



**Republic of Serbia
Supreme Court of Cassation**

**REPORT ON THE WORK OF COURTS IN THE
REPUBLIC OF SERBIA FOR THE PERIOD
JANUARY - JUNE 2019**

Belgrade, July 2019

TABLE OF CONTENT

INTRODUCTION.....	3
DISPOSED CASES.....	6
INCOMING CASES IN THE FIRST HALF OF 2019.....	8
PENDING CASES ON JUNE 30, 2019.....	12
THE RATIO BETWEEN PENDING CASES AT THE BEGINNING OF THE REPORTING PERIOD, INCOMING, DISPOSED AND PENDING CASES AT THE END OF THE REPORTING PERIOD BY TYPES OF COURTS FOR THE PERIOD 01/01 – 30/6/2019	14
BACKLOG CASES	15
DISPOSED BACKLOG CASES	18
STRUCTURE OF PENDING BACKLOG CASES ON JUNE 30, 2019	19
STRUCTURE OF PENDING BACKLOG CASES BY TYPES OF COURTS AND TRIAL MATTERS	20
BACKLOG CASES COMPARED TO THE TOTAL NUMBER OF PENDING CASES IN BASIC COURTS ON 30/6/2019	31



**REPUBLIC OF SERBIA
SUPREME COURT OF CASSATION**

**REPORT ON THE WORK OF COURTS IN THE REPUBLIC OF SERBIA FOR THE
PERIOD JANUARY - JUNE 2019**

The judicial power is unique, courts are independent and autonomous 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.

I

INTRODUCTION

Courts are independent and autonomous state authorities that protect freedom and rights of citizens, legally-set rights and interests of legal entities and ensure constitutionality and legality.

Courts in the Republic of Serbia are courts of general and special jurisdiction.

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

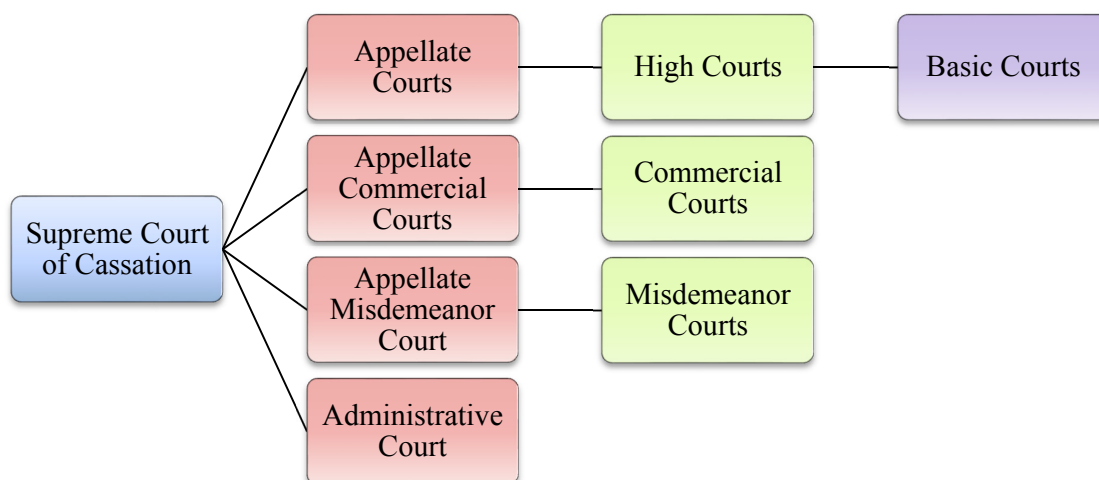
Courts of special jurisdiction are: commercial courts, Commercial Appellate Court, misdemeanor courts, Misdemeanor Appellate Court and Administrative Court.

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 courts.

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, of which 66 courts act as basic courts, 25 as higher, 16 commercial, 44 misdemeanors and the Administrative Court, which act as first instance courts. Higher courts act as second instance courts, as well as 4 appellate courts, Commercial Appellate Court and Misdemeanor Appellate Court.

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



According to the data of the High Court Council, in the first half of the previous year, 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 2,995, of which 2,583 positions were filled, while 2,482 judges were effectively working.

At the end of 2018, out of 2,999 judicial positions, 2,588 positions were filled, while 2,418 judges were effectively working.

Pursuant to the Decision of the High Court Council, in the first half of 2019, the total number of all judicial positions in all courts in the Republic of Serbia was **3,019**, of which **2,735** positions were filled, while **2,538** judges were effectively working. Compared to 2018, the number of filled judiciary position grew, but there are still **284** judicial positions not filled in the court system, resulting in reduced efficiency of the overall judicial system in the Republic of Serbia.

OVERVIEW OF THE NUMBER OF JUDGES IN THE PERIOD 01/01 - 31/12/2018 and 01/01 - 30/06/2019

Court	Number of judges according to the decision of the High Judicial Council		Number of filled positions		Number of judges from the report on the work of the court	
	01/01 – 31/12/2018	01/01 – 31/12/2019	01/01 – 31/12/2018	01/01 – 31/12/2019	01/01 – 31/12/2018	01/01 – 31/12/2019
Supreme Court of Cassation	46	46	41	41	34	36
Administrative Court	51	51	48	51	36	43
Commercial Appellate Court	41	41	41	40	34	34
Misdemeanor Appellate Court	65	65	62	61	54	59
Appellate Courts	240	240	216	235	200	204
Higher Courts	399	412	356	357	308	355
Basic Courts	1.438	1.444	1.206	1.278	1.140	1.174
Commercial Courts	178	179	162	155	147	154
Misdemeanor Courts	541	541	456	517	465	479
TOTAL	2.999	3.019	2.588	2.735	2.418	2.538

Table 1

According to the above indicators, the judicial system is still characterized by inadequate number of filled open positions compared to needs, especially if increased number of inflow cases is taken into consideration.

The average age of judges in Serbia has increased to 54; there is the total of 776 male and 1,959 female judges. There are 323 judges that are 40 years old or younger, 751 judges between 40 and 50, 1,192 judges between 50 and 60 and 469 judges that are older than 60.

The unfavorable age structure of judges in Serbia should be resolved through future systemic solutions and timely filling of vacant judicial positions, in order to ensure professional and experienced continuity in conducting the judicial functions.

According to the data of the High Court Council, there was the total of 10,618 court staff working in the court system and their average age was 44. Of that, there were 1,595 judicial assistants, 5,851 civil servants and 3,172 general service employees.

In the first half of 2018, there were 1,725 judicial assistants, but in the first half of 2019, this number dropped to 1,595, additionally reducing efficiency of performance of judicial function, in particular in terms of preparation of draft court rulings, which renders the work of judges on individual cases easier.

According to the 2019 Budget Law, all courts are financed from the budget in the overall amount of RSD 24,506,060,000.00. Compared to the total 2019 budget of the Republic of Serbia which was RSD 1,269,091,337,000.00 the expenditures for courts accounted for 1.93%, while the amount of RSD 533,607,000.00 was allocated to the Supreme Court of Cassation.

II

DISPOSED CASES

During 2018, all courts in the Republic of Serbia disposed **2,298,870** cases.

In the first half of 2019, all courts disposed the total of **1,145,268** cases, compared to **1,145,770** cases disposed in the same period in 2018.

Comparing the first half of 2019 with the first half of 2018, approximately the same number of cases was disposed.

In addition, in the observed period January – June 2019, basic courts also disposed 210,738 cases upon requests of citizens for verification of signatures, manuscripts and transcripts, issuing certificates, etc. which are not shown in the tables in the Report, while higher courts had the total of 8,069 of such cases. In misdemeanor courts, the total of 423,921 cases were disposed that are not shown in the tables in this report, for these special courts. Court administration handles these cases, under the supervision of court presidents and/or judges, and they account for additional 642,728 cases that the courts disposed.

In the period January – June 2019, public notaries handled the total of 41,266 (32,032) cases related to death certificates and additional 37,156 (35,746) cases regarding probate proceedings i.e. 78,422 (67,778) cases in total.

In the period 01/01 – 30/06/2019, the highest number of cases was disposed by basic courts – 534,556 and misdemeanor courts – 324,944 cases.

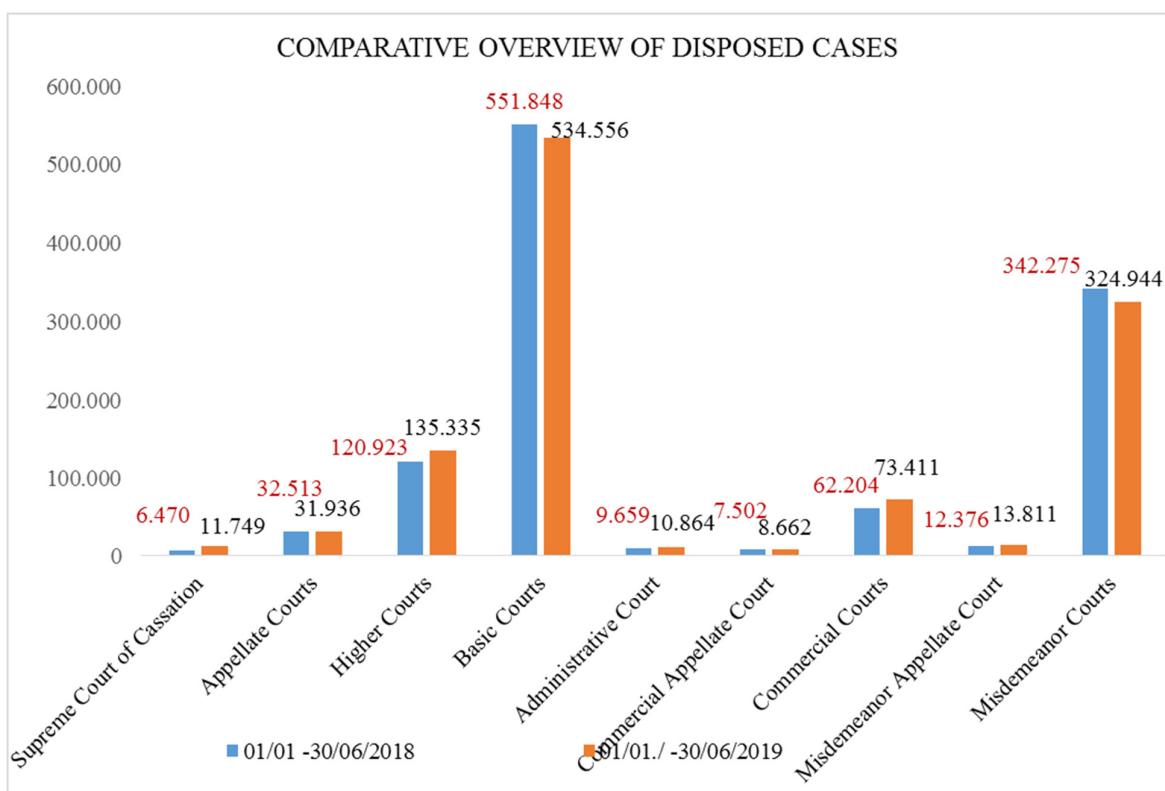


Chart 1

OVERVIEW OF DISPOSED CASES IN THE COURTS IN THE REPUBLIC OF SERBIA

	01/01 – 30/06/2018	01/01 – 30/06/2019
TOTAL AT THE LEVEL OF SERBIA – ALL CASES	1.145.770	1.145.268
TOTAL AT THE LEVEL OF SERBIA – EXCLUDING ENFORCEMENT CASES	1.018.023	1.048.081
Basic courts – I + Iv	102.416	68.863
Commercial courts – all enforcement cases	25.331	28.324

Table 2

The above data show that there is an increasing trend of the number of disposed so-called trial cases in the first half of 2019, without taking into account enforcement cases, representing a positive progress compared to the previous period, achieved thanks to the better organization of operations in courts as well as increased efforts made by judges in resolving repetitive cases and more efficient harmonization of the jurisprudence.

At the same time, the Supreme Court of Cassation in cooperation with the Ministry of Justice has developed electronic forms upon initiative of higher and appellate courts, aimed at generating rulings by AVP and SAPS programs, which are intended for standard cases in which the Republic of Serbia – Ministry of Defense has withdrew lawsuit i.e. admitted the claims submitted by reservists, in order for judges to disengage from drafting some rulings and commit themselves to resolving the most complex cases.

III

INCOMING CASES IN THE FIRST HALF OF 2019

Comparative data on incoming cases in all courts in the Republic of Serbia indicate a significant increase of influx as of 2015, the trend which continued in the first half of 2019.

OVERVIEW OF THE NUMBER OF INCOMING CASES IN COURTS IN THE REPUBLIC OF SERBIA		
	01/01 – 30/06/2018	01/01 – 30/06/2019
TOTAL AT THE LEVEL OF SERBIA – ALL CASES	1,040,438	1,083,546
TOTAL AT THE LEVEL OF SERBIA – WITHOUT ENFORCEMENT	989,989	1,029,267
Basic courts – I + Iv	28,172	30,286
Commercial courts – all enforcement cases	22,277	23,993

Table 3

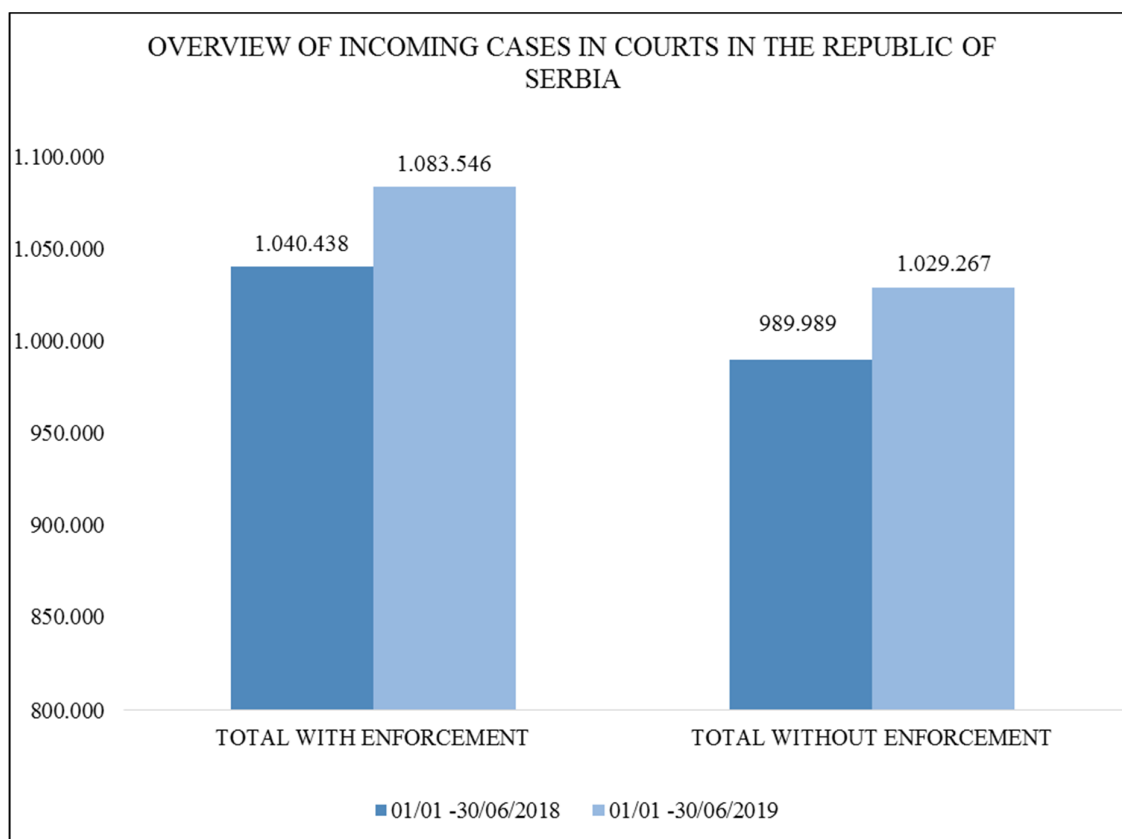


Chart 2

TOTAL NUMBER OF INCOMING CASES IN ALL MATTERS

No.	Court	Total of incoming cases	
		01/01 – 30/06/2018	01/01 – 30/06/2019
1.	Supreme Court of Cassation	7,798	13,140
2.	Appellate Courts	32,958	31,460
3.	Higher Courts	129,532	130,546
4.	Basic Courts	462,956	509,219
5.	Administrative Court	12,418	11,218
6.	Commercial Appellate Court	6,567	8,857
7.	Commercial Courts	65,546	66,053
8.	Misdemeanor Appellate Court	14,050	14,819
9.	Misdemeanor Courts	308,613	298,234
TOTAL		1,040,438	1,083,546

Table 4

Note: The increased number of incoming cases in the Supreme Court of Cassation is caused by second-instance delegated cases by the Higher Court in Belgrade – to other higher courts (approx. 6,200 cases).

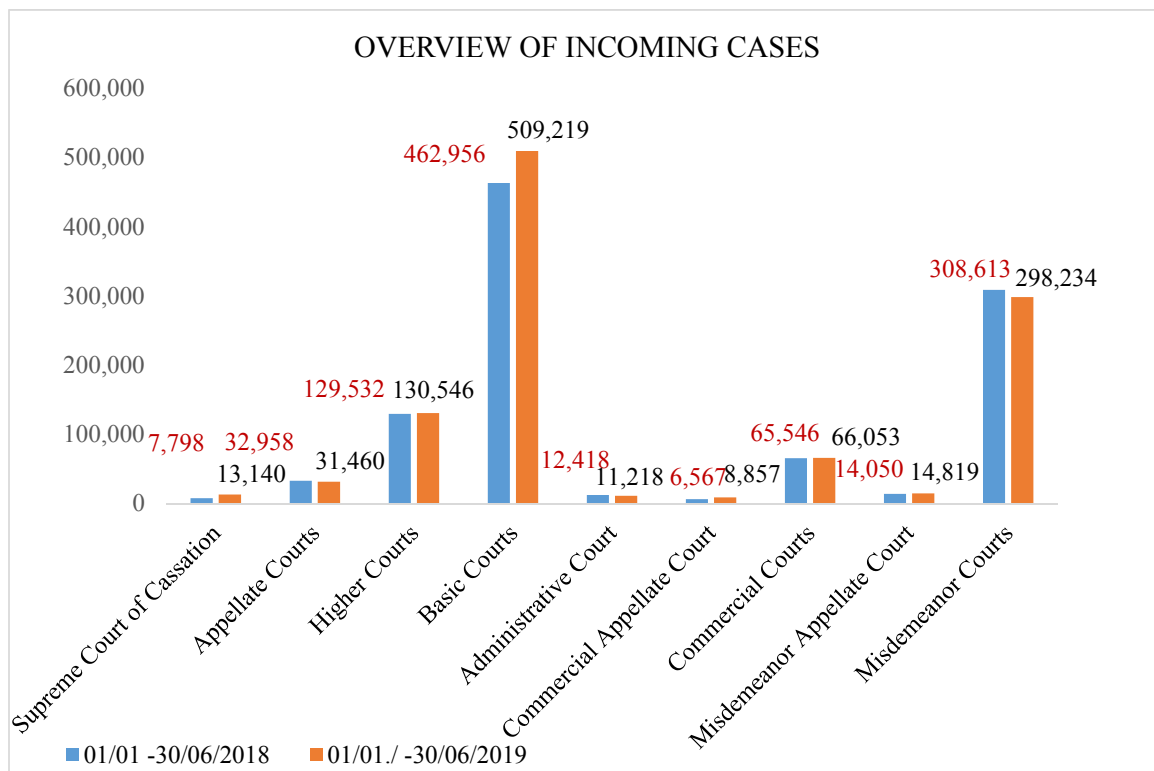


Chart 3

Increased inflow of incoming trial cases is particularly pronounced in Belgrade basic courts, the Belgrade Higher Court, which needs to be strengthened both in terms of staffing and the number of judicial assistants, since the judges of that court in the second-instance civil matter handle the highest number of such cases, and the delegation of cases to other higher courts in the Republic does not represent a more permanent systemic solution.

Increased inflow cannot be overcome in other courts without filling vacant judicial positions in a timely manner and hiring more court assistants and other court staff to handle cases, especially given the continued ban on employment in the courts. The number of administrative

staff in courts does not match professional needs of the court staff handling the cases and assisting the judges in their work, which is why it is necessary to analyze the real structural needs of the court staff and judicial assistants, which should enable more efficient work of judges on individual cases.

The largest increase in inflow occurred in cases of protection of right to trial within reasonable time. In the first half of 2018, the total of 32,894 such cases was received, while in the first half of this year, this number grew to 48,987. The number of cases on claims for compensation of non-material damages for violation of the right to trial within reasonable time grew from 5,819 to 10,561 in the first half of 2019 as well as the number of cases for compensation of material damage on the same bases from 767 to 4,416. The increased number of cases regarding protection of the right to trial within reasonable time relates to the enforcement of final court decisions against socially-owned companies, that were suspended by the Privatization Law, to which the courts had no influence nor did the privatization proceeds flow into the court budget, while now the damage is paid out from the proceeds earmarked for the work of the courts, and the obligations of the insolvent socially-owned enterprises are transferred to the state. Therefore, criticism that court proceedings are unreasonably long due to the court inefficiency cannot be accepted without reservations.

PROTECTION OF RIGHT TO TRIAL WITHIN REASONABLE TIME

01/01 - 30/06/2019

No.	Court	Number of judges in matter	Pending at the beginning	Total incoming	Total caseload	Total disposed	Pending at the end of reporting period
1	Supreme Court of Cassation	14	46	164	210	159	51
2	Appellate Courts	81	79	552	631	518	113
3	Higher Courts	139	1.585	6.773	8.358	5.101	3.257
4	Basic Courts	585	8.644	20.440	29.084	15.274	13.810
TOTAL 1-4		819	10.354	27.929	38.283	21.052	17.231
5	Administrative Court	1	56	187	243	211	32
6	Commercial Appellate Court	34	285	3.058	3.343	2.886	457
7	Commercial Courts	62	2.435	17.187	19.622	16.618	3.004
8	Misdemeanor Appellate Court	4	11	211	222	141	81
9	Misdemeanor Courts	39	40	415	455	392	63
TOTAL 5-9		140	2.827	21.058	23.885	20.248	3.637
TOTAL 1-9		959	13.181	48.987	62.168	41.300	20.868

Table 5

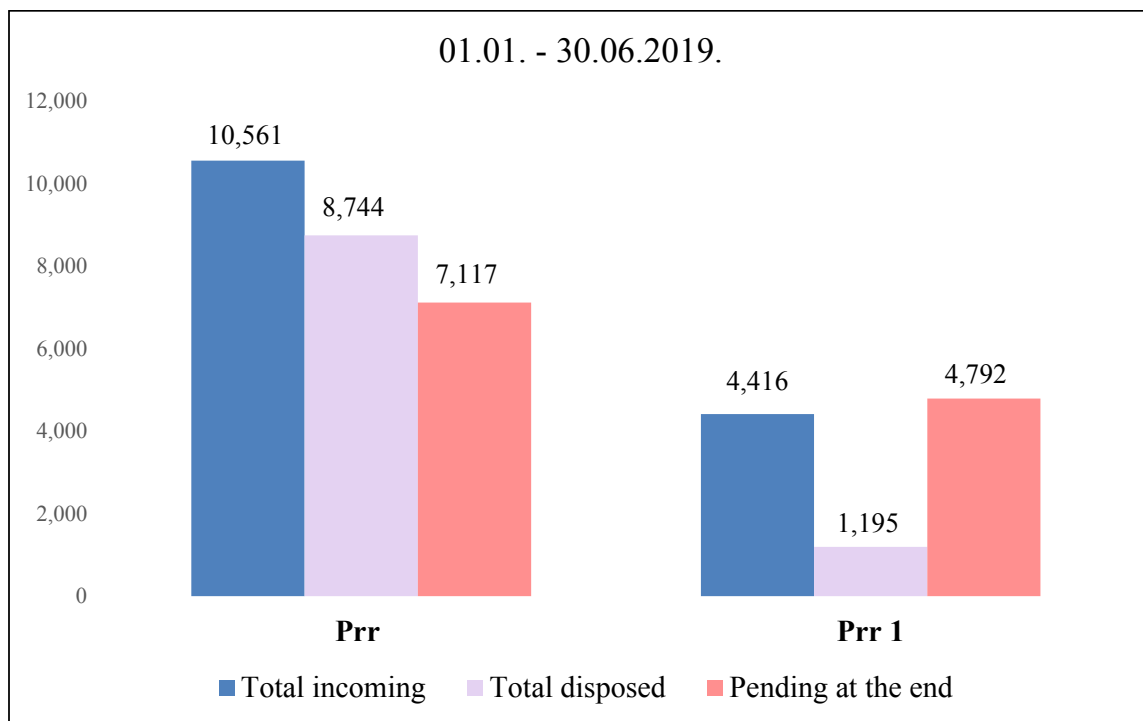


Chart 4

Prr –cases regarding claims for compensation of non-pecuniary damages for the violation of the right to a trial within reasonable time

Prr1 –cases on claims for compensation of material damages for violation of the right to a trial within reasonable time

IV

PENDING CASES ON JUNE 30, 2019

Comparative indicators for the period 2012 – 2018 indicate a significant decrease in the number of pending cases in all courts in the Republic of Serbia, so in comparison with 2012, there are 1,456,820 fewer pending cases (reduction from 3,158,400 to 1,701,580 pending cases at the end of 2018).

At the end of the first half of 2019, there were **1,639,846** pending cases, so the total number of pending cases in the Republic of Serbia dropped in all matters.

OVERVIEW OF THE NUMBER OF PENDING CASES IN ALL COURTS IN THE REPUBLIC OF SERBIA								
	2012	2013	2014	2015	2016	2017	2018	01/01-30/06/2019
TOTAL AT THE LEVEL OF SERBIA – ALL CASES	3.158.400	2.874.782	2.849.360	2.886.619	2.043.925	1.911.086	1.701.580	1.639.846
TOTAL AT THE LEVEL OF SERBIA – EXCLUDING ENFORCEMENT CASES	872.831	815.178	898.204	1.093.432	1.132.331	1.118.201	1.024.521	1.005.696

** In case of the basic courts, I, Iv categories are included, while figures for the commercial courts include all enforcement cases*

Table 6

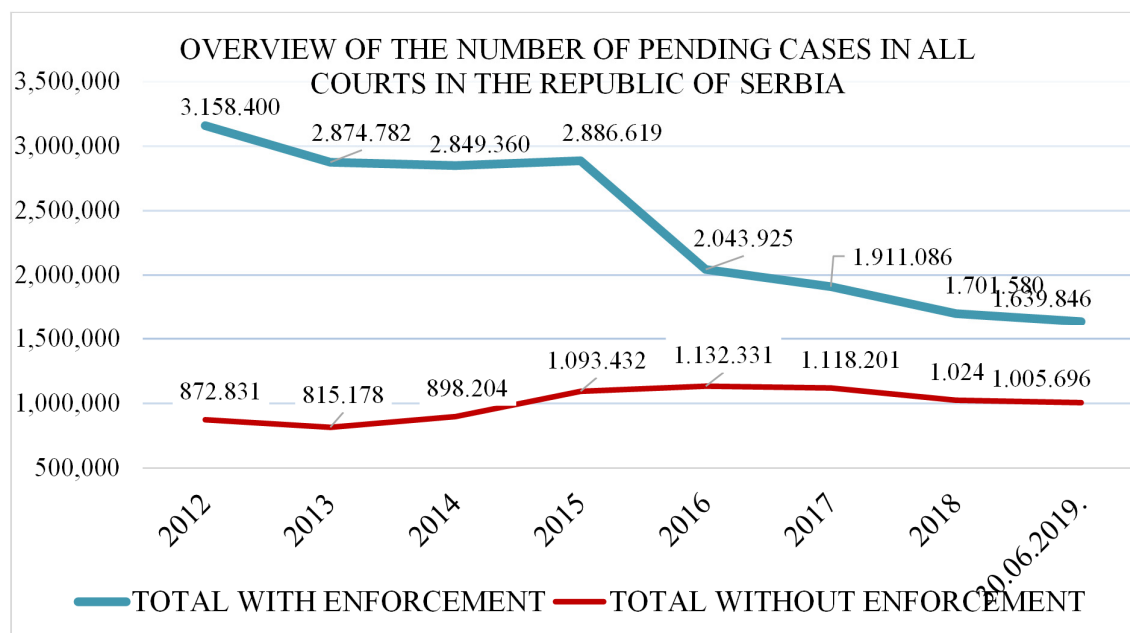


Chart 5

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

	30.6.2018	30.6.2019
TOTAL AT THE LEVEL OF SERBIA – ALL CASES	1.798.427	1.639.846
TOTAL AT THE LEVEL OF SERBIA – EXCLUDING ENFORCEMENT CASES	1.086.818	1.005.696
Basic courts- I+IV	687.785	619.095
Commercial courts – all enforcement cases	23.824	15.055

Table 7

After quite some time, in the first half of 2019, the total number of pending cases in all matters in Serbia was reduced; the same result was achieved in the category of the number of pending cases – excluding enforcement cases, as well as the total number of enforcement cases based on the writ of execution „I“ and on an authentic document „Iv“ in basic courts, while the total number of enforcement cases in commercial courts was halved.

V

THE RATIO BETWEEN PENDING CASES AT THE BEGINNING OF THE REPORTING PERIOD, INCOMING, DISPOSED AND PENDING CASES AT THE END OF THE REPORTING PERIOD BY TYPES OF COURTS FOR THE PERIOD 01/01 – 30/6/2019

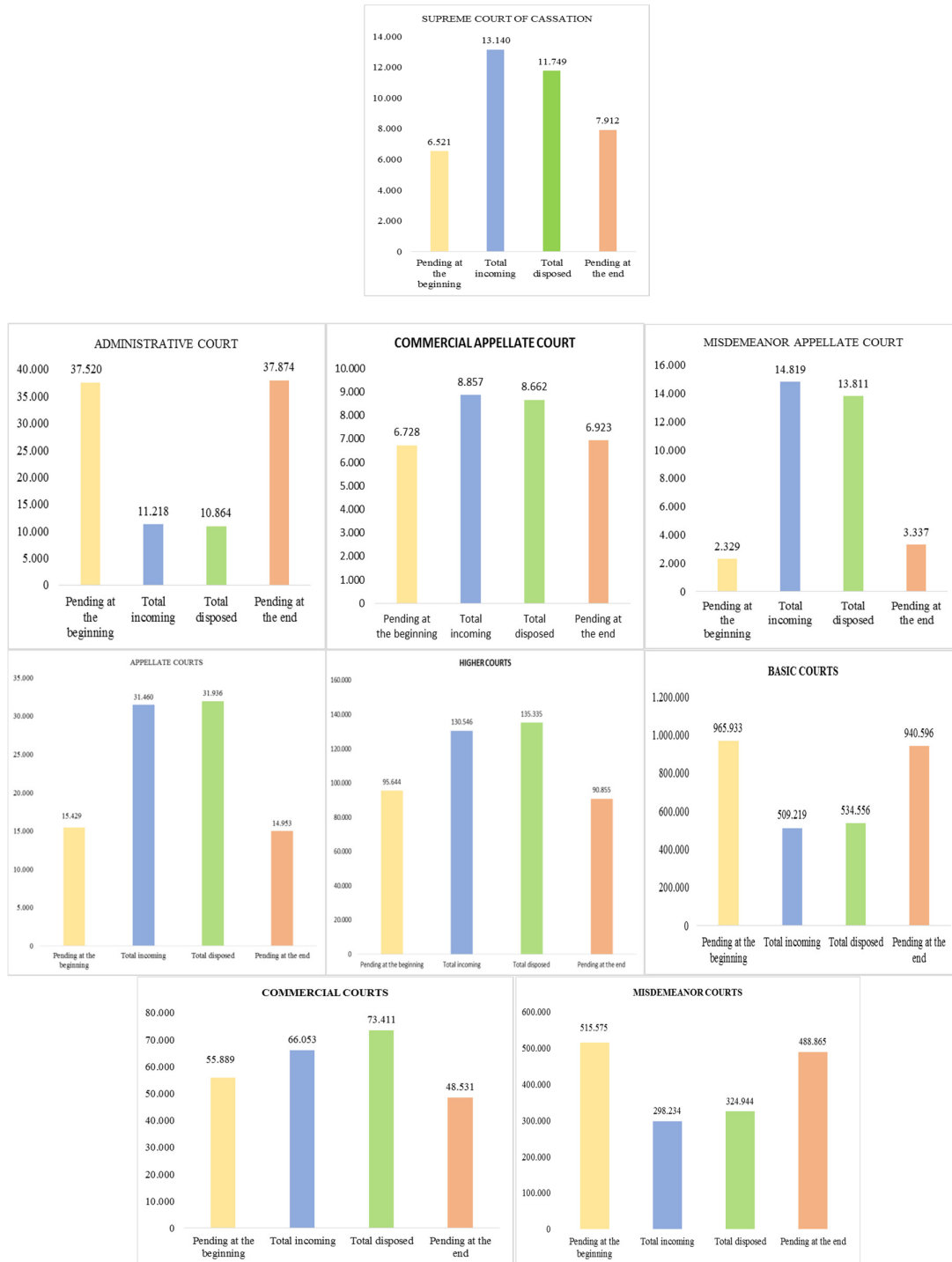


Chart 6

VI

BACKLOG CASES

The Amended Single Backlog Reduction Program of the Supreme Court of Cassation, dated August 10, 2016, with the validity period extended until 2020, envisages systemic, general, special and individual measures for reduction of backlog cases, that are supposed to be undertaken by the Supreme Court of Cassation, the High Court Council and the Ministry of Justice in order to ensure trials within reasonable time and accomplish envisaged objectives by 2020 by matters and, in particular, to resolve all backlog cases that are considered to be particularly urgent.

Through the implementation of these strategic documents, the Supreme Court of Cassation shows in this report the number of pending backlog cases i.e. cases in which the proceedings last more than two years from the date of the initial act.

REPORT ON PENDING BACKLOG CASES AT THE END OF THE REPORTING PERIOD ACCORDING TO THE DATE OF THE INITIAL ACT

	2012	2013	2014	2015	2016	2017	2018	01/01-30/06/2019
TOTAL AT THE LEVEL OF SERBIA – ALL CASES	1.729.768	1.773.475	1.822.001	1.740.400	915.667	859.272	781.137	732.991
*TOTAL AT THE LEVEL OF SERBIA – EXCLUDING ENFORCEMENT	140.418	127.773	126.878	133.365	125.463	128.661	149.649	144.878
* Commercial Courts (all enforcement cases)	22.771	29.872	31.804	32.180	24.303	22.392	17.439	12.846
* Basic Courts (I, Iv)	1.566.579	1.615.830	1.663.319	1.574.855	765.901	708.219	614.049	575.267

Table 8

* In case of the basic courts, I, Iv categories are included, while figures for the commercial courts include all enforcement cases

* Cases for the protection of the right to trial within reasonable time in 2014 and 2015 are excluded

Thus, at the end of 2012, in all courts in the Republic of Serbia there were 1,729,768 cases over two years old, while at the end of the first half of 2019 there were 732,991 cases in which the proceedings lasted more than two years from the filing of the initial act. If backlog cases would be defined as those lasting for more than three years without being validly terminated, the number of backlog cases would be halved. However, there are almost a million of backlog cases less than in 2012 in the Republic of Serbia, thanks in particular to systematic measures envisaged by the code of enforcement proceedings initiated by the Ministry of Justice and implemented through the EU JEP Project, in cooperation with the Supreme Court of Cassation.

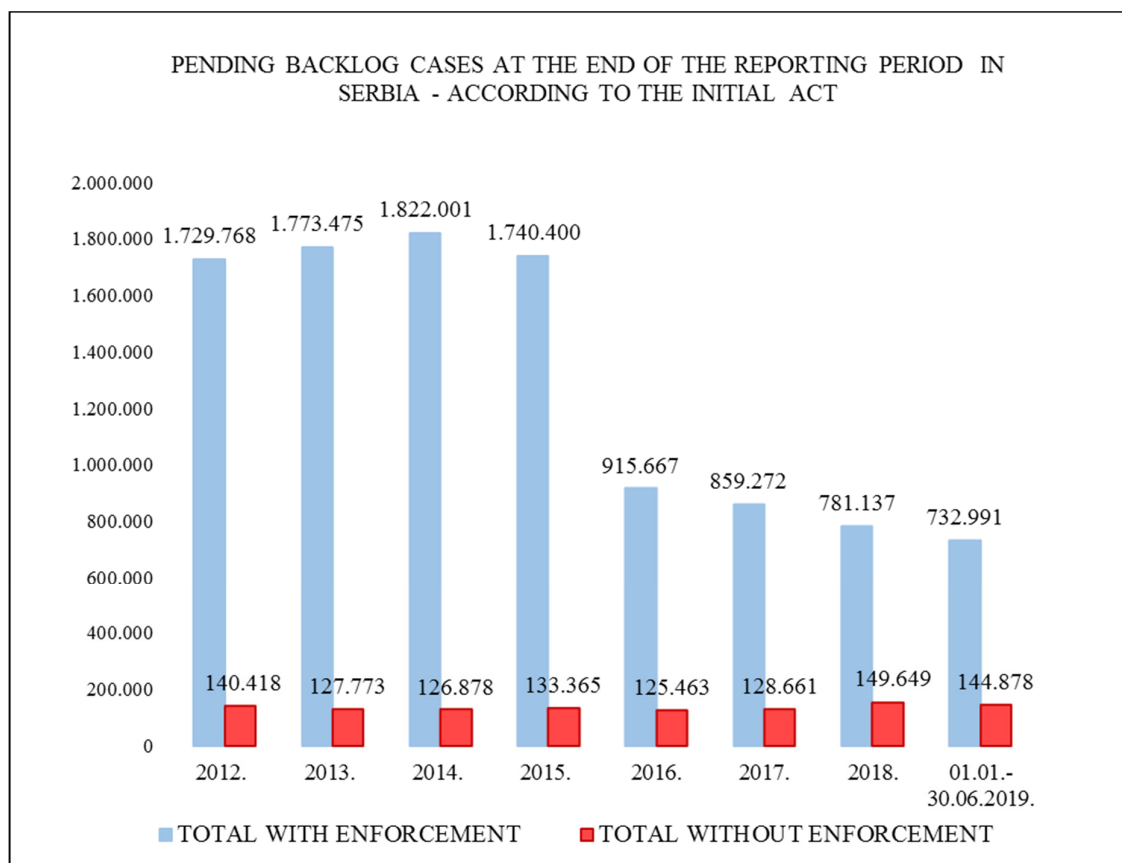


Chart 7

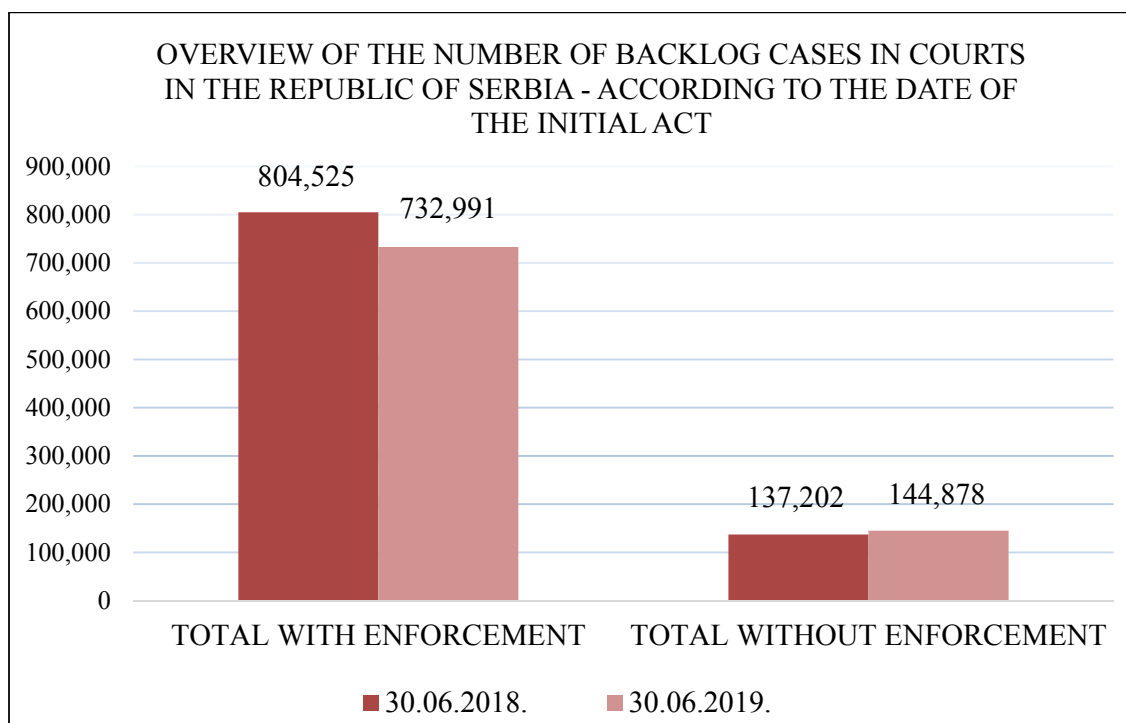


Chart 8

Although the number of unresolved backlog cases has been reduced, the increased inflow since 2015, when 400,000 more than planned cases were entering into the court system every year, could not be overcome, especially due to the insufficient availability of court positions; therefore the number of old cases in the first half of 2019 is slightly higher than in the same period last year. However, the results of 2018 and the first half of 2019 indicate that the influx of new cases will be cleared and the number of backlog cases reduced, especially given the announced systemic measures by the Ministry of Justice, to further improve the enforcement system.

VII

DISPOSED BACKLOG CASES

In the period January-June 2019, the total of **1,145,268** cases were disposed in all courts in the Republic of Serbia, of which **148,271** were backlog cases i.e. cases older than two years calculating from the date of the initial act.

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

	01.01. -30.06.2018.	01.01. -30.06.2019.
TOTAL AT THE LEVEL OF SERBIA - ALL CASES	176.202	148.271
TOTAL AT THE LEVEL OF SERBIA - WITHOUT ENFORCEMENT	88.448	93.537
Basic Courts - I-IV	83.794	49.197
Commercial Courts - enforcement included	3.960	5.537

Table 9

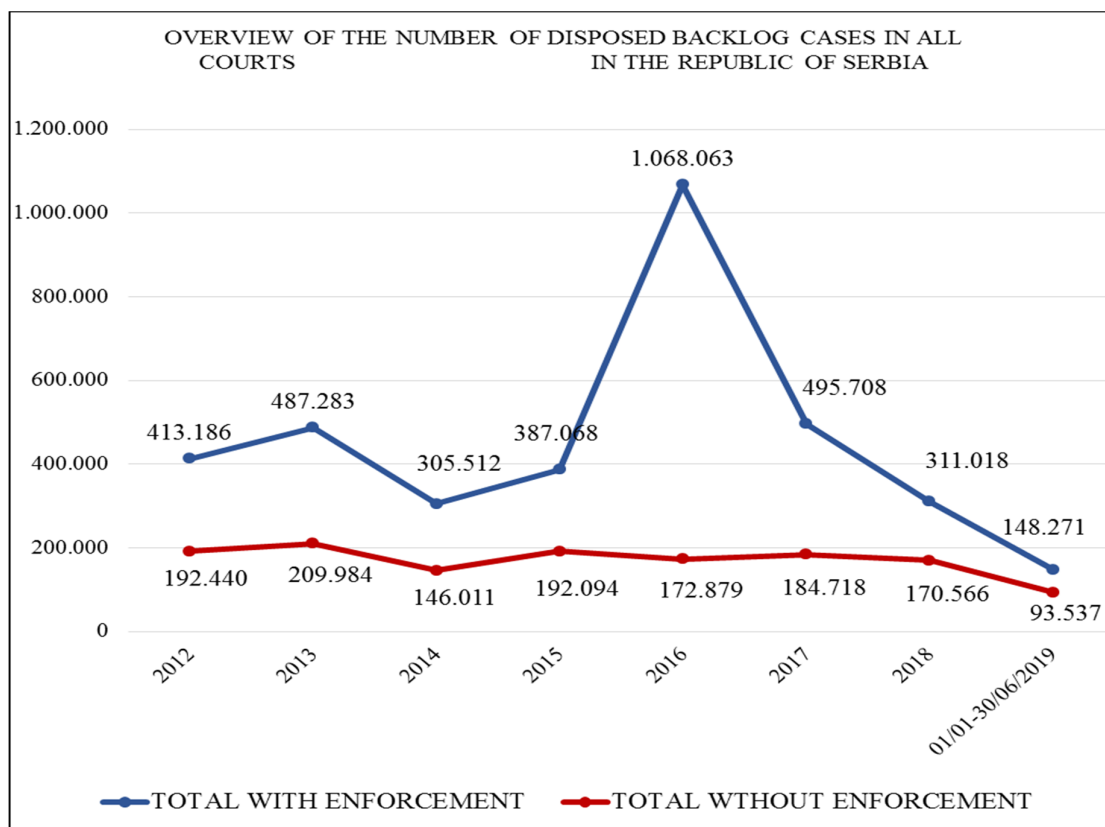


Chart 9

VIII

STRUCTURE OF PENDING BACKLOG CASES ON JUNE 30, 2019

OVERVIEW OF PENDING BACKLOG CASES ON 30/06/2019 - ACCORDING TO THE DATE OF THE INITIAL ACT - ALL MATTERS

No.	Court	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-30/06/2019	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 24 MONTHS SINCE THE INITIAL ACT on 30/06/2019	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 to 3	3 to 5	5 to 10	More than 10		
1	Supreme Court of Cassation	36	19.661	5.345	1.385	1.565	1.720	675	27,19	148,47

No.	Court	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-30/06/2019	TOTAL PENDING BACKLOG CASES ON 30/06/2019	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 to 3	3 to 5	5 to 10	More than 10		
1	Appellate courts	204	46.889	10.293	3.010	3.466	2.980	837	21,95	50,46
2	Higher courts	355	226.190	41.826	15.222	17.769	7.448	1.377	18,49	117,82
3	Basic courts	1.174	1.475.152	634.270	31.590	71.861	276.217	254.564	43,00	540,26
TOTAL:		1.733	1.748.231	686.389	49.822	93.096	286.645	256.778	39,26	396,07

No.	Court	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-30/06/2019	TOTAL PENDING BACKLOG CASES ON 30/06/2019	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 to 3	3 to 5	5 to 10	More than 10		
1	Administrative Court	43	48.738	5.532	4.829	693	10		11,35	128,65
2	Commercial Appellate Court	34	15.585	3.232	1.612	1.185	384	51	20,74	95,06
3	Commercial courts	154	121.942	17.653	2.520	6.036	8.851	246	14,48	114,63
4	Misdemeanor Appellate Court	59	17.148	266	135	86	45		1,55	4,51
5	Misdemeanor Courts	479	813.809	14.574	5.330	6.104	3.140		1,79	30,43
TOTAL:		769	1.017.222	41.257	14.426	14.104	12.430	297	4,06	53,65

Table 10

IX

STRUCTURE OF PENDING BACKLOG CASES BY TYPES OF COURTS AND TRIAL MATTERS

HIGHER COURTS

OVERVIEW OF PENDING BACKLOG CASES ON 31/12/2018 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) on 01/01-31/12/2018	TOTAL PENDING BACKLOG CASES on 31/12/2018	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 to 3	3 to 5	5 to 10	More than 10		
1	P	128	97.185	3.022	1.276	1.073	518	155	3,11	23,61
2	P1	84	18.356	322	111	138	69	4	1,75	3,83
3	P2	67	1.029	39	21	12	6		3,79	0,58
4	GŽ	118	108.383	35.572	19.606	10.275	4.784	907	32,82	301,46
5	GŽ1	94	4.111	559	132	203	174	50	13,60	5,95
6	GŽ2	77	1.290	31	18	10	3		2,40	0,40
7	K	72	4.966	961	275	295	339	52	19,35	13,35
8	K-Po1	17	235	72	10	15	47		30,64	4,24
9	K-Po2	5	29	13	3	4	4	2	44,83	2,60
10	K-Po3	10	94	10	3	4	2	1	10,64	1,00
11	K-Po4	7	399	3	2		1		0,75	0,43
12	KŽ1	55	7.203	266	157	79	29	1	3,69	4,84
13	KIM	40	3.703	6	4	2			0,16	0,15
14	KM	43	2.184	7	7				0,32	0,16
TOTAL - PREDOMINANT TRIAL MATTERS		291	249.167	40.883	21.625	12.110	5.976	1.172	16,41	140,49
TOTAL - ALL TRIAL MATTERS		308	355.364	42.462	22.418	12.599	6.220	1.216	11,95	137,86

Table 11

HIGHER COURTS

OVERVIEW OF PENDING BACKLOG CASES ON 30/06/2019 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) on 01/01-31/12/2018	TOTAL PENDING BACKLOG CASES on 31/12/2018	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 to 3	3 to 5	5 to 10	More than 10		
1	P	132	31.351	3.664	1.779	1.177	546	162	11,69	27,76
2	P1	96	3.964	334	116	142	70	6	8,43	3,48
3	P2	79	635	41	18	19	4		6,46	0,52
4	GŽ	143	86.139	34.269	11.936	15.379	5.916	1.038	39,78	239,64
5	GŽ1	110	2.650	534	136	173	166	59	20,15	4,85
6	GŽ2	94	763	40	19	15	4	2	5,24	0,43
7	K	78	3.606	879	222	285	315	57	24,38	11,27
8	K-Po1	17	208	82	16	16	48	2	39,42	4,82
9	K-Po2	7	25	11	1	4	4	2	44,00	1,57
10	K-Po3	13	69	16	8	3	4	1	23,19	1,23
11	K-Po4	17	379	2	1		1		0,53	0,12
12	KŽ1	67	4.444	313	187	94	32		7,04	4,67
13	KIM	42	2.407	9	7	2			0,37	0,21
14	KM	42	1.371	4	4				0,29	0,10
TOTAL - PREDOMINANT TRIAL MATTERS		332	138.011	40.198	14.450	17.309	7.110	1.329	29,13	121,08
TOTAL - ALL TRIAL MATTERS		355	226.190	41.826	15.222	17.769	7.448	1.377	18,49	117,82

Table 12

BASIC COURTS

OVERVIEW OF PENDING BACKLOG CASES ON 31/12/2018 - ACCORDING TO THE DATA OF THE INITIAL ACT

No	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) on 01/01-31/12/2018	TOTAL PENDING BACKLOG CASES on 31/12/2018	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 to 3	3 to 5	5 to 10	More than 10		
1	P	543	285.052	31.721	13.223	10.763	6.465	1.270	11,13	58,42
2	P1	263	72.872	7.270	3.054	2.390	1.553	273	9,98	27,64
3	P2	262	51.154	606	393	176	36	1	1,18	2,31
4	K	260	61.415	4.171	1.758	1.302	1.031	80	6,79	16,04
TOTAL 1-4		907	470.493	43.768	18.428	14.631	9.085	1.624	9,30	48,26
5	Iv	187	635.223	533.590	6.661	22.638	319.073	185.218	84,00	2.853,42
6	I	179	192.194	80.459	13.456	31.362	30.007	5.634	41,86	449,49
TOTAL 5-6		205	827.417	614.049	20.117	54.000	349.080	190.852	74,21	2.995,36
ALL INFOCEMENT CASES		444	1.105.065	625.924	24.769	59.784	350.490	190.881	56,64	1.409,74
TOTAL - ALL TRIAL MATTERS		1.140	2.059.158	676.737	46.224	76.646	361.013	192.827	32,86	593,63

Table 13

BASIC COURTS

OVERVIEW OF PENDING BACKLOG CASES ON 30/06/2019 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) on 01/01-31/12/2018	TOTAL PENDING BACKLOG CASES on 31/12/2018	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 to 3	3 to 5	5 to 10	More than 10		
1	P	576	200.173	28.737	10.607	10.375	6.566	1.189	14,36	49,89
2	P1	289	54.061	7.606	3.515	2.381	1.487	223	14,07	26,32
3	P2	283	31.171	614	416	164	33	1	1,97	2,17
4	K	260	42.391	3.831	1.599	1.274	877	81	9,04	14,73
TOTAL 1-4		944	327.796	40.788	16.137	14.194	8.963	1.494	12,44	43,21
5	Iv	183	542.371	504.869	1.289	21.135	234.333	248.112	93,09	2.758,85
6	I	175	145.587	70.398	7.826	28.600	29.322	4.650	48,35	402,27
TOTAL 5-6		201	687.958	575.267	9.115	49.735	263.655	252.762	83,62	2.862,02
ALL ENFORCEMENT CASES		429	852.658	587.047	12.722	55.611	265.937	252.777	68,85	1.368,41
TOTAL - ALL TRIAL MATTERS		1.174	1.475.152	634.270	31.590	71.861	276.217	254.564	43,00	540,26

Table 14

OVERVIEW OF PENDING BACKLOG CASES ACCORDING TO THE DATE OF THE INITIAL ACT IN
THE FIRST INSTANCE CRIMINAL MATTER

CRIMINAL MATTER	MATTER	31.12.2018		30.6.2019	
		No. of judges	No. of cases	No. of judges	No. of cases
Higher Courts	K	72	961	78	879
Basic Courts	K	260	4.171	260	3.831
TOTAL		332	5.132	338	4.710

Table 15

**OVERVIEW OF PENDING BACKLOG CASES ACCORDING TO THE DATE OF THE INITIAL ACT IN
THE FIRST INSTANCE CIVIL MATTER**

CIVIL MATTER	MATTER	31.12.2018.		30.06.2019.	
		No. of judges	No. of cases	No. of judges	No. of cases
Higher Courts	P	128	3.022	132	3.664
	P1	84	322	96	334
	P2	67	39	79	41
TOTAL		279	3.383	307	4.039
Basic Courts	P	543	31.721	576	28.737
	P1	263	7.270	289	7.606
	P2	262	606	283	614
TOTAL		1.068	39.597	1.148	36.957
TOTAL BC+HC:	P	671	34.743	708	32.401
	P1	347	7.592	385	7.940
	P2	329	645	362	655

Table 16

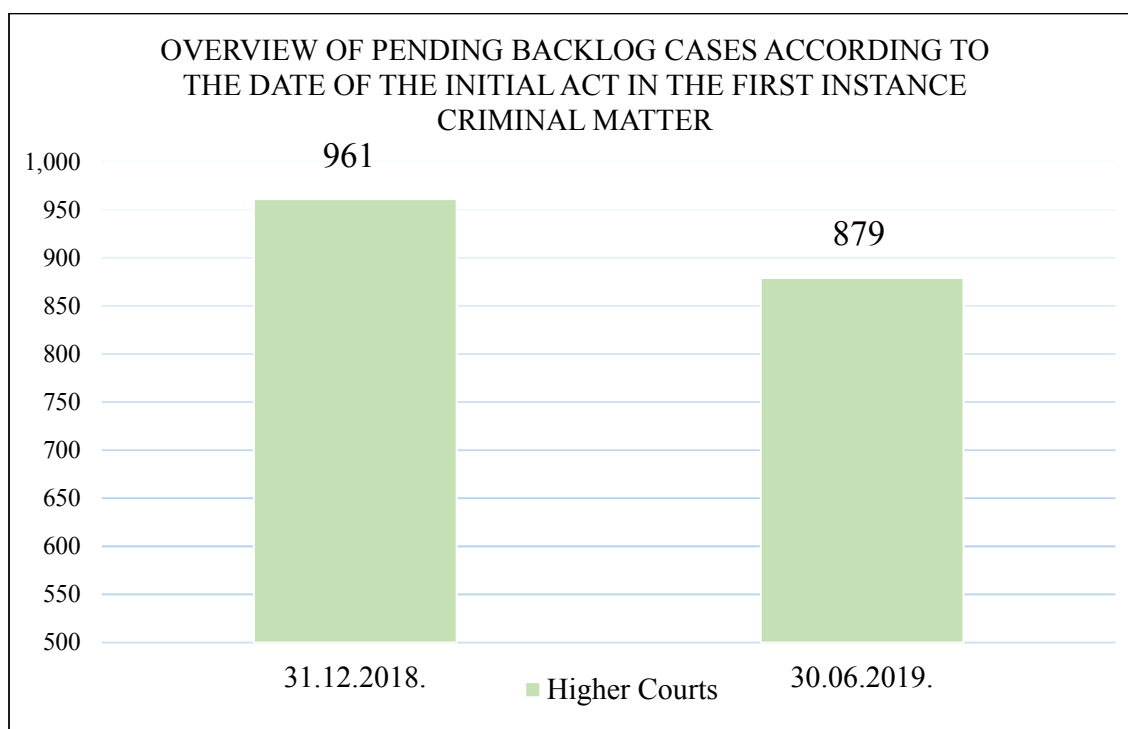


Chart 10

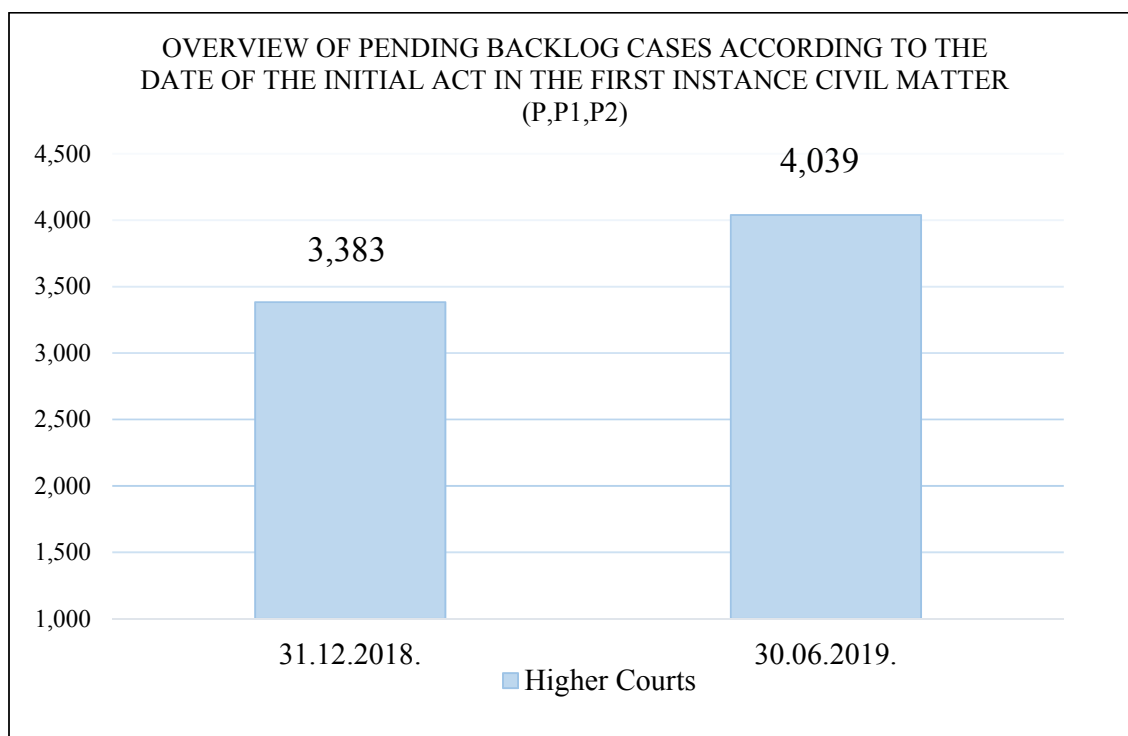


Chart 11

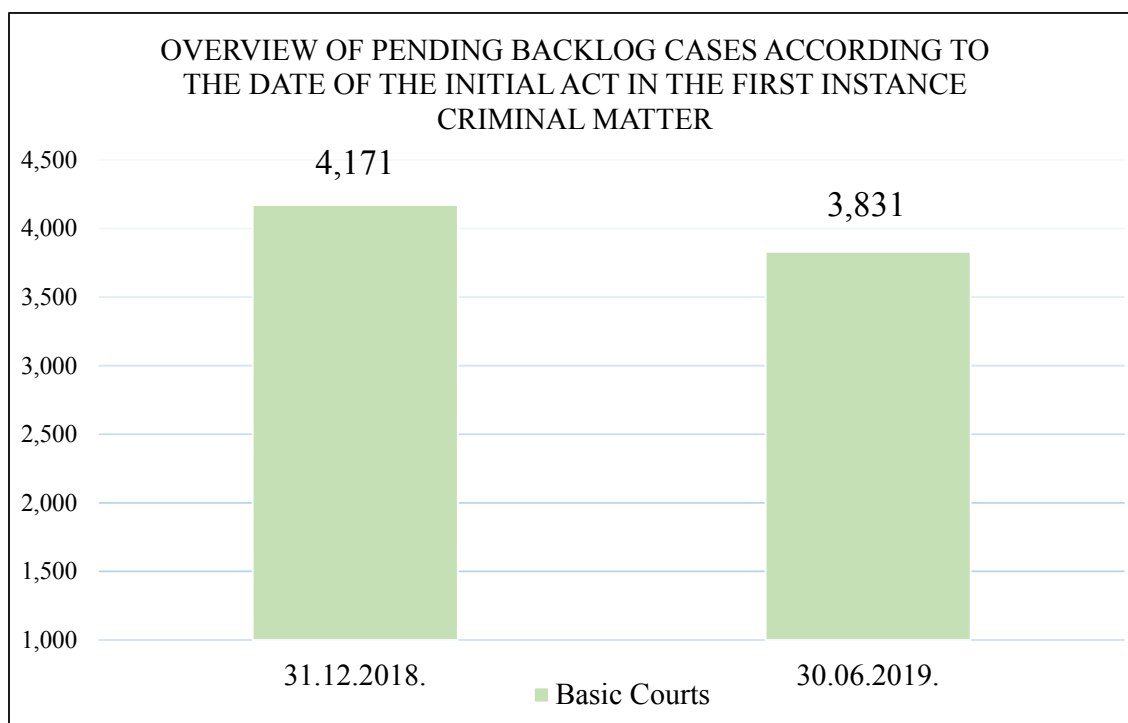


Chart 12

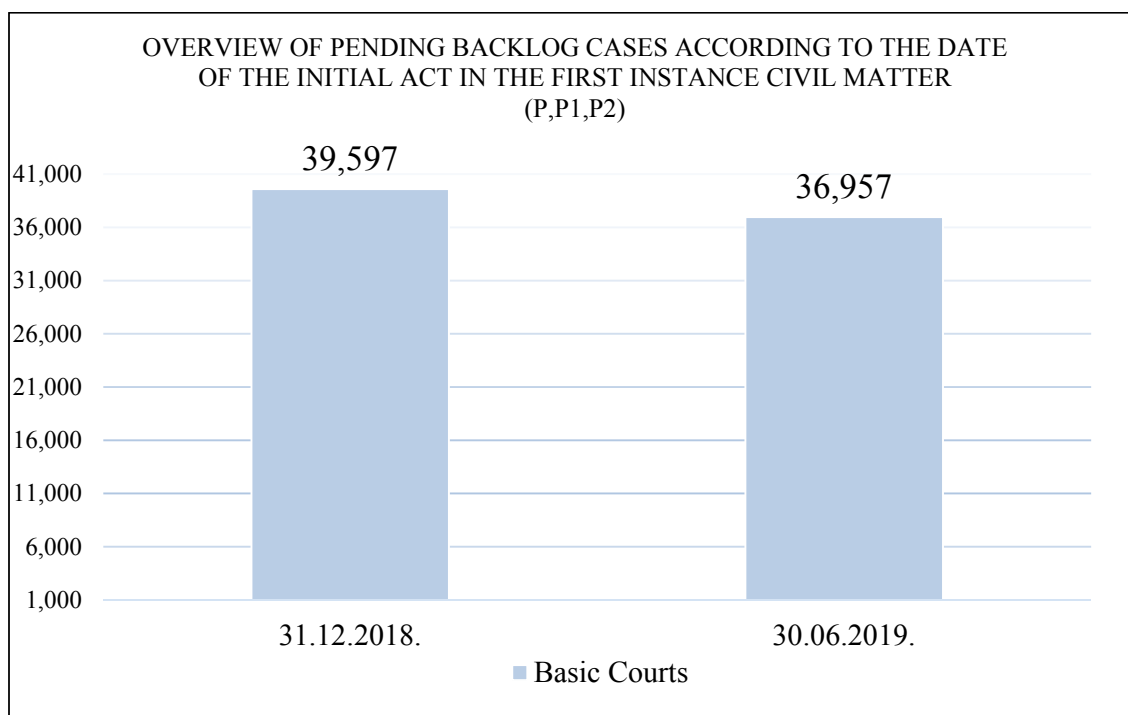


Chart 13

COMMERCIAL COURTS										
OVERVIEW OF PENDING BACKLOG CASES ON 30/06/2019 ACCORDING TO THE DATE OF THE INITIAL ACT										
No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-30/06/2019	TOTAL PENDING BACKLOG on 30/06/2019	DURATION OF BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1.	Commercial offences	67	35.017	1.127	1.038	79	10		3,22	16,82
2.	Bankruptcy	57	2.515	1.449	161	397	780	111	57,61	25,42
a	I	30	5.813	2.592	316	1.080	1.173	23	44,59	86,40
b	Iv	30	14.926	10.167	125	3.669	6.355	18	68,12	338,90
c	Total (a+b)	33	20.739	12.759	441	4.749	7.528	41	61,52	386,64
d	Other enforcement cases	80	22.640	87	15	41	29	2	0,38	1,09
3.	All enforcement cases (c+d)	82	43.379	12.846	456	4.790	7.557	43	29,61	156,66
4.	Payment order	50	410							
5.	Litigation	92	16.756	2.214	863	760	503	88	13,21	24,07
6.	Non-litigation	62	4.243	17	2	10	1	4	0,40	0,27
7.	Reasonable time	62	19.622							
TOTAL 1-7		154	121.942	17.653	2.520	6.036	8.851	246	14,48	114,63

Table 17

MISDEMEANOR COURTS

OVERVIEW OF PENDING BACKLOG CASES ON 30/06/2019 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter		No. of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-30/06/2019	TOTAL PENDING BACKLOG on 30/06/2019	DURATION OF BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
	Classification	Register				2 TO 3	3 TO 5	5 TO 10		
1	01-Public order and safety	PR	466	33.299	380	218	162		1,14	0,82
		PRM	397	1.634	17	15	2		1,04	0,04
2	02-Traffic	PR	468	206.687	2.567	1.108	1.459		1,24	5,49
		PRM	397	2.887	26	22	4		0,90	0,07
3	03-Public safety	PR	467	23.029	177	89	88		0,77	0,38
		PRM	370	1.709	19	17	2		1,11	0,05
4	04-Economy	PR	468	39.511	1.322	646	578	98	3,35	2,82
		PRM	21	35						
5	05-Finance and custom	PR	468	34.278	9.804	3.115	3.648	3.041	28,60	20,95
		PRM	24	29	3	1	1	1	10,34	0,13
6	06-Labor, employment and occupational safety	PR	465	7.398	51	12	39		0,69	0,11
		PRM	0							
7	07-Education, science, culture and information provision	PR	439	4.366	51	25	26		1,17	0,12
		PRM	5	8						
8	08-Health and social protection, health insurance and environmental protection	PR	448	5.423	88	32	56		1,62	0,20
		PRM	4	4						
9	09-Defence - Army	PR	453	4.889	40	22	18		0,82	0,09
		PRM	278	1.154	4	4			0,35	0,01
10	10-Administration	PR	187	532	24	3	21		4,51	0,13
		PRM	2	2						
TOTAL 1-10		PR	469	359.412	14.504	5.270	6.095	3.139	4,04	30,93
		PRM	405	7.462	69	59	9	1	0,92	0,17

Table 18

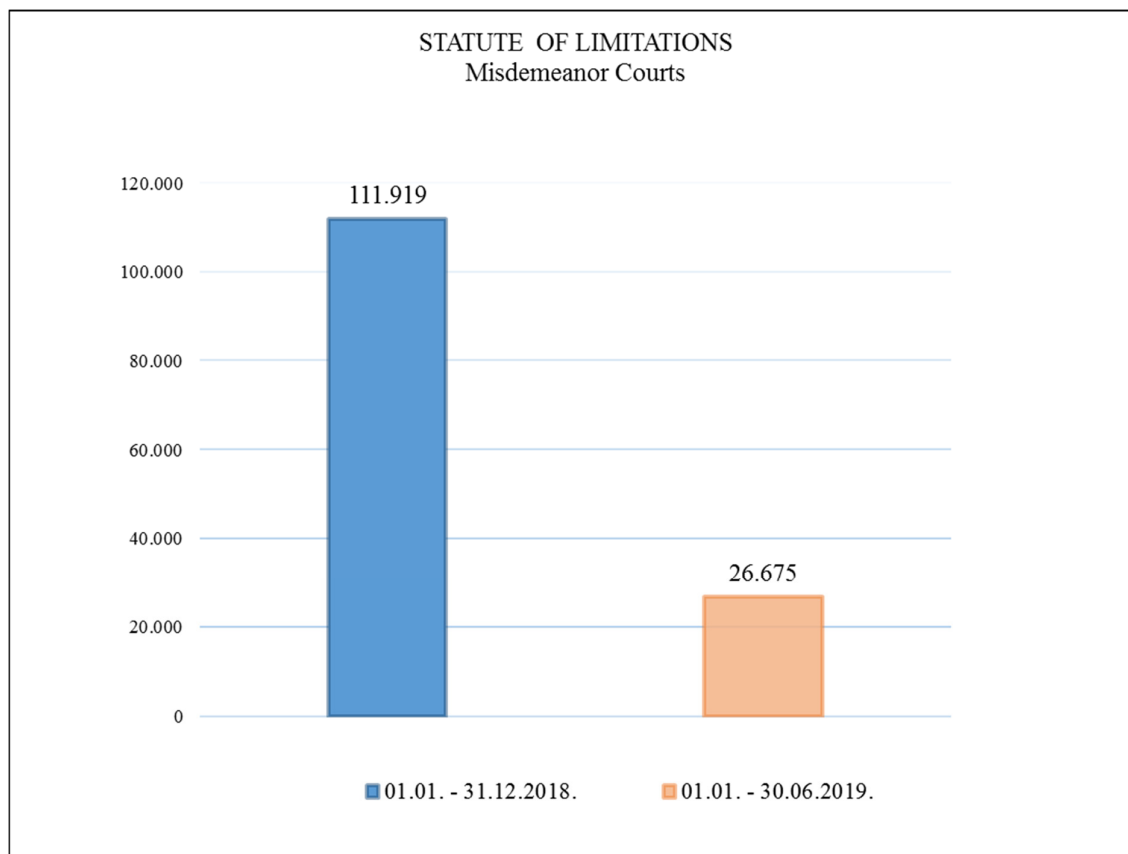


Chart 14

STATUTE OF LIMITATIONS		01/01 - 31/12/2018				01/01 - 30/06/2019			
No.	Court	Total number of disposed cases in the period 01/01-31/12/2018	Decision on suspension due to the statute of limitations	Rejected/reversed decision due to the statute of limitations	Total statute of limitations	Total number of disposed cases in the period 01/01-30/06/2019	Decision on suspension due to the statute of limitations	Rejected/reversed decision due to the statute of limitations	Total statute of limitations
1	Appellate Courts	59.939		6	6	29.325		2	2
2	Higher Courts	162.690	5	10	15	58.640	4	6	10
3	Basic Courts	271.394	47	55	102	130.368	21	39	60
4	Commercial Appellate Court	15.446				8.662			
5	Commercial Court	127.720	4		4	73.411	6		6
6	Misdemeanor Appellate Court	28.856	2.755	13	2.768	13.811	1.223	6	1.229
7	Misdemeanor Courts	676.361	110.173	1.746	111.919	324.944	24.836	532	25.368
TOTAL		1.342.406	112.984	1.830	114.814	639.161	26.090	585	26.675

Table 19

Indicators regarding the statute of limitations cases show the reduction of the number in this category, in particular in misdemeanor courts.

ADMINISTRATIVE COURT

OVERVIEW OF PENDING BACKLOG CASES ON 30/06/2019 - ACCORDING TO THE DATE OF INITIAL ACT

No.	Matter	No. of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-30/06/2019	TOTAL PENDING BACKLOG CASES on 30/06/2019	AGE OF PENDING CASES				% OF BACKLOG CASES COMPARED TO THE CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	U	43	46.991	5.435	4.751	674	10		11,57	126,40
2	UR	40	165	16	11	5			9,70	0,40
3	UI	43	487	48	39	9			9,86	1,12
4	UO	35	73							
5	UV	13	576	2	2				0,35	0,15
6	UP	37	187	31	26	5			16,58	0,84
TOTAL 1-6		43	48.479	5.532	4.829	693	10		11,41	128,65
7	UVP I									
8	UVP II									
9	UŽ	6	7							
10	UIP									
11	U-uz	4	9							
TOTAL 7-11		6	16							
12	R4 u	1	243							
TOTAL 1-12		43	48.738	5.532	4.829	693	10		11,35	128,65

Table 20

The administrative judiciary requires special reform measures as well as introduction of the multi-stage procedure since increasing number of judges is not an adequate system solution to increase efficiency in work of the administrative judiciary. Therefore, the Supreme Court of Cassation remains in favor of proposals presented in the Annual Report on the Work of Courts in 2018.

X

PENDING BACKLOG CASES MORE THAN 10 YEAR OLD ON 30/6/2019 IN HIGHER AND BASIC COURT

No.	Court	P	P1	P2	K	All cases
APPELLATE COURT IN BELGRADE						
1	Higher Court in Belgrade	142	6		41	1.078
2	Higher Court in Valjevo	1				7
3	Higher Court in Pančevo					2
4	Higher Court in Smederevo				3	24
5	I Basic Court in Belgrade	289	62		12	139.505
6	II Basic Court in Belgrade	256	26		5	51.500
7	III Basic Court in Belgrade	273	96		27	46.085
8	Basic Court in Valjevo	1				1
9	Basic Court in Velika Plana	22	3		1	244
10	Basic Court in Vršac					12
11	Basic Court in Lazarevac	1			10	114
12	Basic Court in Mionica	2			1	9
13	Basic Court in Mladenovac	2				4.189
14	Basic Court in Obrenovac	2	1			616
15	Basic Court in Pančevo	1				29
16	Basic Court in Smederevo	24	3		1	759
17	Basic Court in Ub	2				15
HIGHER AND BASIC COURTS - TOTAL		1.018	197		101	244.189

APPELLATE COURT IN KRAGUJEVAC						
1	Higher Court in Novi Pazar	2				17
2	Higher Court in Kragujevac	2				61
3	Higher Court in Jagodina	1			1	2
4	Higher Court in Kraljevo					
5	Higher Court in Kruševac					1
6	Higher Court in Požarevac					1
7	Higher Court in Užice					2
8	Higher Court in Čačak					33
9	Basic Court in Aranđelovac				2	148
10	Basic Court in Brus					108
11	Basic Court in Veliko Gradište	1				1
12	Basic Court in Gornji Milanovac	2	1			232
13	Basic Court in Despotovac	6				23
14	Basic Court in Ivanjica	12				78
15	Basic Court in Jagodina	8	5			38
16	Basic Court in Kragujevac	16				415
17	Basic Court in Kraljevo	11				202

18	Basic Court in Kruševac	7				671
19	Basic Court in Novi Pazar	11			1	794
20	Basic Court in Paraćin	4				63
21	Basic Court in Petrovac na Mlavi	2				2
22	Basic Court in Požarevac	4				9
23	Basic Court in Požega					
24	Basic Court in Priboj					4
25	Basic Court in Prijepolje	1				13
26	Basic Court in Raška	2				14
27	Basic Court in Sjenica				1	15
28	Basic Court in Trstenik					124
29	Basic Court in Užice	6	1			21
30	Basic Court in Čačak	20				1.603
HIGHER AND BASIC COURTS - TOTAL		118	7		5	4.695

APPELLATE COURT IN NIŠ						
1	Higher Court in Vranje					
2	Higher Court in Zaječar					
3	Higher Court in Leskovac	1				9
4	Higher Court in Negotin					1
5	Higher Court in Niš	4			2	77
6	Higher Court in Pirot					
7	Higher Court in Prokuplje					1
8	Basic Court in Aleksinac	3	1			19
9	Basic Court in Bor		1			1
10	Basic Court in Bujanovac	1				464
11	Basic Court in Vranje	6	2			2.552
12	Basic Court in Dimitrovgrad					
13	Basic Court in Zaječar	4	1		1	18
14	Basic Court in Knjaževac	2				4
15	Basic Court in Kuršumlija					21
16	Basic Court in Lebane	2				39
17	Basic Court in Leskovac	23			1	317
18	Basic Court in Majdanpek				1	4
19	Basic Court in Negotin	11				25
20	Basic Court in Niš	62	1		6	1.794
21	Basic Court in Pirot	6				48
22	Basic Court in Prokuplje					23
23	Basic Court in Surdulica	2				891
HIGHER AND BASIC COURTS - TOTAL		127	6		11	6.308

APPELLATE COURT IN NOVI SAD						
1	Higher Court in Zrenjanin				2	5
2	Higher Court in Novi Sad	5			7	36
3	Higher Court in Sombor					
4	Higher Court in Sremska Mitrovica	3				10
5	Higher Court in Subotica					6
6	Higher Court in Šabac	1			1	4
7	Basic Court in Bačka Palanka	5	1			23
8	Basic Court in Bečej	4				6
9	Basic Court in Vrbas		10			10
10	Basic Court in Zrenjanin	2				5
11	Basic Court in Kikinda					18
12	Basic Court in Loznica	18			3	89
13	Basic Court in Novi Sad	18				244
14	Basic Court in Ruma	4			1	17
15	Basic Court in Senta					
16	Basic Court in Sombor	2	8			76
17	Basic Court in Sremska Mitrovica	9			2	38
18	Basic Court in Stara Pazova	5		1	4	96
19	Basic Court in Subotica					
20	Basic Court in Šabac	12			1	66
21	Basic Court in Šid					
HIGHER AND BASIC COURTS - TOTAL		88	19	1	21	749

Table 21

XI

BACKLOG CASES COMPARED TO THE TOTAL NUMBER OF PENDING CASES IN BASIC COURTS ON 30/6/2019

BASIC COURTS

No.	Matter	No. of judges	Pending on 30/06/2019	Pending backlog cases on 30/06/2019	Total caseload	% of backlog cases compared to the number of pending cases on 30/06/2019	% of backlog cases compared to the total caseload on 30/06/2019	Remained pending backlog per judge on 30/06/2019
1	P	576	125.526	28.737	200.173	22,89	14,36	49,89
2	P1	289	35.596	7.606	54.061	21,37	14,07	26,32
3	P2	283	13.584	614	31.171	4,52	1,97	2,17
4	K	260	22.722	3.831	42.391	16,86	9,04	14,73
TOTAL 1-4		944	197.428	40.788	327.796	20,66	12,44	43,21
5	I, Iv	201	619.095	575.267	687.958	92,92	83,62	2.862,02
TOTAL - ALL MATTERS		1.174	940.692	634.270	1.685.986	67,43	37,62	540,26

Table 22

Having in mind the objective stated in strategic documents of the Supreme Court of Cassation by 2020 i.e. to dispose all criminal cases, the procedure of which lasts over five years or all civil cases, the procedure of which lasts over ten years in courts in the Republic of Serbia, it should be also mentioned the following:

- there are 1,351 – (P – civil litigation cases) , 229 - „P1“ and 1 „P2“ cases lasting over ten years in basic and higher courts in Serbia,;

- there are 138 „K“ cases (first instance criminal cases) lasting over ten years in basic and higher courts in Serbia,;

- there is a total of 1,719 cases that judges can dispose within the above period.

It should be noted that five higher courts (Kraljevo, Vranje, Zaječar, Pirot and Sombor) and five basic courts (Požega, Dimitrovgrad, Senta, Subotica and Šid) do not have such cases at all. Some courts have only one such case (Negotin, Bor, Valjevo, Kruševac, Požarevac, Veliko Gradište and Prokuplje); courts in Jagodina, Užice and Petrovac na Mlavi have two such cases. The results are much better compared to the previous years, since there is a growing number of courts without such cases.

ACTING PRESIDENT
SUPREME COURT OF CASSATION
JUDGE
Dragomir Milojević

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