High Court Council was **3,073** of which **2,657** positions were filled, while **2,503** judges were effectively working.

NUMBER OF JUDGES IN THE REPUBLIC OF SERBIA ON DECEMBER 31, 2022

Court	Number of judges according to the Decision of the High Court Council	Number of filled positions	Number of judges in the report on the work of court for the period 01.01. – 31.12.2022
Supreme Court of Cassation	50	40	32
Administrative Court	64	52	50
Commercial Appellate Court	41	39	35
Misdemeanor Appellate Court	65	52	52
Appellate Courts	240	206	184
Higher Courts	426	373	357
Basic Courts	1,454	1,260	1,182
Commercial Courts	189	168	168
Misdemeanor Courts	544	467	443
<b>TOTAL:</b>	<b>3,037</b>	<b>2,657</b>	<b>2,503</b>

Table No. 1

In 2022, as in the previous four years, once again there were vacant judicial posts in the judicial system: **2018**-411, **2019**-319, **2020**-386, **2021**-353, and in **2022**-416.

OVERVIEW OF THE NUMBER OF JUDGES IN THE COURTS IN THE REPUBLIC OF SERBIA WHO EFFECTIVELY ADJUDICATED – FROM THE REPORT ON THE WORK OF THE COURT

	2018	2019	2020	2021	2022
<b>TOTAL NUMBER OF JUDGES</b>	2,418	2,531	2,570	2,508	2,503

Table No. 2

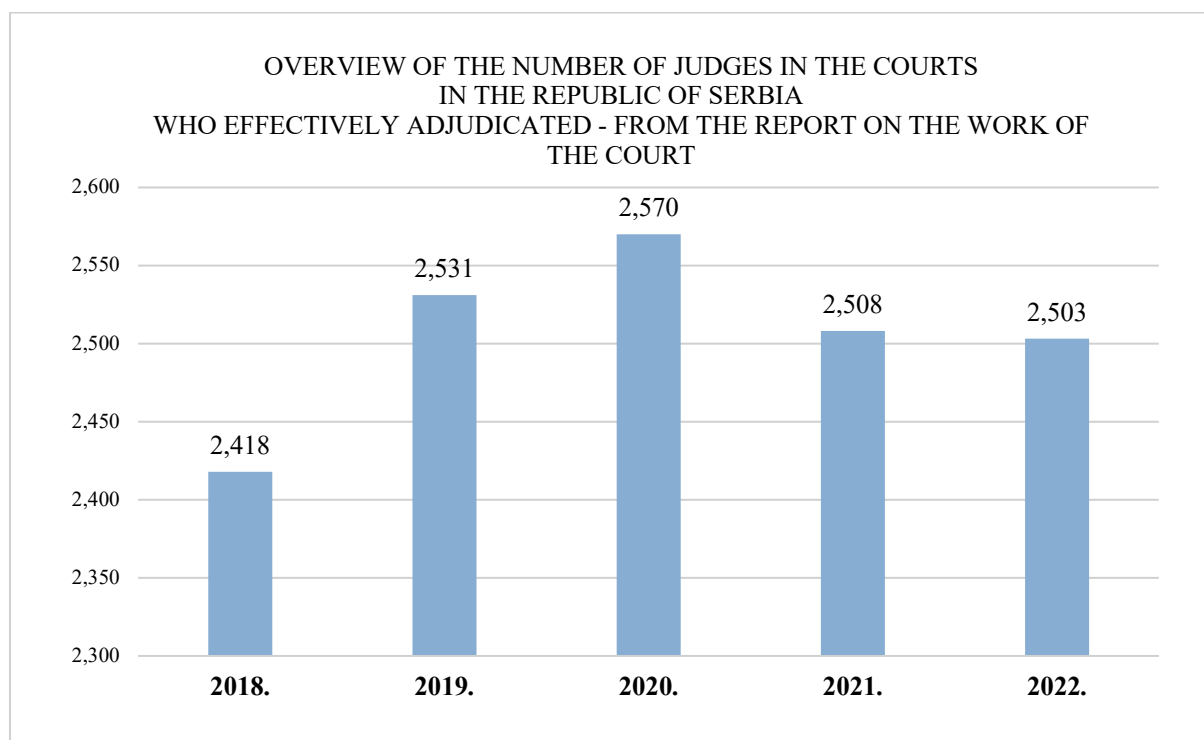


Chart No. 1

The average age of judges in Serbia is **52**. There was a total of **737** male and **1,920** female judges. There were **335** judges that were 40 years old or younger, **782** judges from 40 to 50, **969** judges from 50 to 60 and **571** judges that were older than 60.

According to the High Court Council, there was a total of **10,660** employees – court staff, of which: **1,675** judicial assistants, **6,276** civil servants and **2,709** general service employees.

NUMBER OF ENGAGED CIVIL SERVANTS AND GENERAL SERVICE EMPLOYEES IN 2022

No.	Court staff	Total engaged	Average age
1.	Judicial assistants	1,675	41
2.	Other civil servants	6,276	48
3.	General service employees	2,709	50
TOTAL		10,660	48

Table No. 3

According to the data of the High Court Council, the average age of court staff is **48**, of which the average age of judicial assistants is **41**, other civil servants **48**, and general service employees **50**.

In the period from 2018 to 2022, there were the following number of court staff: **2018** -10,603, **2019** -10,685, **2020** -10,795, **2021**-10,697 and **2022** -10,660.

NUMBER OF ENGAGED CIVIL SERVANTS AND GENERAL SERVICE EMPLOYEES BY YEARS

No.	Court staff	2018	2019	2020	2021	2022
1	Judicial assistants	1,644	1,634	1,704	1,661	1,675
2	Other civil servants	5,775	6,055	6,153	6,205	6,276
3	General service employees	3,184	2,996	2,938	2,831	2,709
Total engaged		10,603	10,685	10,795	10,697	10,660
Average age		44	44	46	47	48

Table No. 4

**The number of judicial assistants** in the same period was: **2018** -1,644, **2019** – 1,634, **2020** - 1,704, **2021** -1,661 and **2022** – 1,675 which is insufficient number, compared to the influx of cases and the number of judges, and further reduced the performance of judicial function, especially regarding drafting of court decisions.

The slower pace of filling vacant positions according to valid systematizations, continued from 2019 with valid budget laws for the current year, which further increased the volume of work performed by employees who remained in the court system.

## I.6. FINANCING THE COURTS

### I.6.1. COURT BUDGET

The Law on the organization of courts stipulates that funds for the work of courts are provided in the Budget of the Republic of Serbia. Funds for the work of the courts should maintain the independence of the judiciary and enable the regular work of the courts.

The Law on the Budget of the Republic of Serbia for 2022 (“Official Gazette of the Republic of Serbia”, No. 110/2021 and 125/2022), within section 6 – Courts, allocated funds for the work of the courts in the total amount of RSD **33,329,684,000.00**, which is **1.834%** of the total budget of the Republic of Serbia, which amounted to RSD **1,817,283,516,000.00**.

### I.6.2. REVENUES FROM COLLECTED COURT FEES

In 2022, the total revenues from collected court fees were RSD **5,486,045,247.88**.

The Law on Court Fees prescribes the manner of using part of the funds from the collected court fees. The collected fees are revenue from the Budget of the Republic of Serbia, however, 40% of the collected fees is being distributed for current expenditures of the courts, 20% for improving the financial position of court and prosecutorial staff, and 40% remains as revenues of the budget of the Republic of Serbia.

### **I.6.3. COURT ARREARS**

Allocated resources that were insufficient for the work of the courts negatively affect the efficiency of the work of the courts. Court accounts are often blocked, arrears are created (assumed, but overdue payments), which together leads to a halt in the work of the courts, because they are unable to settle assumed obligations, especially those related to the costs of court proceedings, delivery of court documents, utility and energy services, procurement of office supplies and fuel, etc.

On December 31, 2022, court arrears amounted to a total of RSD **960.518.864,51**, while in the forced collection system of the Treasury Administration, the total of RSD 1.447.116.964,16 remained unpaid at the commercial courts, which was not included in the court arrears.

### **I.6.4. PAYMENT OF DAMAGES PURSUANT TO JUDGEMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS AND DOMESTIC COURTS IN 2022**

- Compensation of intangible damage according to the judgments of the European Court of Human Rights in Strasbourg – RSD **135,283,108.04**.
- Compensation of damages based on the violation of the right to a trial within reasonable time based on the judgements of domestic courts, paid voluntarily by courts – RSD **297,885,908.33**.
- Compensation of damages based on the violation of the right to a trial within reasonable time based on the judgements of domestic courts, collected through forced collection at the expense of the courts, about RSD **4,000,000,000.00**.
- Compensation of damages based on the violation of the right to a trial within reasonable time based on the judgements of domestic courts, paid voluntarily based on an agreement with the State Attorney's Office – RSD **71,214,643.00**.

## **II. INCOMING, DISPOSED AND PENDING CASES**

### **II.1. DISPOSED CASES IN 2022**

During 2022, all courts in the Republic of Serbia disposed **2,132,305** cases, while **2,503** judges effectively worked.

Although the courts in 2022 had positive clearance rate, compared to 2021, a total of **283,367 fewer** cases were disposed, and without enforcement cases, **63,306 fewer** cases were disposed.

The lower number of cases disposed in total is the result, among other things, of an insufficient number of judges, bearing in mind that the National Assembly stopped working on February 15, 2022, by the Decree of the President of the Republic on the dissolution of the Assembly, and that the first subsequent session was held on December 4, 2022, and that in that period there was no election of first-time elected judges, and according to the proposal of the Decision of the High Court Council of March 25, April 21, September 6, October 28, November 4 and November 29. Only on December 4, 2022, 88 new judges were elected, whose number was included in the total number of judges for 2022. In addition, a significant number of judges' (97) judicial function was terminated.

As the second reason for the lower number of disposed cases, it was observed that the proceedings of courts in 92,000 delegated cases with a basis of dispute, in order to collect the costs of processing bank loans (lawsuits against banks) from 2021, were technically enables only from 2022.

#### **OVERVIEW OF THE NUMBER OF DISPOSED CASES IN THE COURTS IN THE REPUBLIC OF SERBIA**

	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>TOTAL AT THE LEVEL OF SERBIA – ALL CASES</b>	2,298,870	2,268,769	2,013,829	2,415,672	2,132,305
<b>TOTAL AT THE LEVEL OF SERBIA – WITHOUT ENFORCEMENT</b>	2,077,174	2,068,435	1,670,418	2,103,190	2,039,884

*Table No. 5*

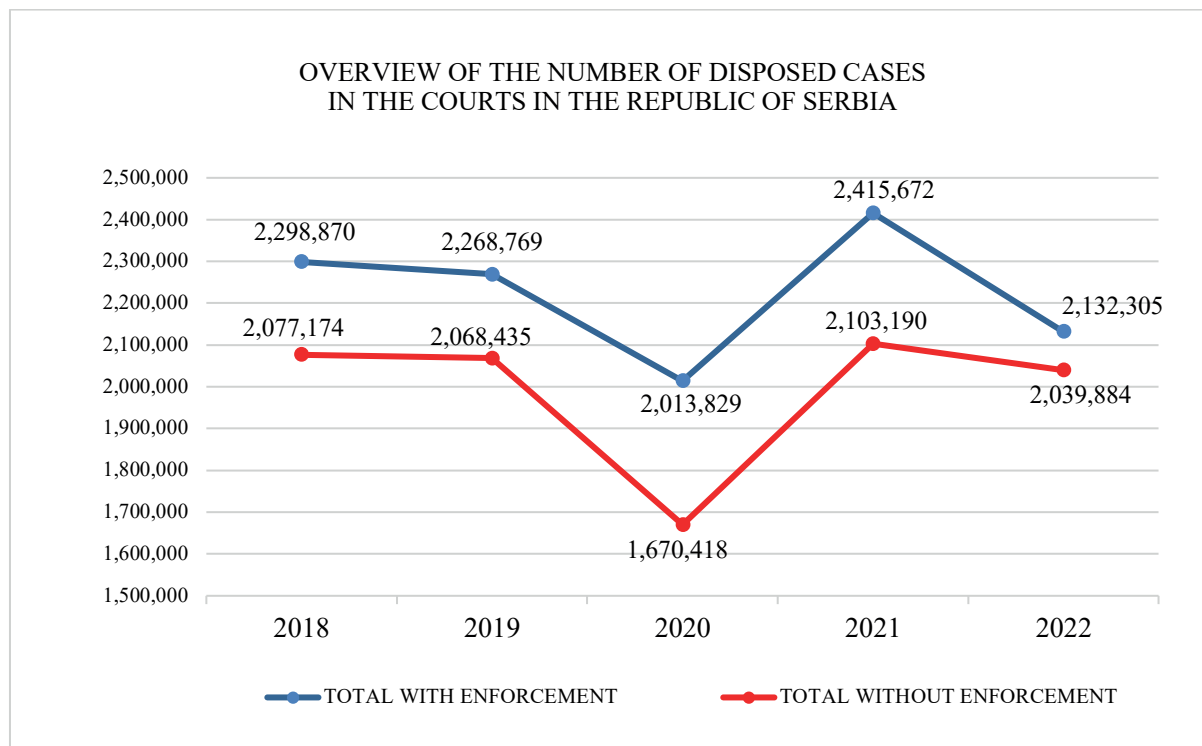


Chart No. 2

*There is a noticeable decrease in the number of disposed cases in all courts in the Republic of Serbia, without enforcement cases, as in 2020, when due to the pandemic caused by the corona virus, the introduction of a state of emergency and measures to protect the population from the pandemic, the results in the courts were lower than planned.*

Moreover, in **2022**, basic courts also disposed **391,407** cases based on the citizens' requests for verification of signatures, manuscripts and transcripts (that are not under the jurisdiction of public notaries), issuing certificates and the like, while higher courts disposed additional **26,542** cases on this type. There were **956,429** such cases disposed in misdemeanor courts. These cases are resolved by the court administration under the supervision of judges, which creates additional **1,374,378** cases disposed by the courts in 2022, that are not shown in the tables in this report as disposed cases.

Pursuant to the Recommendation R 86 (12) of the Committee of Ministers of the Council of Europe regarding reduction of workload in courts, Articles 30a and 110a of the Law on Extra-Judicial Proceedings and Article 98 of the Law on Public Notaries, in **2022** basic courts **handed over to public notaries, as entrusted tasks, the total of 104,618 requests** for providing death certificates and **121,380 cases** (out of the total of 152,573 received "O" cases in basic courts in 2022) in order to implement probate proceedings.

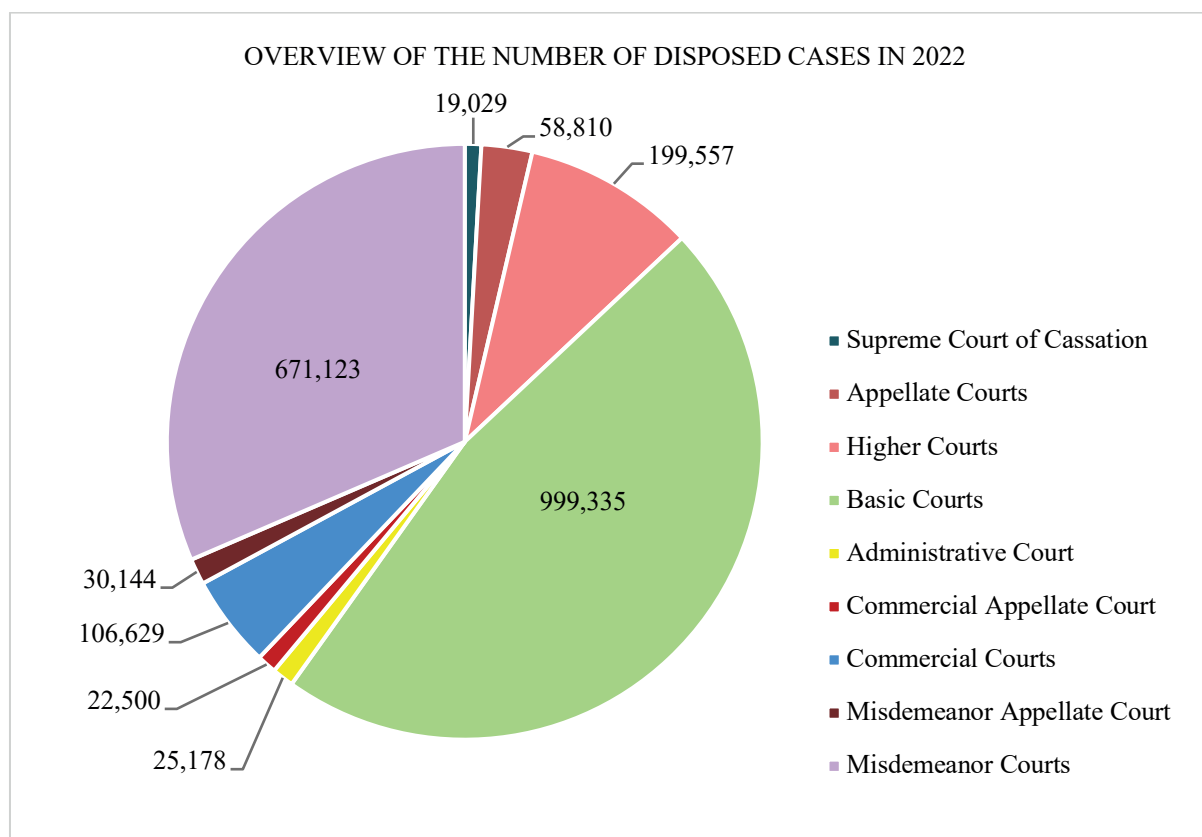


Chart No. 3

**The overview shows that the largest number of cases were disposed in basic and misdemeanor courts, while the share of other courts in the total number of disposed cases is significantly lower.**

## II.2. INCOMING CASES IN 2022

In **2022** all courts in the Republic of Serbia received **1,808,813** cases, i.e. **1,752,747** without enforcement cases, which is the **lowest number of incoming cases since 2018**.

### OVERVIEW OF THE NUMBER OF INCOMING CASES IN THE COURTS IN THE REPUBLIC OF SERBIA

	2018	2019	2020	2021	2022
<b>TOTAL AT THE LEVEL OF SERBIA – ALL CASES</b>	2,089,237	2,224,102	1,867,911	2,402,486	1,808,813
<b>TOTAL AT THE LEVEL OF SERBIA – WITHOUT ENFORCEMENT</b>	1,983,368	2,116,339	1,808,149	2,343,489	1,752,747

Table No. 6

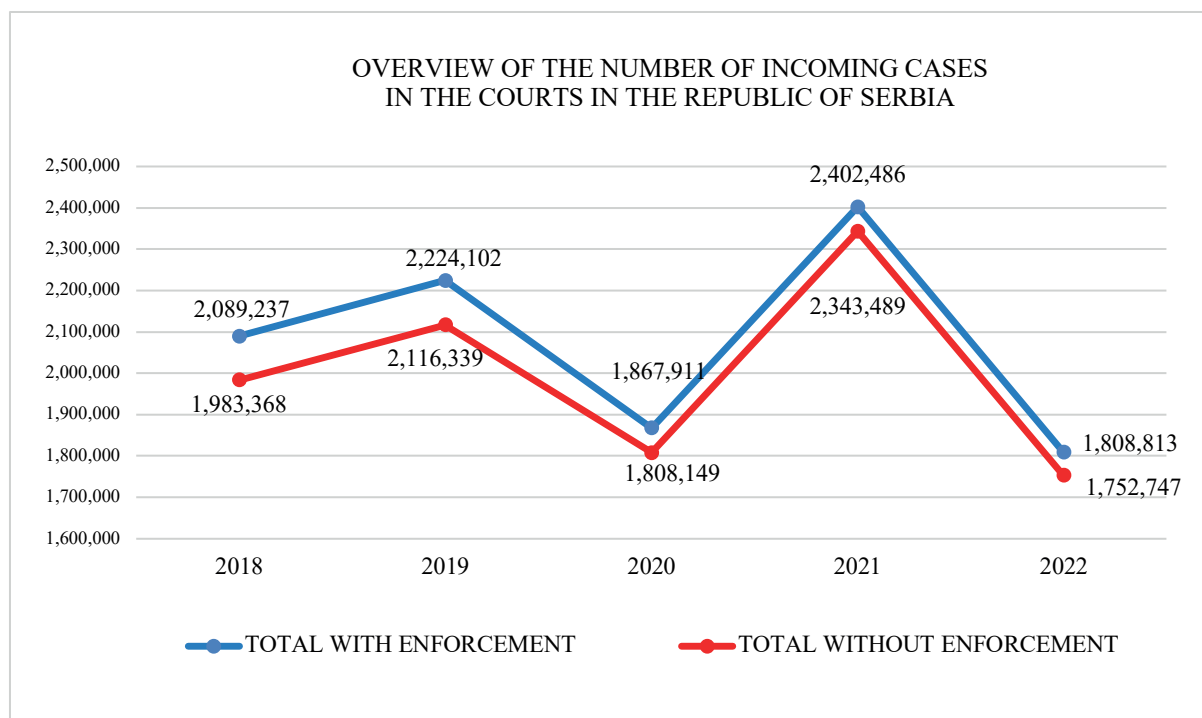


Chart No. 4

Overall, **in the past five years**, there was a total of **10,392,549 incoming** cases in the court system, which significantly burdened the court system. Having in mind that a far greater number of cases were received than expected (over two and a half million cases more than the expected annual inflow based on the projection of the inflow of cases in 2012-2014), the court system with the existing capacities of judges and court staff, was unable to absorb that number of incoming cases.

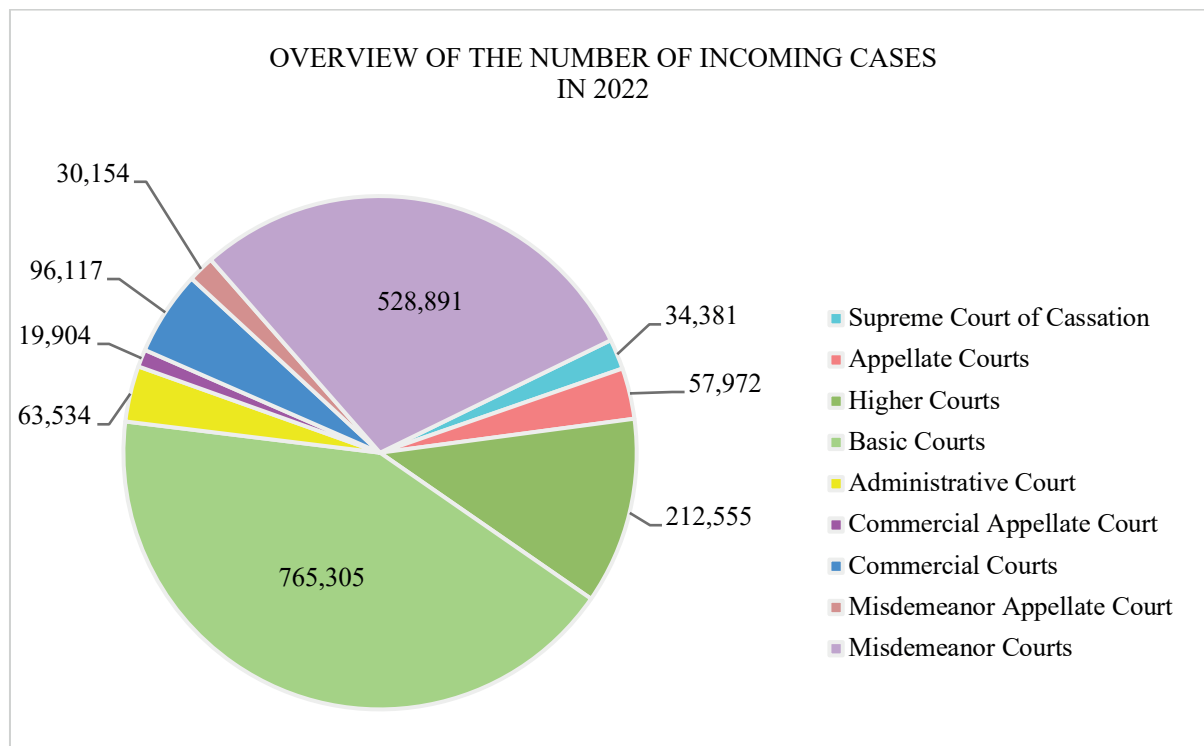


Chart No. 5

**The highest number of cases in 2022 was received by basic and misdemeanor courts.**

Compared to the previous period, the largest workload when it comes to incoming cases was present in basic courts in the Republic of Serbia – 765,305 and in misdemeanor courts – 528,891 incoming cases.

In the previous period, **basic courts** had the following number of incoming cases: **2018** - 959,107, **2019** – 1,067,405, **2020** – 883,416, **2021** – 1,197,831, while in **2022** the total of incoming cases was **765,305**, which is **432,526** cases **less** than in the previous year.

In the previous period, **commercial courts** had the following number of incoming cases: **2018** – 128,681, **2019** – 124,820, **2020** – 100,116, **2021** – 119,112, while in **2022** the total of incoming cases was **96,117**, which is **22,995** cases **less** than in 2021.

In the previous period, **misdemeanor courts** had the following number of incoming cases: **2018** – 597,666, **2019** – 632,715, **2020** – 501,547, **2021** – 571,796, while in **2022** the total of incoming cases was **528,891**, which is **42,905** cases **less** than in the previous year.

In the previous period, **higher courts** had the following number of incoming bases: **2018** – 255,040, **2019** – 248,561, **2020** – 246,293, **2021** – 252,164, while in **2022** the total of **212,555** incoming cases was received, which is **39,609** cases **less** than in the previous year.

In the previous period, **appellate courts** had the following number of incoming cases: **2018** – 65,946, **2019** – 61,246, **2020** – 52,244, **2021** – 58,322 while in **2022** the total of incoming cases was **57,972**, which is **350** cases **less** than in 2021.

A special category of cases within the increased inflow are the cases of the **Administrative Court**, due to the continuous expansion of the jurisdiction through new laws adopted in the observed period (restitution – civil and confessional, protection of labor rights of employees working in local self-government units, electoral cases...) and the increased number of regular cases in the field of administrative law. The total of incoming cases in the previous period: **2018** – 25,426, **2019** – 22,537, **2020** – 32,968, **2021** – 38,927 while in **2022** the Administrative Court received the total of **63,534** cases, which is **24,607** cases **more** compared to 2021. The highest number of incoming cases in 2022 referred to the disputes due to the silence of the administration (47,936).

In the previous period, the **Commercial Appellate Court** received the following number of cases: **2018** – 13,831, **2019** – 17,043, **2020** – 13,803, **2021** – 23,314, while in **2022**, the court received **19,904** cases, which is **3,410** cases **less** than in 2021.

In the previous period, the **Misdemeanor Appellate Court** received the following number of cases: **2018** – 29,702; **2019** – 29,178, **2020** – 28,478, **2021** – 30,607, while in **2022**, the court received **30,154** cases, which is **453** cases **less** than in 2021.

**The Supreme Court of Cassation** received the following number of cases in the previous period: **2018** – 13,838, **2019** – 20,597, **2020** – 14,048, **2021** – 110,413 (of which more than 90,000 cases were delegated cases), while in **2022** the court received **34,381** cases, which is **more than 14,500** cases **more** than in 2021, without the delegated cases.

### II.3. CLEARANCE RATE

The chart below shows clearance rate (ratio of the number of disposed and the number of incoming cases) in the courts of the Republic of Serbia in 2022.

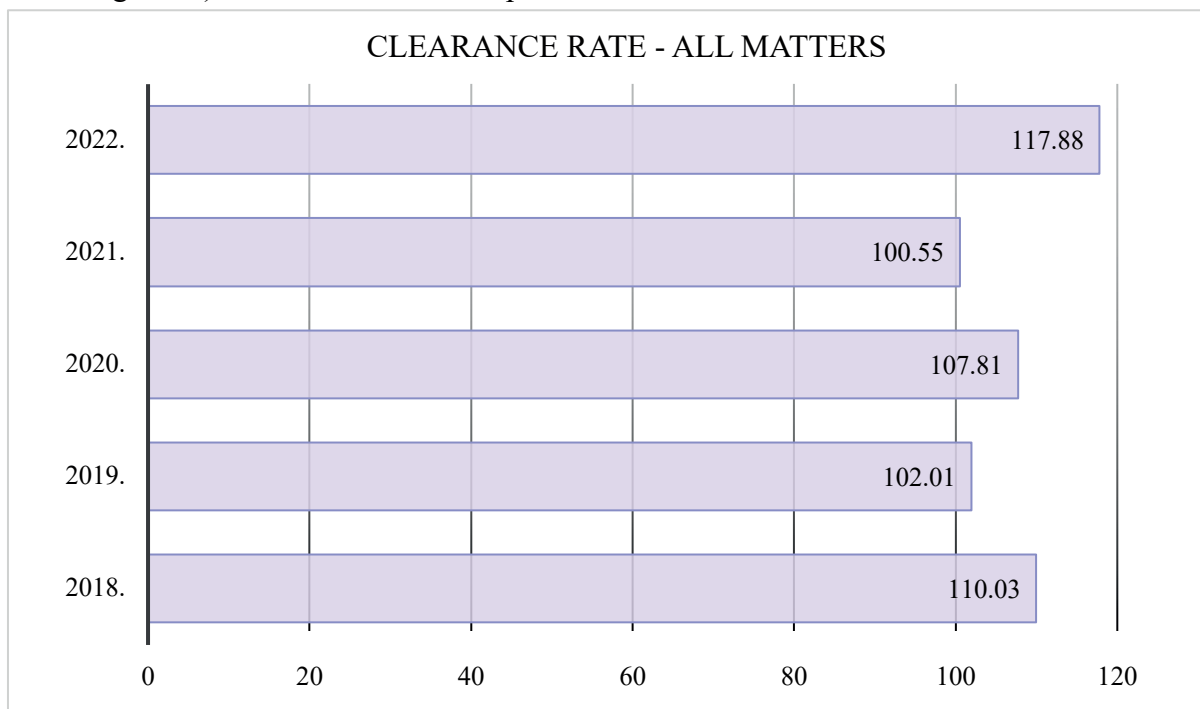


Chart No. 6

The chart shows that in 2022, the number of disposed cases in the courts was **higher in all matters** compared to the number of incoming cases (**117.88%**).

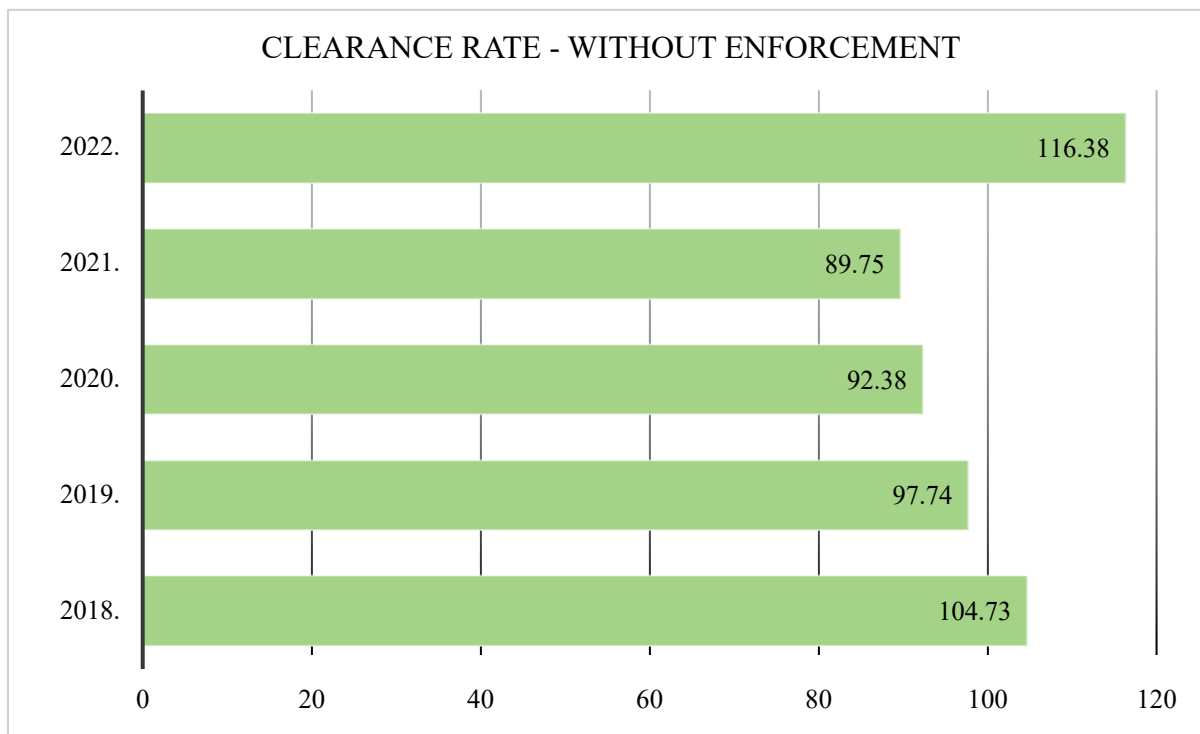


Chart No. 7

The chart indicates that the courts have managed to achieve positive clearance rate in 2022 in all matters **without enforcement** (116.38%).

#### II.4. PENDING CASES AT THE END OF 2022

At the end of 2022, there was a total of **1,174,642 pending cases of all types**, i.e. **1,163,638 cases without enforcement cases**.

##### OVERVIEW OF THE NUMBER OF PENDING CASES IN THE COURTS IN THE REPUBLIC OF SERBIA

	2018	2019	2020	2021	2022
<b>TOTAL AT THE LEVEL OF SERBIA – ALL CASES</b>	1,701,580	1,656,645	1,510,472	1,498,237	1,174,642
<b>TOTAL AT THE LEVEL OF SERBIA – WITHOUT ENFORCEMENT</b>	1,024,521	1,072,156	1,209,631	1,450,878	1,163,638

Table No. 7

Comparative indicators for the period 2018-2022 show a **significant decrease in the number of pending cases in all courts** in the Republic of Serbia, and compared to 2018, there is 526,938 pending cases **less** at the end of 2022, while at the end of 2022 there are 139,117 pending cases **more** without the enforcement cases.

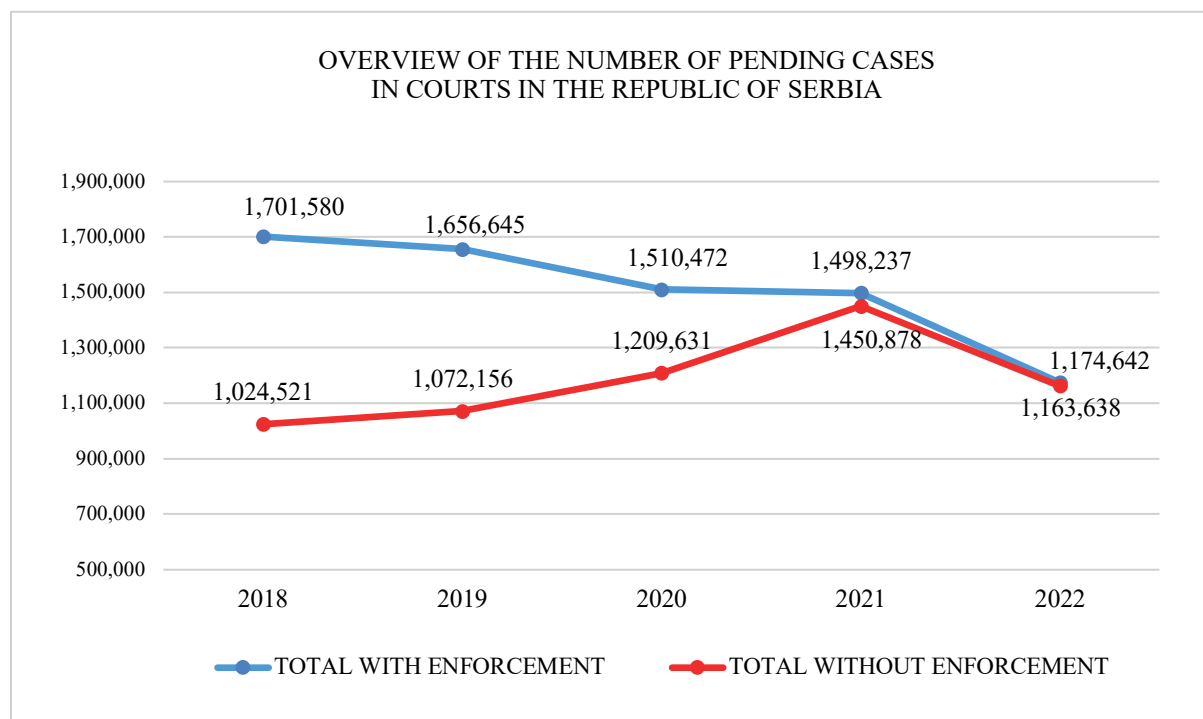


Chart No. 8

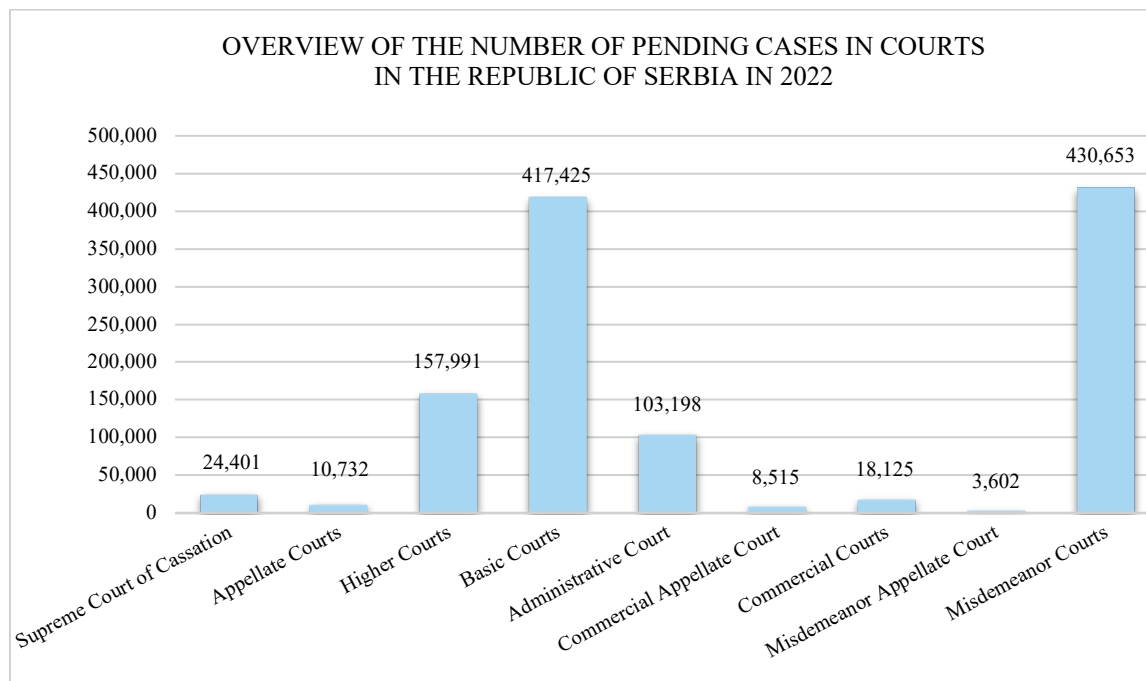


Chart No. 9

Despite the drastically higher than expected inflow of new cases in the period 2018-2022 and at the same time the vacant judicial positions, in 2022 the courts managed to stop the trend of constant increase in the number of pending cases that existed since 2018. The number of disposed cases without the enforcement cases in 2022 was 1,163,638 cases, which is **287,240** cases **less** than in 2021.

#### **Courts with fewer pending cases at the end of 2022 compared to 2021:**

At the end of 2022, there were 407,324 pending cases, without enforcement cases in basic courts, which is **197,809** cases **less** than in 2021, when there were 605,133 of those cases.

At the end of 2022, there were 430,653 pending cases without enforcement in misdemeanor courts, which is **142,320** cases **less** than in 2021, when there were 572,973 of those cases.

At the end of 2022, there were 17,222 pending cases without enforcement in commercial courts, which is **10,392** cases **less** than in 2021, when there were 27,614 of those cases.

At the end of 2022, there were 10,732 pending cases in appellate courts, which is **837** cases **less** than in 2021, when there were 11,569 of those cases.

At the end of 2022, there were 8,515 pending cases in the Commercial Appellate Court, which is **2,597** cases **less** than in 2021, when there were 11,112 of those cases.

At the end of 2022, there were 3,602 pending cases in Misdemeanor Appellate Court, which is **15** cases **less** compared to 2021, when there were 3,617 of those cases.

**Courts with more pending cases at the end of 2022 compared to 2021:**

At the end of 2022, there were 157,991 pending cases in higher courts, which is **13,016** cases **more** than in 2021, when there were 144,975 of those cases.

At the end of 2022, there were 103,198 pending cases in the Administrative Court, which is **38,362** cases **more** than in 2021, when there were 64,836 of those cases.

At the end of 2022, there were 10,732 pending cases in the Supreme Court of Cassation, which is **1,683** cases **more** than in 2021, when there were 9,049 of those cases.

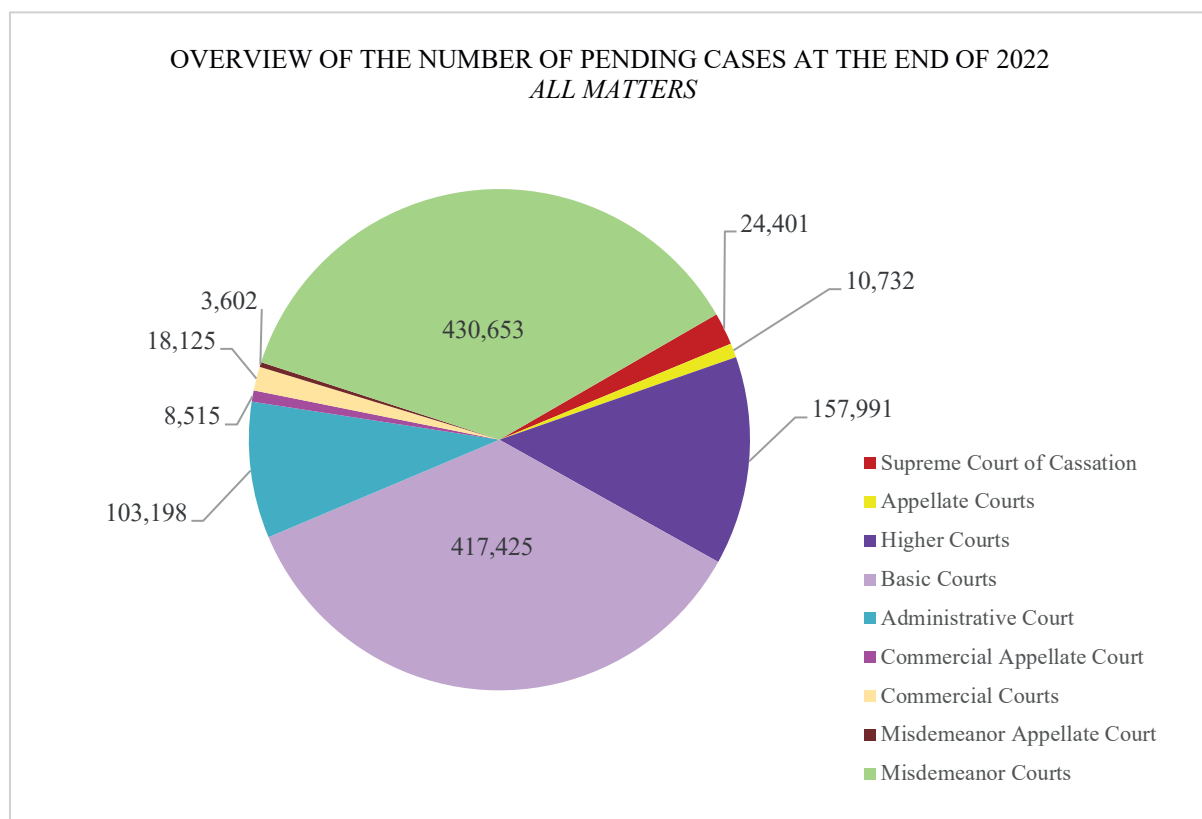


Chart No. 10

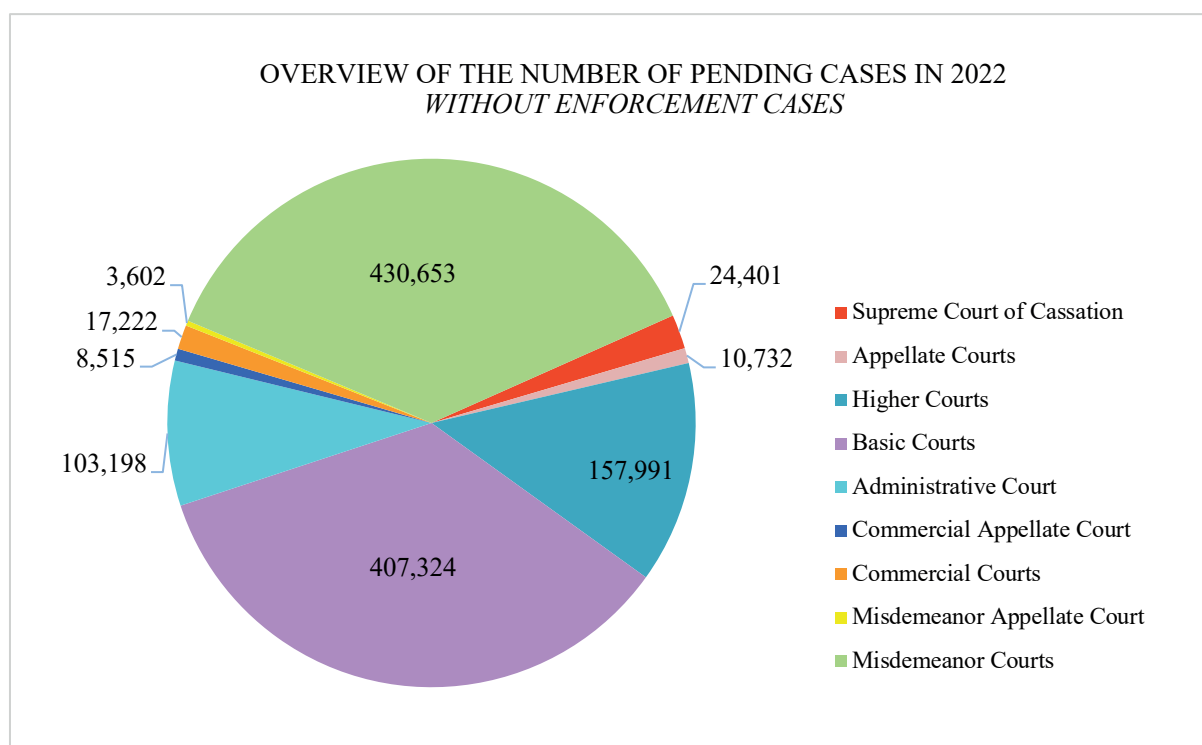


Chart No. 11

## II.5. THE RATIO OF INCOMING, DISPOSED AND PENDING CASES

The ratio of incoming, disposed and pending cases at the end of 2022 compared to the previously observed period, indicates a decrease in the number of pending cases (1,174,642) which is the consequence of the increased engagement of judges and judicial staff, as well as the lower number of disposed cases (2,132,305) and incoming cases (1,808,813).

The ratio of incoming, disposed and pending cases in the period from 2018 to 2022 indicates: a continuous decrease in the number of pending cases, a slight decrease in the number of disposed cases, except in 2021 when there was a sharp increase, as well as a variation in the number of incoming cases, with the largest increase recorded in 2021.

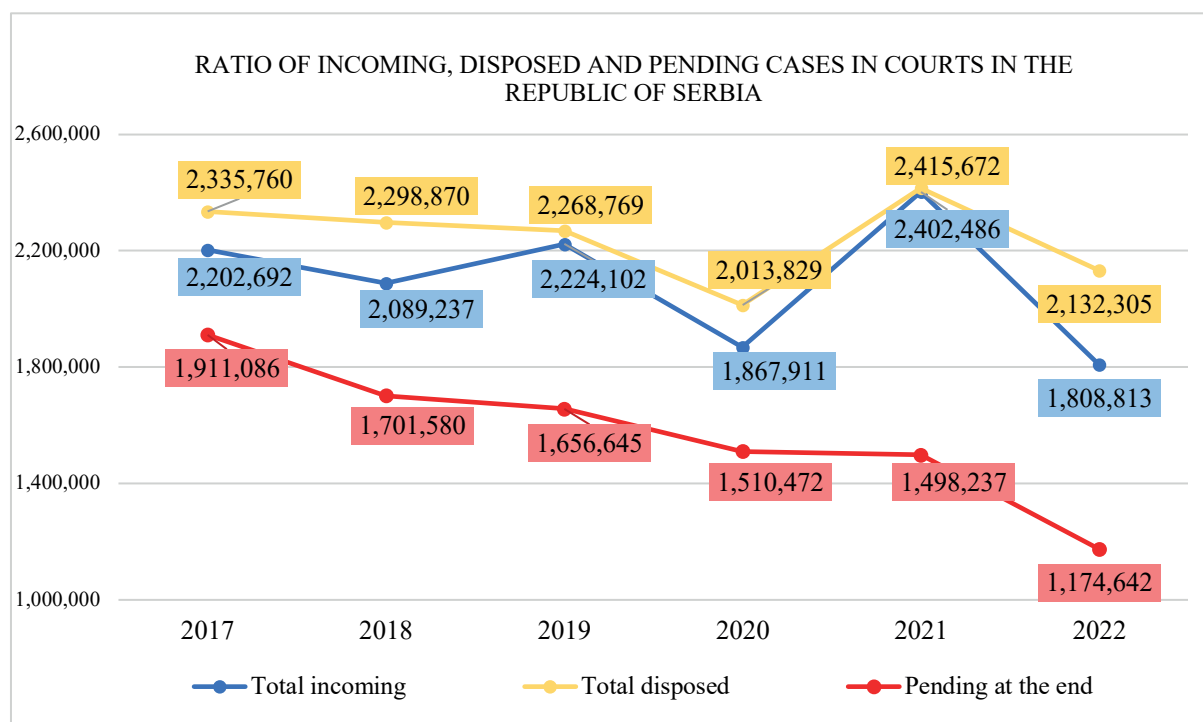


Chart No. 12

The presented data indicate that in 2022, in the observed categories, the courts in the Republic of Serbia saw a decrease in the number of incoming, disposed and pending cases, but that the courts are still burdened with an enormously large number of cases, since in 2022 there was a workload of the total of 3,306,947 cases (number of pending cases transferred from the previous period, increased by the number of incoming cases).

## II.5.1. RATIO OF INCOMING, DISPOSED AND PENDING CASES BY TYPES OF COURTS IN 2022



Chart No. 13

The data presented indicate the problem of the workload of the Supreme Court of Cassation, the Administrative Court and the higher courts, since due to the increase inflow, those judges acting in those courts cannot solve the inflow, while the basic, commercial and misdemeanor courts, although they manage to have good clearance rates, cannot solve the problem of long duration of the procedure, considering the vacant judicial positions.

### III. BACKLOG CASES

Based on the analysis of the disposition of backlog cases according to the Amended Single Backlog Reduction Program for the period 2016-2020, and the statement that the set goals were not achieved, based on Measures 5 and 6 of the Judicial Development Strategy for the 2020-2025 period and Activities 1.3.6.3. and 1.6.3.4. of the Revised Action Plan for Chapter 23 “Judiciary and Fundamental Rights” within the accession negotiations of the Republic of Serbia with the European Union, the Supreme Court of Cassation adopted the Single Backlog Reduction Program in the Republic of Serbia for the period 2021-2025 (measures, recommendations, implementation and monitoring).

The aforementioned document sets the goal that the total number of pending cases in the courts of the Republic of Serbia at the end of 2020 should be reduced from 1,510,472 (around 570 pending cases per judge) to 1,000,000 (around 330 cases per judge), which would decrease the share of backlog cases in the total number of pending cases, according to the current trend, to 2.61%.

In order to achieve that goal, the following are planned: systemic measures, special measures for pending enforcement cases, measures to be taken by the Supreme Court of Cassation, measures to be taken by the Ministry of Justice, measures to be taken by the courts, measures to be taken by the courts in the territory of the City of Belgrade, general and procedural measures.

Implementing measures from strategic documents – the Supreme Court of Cassation presented in this report the number of pending backlog cases from 2019, bearing in mind the amended Rules of Procedure of courts regarding the determination of backlog cases (cases in which the procedure lasts longer than three years, counting from the date of submission of the initial act) and separated indicators that include all pending backlog cases and indicators on the number of backlog cases, without enforcement.

#### III.1. DISPOSED BACKLOG CASES

In 2022, the **total number of disposed backlog cases (288,654) increased**, by 74,420 cases compared to 2019, and **especially in matter without enforcement cases (250,185)**, by 143,237 cases compared to 2019.

OVERVIEW OF THE NUMBER OF DISPOSED BACKLOG CASES IN THE COURTS IN THE  
REPUBLIC OF SERBIA ACCORDING TO THE DATE OF THE INITIAL ACT

	2019	2020	2021	2022
<b>TOTAL AT THE LEVEL OF SERBIA – ALL CASES</b>	214,234	353,563	375,567	288,654
<b>*TOTAL AT THE LEVEL OF SERBIA – WITHOUT ENFORCEMENT</b>	106,948	91,919	118,823	250,185

Table No. 8

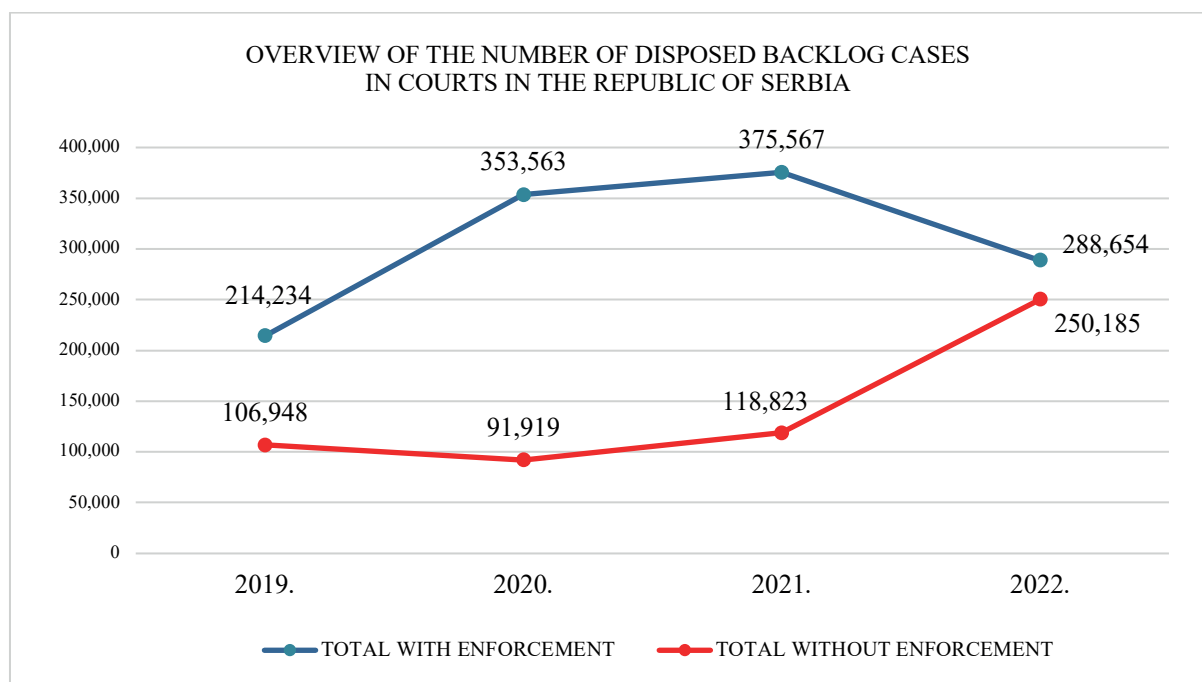


Chart No. 14

### III.2. PENDING BACKLOG CASES ON DECEMBER 31, 2022

According to statistical data on the work of the courts for the year 2022, on December 31, 2022, there were **130,260** pending backlog cases with enforcement cases, while in other matters, without enforcement cases, there were **128,855** pending backlog cases.

REPORT ON PENDING BACKLOG CASES ON DECEMBER 31, 2022  
ACCORDING TO THE DATE OF THE INITIAL ACT

	2019	2020	2021	2022
<b>TOTAL AT THE LEVEL OF SERBIA – ALL CASES</b>	621,324	382,646	137,637	130,260
<b>*TOTAL AT THE LEVEL OF SERBIA – WITHOUT ENFORCEMENT</b>	86,962	95,173	100,753	128,855

Table No. 9

\* Figures for basic courts cover I and IV cases, while commercial courts cover all enforcement cases

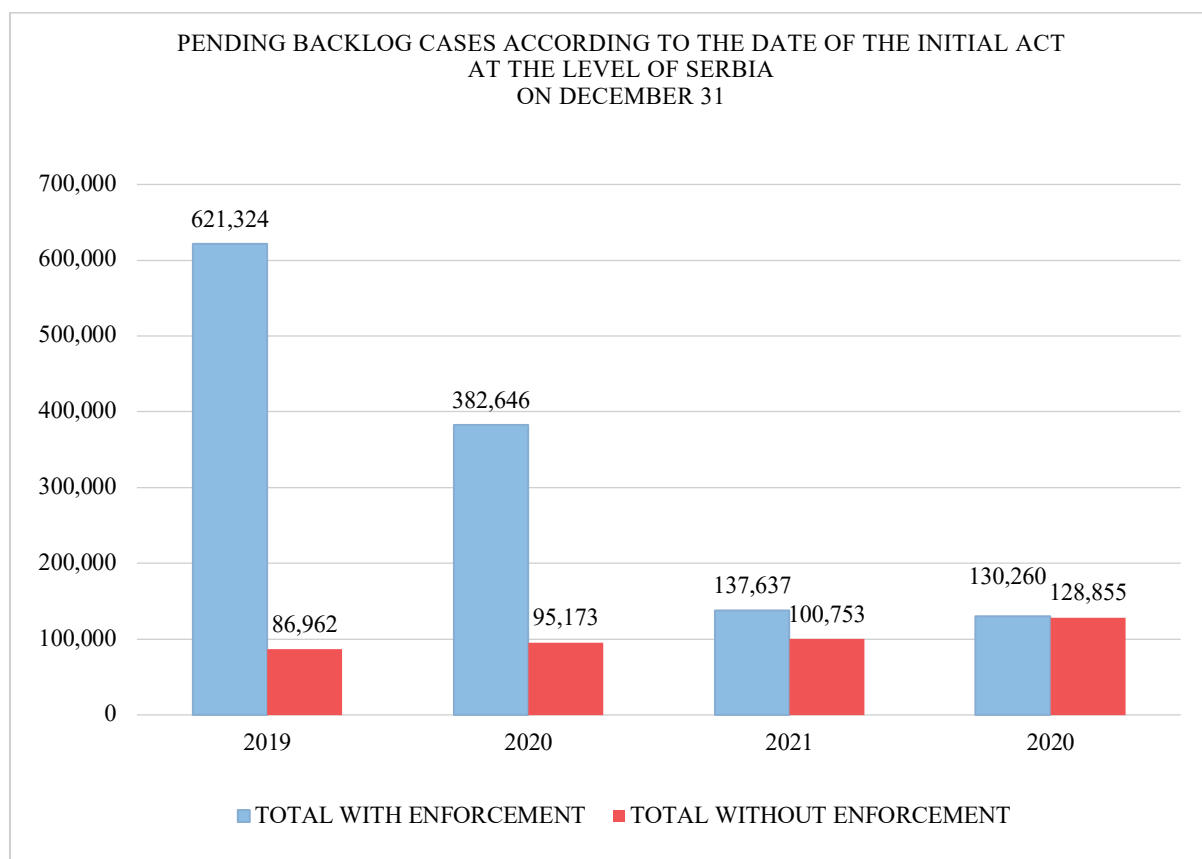


Chart No. 15

A trend of decrease in the number of pending backlog cases in all matters was observed, although less than expected, as well as an increase in the number of pending backlog cases, without enforcement cases (by 41,893 compared to 2019), given that due to the increased inflow in the last five years, which could not be disposed, vacant judicial positions and objective circumstances due to the pandemic, part of those cases moved to the category of backlog cases.

### **III.3. STRUCTURE OF PENDING BACKLOG CASES BY TYPE OF COURT AND MATTERS**

The Court Rules of Procedure regulate the monitoring of backlog cases based on the length of the proceedings according to the date of the initial act (three-five, five-ten and over 10 years), of which the courts keep special records, which represent the starting point for the development of individual backlog reduction program, but also for the assessment of the backlog reduction in courts.

REPORT ON PENDING BACKLOG CASES ON DECEMBER 31, 2022 – ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01 - 12/31/2022	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on Dec 31, 2022	AGE OF PENDING BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	Supreme Court of Cassation	32	43,430	6,874	3,577	2,584	713	15.83	214.81

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01 - 12/31/2022	TOTAL PENDING BACKLOG CASES on Dec 31, 2022	AGE OF PENDING BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	Appellate courts	184	69,542	6,189	2,787	2,742	660	8.90	33.64
2	Higher courts	357	357,548	55,094	40,551	12,155	2,388	15.41	154.32
3	Basic courts	1,182	1,416,760	46,682	29,311	13,522	3,849	3.29	39.49
TOTAL:		1,723	1,843,850	107,965	72,649	28,419	6,897	5.86	62.66

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01 - 12/31/2022	TOTAL PENDING BACKLOG CASES on Dec 31, 2022	AGE OF PENDING BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	Administrative Court	50	128,376	6,333	6,190	142	1	4.93	126.66
2	Commercial Appellate Court	35	31,015	1,525	1,185	295	45	4.92	43.57
3	Commercial courts	168	124,754	2,551	1,154	841	556	2.04	15.18
4	Misdemeanor Appellate Court	52	33,746	145	92	53		0.43	2.79
5	Misdemeanor courts	443	1,101,776	4,867	3,122	1,745		0.44	10.99
TOTAL:		748	1,419,667	15,421	11,743	3,076	602	1.09	20.62
TOTAL - SERBIA		2,503	3,306,947	130,260	87,969	34,079	8,212	3.94	52.04

Table No. 10

The structure of pending backlog cases (at the national level), observed by type of court, indicates that the largest number of backlog cases are in the higher courts (55,094), while basic courts have the largest number of cases older than 10 years (3,849), which has been continuously decreasing since 2019 (**2019** – 252,210; **2020** – 187,091; **2021** – 35,128).

Higher courts have the largest number of pending backlog cases in the second instance in civil Gž matter (49,761), while in the first instance they have the largest number of pending backlog cases in civil P matter (2,717).

Regarding the courts of special jurisdiction, the Administrative Court has experienced a huge increase in the number of pending backlog cases (6,333), which is 5,595 cases **more** than in 2019, while the commercial courts have the largest number of cases older than 10 years (556) which, compared to 2019, shows an upward trend (**2019** – 318; **2020** – 445; **2021** – 583), of which bankruptcy cases (**2019** – 171; **2020** - 342 and **2021** – 470), while at the end of **2022** the number of those cases **went down** – 453.

*Annual Report on the Work of the Courts in the Republic of Serbia for 2022*

**REPORT ON PENDING BACKLOG CASES ON DECEMBER 31, 2022 – ACCORDING TO THE DATE OF THE INITIAL ACT, BY TYPE OF COURTS:**

**APPELLATE COURTS**

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01.01-31.12.2022.	TOTAL PENDING BACKLOG CASES on 31.12.2022.	AGE OF PENDING BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1.	Kž1	47	4,616	204	100	72	32	4.42	4.34
2.	Kž2	47	6,563	6	3	2	1	0.09	0.13
3.	Kžm1	17	329						
4.	Kžm2	31	282						
5.	Gž	85	22,770	3,926	1,634	1,831	461	17.24	46.19
6.	Gž1	52	24,563	1,745	882	730	133	7.10	33.56
7.	Gž2	78	2,353	50	37	12	1	2.12	0.64
TOTAL FOR PREDOMINANTLY TRIAL MATTERS		183	61,476	5,931	2,656	2,647	628	9.65	32.41
TOTAL FOR ALL MATTERS		184	69,542	6,189	2,787	2,742	660	8.90	33.64

*Table No. 11*

**HIGHER COURTS**

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01.01-31.12.2022.	TOTAL PENDING BACKLOG CASES on 31.12.2022.	AGE OF BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1.	P	110	12,260	2,717	1,326	1,185	206	22.16	24.70
2.	P1	85	1,191	176	89	80	7	14.78	2.07
3.	P2	82	1,014	16	14	2	0	1.58	0.20
4.	GŽ	140	224,305	49,761	37,979	10,208	1,574	22.18	355.44
5.	GŽ1	111	3,352	232	79	104	49	6.92	2.09
6.	GŽ2	81	1,298	13	7	6	0	1.00	0.16
7.	K	75	4,175	608	278	238	92	14.56	8.11
8.	K-Po1	17	300	50	15	26	9	16.67	2.94
9.	K-Po2	6	36	11	4	3	4	30.56	1.83
10.	K-Po3	13	154	12	7	3	2	7.79	0.92
11.	K-Po4	18	951	36	36	0	0	3.79	2.00
12.	KŽ1	68	7,736	102	75	25	2	1.32	1.50
13.	KIM	43	3,379	4	3	1	0	0.12	0.09
14.	KM	42	2,037	3	3	0	0	0.15	0.07
TOTAL FOR PREDOMINANTLY TRIAL MATTERS		334	262,188	53,741	39,915	11,881	1,945	20.50	160.90
TOTAL FOR ALL MATTERS		357	357,548	55,094	40,551	12,155	2,388	15.41	154.32

*Table No. 12*

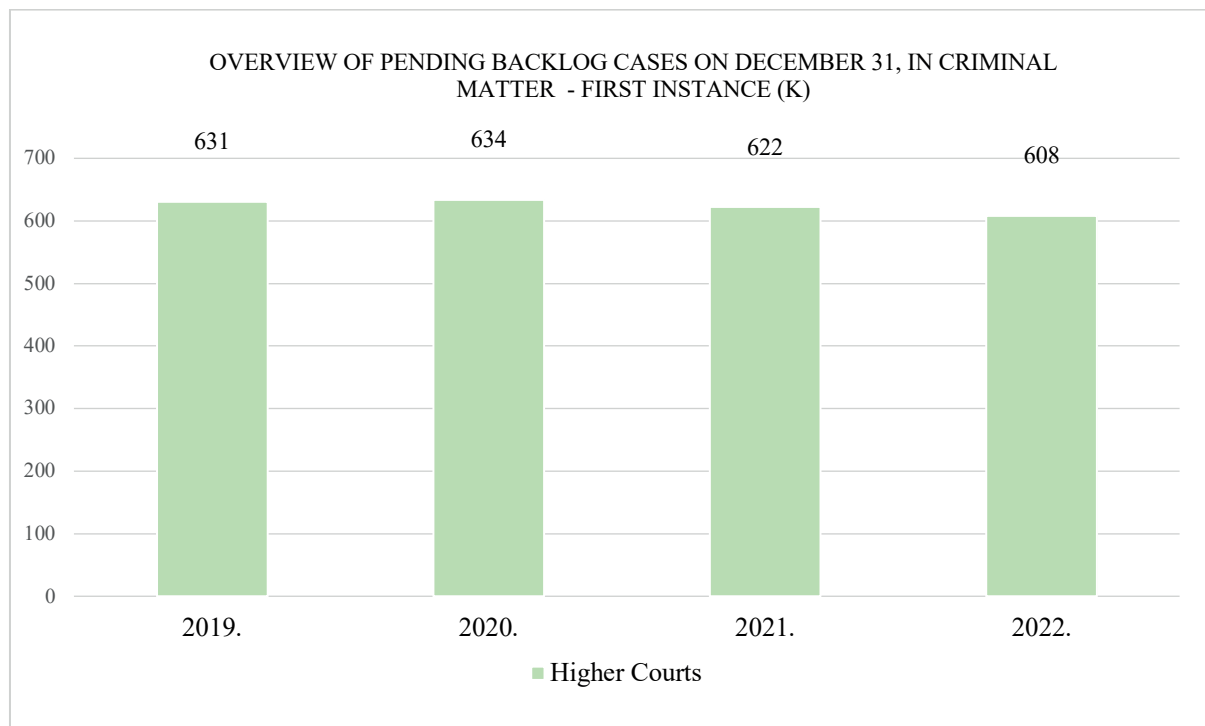


Chart No. 16

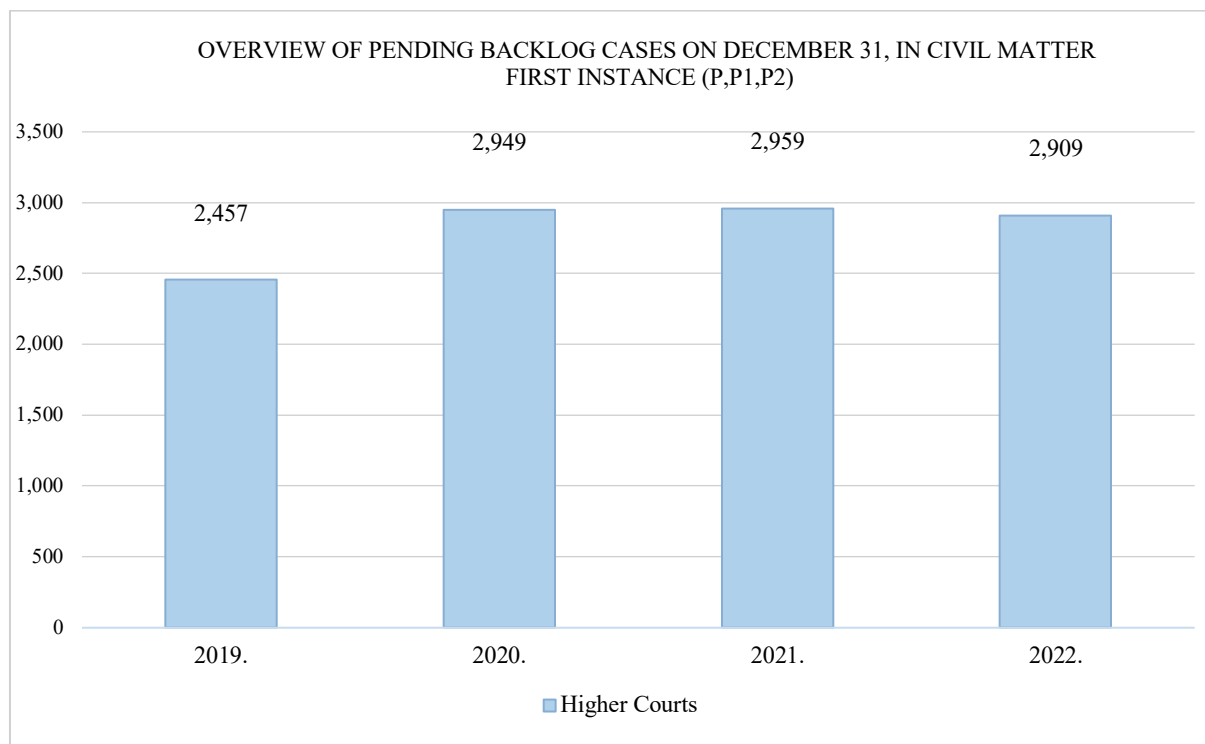


Chart No. 17

BASIC COURTS

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2022	TOTAL PENDING BACKLOG CASES on 31.12.2022.	AGE OF PENDING BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1.	P	681	552,908	31,097	19,895	8,824	2,378	5.62	45.66
2.	P1	298	72,187	5,367	3,364	1,712	291	7.43	18.01
3.	P2	278	45,675	395	343	51	1	0.86	1.42
4.	K	247	57,481	2,292	1,609	607	76	3.99	9.28
TOTAL 1-4		1,029	728,251	39,151	25,211	11,194	2,746	5.38	38.05
5.	Iv	84	38,133	710	4	45	661	1.86	8.45
6.	I	121	26,276	658	255	330	73	2.50	5.44
TOTAL 5-6		140	64,409	1,368	259	375	734	2.12	9.77
ALL ENFORCEMENT		375	263,598	3,463	1,344	1,364	755	1.31	9.23
TOTAL FOR ALL MATTERS		1,182	1,416,760	46,682	29,311	13,522	3,849	3.29	39.49

Table No. 13

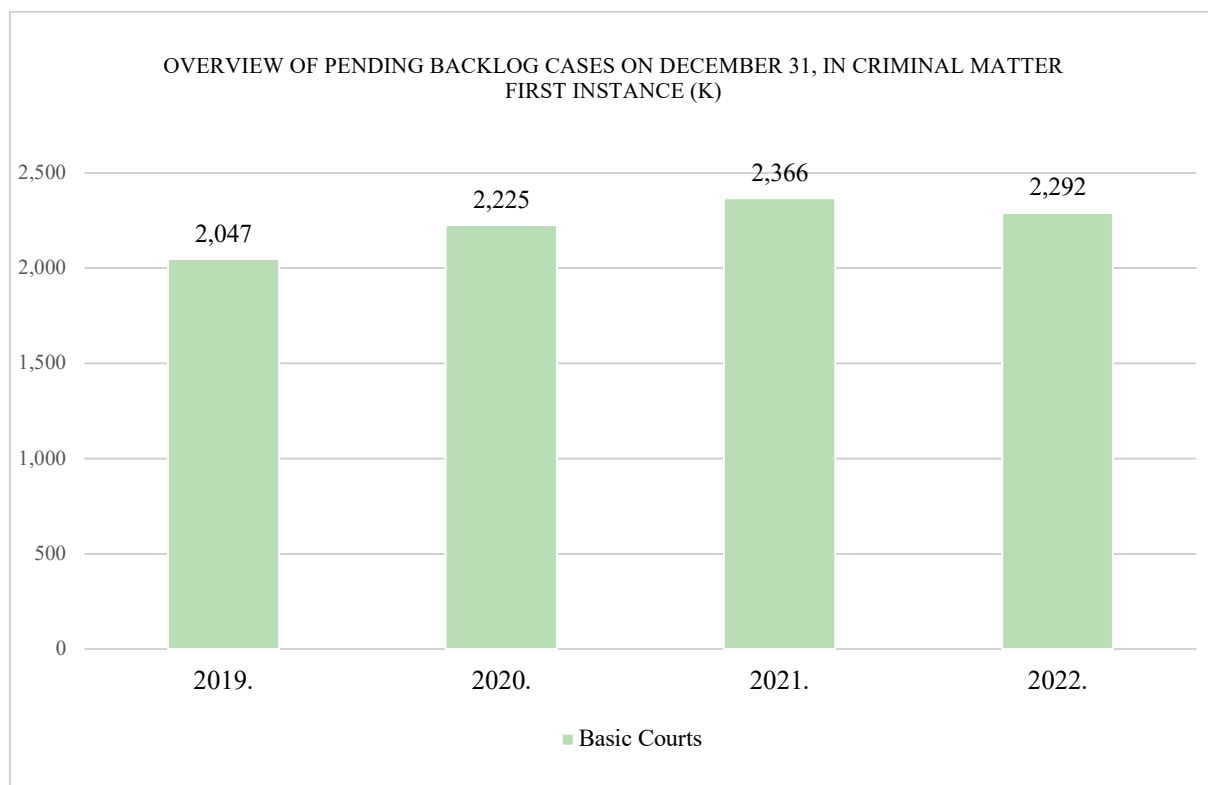


Chart No. 18

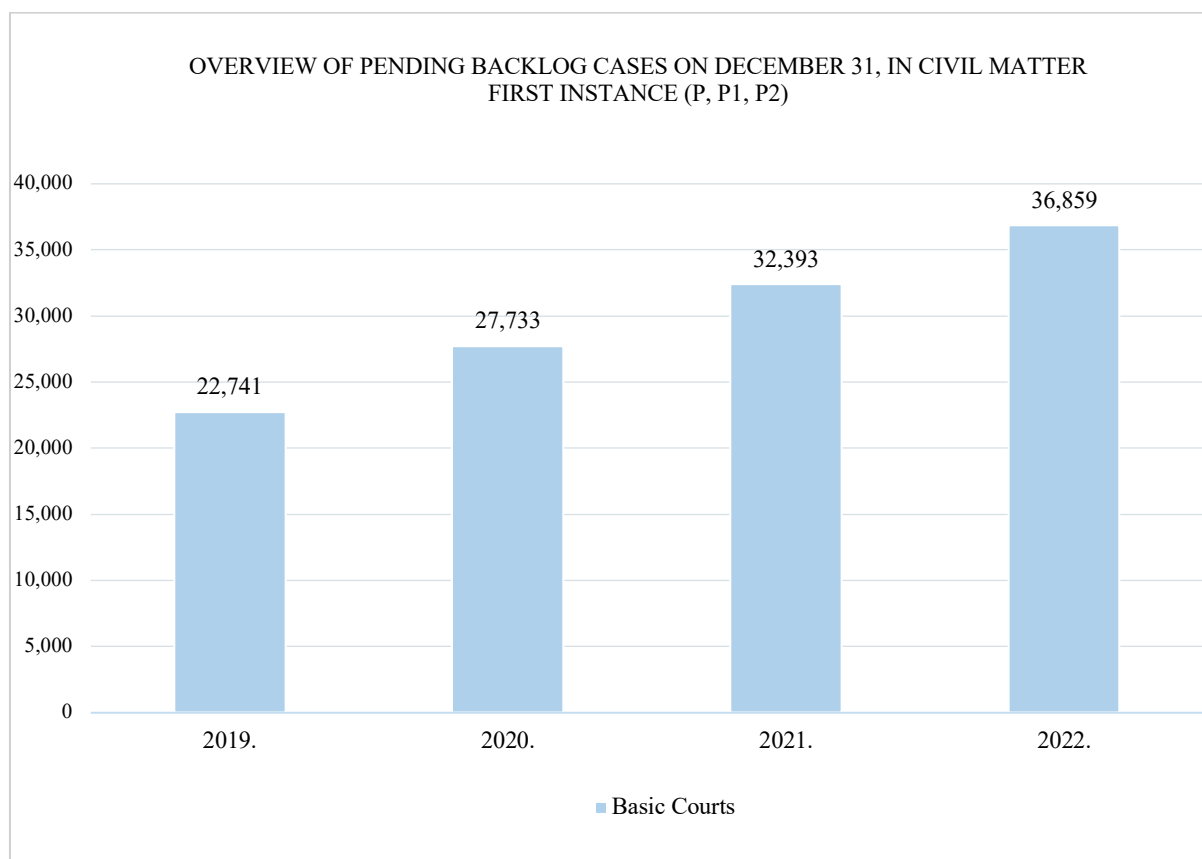


Chart No. 19

#### ADMINISTRATIVE COURT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01.01-31.12.2022.	TOTAL PENDING BACKLOG CASES on 31.12.2022.	AGE OF BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1.	U	50	123,324	6,241	6,101	139	1	5.06	124.82
2.	UR	50	249	13	13			5.22	0.26
3.	UI	50	2,643	49	48	1		1.85	0.98
4.	UO	46	164						
5.	UV	15	638						
6.	UP	47	182	30	28	2		16.48	0.64
TOTAL 1-6		50	127,200	6,333	6,190	142	1	4.98	126.66
TOTAL FOR ALL MATTERS		50	128,376	6,333	6,190	142	1	4.93	126.66

Table No. 14

COMMERCIAL APPELLATE COURT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01.01-31.12.2022.	Total number of pending backlog cases on 31.12.2022.	AGE OF BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1.	Pž	32	18,341	1,462	1,141	282	39	7.97	45.69
2.	Pvž	6	523	24	10	9	5	4.59	4.00
3.	Iž	34	1,184	10	6	3	1	0.84	0.29
4.	R	1	47						
TOTAL 1-4		34	20,095	1,496	1,157	294	45	7.44	44.00
5.	Pkž	2	906	29	28	1		3.20	14.50
TOTAL FOR ALL MATTERS		35	31,015	1,525	1,185	295	45	4.92	43.57

Table No. 15

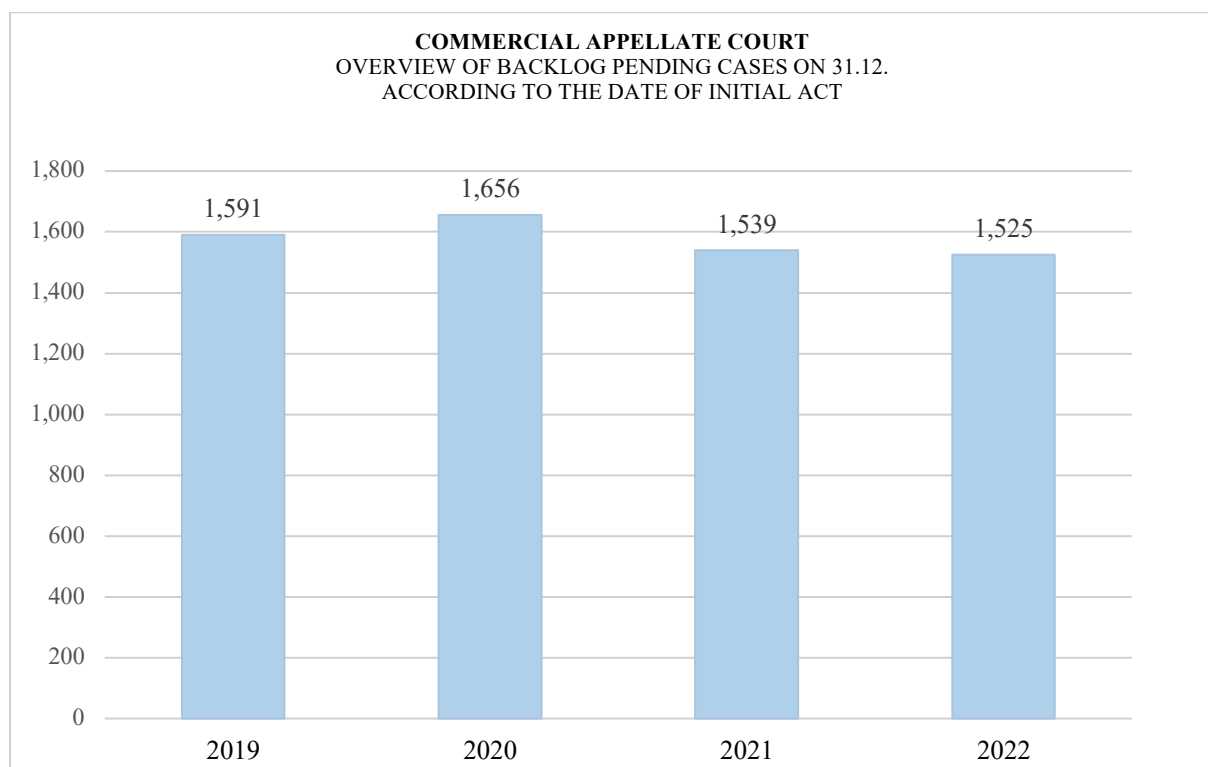


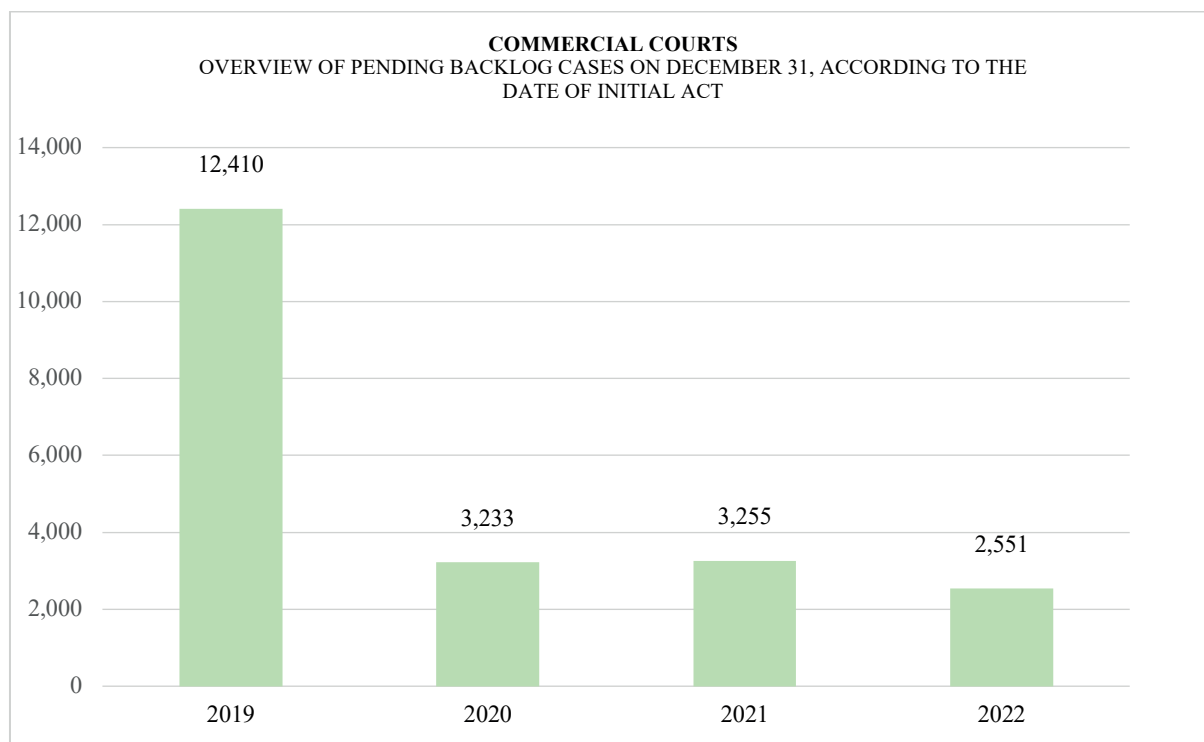
Chart No. 20

*Annual Report on the Work of the Courts in the Republic of Serbia for 2022*

**COMMERCIAL COURTS**

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01.01-31.12.2022.	TOTAL PENDING BACKLOG CASES on 31.12.2022.	AGE OF BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1.	Commercial offences	58	34,081	186	182	4	0	0.55	3.21
2.	Bankruptcy	68	2,466	1,040	160	427	453	42.17	15.29
<i>a</i>	I	20	985	19	14	4	1	1.93	0.95
<i>b</i>	Iv	8	70	0	0	0	0	0.00	0.00
<i>c</i>	Total ( <i>a+b</i> )	20	1,055	19	14	4	1	1.80	0.95
<i>d</i>	Other enforcement	69	37,961	18	4	13	1	0.05	0.26
3.	All enforcement ( <i>c+d</i> )	71	39,016	37	18	17	2	0.09	0.52
4.	Payment order	51	598	0	0	0	0	0.00	0.00
5.	Litigation	107	24,316	1,284	792	392	100	5.28	12.00
6.	Non-litigious	68	4,018	4	2	1	1	0.10	0.06
TOTAL FOR ALL MATTERS		168	124,754	2,551	1,154	841	556	2.04	15.18

*Table No. 16*



*Chart No. 21*

*Annual Report on the Work of the Courts in the Republic of Serbia for 2022*

**MISDEMEANOR APPELLATE COURT**

No.	Matter		Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01.01-31.12.2022.	TOTAL PENDING BACKLOG CASES on 31.12.2022.	AGE OF PENDING BACKLOG CASES		% OF BACKLOG CASES COMPARE D TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
	Classification	Registry				3 TO 5	5 TO 10		
1.	01 - Public order and peace	PRŽ	52	2,866	1	1		0.03	0.02
		PRŽM	52	81	0			0.00	0.00
2.	02 - Traffic	PRŽ	52	18,655	8	4	4	0.04	0.15
		PRŽM	52	241	0			0.00	0.00
3.	03 - Public safety	PRŽ	52	1,680	0			0.00	0.00
		PRŽM	42	42	0			0.00	0.00
4.	04 - Commercial	PRŽ	52	2,954	12	8	4	0.41	0.23
		PRŽM	3	3	0			0.00	0.00
5.	05 - Finance and customs	PRŽ	52	2,894	112	67	45	3.87	2.15
		PRŽM		0	0				
6.	06 - Labor, labor relations and protection at work	PRŽ	52	429	0			0.00	0.00
		PRŽM		0	0				
7.	07 - Education, science, culture and informatoin	PRŽ	52	1,898	11	11		0.58	0.21
		PRŽM		0	0				
8.	08 - Health and social protection, health insurance and environmental protection	PRŽ	52	498	0			0.00	0.00
		PRŽM		0	0				
9.	09 - Defense - Military	PRŽ	52	59	0			0.00	0.00
		PRŽM	4	4	0			0.00	0.00
10.	10 - Administration	PRŽ	52	74	1	1		1.35	0.02
		PRŽM		0	0				
TOTAL 1-10		PRŽ	52	32,007	145	92	53	0.45	2.79
		PRŽM	52	371	0	0	0	0.00	0.00
TOTAL FOR ALL MATTERS			52	33,746	145	92	53	0.43	2.79

Table No. 17

**MISDEMEANOR COURTS**

No.	Matter		Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01.01-31.12.2022.	TOTAL PENDING BACKLOG CASES on 31.12.2022.	AGE OF PENDING BACKLOG CASES		% BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
	Classification	Registry				3 TO 5	5 TO 10		
1.	01 - Public order and peace	PR	421	38,799	23	23		0.06	0.05
		PRM	363	1,993					
2.	02 - Traffic	PR	422	315,762	181	181		0.06	0.43
		PRM	364	5,285					
3.	03 - Public safety	PR	421	44,210	10	10		0.02	0.02
		PRM	345	1,602	1	1		0.06	0.00
4.	04 - Commercial	PR	421	47,169	225	204	21	0.48	0.53
		PRM	18	30					
5.	05 - Finance and customs	PR	421	36,362	4,145	2,421	1,724	11.40	9.85
		PRM	17	20	2	2		10.00	0.12
6.	06 - Labor, labor relations and protection at work	PR	421	6,280	3	3		0.05	0.01
		PRM	1	1					
7.	07 - Education, science, culture and informatoin	PR	401	6,697	26	26		0.39	0.06
		PRM	5	8					
8.	08 - Health and social protection, health insurance and environmental protection	PR	417	7,682	10	10		0.13	0.02
		PRM	35	48					
9.	09 - Defense - Military	PR	416	9,877	2	2		0.02	0.00
		PRM	221	743					
10.	10 - Administration	PR	127	901	1	1		0.11	0.01
		PRM	0						
TOTAL 1-10		PR	422	513,739	4,626	2,881	1,745	0.90	10.96
		PRM	366	9,730	3	3		0.03	0.01
TOTAL FOR ALL MATTERS			443	1,101,776	4,867	3,122	1,745	0.44	10.99

Table No. 18

### III.4. STATUTE OF LIMITATIONS (criminal, misdemeanor, commercial matter)

The number of cases disposed by suspension of proceedings due to statute of limitations in criminal proceedings, misdemeanor proceedings and proceedings on commercial offenses indicates that the number of such cases before courts of general jurisdiction is decreasing, but that the number of statute of limitations in commercial and misdemeanor courts is growing.

**In misdemeanor courts** in 2022, the number of cases disposed by suspension of proceedings due to statute of limitations was **125,619** which is **40,621** cases more than in 2021, thus **continuing the trend of growth of statute-barred cases** from 2019.

In the procedure for commercial offenses **before commercial courts** in 2022, the number of cases disposed by suspension of the proceedings due to the statute of limitations was **5,251** which is **512** cases **more** than in 2021.

STATUTE OF LIMITATIONS IN 2022 (PREDOMINANTLY TRIAL MATTERS)

No.	Court	Total number of disposed cases	Decision on suspension due to the statute of limitations	Verdict of abandonment (reversed decision) due to the statute of	Total statute of limitations
1	Appellate Courts	51,370		1	1
2	Higher Courts	116,506	2	34	36
3	Basic Courts	400,638	24	54	78
4	Commercial Appellate Court	22,500			
5	Commercial Courts	106,629	5,251	8	5,259
6	Misdemeanor Appellate Court	30,144	1,391	26	1,417
7	Misdemeanor Courts	671,123	124,946	673	125,619
TOTAL		1,398,910	131,614	796	132,410

Table No. 19

In the period from 2018 to 2022, **in the misdemeanor courts**, the following number of cases was disposed by suspension due to the statute of limitations: **2018** – 111,919 of the total of 676,361 disposed cases; **2019** – 55,400 of the total of 614,246 disposed cases; **2020** – 66,536 of the total of 475,897 disposed cases, **2021** – 84,998 of the total of 558,277 disposed cases, while in **2022**, there was a significant increase in the number of cases disposed through this mechanism – 125,619, of the total of 671,123 disposed cases.

**In commercial courts**, approximately the same number of cases (from 4 to 33) were resolved by suspending proceedings due to the statute of limitations, while in **2021**, the number of statute-barred cases **increased drastically** (4,739), and in 2022 that number was even higher (5,251).

**It is necessary to prepare an analysis of the causes that led to the disposition of cases by suspension due to the statute of limitations, because this way of disposing cases cannot be considered as an efficient action by the misdemeanor and commercial courts, as well as an analysis of the excessive duration of misdemeanor proceedings over three and over five years, and the proceedings before commercial courts (over three, over five and over ten years).**

### III.5. APPLICATION OF THE LAW ON ENFORCEMENT AND SECURITY FROM 2016 AND THE LAW ON AMENDMENTS AND SUPPLEMENTS TO THE LAW ON ENFORCEMENT AND SECURITY FROM 2019

Adoption and implementation of the Law on Enforcement and Security (“Official Gazette of the Republic of Serbia”, No. 106/2015) and Amendments and Supplements to the Law on Enforcement and Security (“Official Gazette of the Republic of Serbia”, No. 54/2019), that came into force on January 1<sup>st</sup>, 2020 and the adoption of the Instructions for the implementation of the new Law on Enforcement and Security (2019), prepared through cooperation of the Supreme Court of Cassation, the High Court Council and the Ministry of Justice, **helped the courts to solve the multi-decade problem of a huge number of enforcement cases.**

All enforcement	Pending at the beginning	Total incoming	Total disposed	Pending at the end
2018	838,643	337,760	463,964	712,439
2019	712,440	396,233	475,702	632,971
2020	632,974	208,059	515,385	325,648
2021	325,651	255,792	514,833	66,610
2022	66,610	236,004	274,913	27,701

Table No. 20

An overview at the table shows that in 2022, 236,004 new enforcement cases were received, 274,913 cases were disposed, **and 27,701 cases remained pending.**

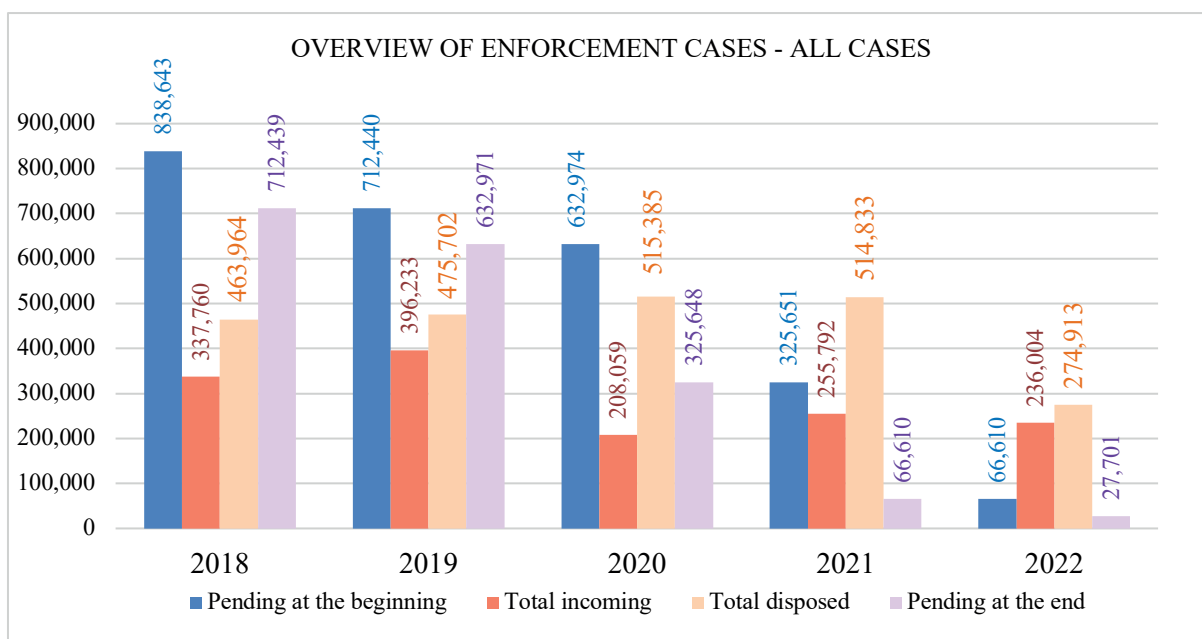


Chart No. 22

OVERVIEW OF ENFORCEMENT CASES  
TOTAL FOR ALL BASIC AND COMMERCIAL COURTS IN 2022

2022	Matter	Pending at the beginning	Total incoming	Total disposed	Pending at the end
BASIC COURTS	I	10.757	15.519	17.007	9.269
	Iv	35.580	2.553	37.301	832
	Total (I+Iv)	46.337	18.072	54.308	10.101
COMMERCIAL COURTS	I	452	533	627	358
	Iv	4	66	66	4
	Total (I+Iv)	456	599	693	362
TOTAL (BASIC + COMMERCIAL)	I	11.209	16.052	17.634	9.627
	Iv	35.584	2.619	37.367	836
	Total	46.793	18.671	55.001	10.463

Table No. 21

**Comparative indicators of the structure of enforcement cases (I, Iv) indicate that the total number of these enforcement cases at the end of 2022 was reduced (27,701) which, compared to the end of 2021, is 38,909 cases less, and compared to 2018 – 684,738 cases.**

### III.5.1. PENDING BACKLOG ENFORCEMENT CASES

The Supreme Court of Cassation paid special attention to the problem of pending backlog enforcement cases, since in the previous period they affected the efficiency of the courts.

**Exceptional results were achieved** through the cooperation of the Supreme Court of Cassation, the High Court Council and the Ministry of Justice, with the additional help of the IPA 2012 Projects “Improving Judicial Efficiency in the Republic of Serbia”, “EU for Serbia – Support to the Supreme Court of Cassation” and “EU for Serbia – Support to the High Court Council”, **in the period from 2016 to the end of 2022 in the reduction of pending backlog court cases, and especially pending backlog IV cases in basic courts.**

The table shows the number and structure of pending backlog enforcement cases in basic and commercial courts (I and Iv):

### BASIC COURTS

#### STRUCTURE OF PENDING BACKLOG ENFORCEMENT CASES ACCORDING TO THE DATE OF THE INITIAL ACT ON DECEMBER 31

Year	Matter	Total number of pending backlog cases	AGE OF PENDING BACKLOG CASES		
			3 to 5	5 to 10	More than 10
2019	I	52.851	20.100	28.380	4.371
	Iv	472.084	16.844	209.279	245.961
	TOTAL:	524.935	36.944	237.659	250.332
2020	I	5.600	1.514	3.383	703
	Iv	281.818	1.489	96.029	184.300
	TOTAL:	287.418	3.003	99.412	185.003
2021	I	1.402	351	875	176
	Iv	35.443	35	3.065	32.343
	TOTAL:	36.845	386	3.940	32.519
2022	I	658	255	330	73
	Iv	710	4	45	661
	TOTAL:	1.368	259	375	734

Table No. 22

### COMMERCIAL COURTS

#### STRUCTURE OF PENDING BACKLOG ENFORCEMENT CASES ACCORDING TO THE DATE OF THE INITIAL ACT, ON DECEMBER 31

Year	Matter	Total number of pending backlog cases	AGE OF PENDING BACKLOG CASES		
			3 to 5	5 to 10	More than 10
2019	I	1.852	807	1.023	22
	Iv	7.513	2.134	5.355	24
	TOTAL:	9.365	2.941	6.378	46
2020	I	26	11	14	1
	Iv	10	0	9	1
	TOTAL:	36	11	23	2
2021	I	18	10	8	
	Iv	4		2	2
	TOTAL:	22	10	10	2
2022	I	19	14	4	1
	Iv				
	TOTAL:	19	14	4	1

Table No. 23

The data on the number of disposed backlog enforcement cases (Iv) indicate that the implementation of the measures foreseen in the Single Backlog Reduction Program in the Republic of Serbia for the period 2021-2025 helped achieve, to the greatest extent, the set goals before the deadline.

#### IV. PROTECTION OF THE RIGHT TO A TRIAL WITHIN REASONABLE TIME

With the transfer of jurisdiction for the protection of the right to a trial within reasonable time from the Constitutional Court to the courts of general and special jurisdiction under the Law on Amendments to the Law on the Organization of Courts and the adoption of the Law on the Protection of the Right to a Trial within Reasonable Time, a large number of requests for protection were submitted for this right, that is, objections to speed up proceedings (2022 – 29,220), of which the largest number of those cases (R4st – 17,266) are before the commercial courts.

##### REPORT ON THE NUMBER OF FILED LAWSUITS FOR PROPERTY AND NON-PROPERTY DAMAGE (Prr, Prr1) IN THE PERIOD FROM 01.01.2022 TO 31.12.2022

ИЗВЕШТАЈ О БРОЈУ ПОДНЕТИХ ТУЖБИ ЗА ИМОВИНСКУ И НЕИМОВИНСКУ ШТЕТУ (Ппр,Ппр1)  
У ПЕРИОДУ 01.01.2022. ДО 31.12.2022.

No.	Type of court	Pending at the beginning	Incoming		Total caseload	Total disposed			Pending at the end	
			Total	New		In merits	In other way	Total disposed	Remaining caseload as pending	Backlog cases according to the date of the initial act
1.	Higher Courts	45	58	45	103	57	3	60	43	
2.	Basic Courts	14,025	14,396	13,015	28,421	16,020	1,755	17,775	10,646	468

Table No. 24

Based on the decisions of the presidents of the courts, which accepted objections for speeding up the proceedings and found a violation of the right to a trial within reasonable time before the basic and higher courts in the Republic of Serbia, out of the total number of cases received (13,060), the number of filed lawsuits for property damage was (Prr1 – **5,703**), and for non-property damage (Prr – **8,751**).

The largest number of these cases refer to the enforcement of legally binding court decisions, in which the enforcement of forced collection of claims from the employment relations was interrupted by the imperative norms of the Law on Privatization, which were not affected by the legal decision of the courts, and in which due to the insolvency of the debtor in the restructuring for the sake of privatization, the obligation falls on the state (*Kačapor v. Serbia, Vlahović v. Serbia...*). Amounts paid to parties instead of these insolvent debtors, that are socially or state owned and whose privatization is controlled by the state, significantly burden the budget.

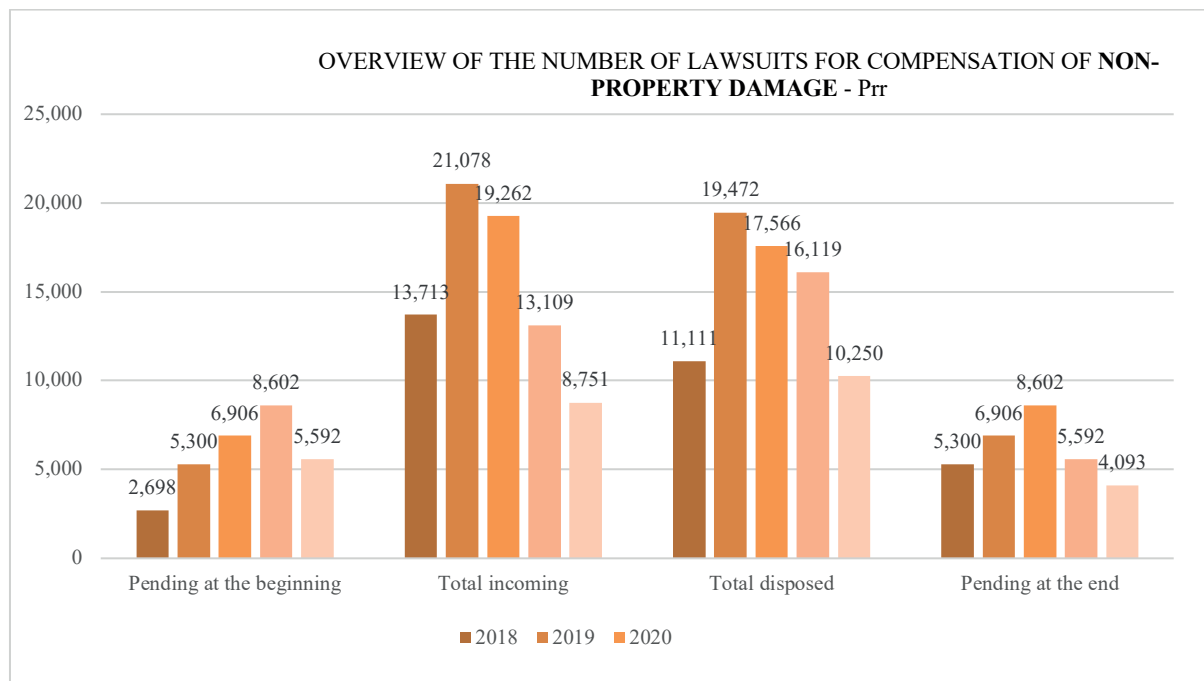


Chart No. 23

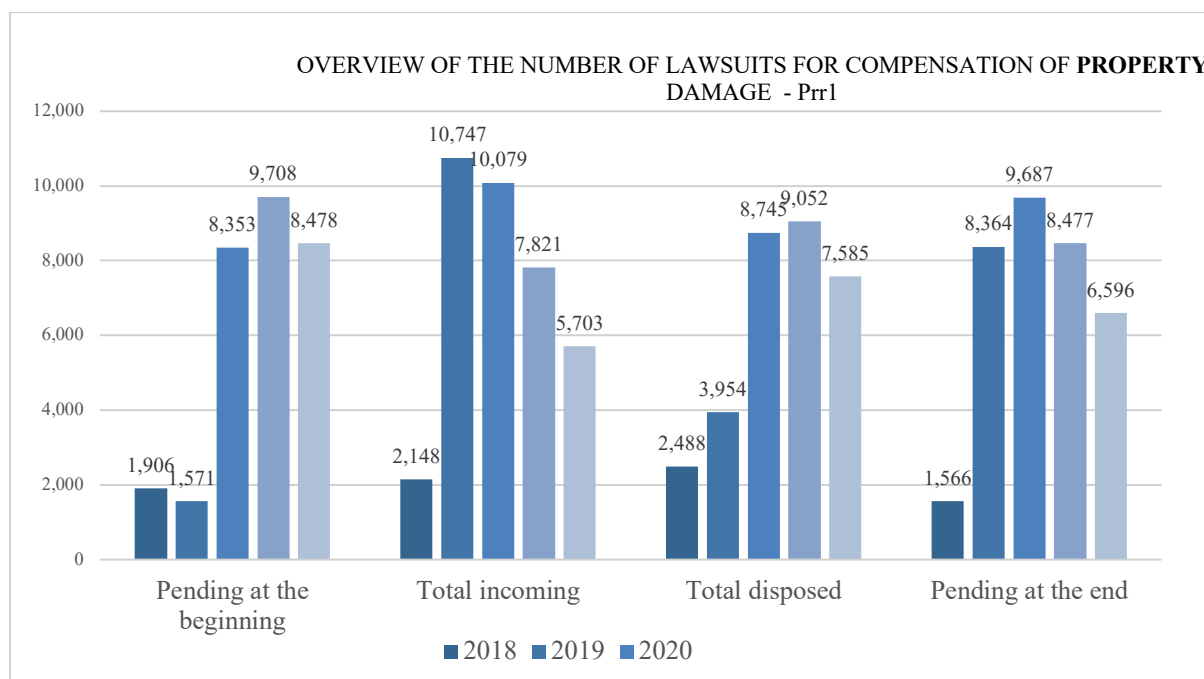


Chart No. 24

The largest **number of incoming cases for claims** for compensation of property and non-property damage was in 2019 (31,825). The trend of such a high number of claims has been stopped, since in 2020 there were 29,341 of these cases, in **2021** – 20,930, while in 2022 this number **decreased to-13,060 cases**.

The number of pending cases of this type on **December 31,2022** was **10,689** cases which is **10,241** cases less than in **2021**.

#### **IV.1. PAYMENT OF DAMAGES PURSUANT TO DOMESTIC COURT DECISIONS IN 2022**

1. Compensation for damages based on the violation of the right to a trial within reasonable time according to the decisions of domestic courts, voluntarily paid by the courts, was in the amount of RSD **297,885,908.33**.

2. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the decisions of the domestic courts, collected through forced collection at the expense of the courts, was about RSD **4,000,000,000.00**.

3. Compensation for damages based on the violation of the right to a trial within reasonable time according to the decisions of domestic courts, paid voluntarily based on an agreement with the State Attorney's Office amounted to RSD **71,214,643.00**.

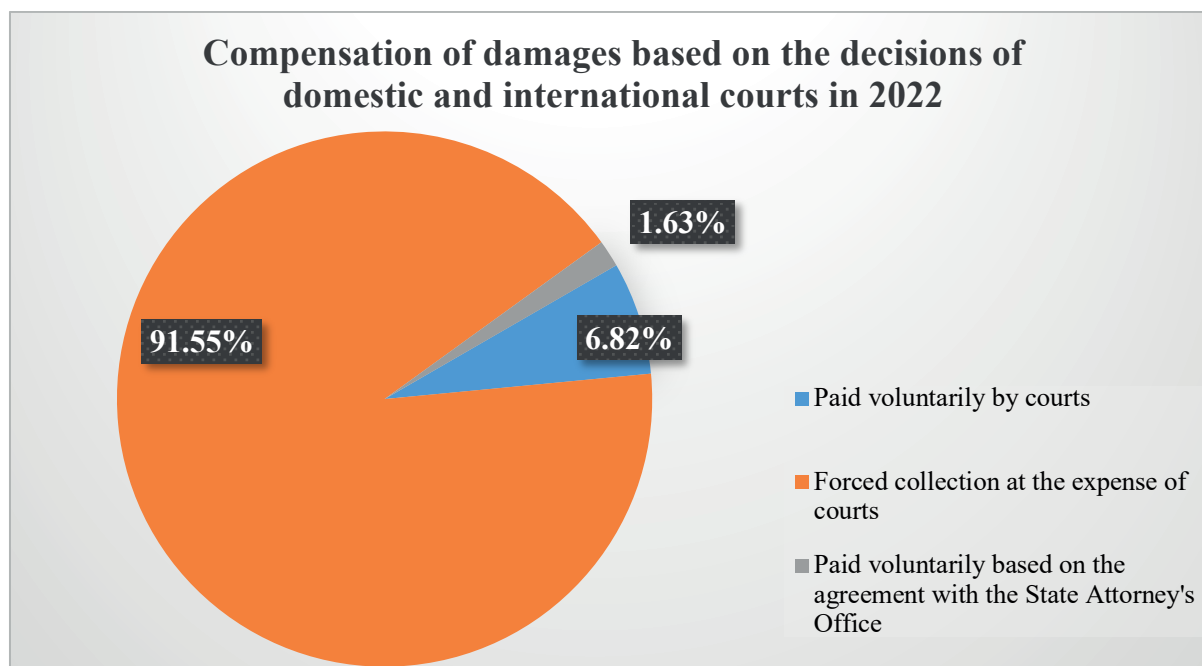


Chart No. 25

## V. ACTIONS OF COURTS IN THE FIGHT AGAINST CORRUPTION, HUMAN TRAFFICKING (Article 388 of the CC), VIOLENT BEHAVIOUR AT A SPORTS EVENT OR PUBLIC GATHERING (Article 344-a of the CC), PROTECTION AGAINST FAMILY VIOLENCE AND THE SO-CALLED MISSING BABIES

The upcoming analysis of statistical data includes reports on which the Supreme Court of Cassation periodically reports to the competent institutions.

### V.1. CORRUPTION

Amendments to the Criminal Code (“Official Gazette of the Republic of Serbia”, No. 94/2016) revised the section on criminal offenses against the economy and the section on criminal offenses against official duty. Also, the new Law on the Organization and Competence of State Authorities in Suppression of Organized Crime, Terrorism and Corruption (“Official Gazette of the Republic of Serbia”, No. 94/16 and 87/18) was adopted, which establishes four special departments for actions related to criminal acts of this type of crime before the higher courts in Belgrade, Kraljevo, Niš and Novi Sad, which act in the first instance. In previously initiated cases, the proceedings are completed by the courts before which the proceedings were initiated.

#### REPORT ON THE WORK OF THE COURT FOR PROCEEDINGS IN CASES OF CRIMINAL OFFENSES OF CORRUPTION

No.	Court name	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of the initial act	Number of accused persons	Total	Number of accused persons	Number of cases	Number of accused persons	In merits	In other way	Total disposed	Backlog cases according to the date of the initial act	Remaining caseload as pending	Backlog cases according to the date of the initial act
1.	Appellate Courts	81	37	238	288	509	369	747	300	3	303	102	66	22
2.	Higher Courts	747	318	2,327	637	978	1,384	3,305	428	182	610	224	774	320
3.	Basic Courts	230	111	378	116	165	346	543	139	62	201	75	145	83
TOTAL:		1,058	466	2,943	1,041	1,652	2,099	4,595	867	247	1,114	401	985	425

Table No. 25

In the fight against corruption, in addition to courts of general jurisdiction, courts of special jurisdiction (misdemeanor courts) act in the first instance according to the Law on the Anti-Corruption Agency.

REPORT ON THE WORK OF THE COURT FOR PROCEEDINGS IN MISDEMEANOR CASES OF  
CORRUPTION

No.	Court name	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of the initial act	Number of accused persons	Total	Number of accused persons	Number of cases	Number of accused persons	In merits	In other way	Total disposed	Backlog cases according to the date of the initial act	Remaining caseload as pending	Backlog cases according to the date of the initial act
1.	Misdemeanor Appellate Court	2		2	4	4	6	6	3	3	6	1		
2.	Misdemeanor Courts				15	15	15	15	9		9		6	
TOTAL:		2		2	19	19	21	21	12	3	15	1	6	

Table No. 26

V.1.1. IMPLEMENTATION OF THE LAW ON PROTECTION OF  
WHISTLEBLOWERS

The real effects of the fight against corruption are expressed through the implementation of the Law on the Protection of Whistleblowers.

REPORT ON THE CASES REGARDING THE PROTECTION OF WHISTLEBLOWERS  
FOR THE PERIOD 01.01. - 31.12.2022

No.	Court name	Matter	Number of judges in matter	Pending at the beginning	Total incoming	Total caseload	Total disposed	Pending at the end	
								Remaining caseload as pending	Length of proceedings from the initial act more than 36 months
1.	Supreme Court of Cassation	Rev-uz	5		5	5	1	4	1
		Rev2-uz	1	1	2	3	2	1	1
TOTAL				1	7	8	3	5	2
1	Appellate Courts	Gž-uz	8	7	12	19	18	1	1
		Gž1-uz	11	2	13	15	14	1	
2	Higher Courts	P-uz	15	25	17	42	17	25	7
		Ppr-uz	2	1	11	12	10	2	
3	Basic Courts	P1-uz	4	3	4	7	3	4	1
4	Administrative Court	U-uz	5	2	5	7	6	1	
5	Misdemeanor Appellate Court	Prž-uz							
6	Misdemeanor Courts	Pr-uz							
TOTAL FOR ALL COURTS WITHOUT THE SUPREME COURT OF CASSATION:				40	62	102	68	34	9
TOTAL FOR ALL COURTS:				41	69	110	71	39	11

Table No. 27

In the courts of the Republic of Serbia, at the end of 2022, there was a total of **39 pending** cases regarding the protection of whistleblowers from retaliation for disclosure of information in accordance with the Law on the Protection of Whistleblowers. In 2021, **99** incoming cases were received, while in 2022, the total of incoming cases was **69**, while **71 cases** were disposed. Although these cases are not numerous, their importance is significant, given the fact that the protection of whistleblowing right, as a human right for protection of freedom of speech, is important for the rule of law and the development of any democratic society. Regardless of the urgency of these cases, at the end of 2022, **11** cases remained pending in which the proceedings were not completed **even after three years**, counting from the date of the filing of the initial act.

## V.2. CRIMINAL ACT OF HUMAN TRAFFICKING (Article 388 of the CC)

Article 388 of the Criminal Code stipulates the criminal act of human trafficking. In order to combat human trafficking as efficiently as possible, the provisions of Article 388 of the Criminal Code were amended in accordance with the Council of Europe Convention, and criminal sanctions were tightened as of 2013.

### REPORT ON THE WORK OF THE COURT FOR PROCEEDINGS IN CASES OF CRIMINAL OFFENSES FROM ARTICLE 388 OF THE CC

No.	Court name	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of the initial act	Number of accused persons	Total	Number of accused persons	Number of cases	Number of accused persons	In merits	In other way	Total disposed	Backlog cases according to the date of the initial act	Remaining caseload as pending	Backlog cases according to the date of the initial act
1.	Appellate Courts	4		5	7	12	11	17	11		11	1		
2.	Higher Courts	24	4	37	64	78	88	115	50	1	51	1	37	5
3.	Basic Courts													
TOTAL:		28	4	42	71	90	99	132	61	1	62	2	37	5

Table No. 28

## V.3. CRIMINAL ACT OF VIOLENT BEHAVIOUR DURING SPORTS EVENTS OR PUBLIC GATHERING (Article 344 of the CC)

Violent behavior during sports events or public gathering is regulated by Article 344-a of the Criminal Code.

In addition to the criminal act provided for in the Criminal Code, violent behavior at sports events is also regulated by the Law on Prevention of Violence and Misbehavior at Sports Events, as a misdemeanor (Article 21).

REPORT ON THE WORK OF THE COURT FOR PROCEEDINGS IN CASES OF CRIMINAL ACTS FROM  
ARTICLE 344-a OF THE CRIMINAL CODE

No.	Court name	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of the initial act	Number of accused persons	Total	Number of accused persons	Number of cases	Number of accused persons	In merits	In other way	Total disposed	Backlog cases according to the date of the initial act	Remaining caseload as pending	Backlog cases according to the date of the initial act
1.	Appellate Courts	1		1	26	32	27	33	25		25	3	2	
2.	Higher Courts	4	1	9	5	9	9	18	4		4	2	5	2
3.	Basic Courts	9		9	1	1	10	10	8		8		2	
TOTAL:		14	1	19	32	42	46	61	37	0	37	5	9	2

Table No. 29

#### V.4. CASES UNDER THE LAW ON DETERMINATION OF THE STATUS OF NEWBORN INFANTS

The Law on Determination of the Status of Newborn Infants<sup>1</sup> suspected to have disappeared from maternity wards in the Republic of Serbia was adopted after the European Court of Human Rights handed down its verdict in the case of *Zorica Jovanović v. Serbia* (petition number 21794/08, judgment of March 26<sup>th</sup>, 2013, final judgment on September 9<sup>th</sup>, 2013).

LAW ON DETERMINATION OF THE STATUS OF NEWBORN INFANTS SUSPECTED TO HAVE  
DISAPPEARED FROM MATERNITY WARDS IN THE REPUBLIC OF SERBIA  
REPORT FOR THE PERIOD 01.01. - 31.12.2022

	Court type	Registry	Number of judges	Pending at the beginning	Incoming	Total disposed	Pending at the end
1.	Higher Courts	<b>R5</b>	30	532	35	319	248
2.	Appellate Courts	<b>Gž5</b>	32	3	74	69	8

Table No. 30

<sup>1</sup> "Official Gazette of the Republic of Serbia" 18/2020, the Law was voted in the National Assembly on February 29, 2020. On March 3, 2020, the President of the Republic issued a Decree on the Promulgation of the Law, and the Law was published on the same day. It entered into force on March 11<sup>th</sup>, 2020.

## V.5. CASES OF PROTECTION AGAINST DOMESTIC VIOLENCE

According to positive regulations, and especially after the adoption of the Law on the Prevention of Domestic Violence, these cases are processed by courts of general jurisdiction, of which basic and higher courts proceed in the first instance, in criminal and civil matters, as well as the courts of special jurisdiction (misdemeanor courts).

DOMESTIC VIOLENCE CASES 01.01. - 31.12.2022

No.	Court	Pending at the beginning	Incoming	Total caseload	Disposed	Pending at the end
1.	Supreme Court of Cassation	23	131	154	126	28
2.	Appellate Courts	42	556	598	559	39
3.	Higher Courts	121	3,315	3,436	3,334	102
4.	Basic Courts	2,610	25,720	28,330	25,580	2,750
5.	Misdemeanor Appellate Court	4	245	249	244	5
6.	Misdemeanor Courts	166	2,193	2,359	2,137	222
TOTAL		2,966	32,160	35,126	31,980	3,146

Table No. 31

In 2022, the total number of incoming cases with elements of domestic violence (P2, K and NP) in basic courts was 25,720 cases, 25,580 cases were disposed, with 2,750 pending cases at the end of the reporting period.

In 2022, the total number of incoming cases with elements of domestic violence (P2, K) in higher courts in the first instance was 6, with the total of 5 disposed and 7 pending cases until the end of the reporting period.

Ruling on appeals, in higher courts, a total of (Kž1, Kž2, NPž, Gž2) 3,309 cases were received, a total of 3,327 cases disposed, with 95 pending cases at the end of the reporting period.

A total of 556 incoming cases were received in appellate courts (Kž1, Kž2, Gž2), 559 cases were disposed, and 39 cases were pending at the end of the reporting period.

In the Supreme Court of Cassation, based on the extraordinary legal remedies, 131 cases were received, a total of 126 cases were disposed, and 28 of those cases remained pending at the end of the reporting period.

In the courts of special jurisdiction, in the first instance, in the misdemeanor courts, 2,193 cases were received, a total of 2,137 were disposed, and 222 cases remained pending at the end of the reporting period.

Ruling on appeals against the decisions of misdemeanor courts, the Misdemeanor Appellate Court received 245 of these cases, and 5 of these cases remained pending at the end of the reporting period.

## VI. QUALITY

The ration between the total number of disposed cases, the number of appealed cases in relation to the number of revoked decisions, expressed in total and through the decisions in the merits indicates the number of cases that were, based on the legal remedy, returned to a lower instance court for retrial.

The overall quality of the work of courts, according to the Court Rules of Procedure, is a total number of disposed cases reduced by the sum of revoked and reversed decisions, divided with the total number of disposed cases and multiplied by 100 (the result is expressed in percentages).

OVERALL QUALITY OF THE WORK OF COURTS IN 2022

No.	Court name	Total number of disposed cases	Total number of revoked decisions	Total number of reversed decisions	Overall quality
1.	Appellate Courts	58,810	342	1,246	97.30
2.	Higher Courts	199,557	1,452	1,371	98.59
3.	Basic Courts	999,335	18,049	9,952	97.20
4.	Administrative Court	25,178	9	8	99.93
5.	Commercial Appellate Court	22,500	39	170	99.07
6.	Commercial Courts	106,629	1,166	2,276	96.77
7.	Misdemeanor Appellate Court	30,144	14	5	99.94
8.	Misdemeanor Courts	671,123	5,672	3,769	98.59
TOTAL:		2,113,276	26,743	18,797	97.85

Table No. 32

QUALITY OF COURT DECISIONS IN 2022

No.	Court name	Number of judges	Total disposed	Disposed in merits	Number of reviewed appeals	Total number of revoked	% of revoked decisions compared to the total number of disposed	% of revoked decisions compared to the total number of decisions on the merits	% of reviewed appeals compared to the total number of disposed	% of reviewed appeals compared to the total number of decisions on the merits	% of revoked decisions compared to the number of reviewed appeals
1.	Appellate Courts	184	58,810	55,577	4,557	342	0.58	0.62	7.75	8.20	7.50
2.	Higher Courts	357	199,557	152,566	17,408	1,452	0.73	0.95	8.72	11.41	8.34
3.	Basic Courts	1,182	999,335	655,223	135,821	18,049	1.81	2.75	13.59	20.73	13.29
4.	Administrative Court	50	25,178	24,304	563	9	0.04	0.04	2.24	2.32	1.60
5.	Commercial Appellate Court	35	22,500	21,420	1,392	39	0.17	0.18	6.19	6.50	2.80
6.	Commercial Courts	168	106,629	79,879	19,043	1,166	1.09	1.46	17.86	23.84	6.12
7.	Misdemeanor Appellate Court	52	30,144	27,182	33	14	0.05	0.05	0.11	0.12	42.42
8.	Misdemeanor Courts	443	671,123	403,063	26,709	5,672	0.85	1.41	3.98	6.63	21.24
TOTAL:		2,471	2,113,276	1,419,214	205,526	26,743	1.27	1.88	9.73	14.48	13.01

Table No. 33

PERCENTAGE OF REVOKED DECISIONS IN 2022

No.	Court name	Number of judges	Number of reviewed appeals	Total number of revoked	% of revoked decisions compared to the number of reviewed appeals
1.	Appellate Courts	184	4,557	342	7.50
2.	Higher Courts	357	17,408	1,452	8.34
3.	Basic Courts	1,182	135,821	18,049	13.29
4.	Administrative Court	50	563	9	1.60
5.	Commercial Appellate Court	35	1,392	39	2.80
6.	Commercial Courts	168	19,043	1,166	6.12
7.	Misdemeanor Appellate Court	52	33	14	42.42
8.	Misdemeanor Courts	443	26,709	5,672	21.24
TOTAL:		2,471	205,526	26,743	13.01

*Table No. 34*

It is necessary to monitor trends in the number of revoked decisions, since they burden the work of courts, which is why professional training and examination of contentious issues should be used to decrease the number of revoked decisions in cases, so that the case wouldn't have to be decided on again, and the decreased number of revoked decisions will allow judges to devote more time to incoming cases. Reducing the number of revoked decisions affects the increase of legal certainty and citizens' confidence in the judiciary.

## **VII. PERFORMANCE INDICATORS ACCORDING TO THE CEPEJ**

According to the methodology of statistical reporting to the European Commission for the Efficiency of Justice – CEPEJ (Commission Européen pour l’Efficacité de la Justice), which is unique for all member states and all parts of the justice system (courts, prosecution, prisons), a set of indicators was defined in order to evaluate the performance of the system, i.e. parts of the system. Main performance indicators of this methodology have been accepted in the domestic regulatory framework and practice, and they were previously presented in this report: number of pending cases at the beginning of the reporting period, number of incoming cases during the reporting period, number of disposed cases during the reporting period and number of pending cases at the end of the reporting period.

In addition to these, important performance indicators based on which judicial systems of the member states of the Council of Europe are compared every two years are the time to disposition (in days) and clearance rate. The following reporting to the CEPEJ for 2021 and 2022 will be submitted in 2023.

The average length of proceedings is calculated on the **annual basis**, and it is determined based on the following formula:

$$\text{Average duration} = \frac{\text{number of pending cases at the end}}{\text{number of disposed cases during the year}} \times 365$$

Another important performance indicator, clearance rate, is also calculated on the **annual basis**, according to the following formula:

$$\text{Clearance rate} = \frac{\text{number of disposed cases in a year}}{\text{number of incoming cases in a year}} \times 100$$

This indicator is an integral part of the statistical reports of courts in the Republic of Serbia.

*Annual Report on the Work of the Courts in the Republic of Serbia for 2022*

The average duration of court proceedings in the Republic of Serbia for the period 2018-2022 is shown in the following table.

TIME TO DISPOSITION IN DAYS

	2018	2019	2020	2021	2022
Number of pending cases at the end	1,701,580	1,656,645	1,510,472	1,498,237	1,174,642
Number of disposed cases	2,298,870	2,268,769	2,013,829	2,415,672	2,132,305
Time to disposition of cases	<b>270</b>	<b>267</b>	<b>274</b>	<b>226</b>	<b>201</b>

Table No. 35

The following table provides comparative indicators (every two years as the reporting for CEPEJ) for clearance rate and time to disposition for all types of courts in the Republic of Serbia.

CLEARANCE RATE AND AVERAGE TIME TO DISPOSITION IN DAYS

Court type	Clearance rate	Time to disposition	Clearance rate	Time to disposition
	2020		2022	
	%	in days	%	in days
Supreme Court of Cassation	88.89	282	55.35	468
Administrative Court	72.00	738	39.63	1,496
Appellate Courts	101.71	87	101.45	67
Higher Courts	97.80	147	93.88	289
Basic Courts	120.25	256	130.58	152
Commercial Appellate Court	99.04	185	113.04	138
Commercial Courts	108.71	107	110.94	62
Misdemeanor Appellate Court	97.62	44	99.97	44
Misdemeanor Courts	94.89	429	126.89	234
<b>TOTAL</b>	<b>107.81</b>	<b>274</b>	<b>117.88</b>	<b>201</b>

Table No. 36

CLEARANCE RATE AND AVERAGE TIME TO DISPOSITION IN DAYS  
IN 2022

Court type	Clearance rate (%)	Time to disposition of cases (in days)
Misdemeanor Courts	126.89	234
Misdemeanor Appellate Court	99.97	44
Commercial Courts	110.94	62
Commercial Appellate Court	113.04	138
Basic Courts	130.58	152
Higher Courts	93.88	289
Appellate Courts	101.45	67
Administrative Court	39.63	1,496
Supreme Court of Cassation	55.35	468
<b>TOTAL</b>	<b>117.88</b>	<b>201</b>

Table No. 37

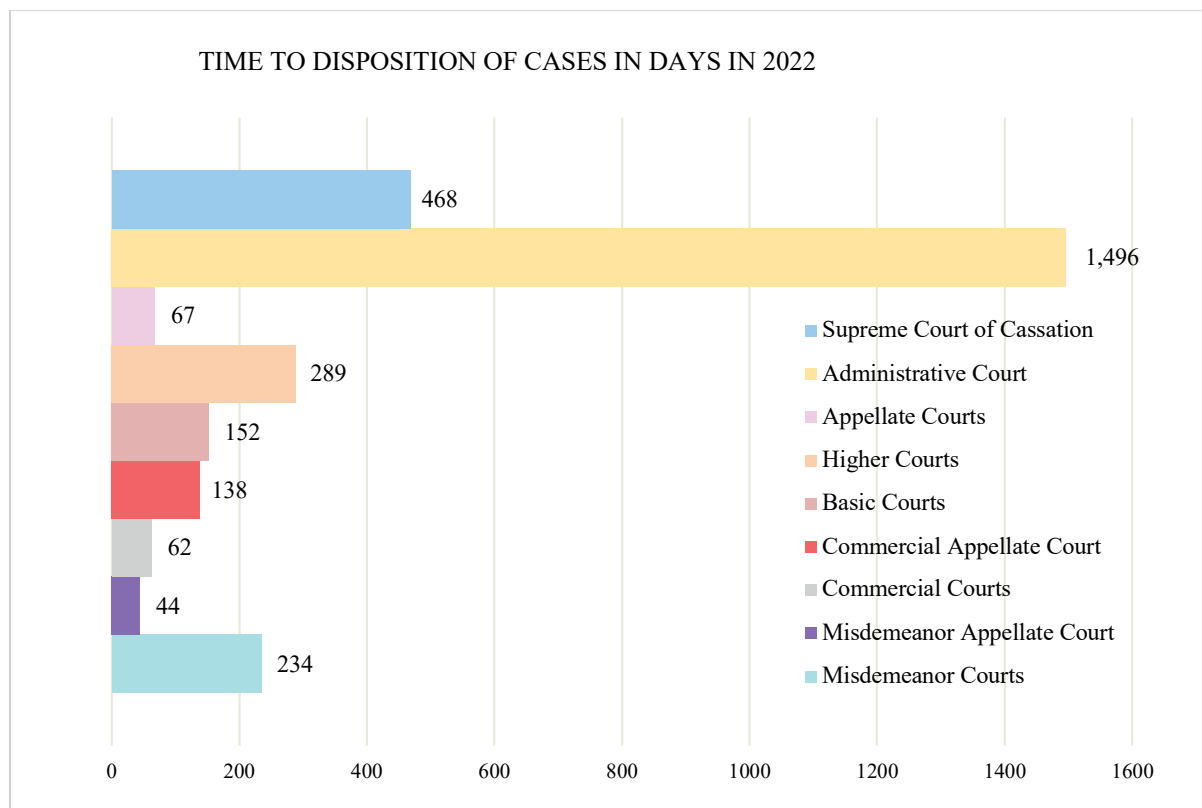


Chart No. 26

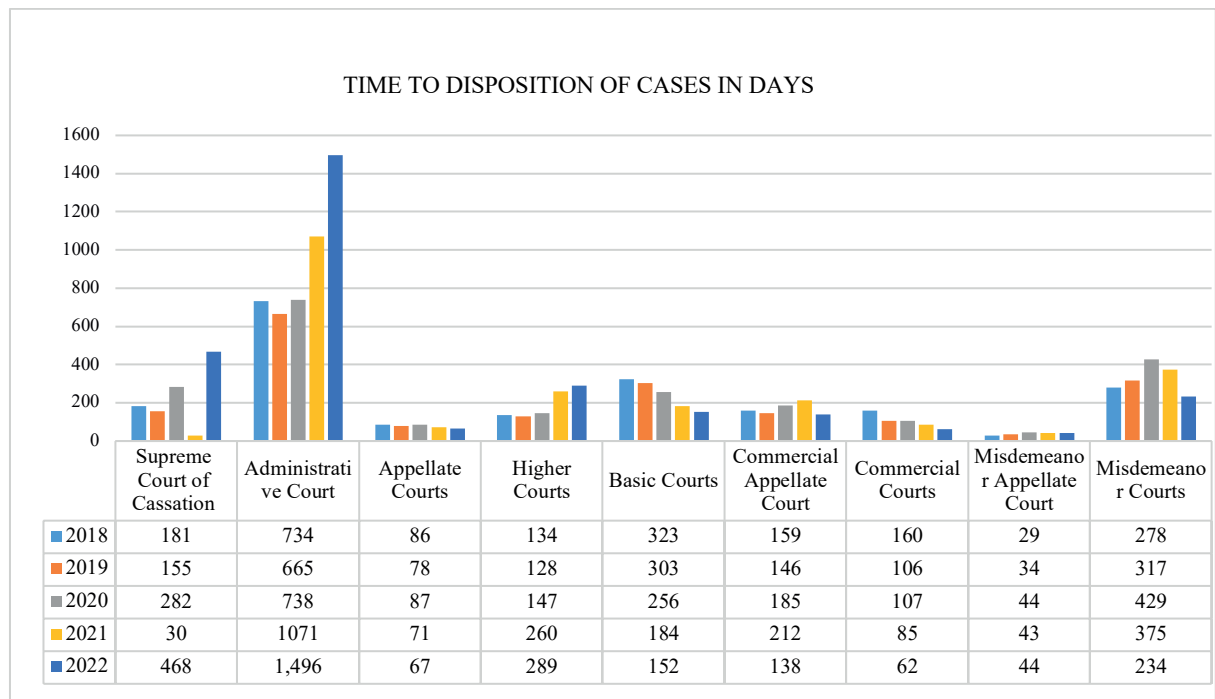


Chart No. 27

## **VIII. REPORT ON THE WORK OF THE SUPREME COURT OF CASSATION**

### **VIII.1. GENERAL INFORMATION**

On December 31, 2022, 35 judges held the office, and 32 judges acted effectively during the reporting period. The number of court staff on the same day (December 31, 2022) was 226, of which 55 were judicial assistants.

Pursuant to the Law on the Budget of the Republic of Serbia for 2022 and amendments to the Law, the financial resources allocated from the budget of the Republic of Serbia for the Supreme Court of Cassation were RSD **706,307,000.00** ("Official Gazette of the Republic of Serbia", No. 125/22).

### **VIII.2. JURISDICTION OF THE SUPREME COURT OF CASSATION**

#### **VIII.2.1. JURISDICTION IN TRIALS**

The Supreme Court of Cassation, as the highest court in the Republic of Serbia, decides on extraordinary legal remedies against the rulings of the courts in the Republic of Serbia and in other matters stipulated by the law (Article 30 paragraph 1 of the Law on Court Organization).

The Supreme Court of Cassation received the total of **34,381** cases in 2022, while **19,029** cases were disposed, which did not provide for the positive clearance rate.

As a consequence of the changed jurisdiction of the Supreme Court of Cassation according to the legal regulation (CPC), adopted in the previous period, the inflow of cases in civil matter has drastically increased in 2022, which indicates the necessity of adopting systemic measures.

THE FOLLOWING CHARTS PRESENT THE NUMBER OF INCOMING, DISPOSED AND PENDING CASES IN THE SUPREME COURT OF CASSATION IN 2022

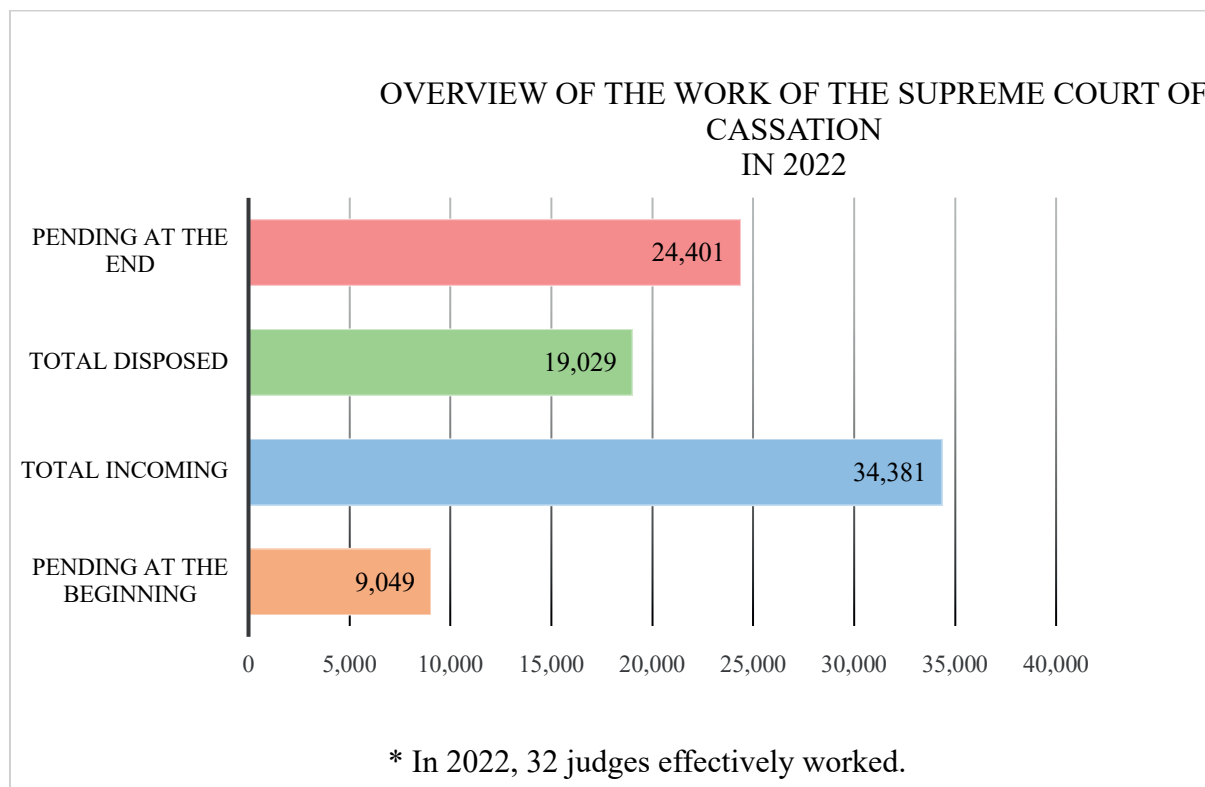


Chart No. 28

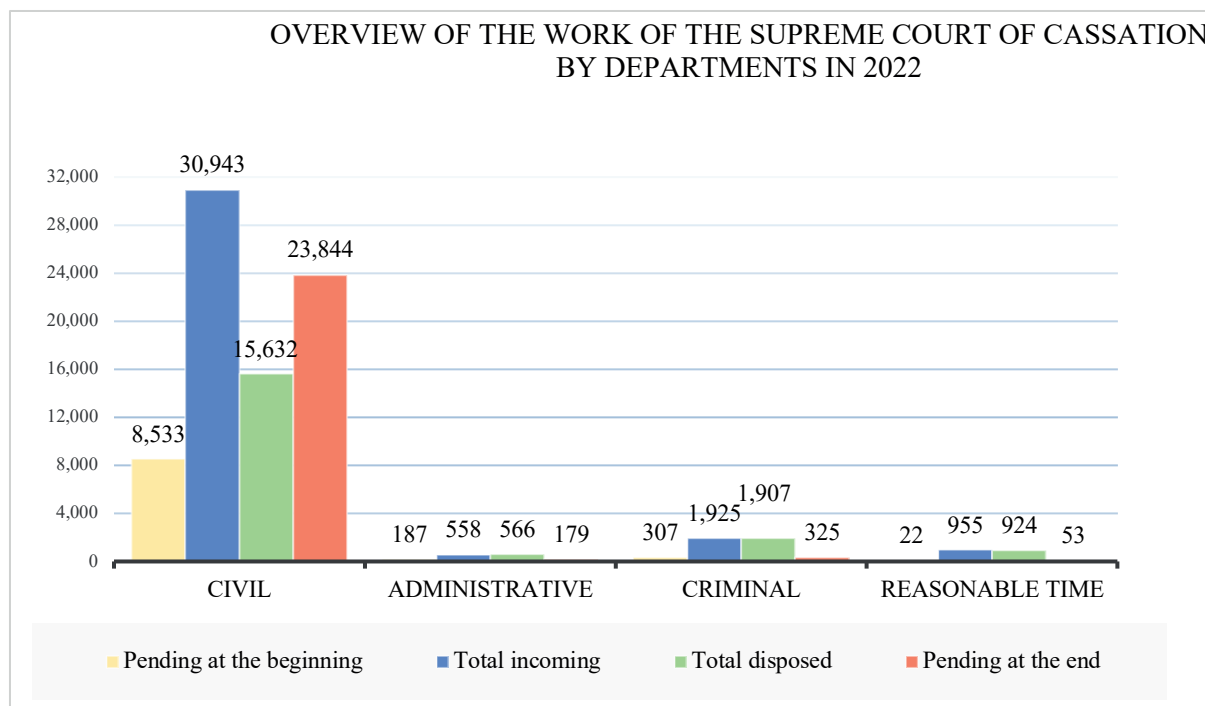


Chart No. 29

THE FOLLOWING CHARTS SHOW THE NUMBER OF INCOMING, DISPOSED AND PENDING CASES IN THE SUPREME COURT OF CASSATION IN THE PERIOD 2018 TO 2022

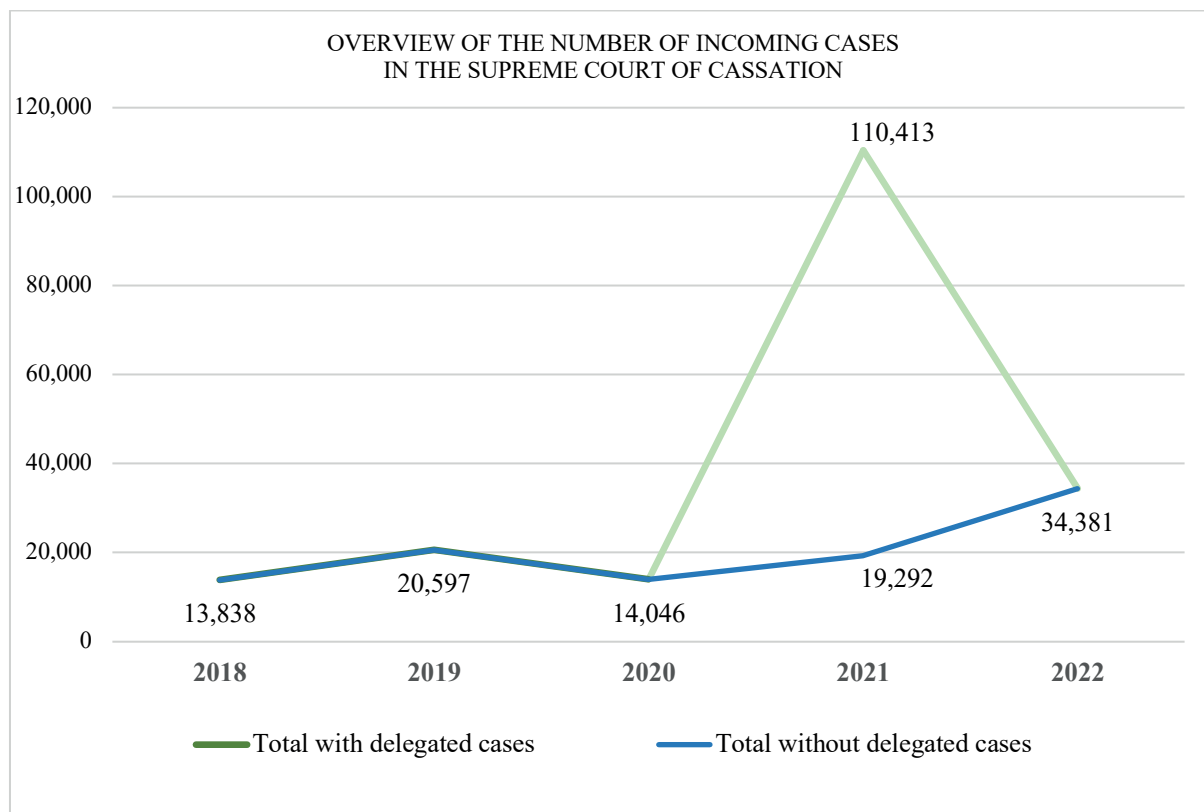


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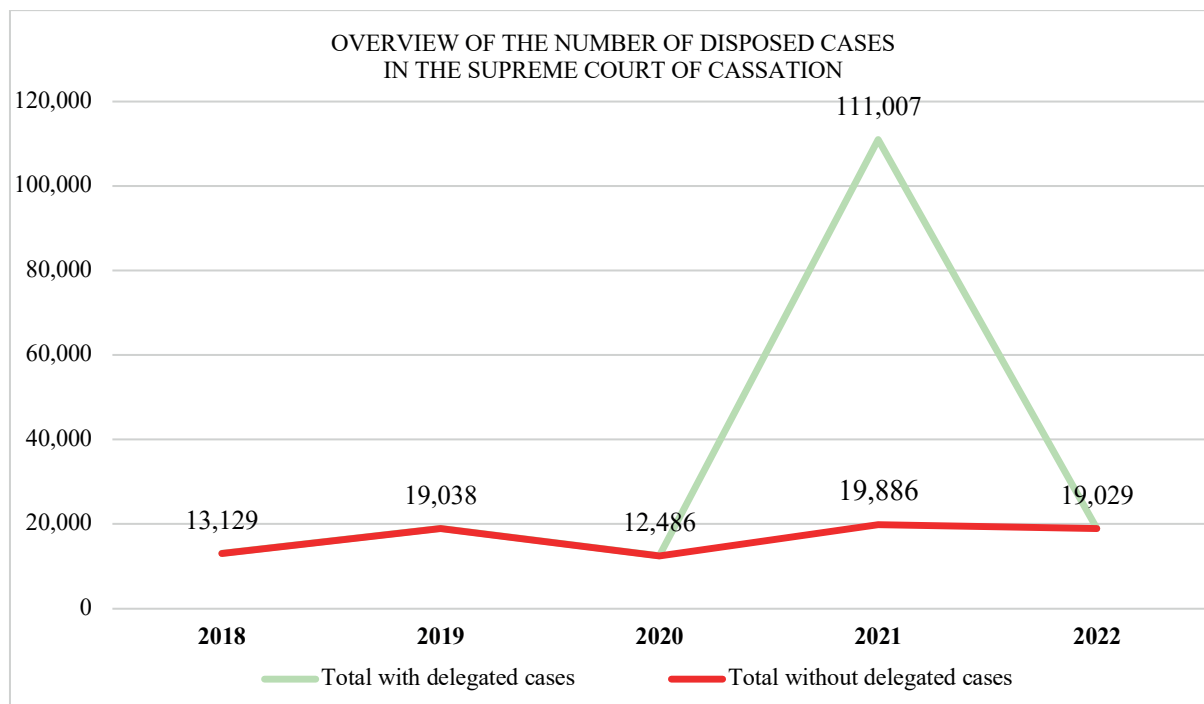


Chart No. 31

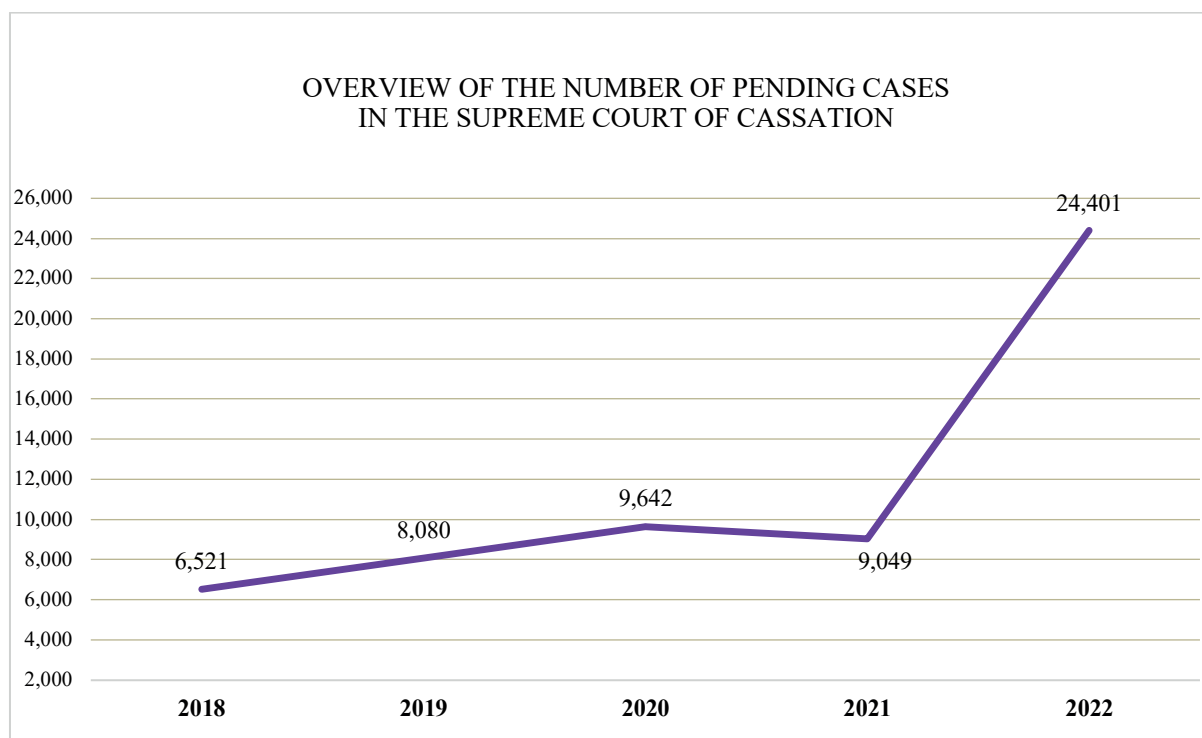


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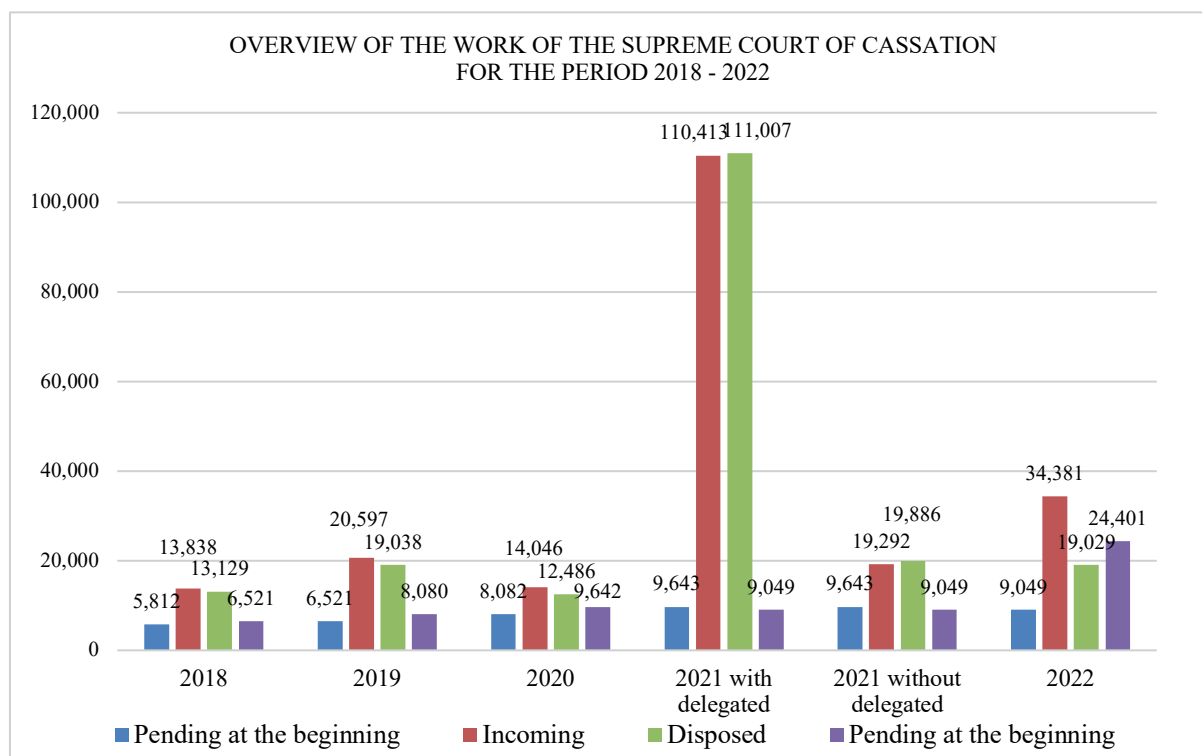


Chart No. 33

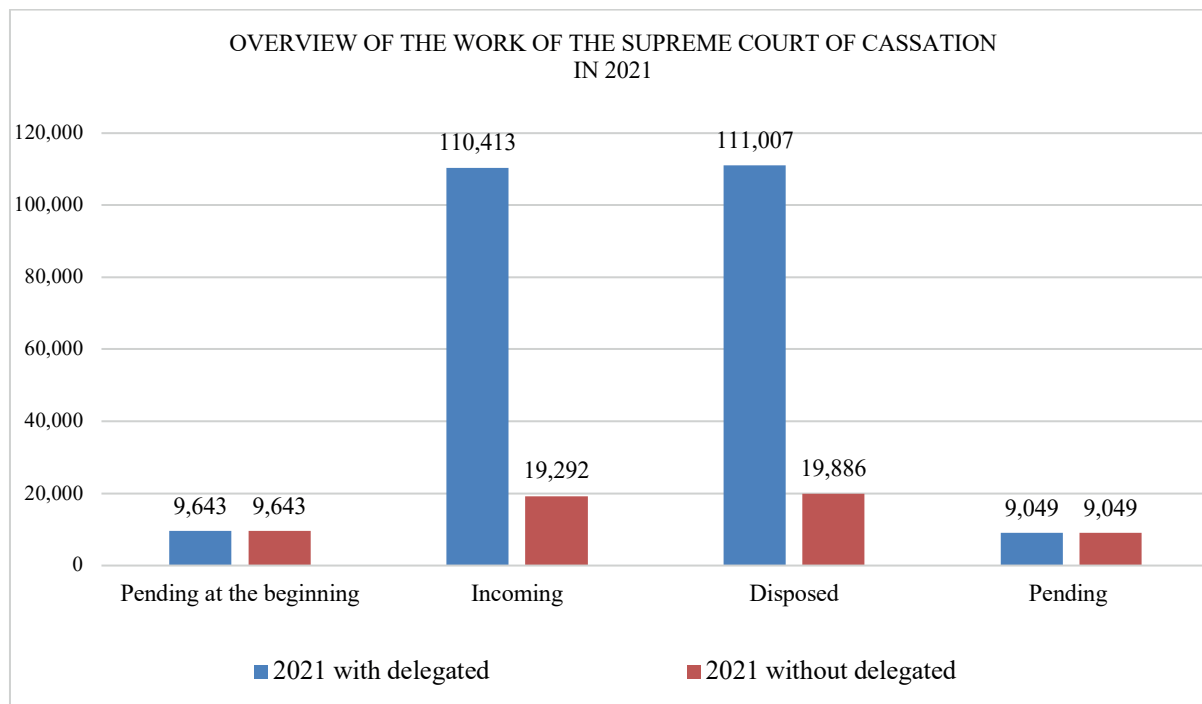


Chart No. 34

## VIII.2.2. CASE LAW HARMONIZATION

As the highest court in the system of judicial authority, **the Supreme Court of Cassation ensures the uniform judicial application of rights and the equality of arms in court proceedings**, reviews the application of laws and other regulations, as well as the work of the courts, thus exercising its, legally defined jurisdiction outside the trial (Article 31 of the Law on Court Organization).

The agreement between the presidents of the appellate courts on the organization, place and time of joint sessions of the appellate courts in the period from 2021 to 2025 was signed between the Supreme Court of Cassation and the appellate courts on February 24, 2021, with two meetings held in 2022 with judges acting in civil matters, and the standardization of judicial practice in criminal matters was mainly carried out through the exchange of disputed legal issues and adopted positions, in written form.

In the matter of competence of special judicial institutions for combating corruption, two meetings of judges of special departments for combating corruption of higher courts and higher public prosecutor's offices were held.

The Supreme Court of Cassation, through an authorized representative, participated in the online forum of the Network of the Highest Courts on June 11, 2022, which was dedicated to the practice of the courts in relation to case management and harmonization of case law.

During 2022, progress was made regarding the entry of court decisions of the Supreme Court of Cassation, the Commercial Appellate Court, the Misdemeanor Appellate Court, the Administrative Court and the Appellate Courts into the Single Case Law Database (<https://sudskapraksa.sud.rs>). A total of **68,570 decisions were entered in integral versions** (until 2022, a total of 285,100 of those decisions were entered, so there are a total of **353,670 integral decisions** in the Judicial Case Law Database); **14,526 anonymized decisions** (until 2022, a total of 32,507 of those decisions were entered, which is **47,033** in 2022); as well as **27 legal opinions, 32 judicial practice bulletins and 38 sentences**.

On the website of the court – [Jurisprudence of the Supreme Court of Cassation](#) **3,881 anonymized court decisions** were published, of which 767 were from criminal matter, 2,915 from civil matter, and 155 cases of protection of the right to a trial within reasonable time.

The Supreme Court of Cassation published 2 issues of the Case Law Bulletins, as well as the following publications: Annual report on the work of the courts in the Republic of Serbia for 2021, Report on the work of all courts in the Republic of Serbia for the period January – June 2022.

The Supreme Court of Cassation organized 2 meetings of the working group for backlog reduction, in order to discuss achieved results, in accordance with the obligations from the new Judicial Development Strategy and the Revised Action Plan for Chapter 23, in July and November 2022.

### **VIII.3. TRANSPARENCY**

The court's website (<http://www.vk.sud.rs>) is updated daily and supplemented with current information about the work of the court (current events, case law database, information on public procurement, legal opinions, positions, conclusions, selected sentences, controversial legal issues, activities aimed at harmonizing judicial practice, adopted general acts, normative acts of the court, database of the European Court of Human Rights and anonymized court decisions).

The Supreme Court of Cassation published 21 announcements in 2022 on the court's website, and some announcements were sent to the press and electronic media.

A total of 77 requests for free access to information of public importance were received, of which citizens submitted 56 requests, 2 media, 2 non-governmental organizations and other citizens' associations and 17 requests others (lawyers, institutions).

Of the submitted 77 requests, until December 31, 2022, 76 requests were answered within the legal deadline, and one request was rejected.

In 2022, one lawsuit/complaint was registered.

The data published in the Information Booklet <http://www.vk.sud.rs> were updated five times.

The Supreme Court of Cassation organized two conferences in 2022:

- “Implementation of the European Convention for the Protection of Human Rights – experiences and challenges of the courts of Central and South-Eastern Europe”, with the support of the project “Strengthening the effective legal remedies to human rights violations in Serbia” and
- “The Court and the media”, with the support of the OSCE Mission in Serbia.

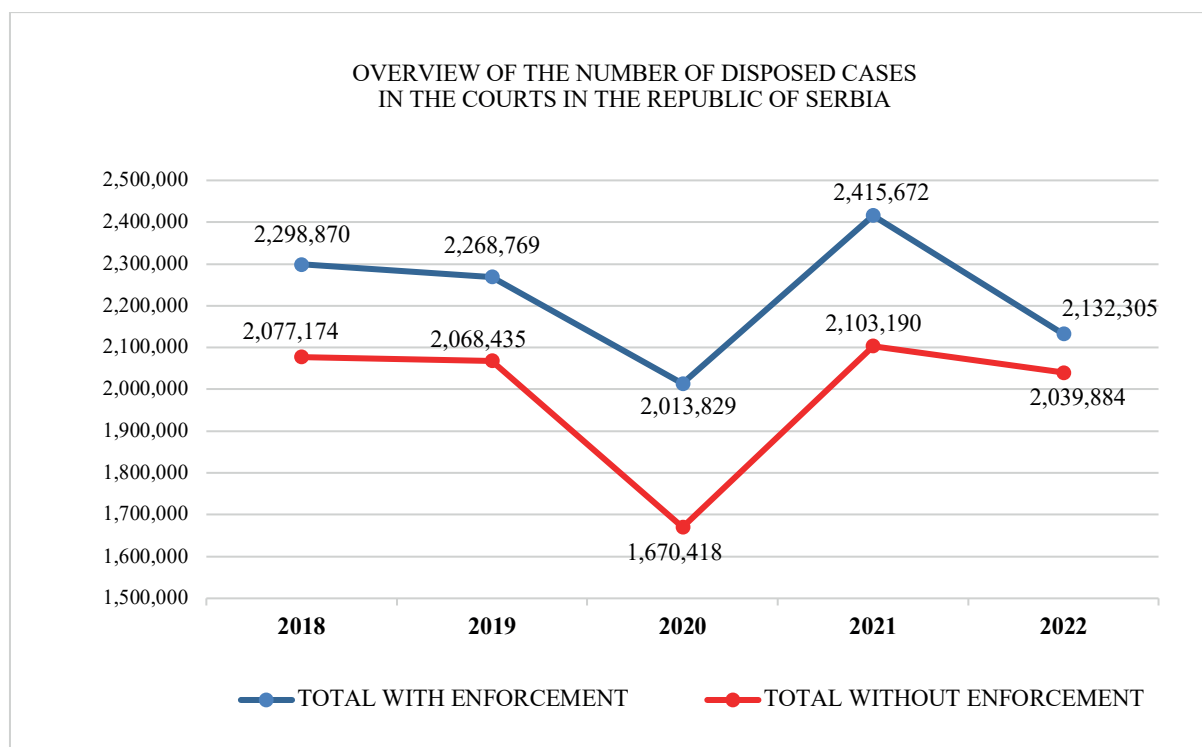
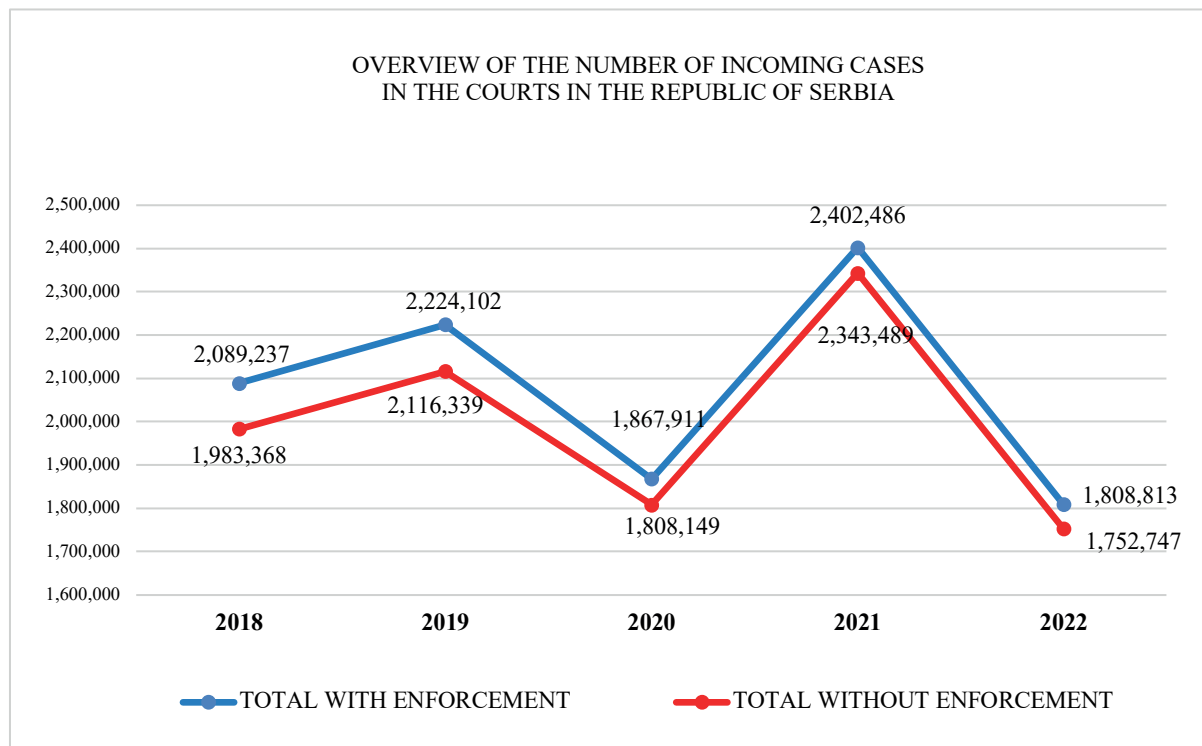
The Supreme Court of Cassation achieved international cooperation with other supreme courts, with the visit of delegations from the supreme courts of the Czech Republic and the Republic of North Macedonia, led by the presidents of those courts.

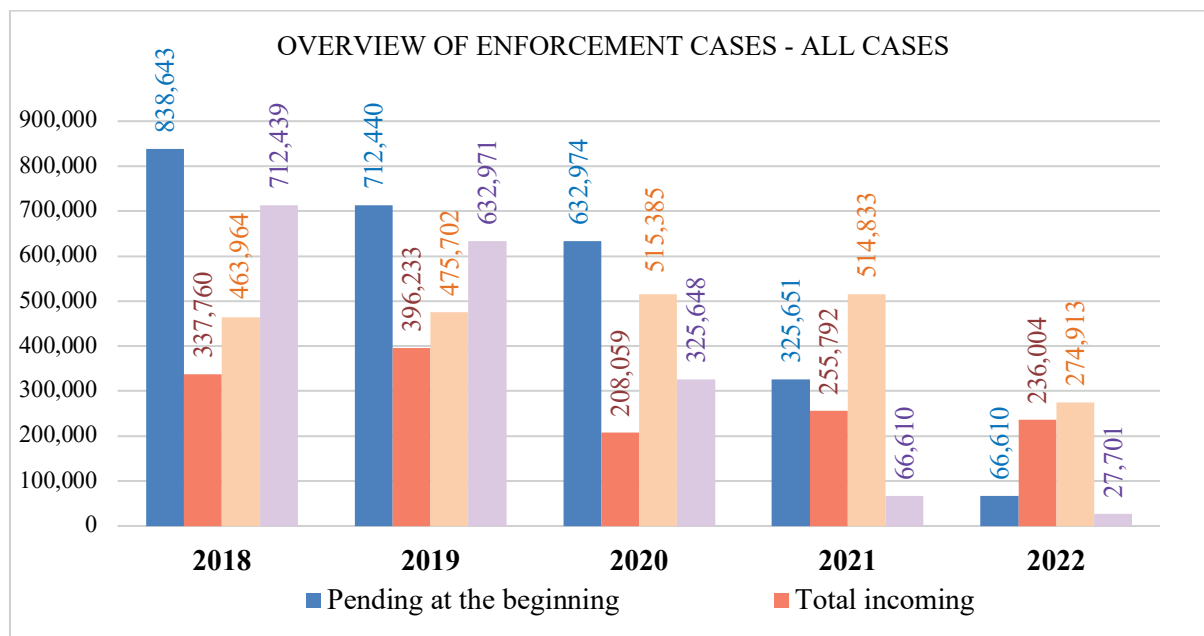
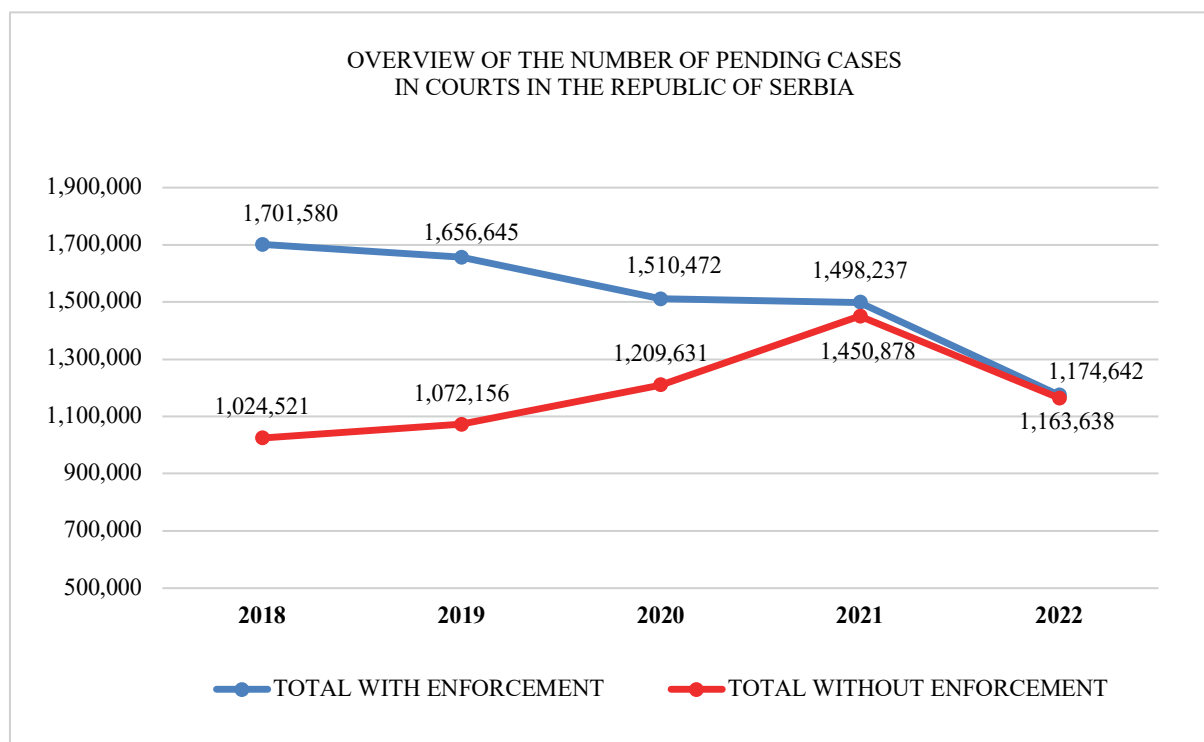
#### **VIII.4. COMPLAINTS**

The Supreme Court of Cassation received 287 complaints, and 7 complaints from the previous year were transferred to 2022. 277 complaints were reviewed, and 11 complaints remained in the caseload (96.26% of complaints were resolved).

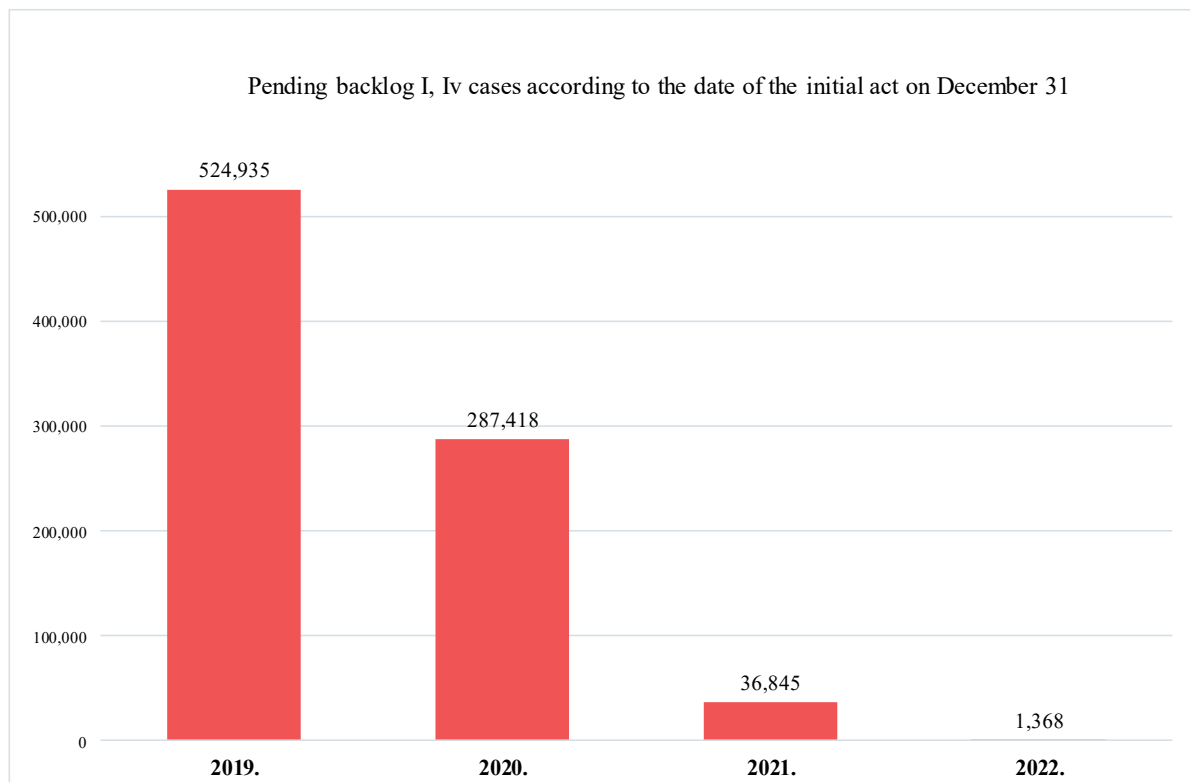
Out of the total number of reviewed complaints (277), 16 complaints were assessed as grounded, and 75 as ungrounded. 34 complaints were submitted to the work of the Supreme Court of Cassation, 3 of which were assessed as grounded and related to the duration of the procedure.

## IX. BRIEF OVERVIEW OF THE WORK OF COURTS IN 2022

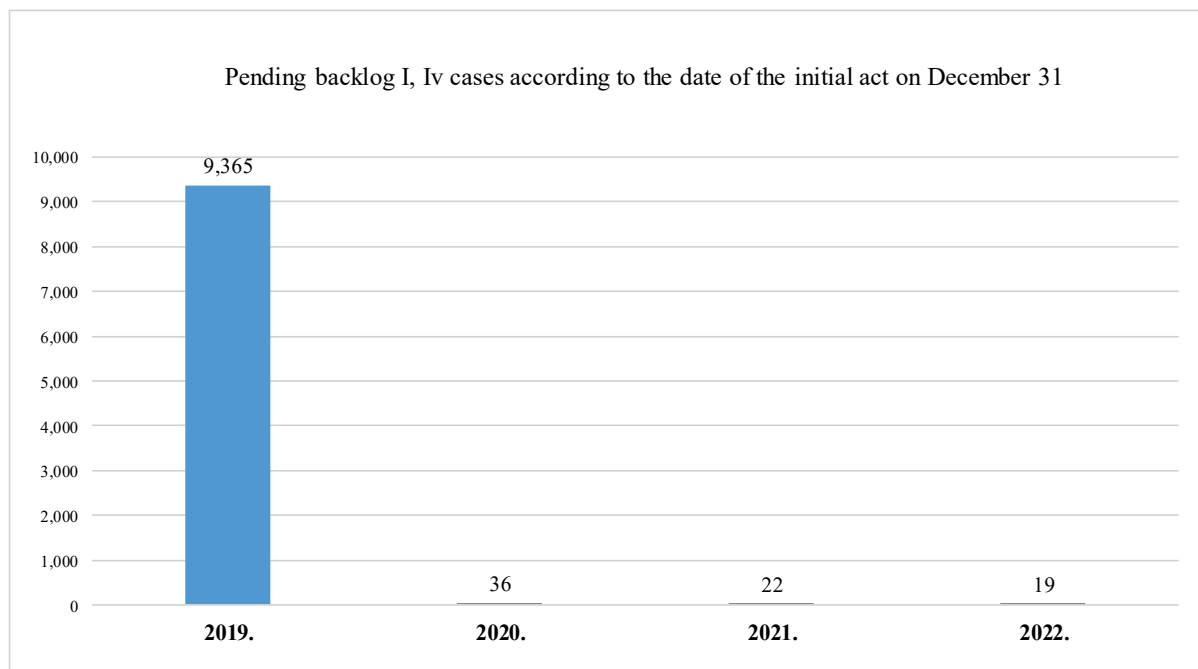




## BASIC COURTS



## COMMERCIAL COURTS



- It took 201 days for all courts in the Republic of Serbia to issue court decisions.



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