



Republic of Serbia
SUPREME COURT OF CASSATION

ANNUAL REPORT
ON THE WORK OF THE COURTS
IN THE REPUBLIC OF SERBIA
FOR 2021

Belgrade, February 2022



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Republic of Serbia
SUPREME COURT OF CASSATION
Su I-1 31/20212
February 14th, 2022
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ANNUAL REPORT ON THE WORK OF ALL COURTS IN THE REPUBLIC OF SERBIA FOR 2020

I INTRODUCTION

I.1. INTRODUCTORY NOTES

Annual Report on the Work of the Courts in the Republic of Serbia for 2021 has been made based on individual statistical reports on the work of all courts, which has been collected and processed by the Supreme Court of Cassation, as the highest court in the judicial system in the Republic of Serbia.

Annual Report on the Work of the Courts in the Republic of Serbia for 2021 provides with brief analysis of the work of all courts in the Republic of Serbia in the previous year, from the point of view of statistical data – indicators of efficiency, effectiveness and quality, followed with conclusions and recommendations for their improvement.

In addition to statistical data on the work of the courts for 2021, data from the Annual Reports from the past five years (period from 2017-2021), except for pending backlog cases, where statistical data for the last three years (2019-2021)* were provided, in order to monitor progress in reducing the number of pending, in particular backlog cases, courts' workload, quality and length of court proceedings, being indicators of efficiency of the work of courts.

*By amending the Courts Rule Book, under notion “backlog case” is considered such a case, which proceeds more than 3 years from the day of submission of the initial document („Official Gazette “, No. 43/2019)

I.2. KEY FEATURES OF THE WORK OF THE COURTS IN 2021

1. In 2021, the courts in the Republic of Serbia continued to work with **significantly reduced capacities** due to *vis major* limitations caused by the corona virus pandemic;
2. **Unified Backlog Reduction Program in the Republic of Serbia for the period 2021-2025** has adopted (measures, recommendations, implementation and monitoring);
3. The Government of the Republic of Serbia **has adopted the Strategy of Human Resources in the Judiciary for the period 2022-2026**;
4. Following the requests by those Basic Courts most burdened with case load, the **Supreme Court of Cassation**, due to existence of disproportionate burden per judge in civil litigation departments at that instance, **decided to transfer the cases** in civil proceedings on lawsuits filed against commercial banks, regarding bank loan processing fees **in more than 90,000 cases**;
5. A large number of **court decisions** have been uploaded into the **Case Law Data Base of the Appellate Courts and state level courts**, as follows: 269,140 integral decisions, 32,413 anonymized decisions and 112 **legal views and standpoints**, 33 **bulletins of court jurisprudence** and 17 **sentences of the Supreme Court of Cassation**;
6. The **Ministry of Justice strengthened capacities in 16 courts providing them with IT equipment** procured by public procurement "*Agreement on the purchase of hardware and client equipment for judicial authorities*", no. 21/2021;
7. Courts remained burdened with a large number of „clon“, repetitive cases: *e.g.* before the basic courts there were 187,491 cases (out of a total of 839,037 cases) on lawsuits against banks, *i.e.* 22.35% of the total cases;
8. Among the the total number of pending cases, before the **basic and higher courts (854,844 cases)**, a sizeable number of cases are pending **against the Republic of Serbia and other state authorities in the role of defendant, represented by the State Attorney's Office of the Republic of Serbia. That is 112.165 cases.**

I. 3. CONSTITUTIONAL AND LEGAL FRAMEWORK

There is a unity of judicial power on the territory of the entire Republic of Serbia. Being autonomous and independent in their work, courts execute judicial power based on the Constitution, applicable laws, regulations, as well as generally accepted international rules and ratified international treaties.

Courts are autonomous and independent state authorities which protect the constitutionally guaranteed liberties and rights of citizens, rights and interests of legal entities provided with legislation and guarantee constitutionality and legality.

The basic classification divides courts into two categories - courts of general jurisdiction and specialized courts.

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

Specialized courts comprise commercial courts, Commercial Appellate Court, Misdemeanor courts, Misdemeanor Appellate Court and Administrative Court.

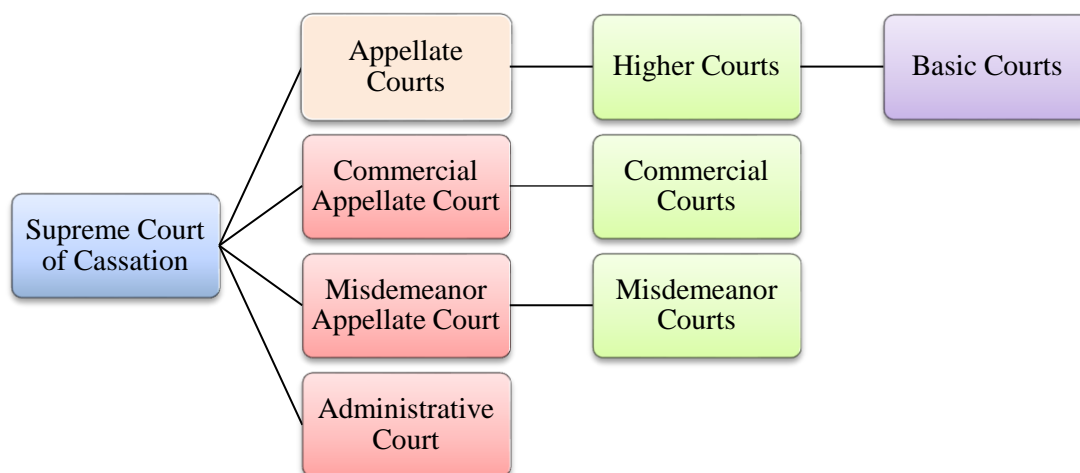
The Supreme Court of Cassation is the highest court in the Republic of Serbia. It is directly superior to the Commercial Appellate Court, the Misdemeanor Appellate Court, Administrative Court and Appellate Court.

Apart from the Supreme Court of Cassation, other state-level courts are Commercial Appellate Court, Misdemeanor Appellate Court and Administrative Court.

As of January 1, 2014, there is 159 courts in the Republic of Serbia in total. Its structure consists of 66 basic courts, 25 higher courts, 16 commercial courts, 44 misdemeanor courts, being the first instance courts. The higher courts also act partly in the second instance, in addition to the other second instance courts - four appellate courts, Commercial Appellate Court and Misdemeanor Appellate Court.*

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

I.4. JUDICIAL NETWORK IN THE REPUBLIC OF SERBIA



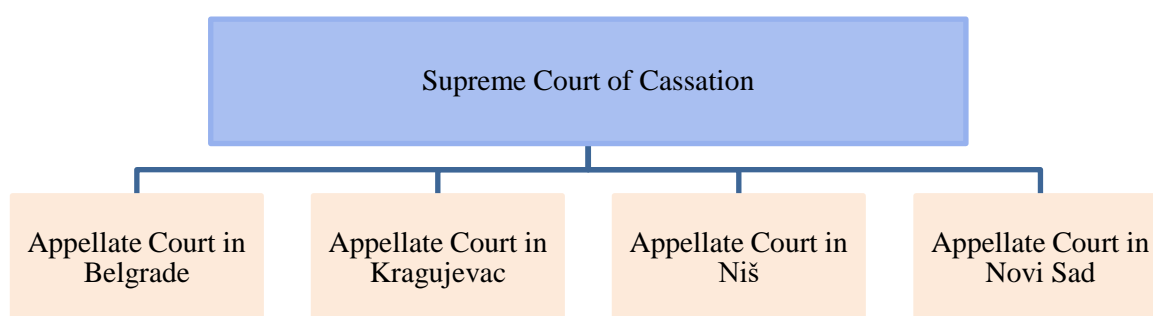
Map no.1

I. 4.1. COURTS OF GENERAL JURISDICTION

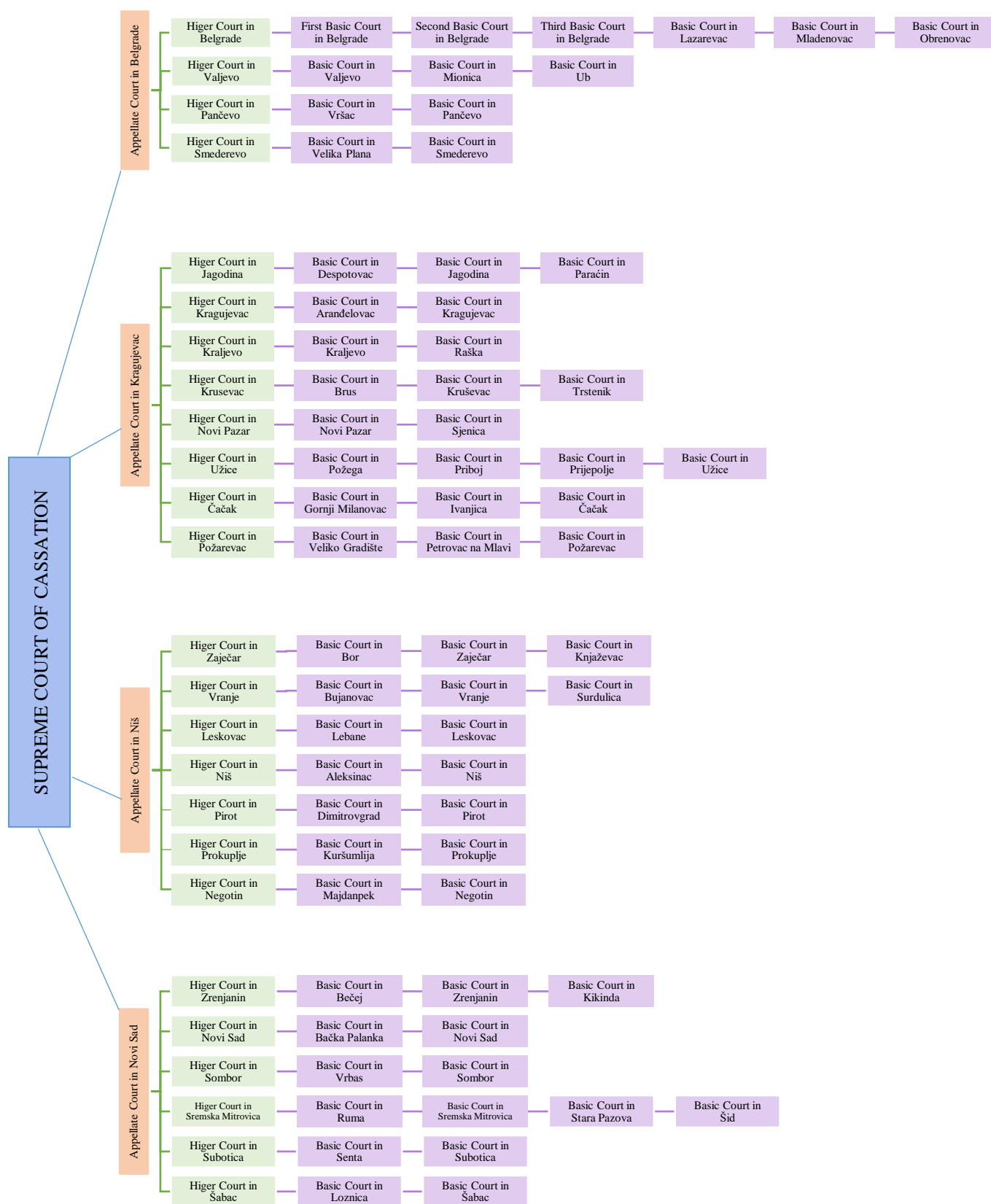
Courts of general jurisdiction include basic courts, higher courts, appellate courts and the Supreme Court of Cassation.

The Supreme Court of Cassation is directly superior to the Appellate Courts, while the Appellate Court is directly superior to the both Higher and Basic Courts. Lastly, the Higher Court acts as directly superior to the Basic Courts.

There are four appellate courts in the Republic of Serbia. Their seats are located in the following cities: Belgrade, Kragujevac, Niš and Novi Sad.



Map no.2



Map no. 3

I.4.2. SPECIALIZED COURTS

Specialized courts include Administrative Court, Commercial Appellate Court, Misdemeanor Appellate Court, commercial courts and misdemeanor courts.

Commercial Appellate Court is directly superior to the commercial courts, while the Misdemeanor Appellate Court is directly superior to the 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 Arandelovac	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 Prjepolje	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. OVERVIEW OF THE NUMBER OF JUDGES AND COURT STAFF IN COURTS IN SERBIA

According to the date of the High Judicial Council as of December 31, 2021, the total number of judicial posts in courts in the Republic of Serbia, being provided by the decision of the HJC, was **3,073** – among which **2,720** posts were occupied, while **2,508** judges were effectively exercising judicial function.

NUMBER OF JUDGES IN THE REPUBLIC OF SERBIA

Court	Number of judges according the Decision of the High Judicial Council	Number of filled positions	Number of judges in the report on the work of the court
Supreme Court of Cassation	50	43	31
Administrative Court	56	53	46
Commercial Appellate Court	41	38	34
Misdemeanor Appellate Court	65	58	56
Appellate courts	240	220	204
Higher courts	425	376	369
Basic courts	1,462	1,277	1,132
Commercial courts	190	171	165
Misdemeanor courts	544	484	471
TOTAL:	3,073	2,720	2,508

Table 1

In 2021, as in the previous four years, once again there were vacant judicial posts in the judicial system (264 – **2017**, 411 - **2018**, 319 – **2019**, and in **2020** – 386, and in **2021** - **353**).

OVERVIEW OF THE NUMBER OF JUDGES EFFECTIVELY WORKING IN COURTS IN THE REPUBLIC OF SERBIA – BASED ON THE REPORT ON THE WORK OF COURTS

	2017	2018	2019	2020	2021
TOTAL NUMBER OF JUDGES	2,586	2,418	2,531	2,570	2,508

Table 2

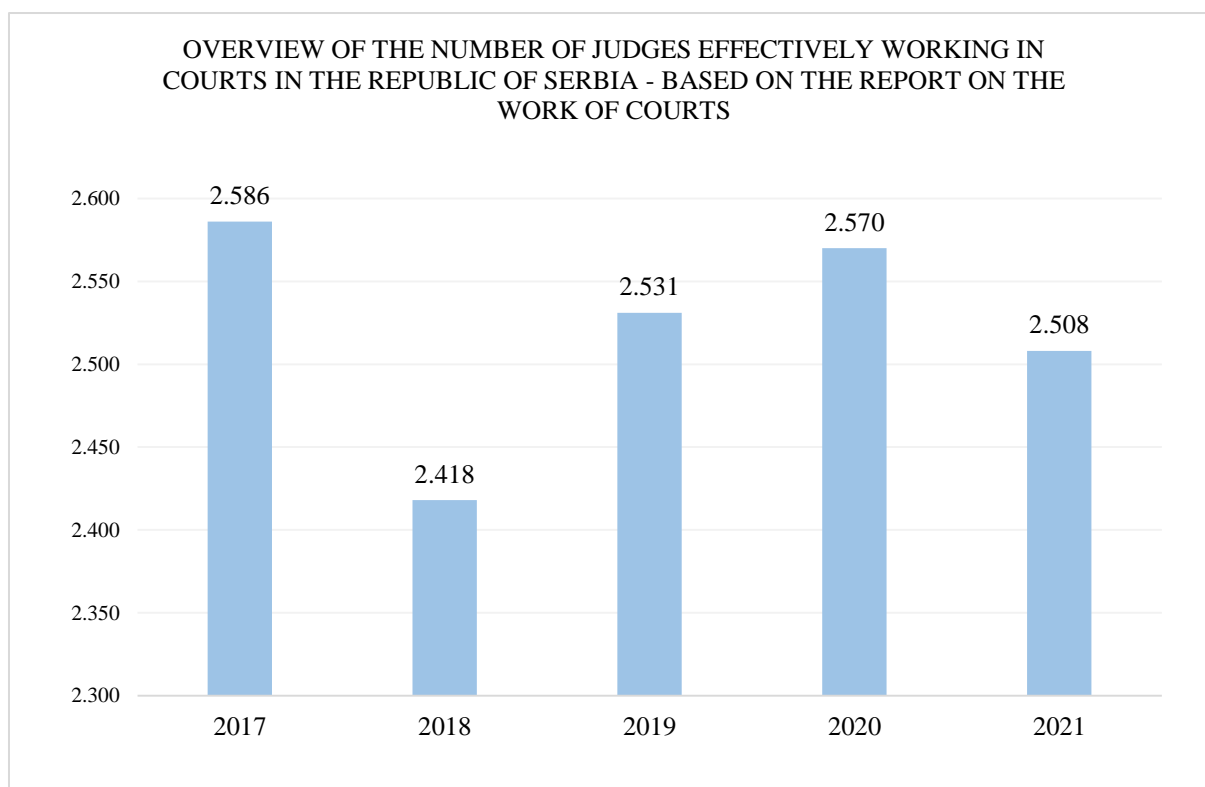


Chart 1

Average age of judges in the Republic Serbia was **52** years. Gender balance included **754** male and **1.966** female. Age category with less than 40 years old included **364** judges; **775** judges up to 50 years; **1.027** judges up to 60 years, as well as **554** judges older than 60 years.

According to the High Judicial Council, there was a total of **10,697** court staff in the judiciary (average age 47 years), among which: **1,661** judicial assistants (average age 41 years), **6.205** civil servants (average age 48 years) and **2,831** general service employees (average age 50 years).

NUMBER OF ENGAGED CIVILS SERVANTS AND EMPLOYEES IN 2021

No	Court staff	In total	Average age
1	Judicial Assistants	1,661	41
2	Other civil servants	6,205	48
3	Employees	2,831	50
TOTAL		10,697	47

Table 3

According to the data of the High Judicial Council, the average age of overall court staff has been **47** years; respectively, among judicial assistants - **41** years; among other civil servants - **48** years; and among other employees – **50** years.

In the period from 2017 to 2020, court staff in the court system amounted, as follows: in **2017**-10,541, in **2018**-10,603, in **2019**-10,685 and in **2020**-10,795.

NUMBER OF ENGAGED CIVIL SERVANTS AND EMPLOYEES FOR THE PERIOD 2017-2021

No	Court Staff	2017	2018	2019	2020	2021
1	Judicial Assistants	1,692	1,644	1,634	1,704	1,661
2	Other civil servants	5,662	5,775	6,055	6,153	6,205
3	Employees	3,187	3,184	2,996	2,938	2,831
TOTAL		10,541	10,603	10,685	10,795	10,697
Average age		44	44	44	46	47

Table 4

The **number of judicial assistants** in the same period was: **2017-1,692, 2018-1,644, 2019-1,634, 2020-1,704**, which is an insufficient number, according to the increased influx of cases and the number of judges and further reduced the efficiency of performing the judicial function, especially in terms of drafting draft court decisions.

Reduction in the number of staff in courts resulted from long-term ban on employment, imposed by the Law on the Prohibition of Employment in State Bodies. The slower pace of filling of vacant positions, according to the current systematizations, has continued since 2019, being in line with the actual budget legislation, increasing additionally the workload for remaining employees in the court system.

I.6. COURT FINANCING

I.6.1. THE COURT BUDGET

According to the Law on Budget for 2021, all courts were financed from the budget using RSD **28,814,896,000.00 dinars**. Compared to the total budget of the Republic of Serbia for 2021, funds allocated for the work of courts make up **1.94%** of the general budget of the Republic of Serbia, which amounted to RSD **1,483,045,414,000.00**.

The Amendments to the Law on Budget of 2021 increased the total approved funds intended for the division 6-item: courts (financing the work of courts) to RSD **31,029,099,000.00**, which has been RSD **2,210,002.00** increase. Allocated funds for the work of courts made up **1.76%** of the general budget of the Republic of Serbia, which amounted to RSD **1,765,981,887,000.00**, decreasing to a smaller overall budgetary portion, following the Amendments to the Budget Law 2021.

I.6.2. COURT FEES INCOME COLLECTED

In 2021 overall income derived from collected court fees amounted to RSD **5,397,338,054.25**.

II INCOMING, DISPOSED AND PENDING CASES

II.1. DISPOSED CASES IN 2021

During 2021, all courts in the Republic of Serbia disposed **2,415,672** cases, while **2,508** judges effectively worked.

In comparison with 2020, the total number of disposed cases in 2021 **increased** by **401,843** cases, even in circumstances of reduced activity of courts and the reduced number of hearings held, due to the application of measures to protect the population due to the pandemic, caused by the corona virus (COVID 19), as well as due to 353 vacant judicial posts.

Increased number of disposed cases in the previous period (since 2017 onward) was the result of systemic legal interventions in enforcement proceedings, harmonization of case law in repetitive cases (through the resolution of disputable legal matters by the Supreme Court of Cassation and harmonization of standings among the judges of appellate courts during joint meetings), as well as of an increased engagement of judges in disposition of particularly old cases.

In 2021 of the total number of disposed cases (2,415,672), **the total number of disposed enforcement cases (I, Iv) was 276,688 which is still a positive trend, having in mind the increase inflow of cases during 2021.**

Except the enforcement cases, **the total number of disposed cases in 2021 in trial matters increased from 1,670,418 to 2,103,190 cases that indicates that the number of resolved cases was the highest in 2021, although the courts continued their work in difficult circumstances as a consequence of the emergency measures, and the court system had less judges than the number defined by the High Court Council.**

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

	2017.	2018.	2019.	2020.	2021.
TOTAL AT THE NATIONAL LEVEL - ALL CASES	2,335,760	2,298,870	2,268,769	2,013,829	2,415,672
TOTAL AT THE NATIONAL LEVEL - EXCEPT ENFORCEMENT	1,932,366	2,077,174	2,068,435	1,670,418	2,103,190

Table 5

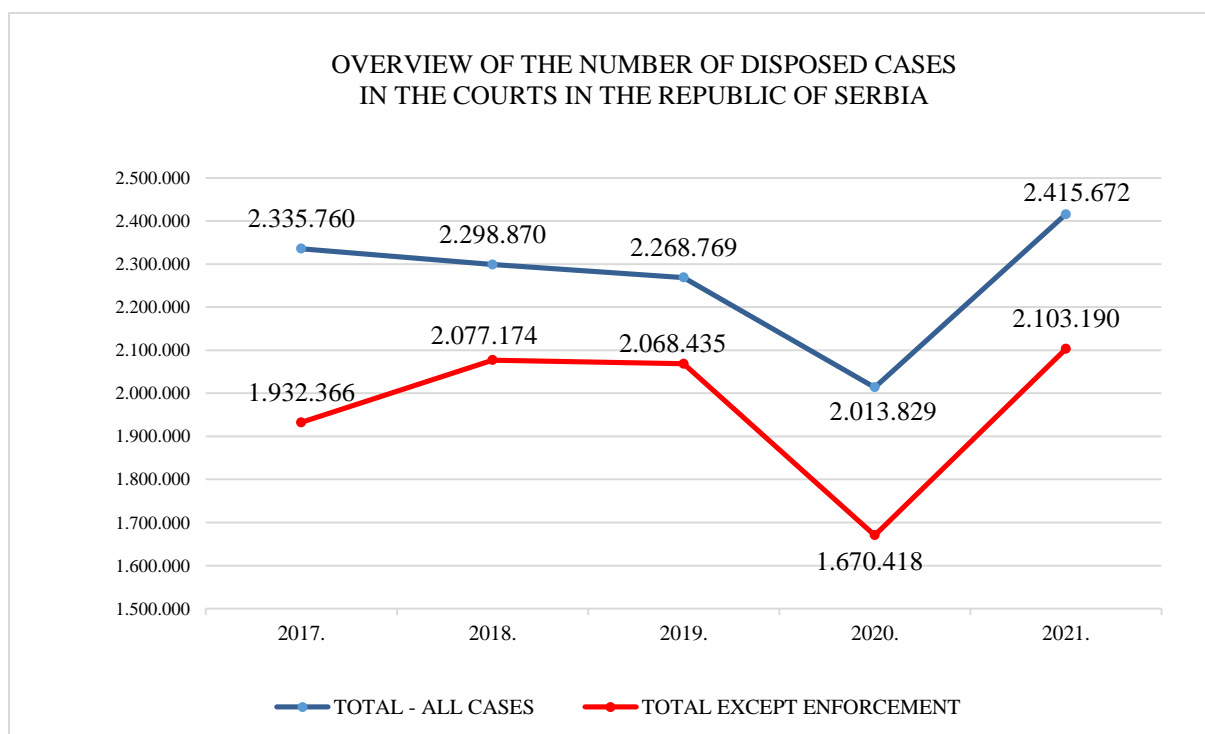


Chart 2

There is a noticeable trend of increasing the number of disposed cases in all courts in the Republic of Serbia, except enforcement cases, except during 2020, when due to the pandemic caused by the corona virus, state of emergency and measures to protect the population from pandemics, the results in courts were lower than envisaged.

Moreover, in **2021**, basic courts also disposed **384,607 cases** based on the citizens' requests for verification of signatures, manuscripts and transcripts (that are not under the jurisdiction of public notaries), issuing certificates etc, while higher courts disposed additional **34,910** cases of this type. There were **832,533** of such cases disposed in misdemeanor courts. These cases are resolved by the court administration under the supervision of judges, which creates additional **1,252,050** cases disposed in 2021 by the courts that are not shown in the tables in this report as disposed cases.

Pursuant to the Recommendation of the Committee of Ministers of the Council of Europe No. 86 (12) 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 **2021** basic courts **handed over to public notaries, as entrusted tasks, the total of 118,639 requests** for providing death certificates and **118,446** cases (out of the total of 176.482 received "O" cases in basic courts in 2021) in order to implement probate proceedings.

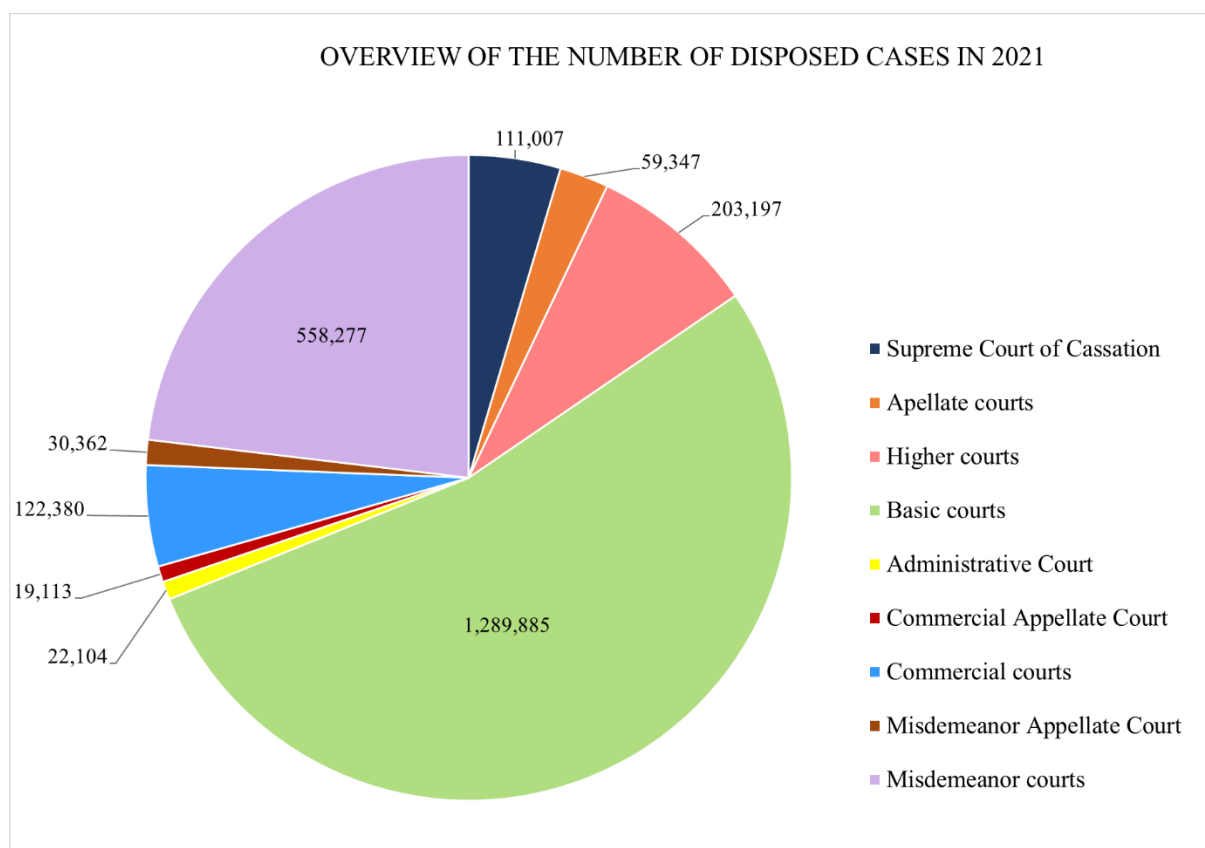


Chart 3

The chart above indicates that the highest number of cases in 2021 was disposed in basic and misdemeanor courts, while the share of disposed cases by other courts within the total number of disposed cases is remarkably lower.

II.2. INCOMING CASES IN 2021

In **2021** in all courts in the Republic of Serbia it was received **2.402.486** new cases, namely **2.343.489** except enforcement case, which has been **the highest number of received cases since changes of the courts' network on January 1, 2014.**

Despite to this significant increase in cases received in 2021, the number of judges and court staff in the court system has remained almost unchanged.

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

	2017.	2018.	2019.	2020.	2021.
TOTAL AT THE NATIONAL LEVEL - ALL CASES	2,202,692	2,089,237	2,224,102	1,867,911	2,402,486
TOTAL AT THE NATIONAL LEVEL - EXCEPT ENFORCEMENT	1,918,007	1,983,368	2,116,339	1,808,149	2,343,489

Table 6

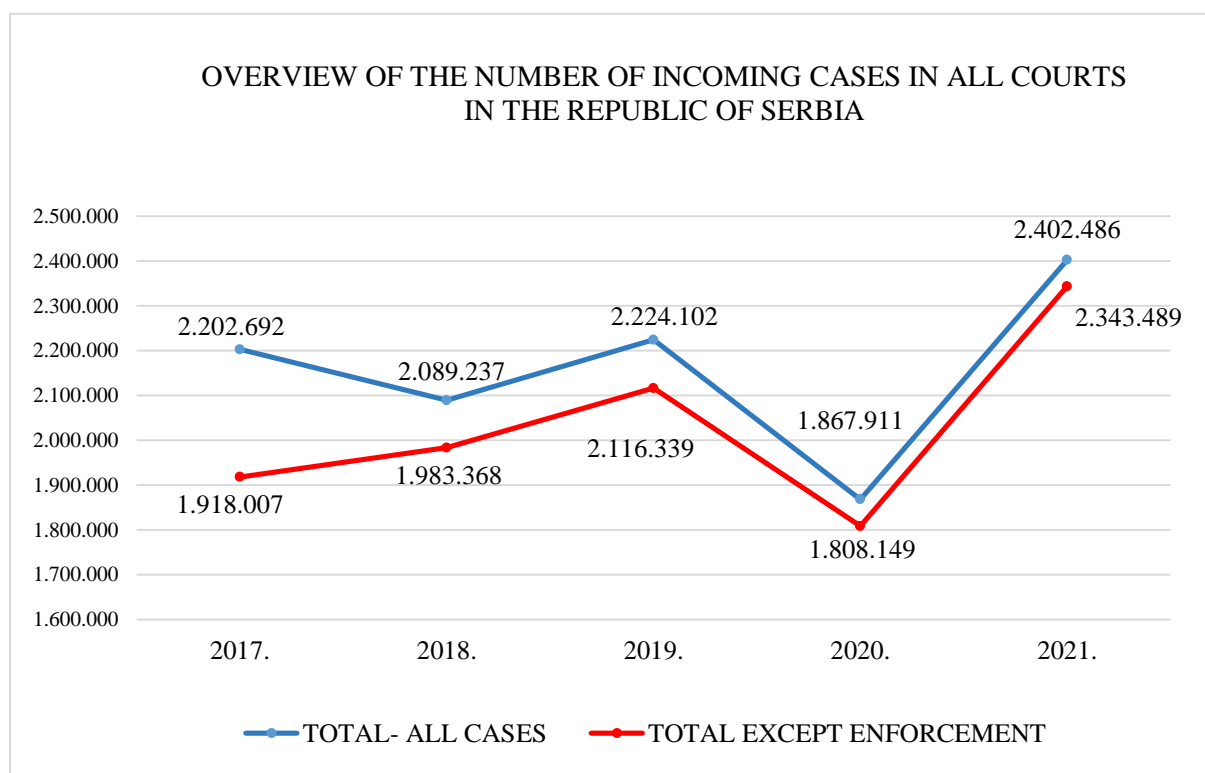


Chart 4

Thus, when we observe the overall picture, in the **past five years** courts received **10,786,428 of all cases**, more than 2,5 million cases than it was expected annual inflow based on the projection of the inflow of cases for 2012-2014.

On the basis of the increased inflow of cases, but also taking into account other indicators such as: overburdening of Belgrade courts and the courts located in the seats of the appellate areas, vacancies for judicial posts and in particular the consequences of the state of emergency in 2020, the planned goals for resolving backlog cases (except enforcement cases) could not have been achieved. Therefore, taking into account these circumstances in the judicial system, new goals have been determined by the Unified Backlog Reduction Programme for the period 2021-2025.

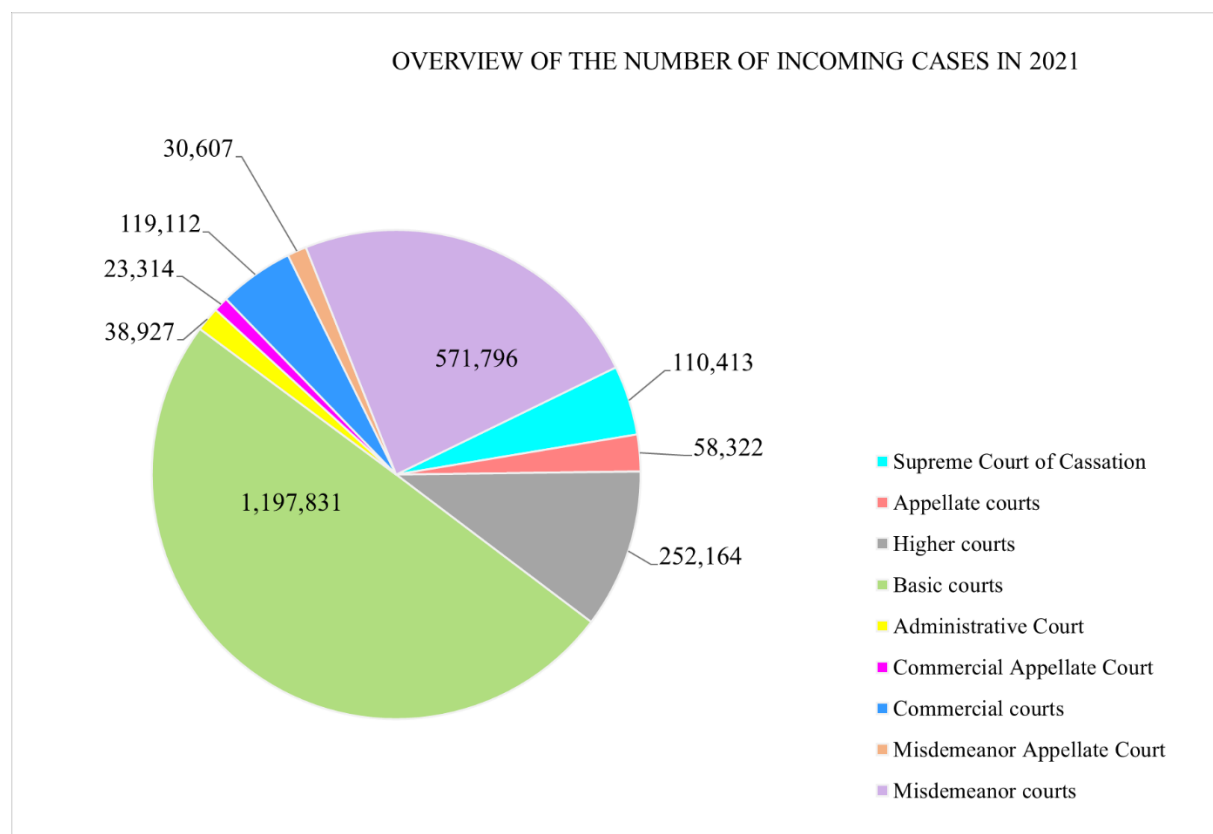


Chart 5

In 2021, **basic and misdemeanor courts** received the **highest number of cases**.

Compared to the previous period, the largest workload when it comes to incoming cases was present in basic courts in the Republic of Serbia (1,197,831 new cases).

Basic courts in the previous period received: in **2017** – 1,060,980 cases, in **2018** – 959,107 cases, in **2019** – 1,067,405 cases, in **2020** – 883,416, while in **2021** it was received **1,197,831 cases**, which are more than **314,415** cases in comparison with the previous year. Over 200,000 disputes filed to courts concern claims of the allegedly undue bank loan processing fees.

Commercial courts in the previous period received: in **2017** – 99,903 cases, in **2018** – 128,681, in **2019** – 124,820 cases, in **2020** – 100,116 cases, while in **2021** it was received **119,112** cases, which are more than 18,996 cases in comparison with 2020.

Misdemeanor courts in the previous period received: in **2017** – 691,697 cases, in **2018** – 97,666 cases, in **2019** – 632,715 cases, in **2020** – 501,547 cases, while in **2021** it was received 571.796 cases, which are 70,249 more cases in comparison with the previous year.

Higher Courts in the previous period received: in **2017** – 212,212 cases, in **2018** – 255,040 cases, in **2019** – 248,561 cases, in **2020** – 246,293 cases, while in **2021** it was received **252,164** cases, which are **10,871** more cases in comparison with the previous year.

Appellate courts in the previous period received: in **2017** – 59,987 cases, in **2018** – 65,946, in **2019** – 61,246 cases, in **2020** – 52,244 cases, while in **2021** it was received **58,322** cases, which is **6,078** more cases comparing to 2020.

A special type of cases within the increased inflow are the cases of the **Administrative Court**, due to the continuous extension of the jurisdiction due to adopting new laws (restitution – civil and confessional, protection of labor rights of employees working in local self-government units, electoral cases...) and the increased number of regular administrative law cases. In the previous period received number of cases was as follows: in **2017** – 21,741 cases, in **2018** -25,426 cases, in **2019** – 22,537 cases, in **2020** - 32,968 cases, while in **2021 the Administrative Court received 38,927** cases, which is **5,959** cases **more** comparing to 2020. The majority of incoming cases in 2021 were filed because of the administrative silence, among which the largest number was filed against the State Pension and Disability Insurance Fund (20,477).

Commercial Appellate court in the previous period received: in **2017** – 12,211 cases, in **2018** – 13,831 cases, in **2019** -17,043 cases, in **2020** – 13,803 cases, while in **2021** there were **23,314** cases, which is **9,511** cases more comparing to 2020.

Misdemeanor Appellate court in the previous period received: **2017** – 26,444; **2018** – 29,702 cases; in **2019** – 29,178 cases, in **2020** – 28,478 cases, while in **2021 it was received 30,607** cases, which is **2,129** cases more comparing to 2020.

Supreme Court of Cassation in the previous period received: in **2017** – 17,589 cases, in **2018** – 13,838 cases, in **2019** – 20,597 cases, in **2020** – 14,048 cases, while in 2021 it was received **110,413** cases, which is **96,367** cases **more** comparing to 2020, **while more than 90,000** cases were the cases of delegation of jurisdiction in order to decrease the most burdened basic courts, in civil disputes filed to courts concerning claims of the allegedly undue bank loan processing fees.

II.3.CLEARANCE RATE

The following chart displays the clearance rate (ratio of the number of disposed cases and the number of incoming cases) in courts of the Republic of Serbia in 2021.

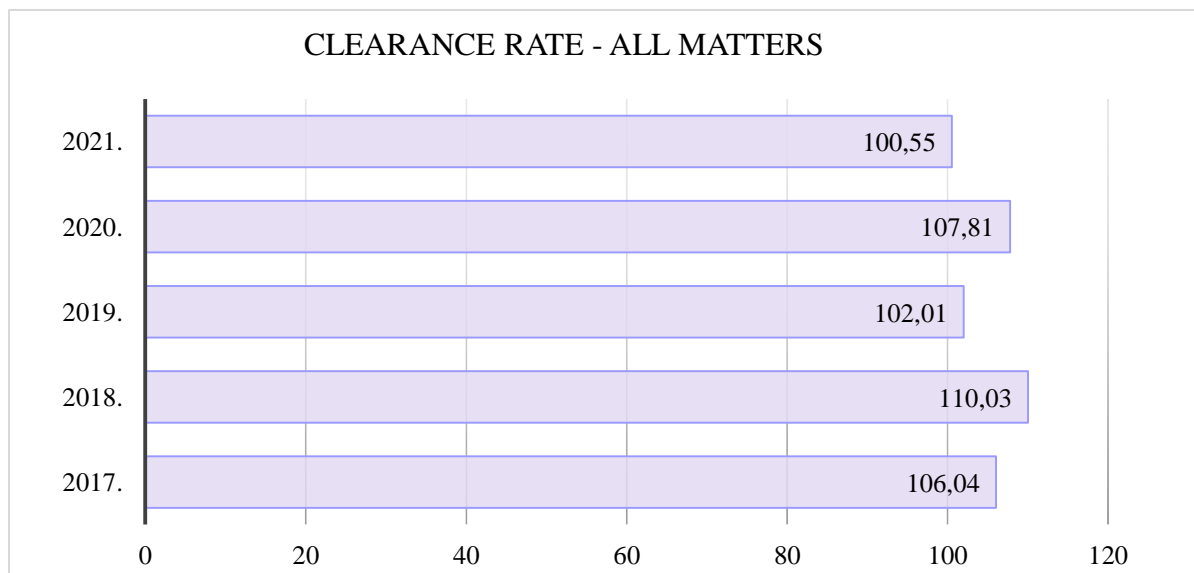


Chart 6

The chart indicates that in 2021 in all courts the number of disposed cases and the number of incoming cases in all **judicial matters**, is approximately the same (**100,55%**).

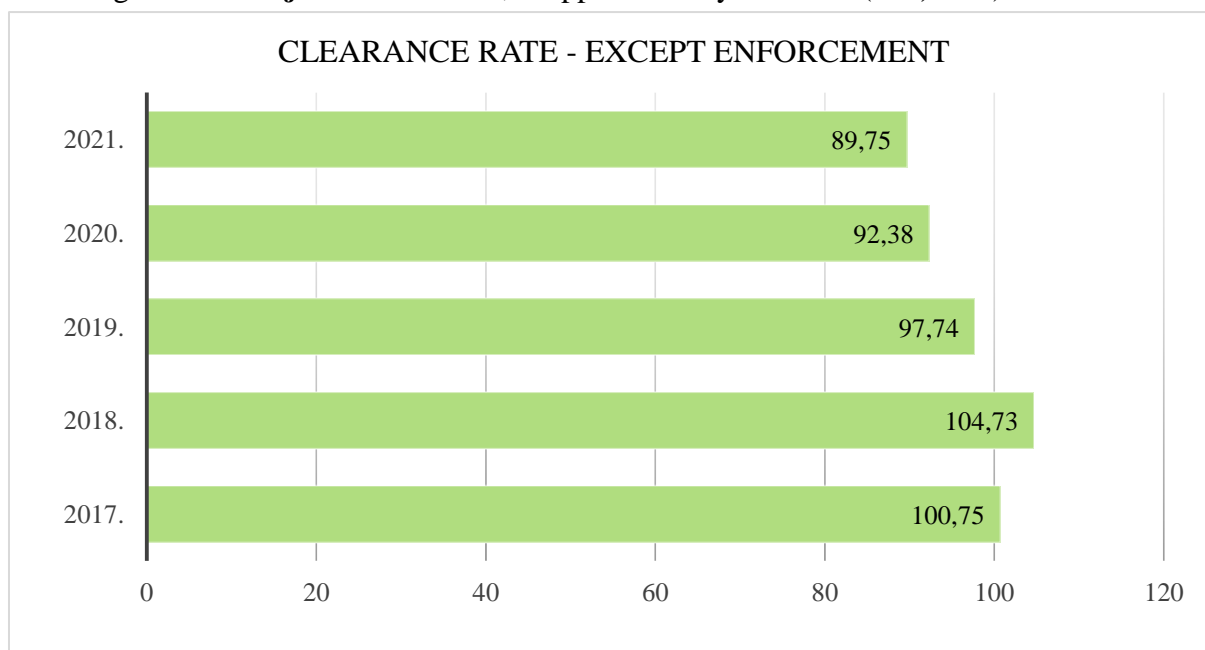


Chart 7

Moreover, the chart indicates that the clearance rate was hindered in 2021 **in matters except enforcement (89.75%)**. This could be explained by objective circumstances, and primarily drastic inflow of cases in all courts, which the judicial system with existing capacities of judges and court staff could not absorb.

II.4. PENDING CASES AT THE END OF 2021

At the end of 2021 there were **1,498,237** of all pending cases, and except the enforcement cases there were **1,450,878** pending cases.

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

	2017.	2018.	2019.	2020.	2021.
TOTAL AT THE NATIONAL LEVEL - ALL CASES	1,911,086	1,701,580	1,656,645	1,510,472	1,498,237
TOTAL AT THE NATIONAL LEVEL - EXCEPT ENFORCEMENT	1,118,201	1,024,521	1,072,156	1,209,631	1,450,878

Table 7

* Figures for basic courts include Registers I, Iv while commercial courts include all enforcements

The comparative data for the period 2017 – 2021 indicate a **significant decrease of the number of pending cases in all courts** in the Republic of Serbia. It can be seen that comparing to 2017 there are 412,849 pending cases less at the end of 2021, while except enforcement cases at the end of 2021 there were 332,677 more cases pending.

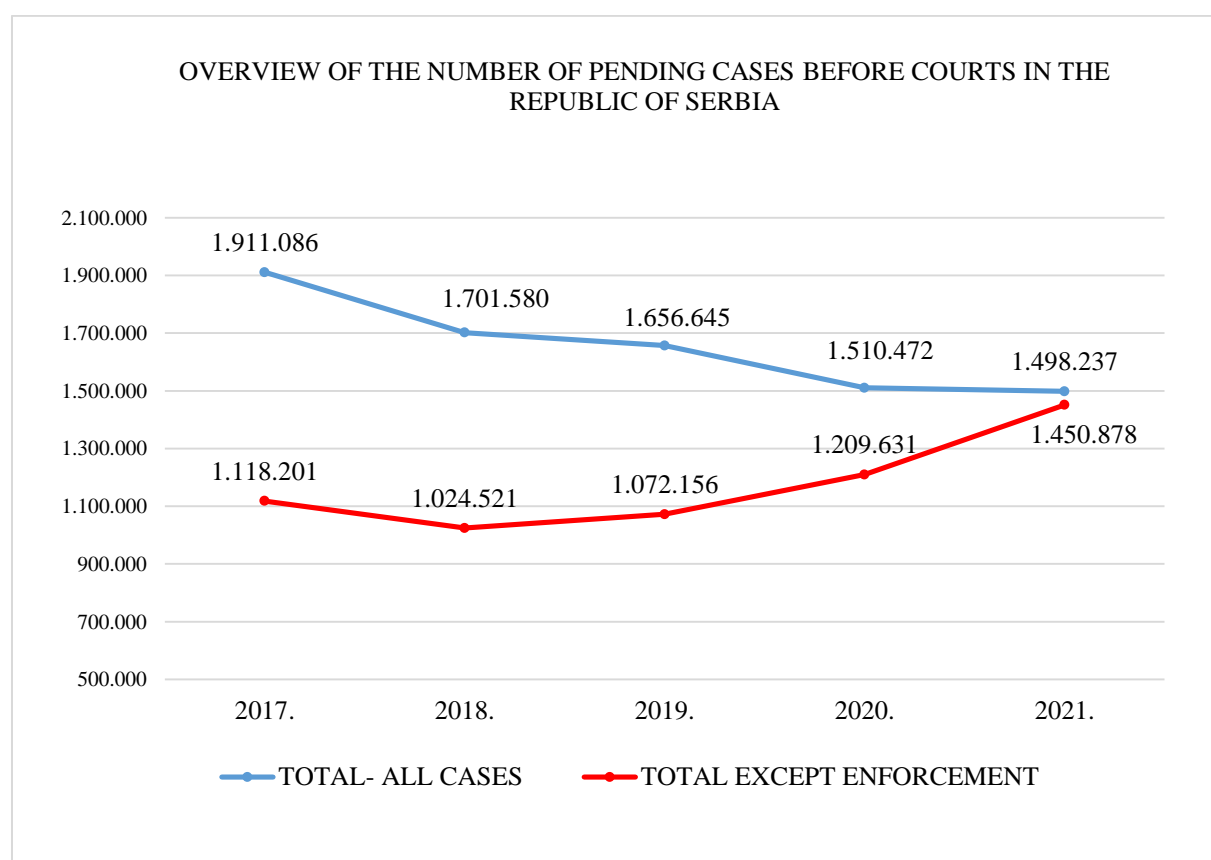


Chart 8

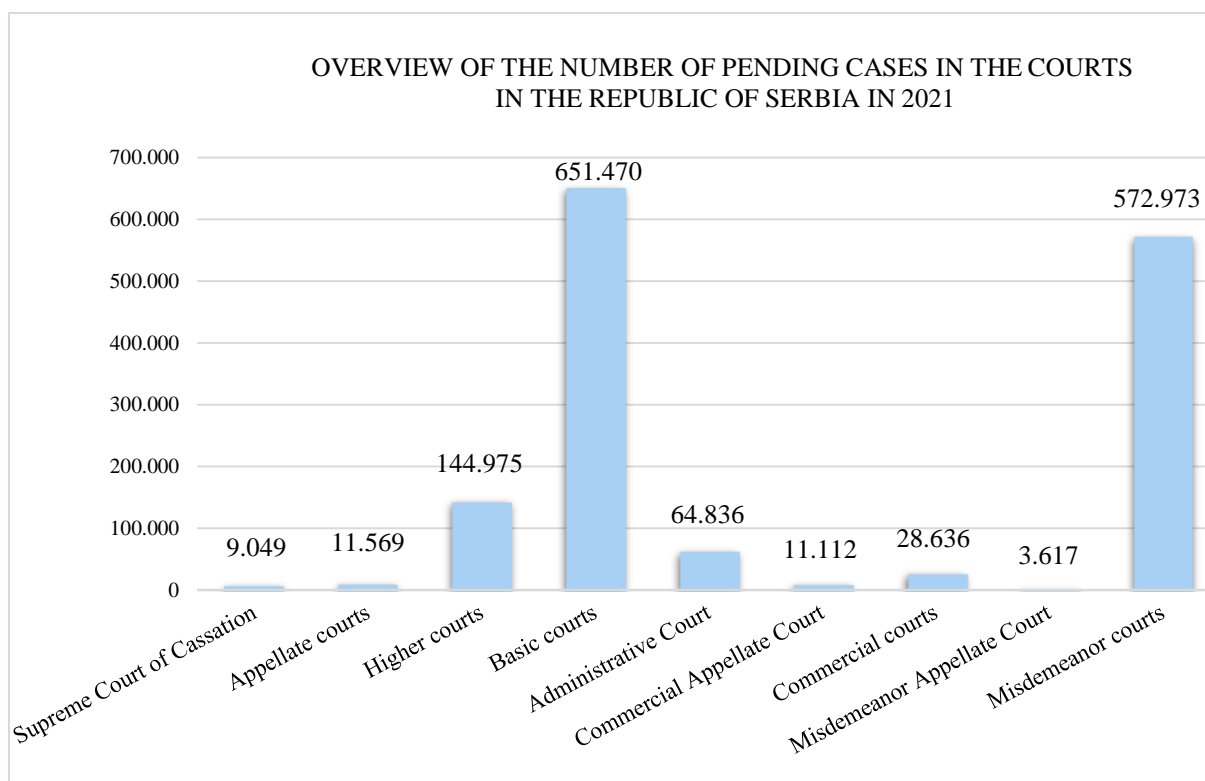


Chart 9

The number of pending cases – except enforcement – increased when compared to 2017, as a result of the increased number of cases received in the last five years (more than two and half million cases above the expected inflow) that the judicial system couldn't absorb completely. Since there was no timely systemic reaction to the enormously increased number of incoming cases, while at the same time, the number of court staff decreased and new employment was banned, or was limited, courts did not manage to stop the trend of increase of the number of pending cases, since 2018 (1.024.521). In 2019, the number of pending cases slightly increased, however, in 2020 there was a significant increase of pending cases in trial matters due to extraordinary circumstances and implementation of measures for protection of population from the pandemic, which is why the courts in the Republic worked with significantly reduced capacities.

The trend of increasing the number of pending cases continued in 2021, caused by the additional burden on the court system with so far the largest inflow of cases, which was mostly reflected in the number of pending cases in basic and misdemeanor courts.

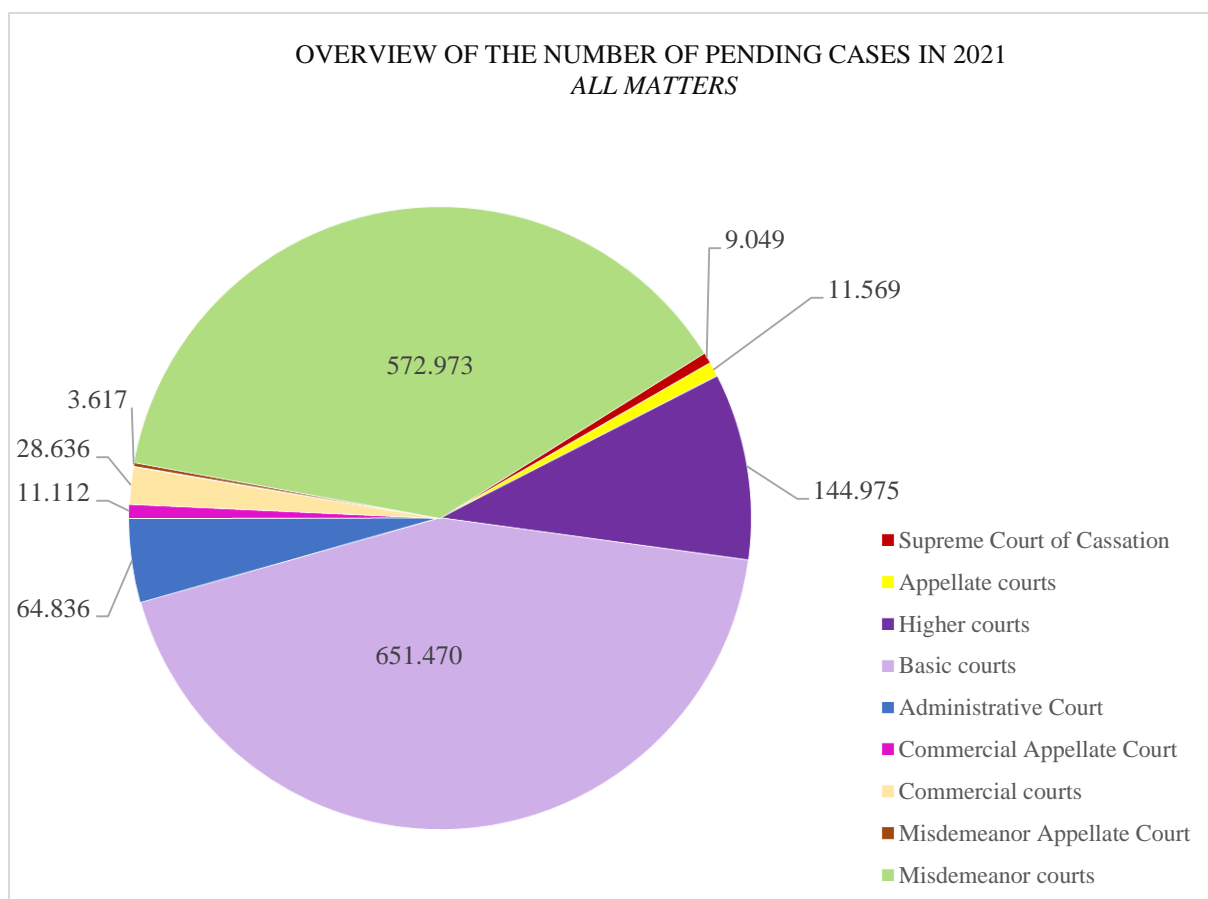


Chart 10

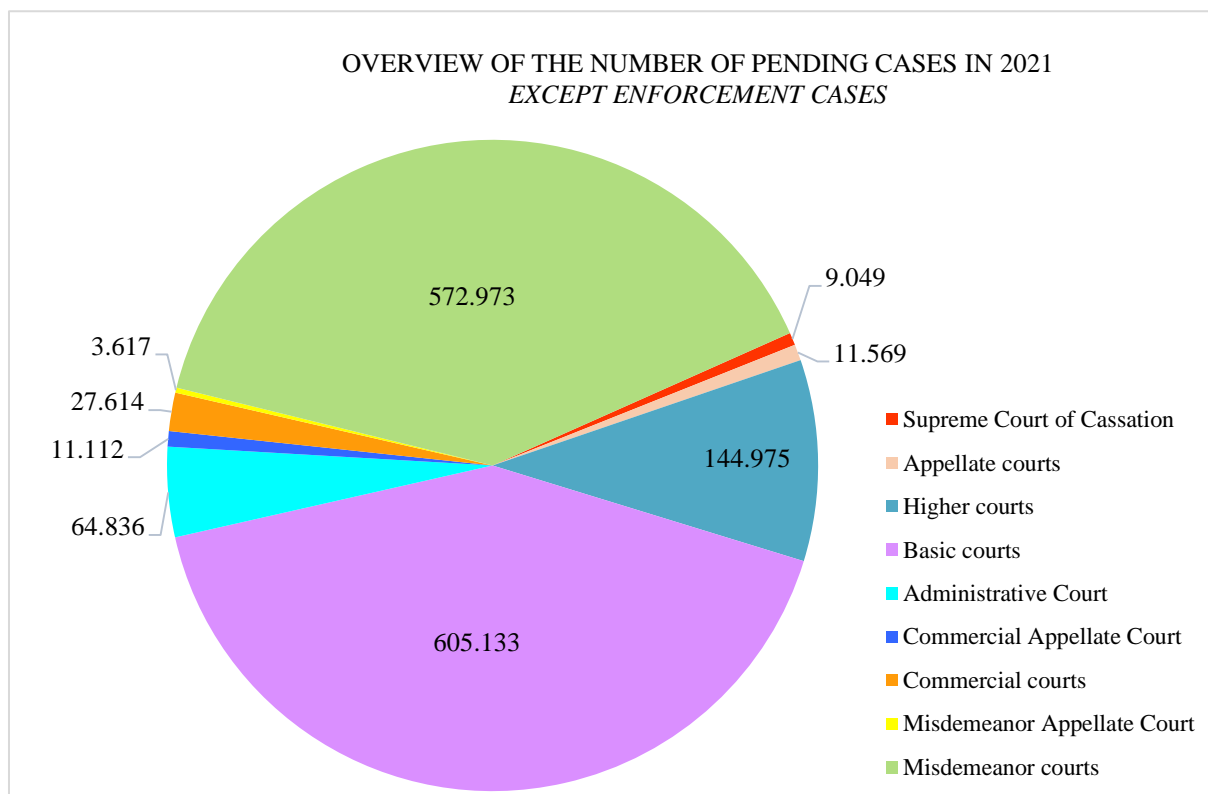


Chart 11

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

The ratio of incoming, disposed and pending cases at the end of 2021 comparing to the previous reporting periods, shows a decreased number of pending cases (1,498,237) and increase of the number of disposed cases (2,415,672) resulting from the increased engagement of judges and judicial staff, although in circumstances of the enormous increase of inflow (2,402,486).

The ratio of incoming, disposed and pending cases in the period from 2017 to 2021 shows a continuously decreasing number of pending cases, a slight decrease in the number of disposed cases in 2020, and a sharp increase in 2021, by 401,843 more cases than in the previous year, as well as a variation in the number of incoming cases, with the largest escalation recorded in 2021, by 534,575 more cases compared to the previous year.

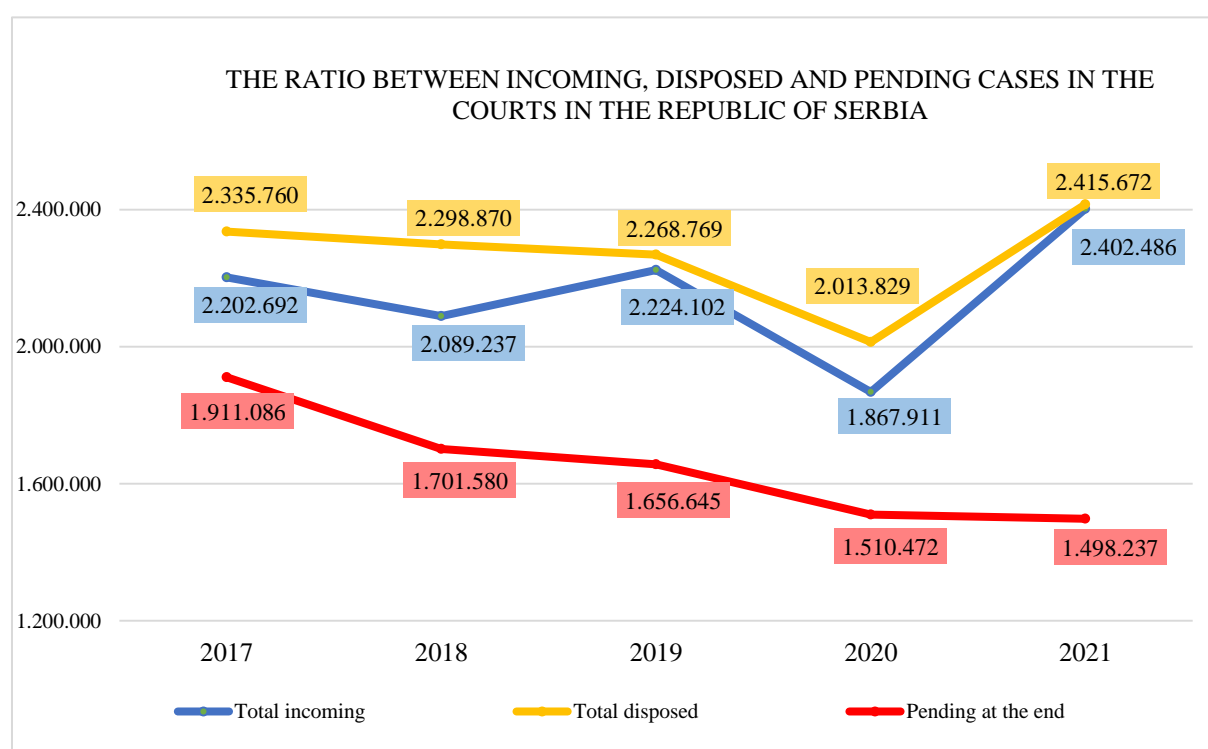


Chart 12

The increase in the number of incoming and disposed cases indicates excessive workload of judges and court staff, despite the systematic measures taken to reduce the number of backlog cases in courts.

II.5.1. RATIO OF INCOMING, DISPOSED AND PENDING CASES BY TYPES OF COURTS IN 2021



Chart 13

The displayed data indicate the problem of heavy caseload of the Administrative Court, as well as higher and misdemeanor courts, considering that due to the increased inflow of cases, judges of these courts cannot dispose incoming cases, while basic and commercial courts, although surmounting the inflow of cases cannot overcome the problem of lengthy proceedings, partially due to the judicial posts remaining vacant.

III BACKLOG CASES

Based on the conducted analysis on solving backlog cases according to the Amended Unified Backlog Reduction Program for the period 2016-2020 and the conclusion that set goals have not been achieved, Supreme Court of Cassation, based on measures 5 and 6 of the Judicial Development Strategy for the period 2020-2025 and activities 1.3.6.3. and 1.6.3.4. Revised Action Plan for Chapter 23 „Judiciary and Fundamental Rights“ within the accession negotiations of the Republic of Serbia with the European Union, passed Unified Backlog Reduction Program in the Republic of Serbia for the period 2021-2025. (measures, recommendations, implementation and monitoring).

The document sets the goal that the total number of pending cases of the courts in the Republic of Serbia remained at the end of 2020, 1,510,472 cases (about 570 pending cases per judge) should be reduced to 1,000,000 (about 330 per judge), which would reduce the share of backlog cases in the total number of pending cases, according to the current trend of inflows, to 2,61%.

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

By implementation of measures from these strategic documents, - Supreme Court of Cassation has shown in this report the number of pending backlog cases from 2019, bearing in mind the Amendments to the Rules of Procedure regarding definition of backlog case (being case in which proceeding lasts more than three years since the date of filing the initial act) and differentiated those indicators that include all pending backlog cases from the indicators displaying the number of backlog cases excluding enforcement cases.

III.1. DISPOSED BACKLOG CASES

In 2021 there was a significant increase in the total number of disposed backlog cases (375,567), 159,333 more cases compared to 2019, as well as in matter excluding enforcement cases (118,823) by 11,875 cases compared to 2019.

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

	2019	2020	2021
TOTAL AT THE NATIONAL LEVEL - ALL CASES	214,234	353,563	375,567
TOTAL AT THE NATIONAL LEVEL - EXCEPT ENFORCEMENT	106,948	91,919	118,823

Table 8

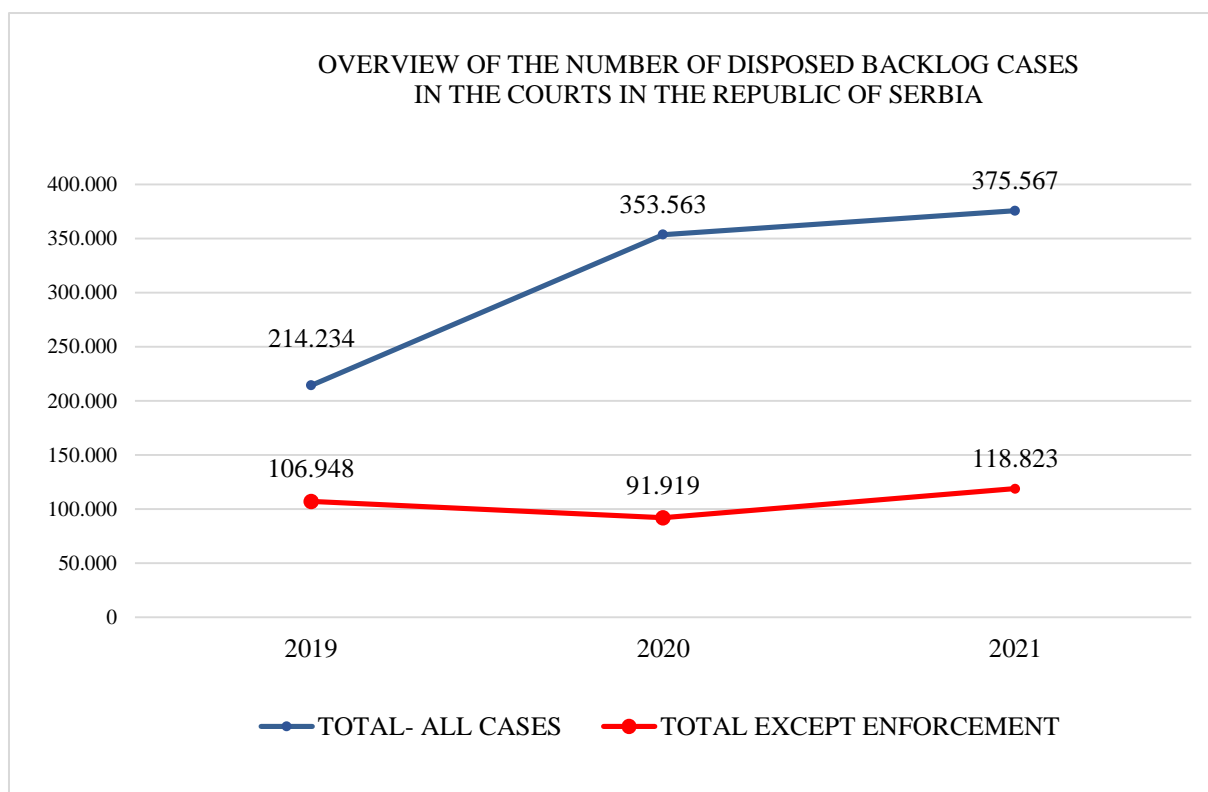


Chart 14

III.2. PENDING BACKLOG CASES AT THE END OF 2021

According to statistical data on the work of courts for 2021, as to December 31, 2021, there were **137.637** pending backlog cases including enforcement cases, while in other judicial matters, excluding enforcement cases were **100.753** pending backlog cases.

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

	2019	2020	2021
TOTAL AT THE NATIONAL LEVEL - ALL CASES	621,324	382,646	137,637
*TOTAL AT THE NATIONAL LEVEL - EXCEPT ENFORCEMENT	86,962	95,173	100,753

Table 9

* Figures for basic courts include Registers I, Iv while commercial courts include all enforcements

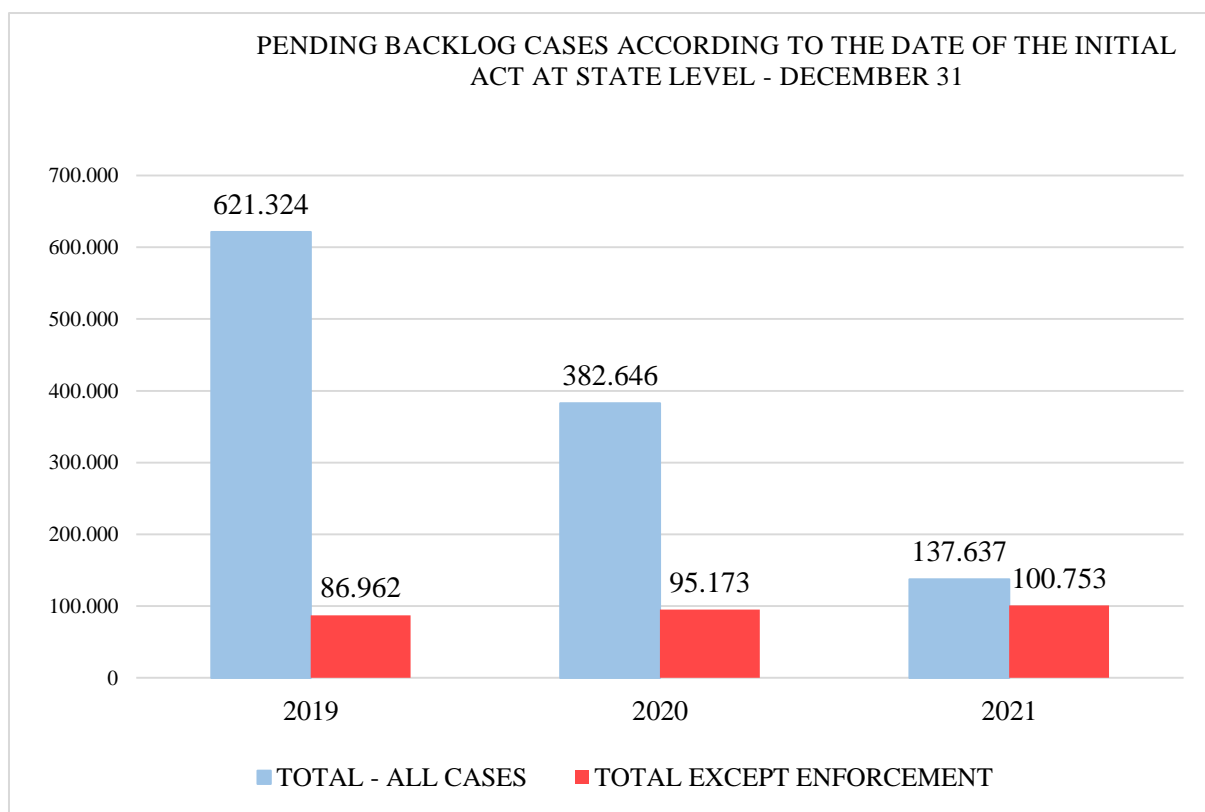


Chart 15

There was a downward trend in the number of unresolved backlog cases in all matters, still less than expected, but also the increase in number of pending backlog cases, excluding enforcement cases (by 13,791 compared to 2019), given that due to the both increased inflow of cases in the last few years, the judicial posts that remained vacant, as well as *vis major* circumstances caused by the pandemic, certain part of these cases has fallen into the category of backlog cases.

III.3. THE STRUCTURE OF PENDING BACKLOG CASES BY TYPES OF COURT AND TRIAL MATTERS

Since the Book of Court Rules regulates the monitoring of backlog cases by the duration of the proceeding from the date of filing the initial act (over three, over five and over ten years), courts maintain special records on these cases, which are the starting point for developing individual programs for backlog reduction as well as for assessing the reduction of backlog cases in the courts.

**REPORT ON THE PENDING BACKLOG CASES AT THE END OF 2021
ACCORDING TO THE DATE OF THE INITIAL ACT - ALL MATTERS**

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LENGTHIER THAN 36 MONTHS SINCE THE INITIAL ACT on 12/31/2021	DURATION OF PENDING BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5 YEARS	5 TO 10	MORE THAN 10		
1	Supreme Court of Cassation	31	120,056	4,009	1,853	1,585	571	3.34	129.32

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION OF PENDING BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5 YEARS	5 TO 10	MORE THAN 10		
1	Appellate courts	204	70,916	6,882	3,354	2,787	741	9.70	33.74
2	Higher courts	369	348,172	31,942	19,978	10,010	1,954	9.17	86.56
3	Basic courts	1,132	1,941,355	78,690	26,463	17,099	35,128	4.05	69.51
TOTAL		1,705	2,360,443	117,514	49,795	29,896	37,823	4.98	68.92

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION OF PENDING BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5 YEARS	5 TO 10	MORE THAN 10		
1	Administrative Court	46	86,940	4,385	4,368	17		5.04	95.33
2	Commercial Appellate Court	34	30,225	1,539	1,133	350	56	5.09	45.26
3	Commercial courts	165	151,016	3,255	1,612	1,060	583	2.16	19.73
4	Misdemeanor Appellate Court	56	33,979	83	50	33		0.24	1.48
5	Misdemeanor courts	471	1,131,250	6,852	4,028	2,824		0.61	14.55
TOTAL		772	1,433,410	16,114	11,191	4,284	639	1.12	20.87

TOTAL		2,508	3,913,909	137,637	62,839	35,765	39,033	3.52	54.88
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Table 10

The structure of pending backlog cases (at the national level), when analyzed per types of courts, indicates that the largest number of backlog cases appears to be before basic courts, as well as the largest number of cases older than 10 years.

Apart from the basic courts, large number of pending backlog cases appears as well before higher courts in the first instance, in proportion with the total number of pending cases, particularly in civil matters, being direct consequence of the amended legislation on jurisdiction *ratione materiae* of higher courts and decreased review threshold related to the value of disputes before higher courts of 40,000 € in RSD equivalent.

In commercial courts, as well as in courts of special jurisdiction, there was a slight increase of pending backlog cases, but beginning from 2019, there is a upward trend of pending backlog cases with proceedings lengthier than 10 years (2019-318; 2020-445 and 2021-583) among which, in particular, bankruptcy cases (2019-171; 2020-342 and 2021-470).

Report on pending backlog cases on December 31, 2021 - according to the date of the initial act, according to the types of courts:

APPELLATE COURTS

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION OF BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	Kž1	53	4,550	206	88	80	38	4.53	3.89
2	Kž2	53	6,363	8	3	3	2	0.13	0.15
3	Kžm1	14	315	2	1	1		0.63	0.14
4	Kžm2	30	243						
5	Gž	94	23,137	3,955	1,686	1,768	501	17.09	42.07
6	Gž1	55	24,083	2,419	1,433	821	165	10.04	43.98
7	Gž2	86	2,467	41	23	17	1	1.66	0.48
TOTAL - MOSTLY TRIAL MATTERS		202	61,158	6,631	3,234	2,690	707	10.84	32.83
TOTAL - ALL MATTERS		204	70,916	6,882	3,354	2,787	741	9.70	33.74

Table 11

HIGHER COURTS

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION OF BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	P	114	14,364	2,730	1,446	1,095	189	19.01	23.95
2	P1	96	1,343	206	103	95	8	15.34	2.15
3	P2	90	1,022	23	15	7	1	2.25	0.26
4	GŽ	134	186,511	26,600	17,339	8,022	1,239	14.26	198.51
5	GŽ1	114	3,787	267	107	112	48	7.05	2.34
6	GŽ2	81	1,290	11	6	4	1	0.85	0.14
7	K	80	4,369	622	278	263	81	14.24	7.78
8	K-Po1	20	329	52	20	28	4	15.81	2.60
9	K-Po2	7	31	8	3	3	2	25.81	1.14
10	K-Po3	14	153	8	5	3		5.23	0.57
11	K-Po4	16	813	11	11			1.35	0.69
12	KŽ1	71	7,614	130	107	23		1.71	1.83
13	KIM	45	3,548	5	4	1		0.14	0.11
14	KM	41	2,146						
TOTAL - MOSTLY TRIAL MATTERS		348	227,320	30,673	19,444	9,656	1,573	13.49	88.14
TOTAL - ALL MATTERS		369	348,172	31,942	19,978	10,010	1,954	9.17	86.56

Table 12

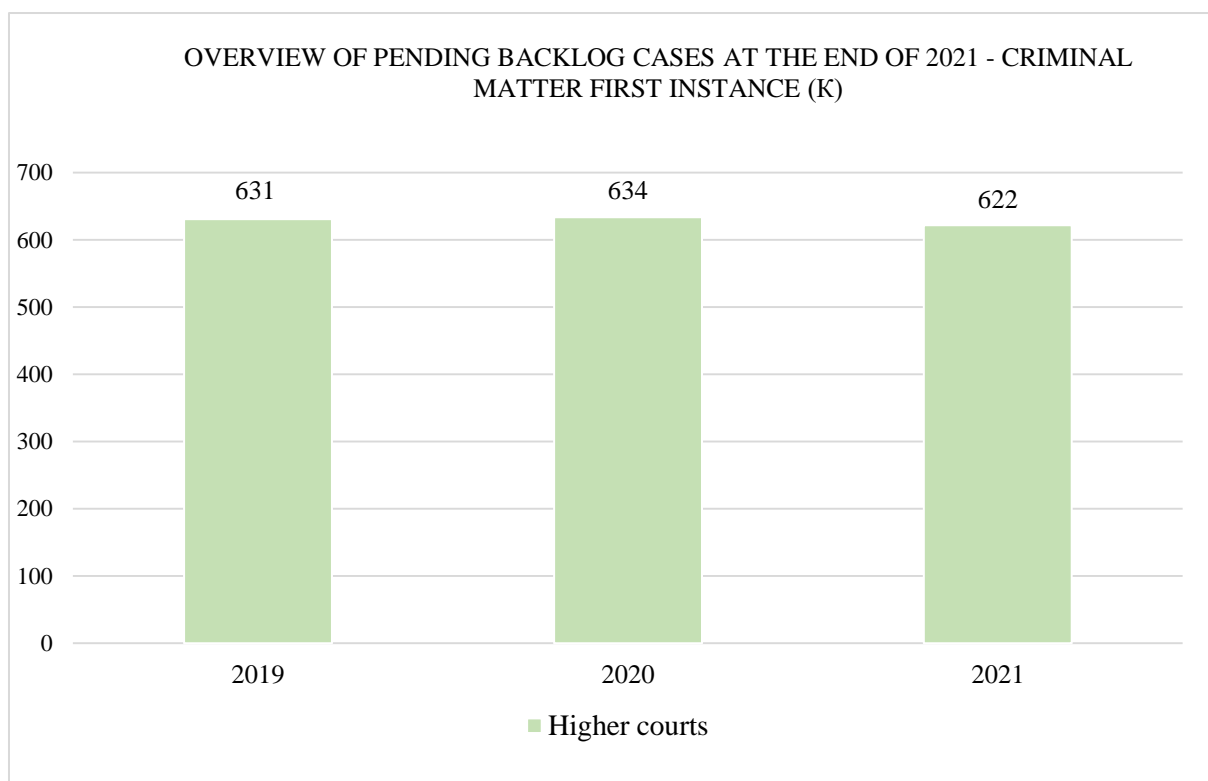


Chart 16

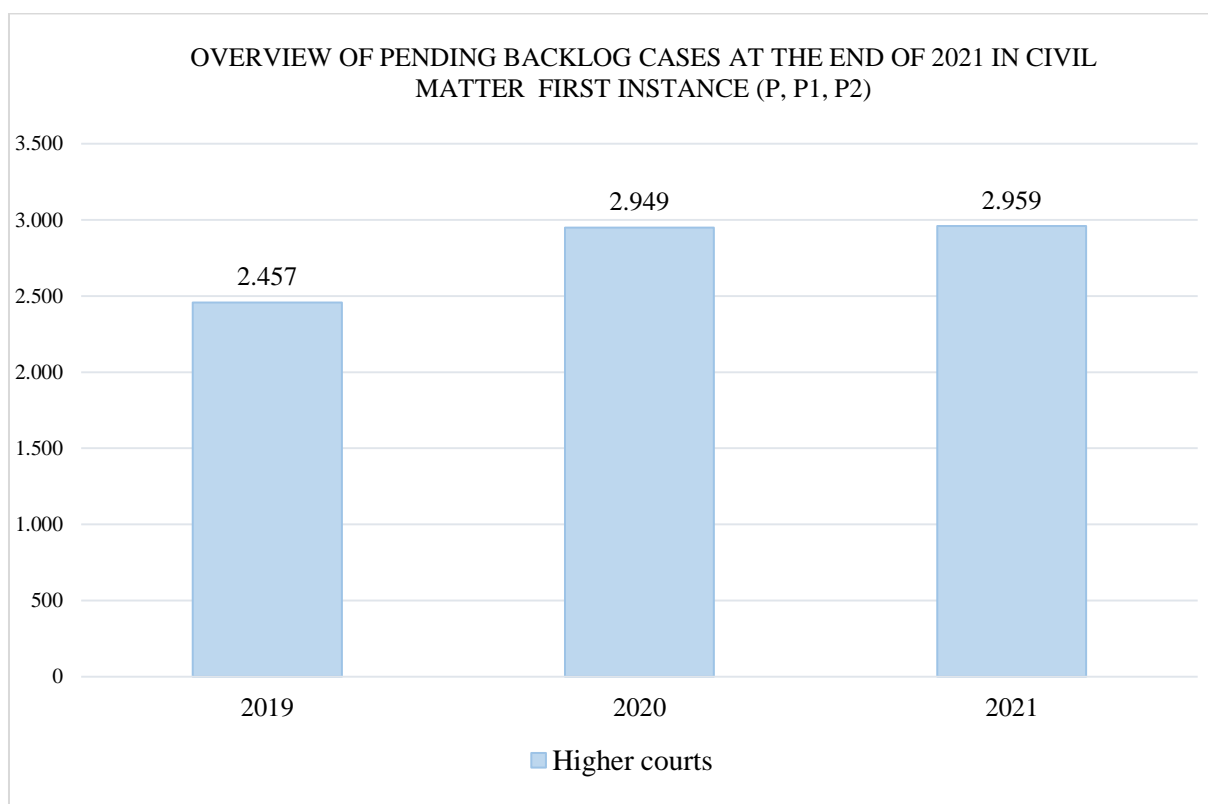


Chart 17

BASIC COURTS

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE END 12/31/2021	DURATION OF BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	P	583	756,039	25,363	15,227	8,331	1,805	3.35	43.50
2	P1	283	82,998	6,697	4,838	1,554	305	8.07	23.66
3	P2	263	45,953	333	274	58	1	0.72	1.27
4	K	242	59,008	2,366	1,563	684	119	4.01	9.78
TOTAL - MOSTLY TRIAL MATTERS		953	943,998	34,759	21,902	10,627	2,230	3.68	36.47
5	Iv	126	288,749	35,443	35	3,065	32,343	12.27	281.29
6	I	111	33,644	1,402	351	875	176	4.17	12.63
TOTAL 5-6		152	322,393	36,845	386	3,940	32,519	11.43	242.40
ALL ENFORCEMENT		344	543,995	40,581	2,536	5,475	32,570	7.46	117.97
TOTAL - ALL MATTERS		1,132	1,941,355	78,690	26,463	17,099	35,128	4.05	69.51

Table 13

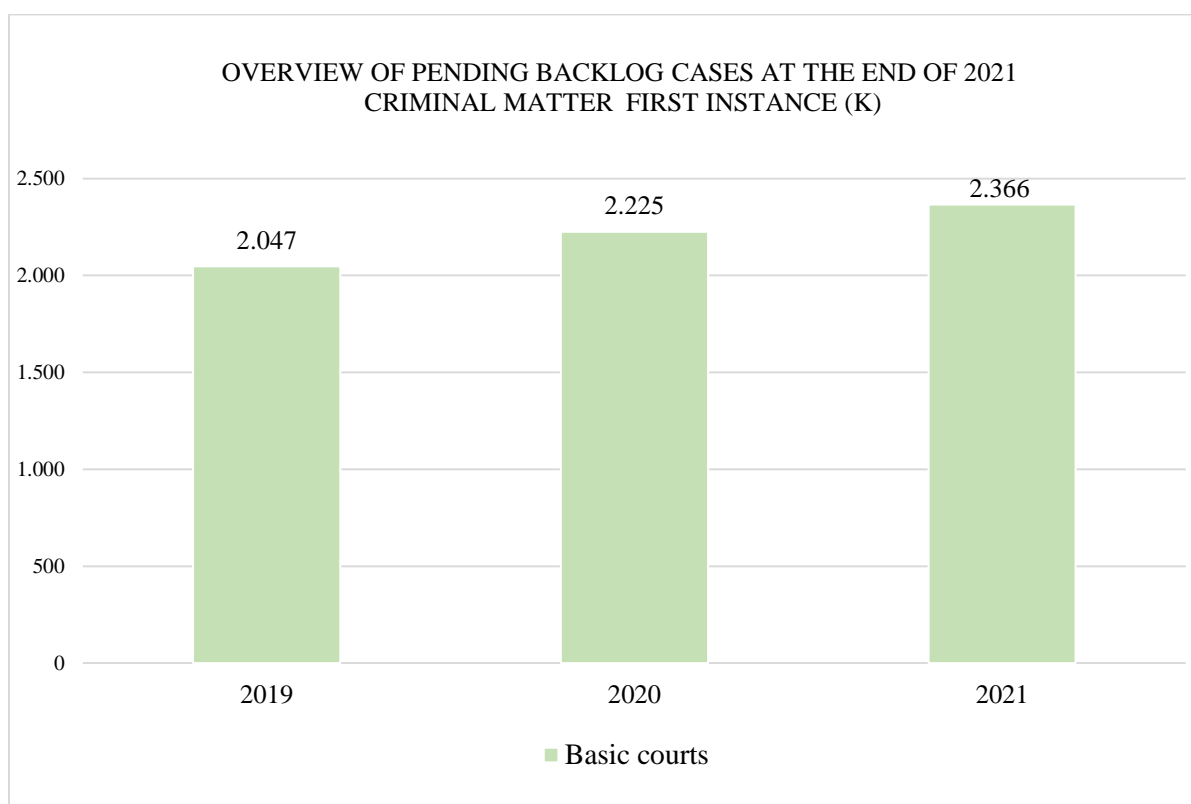


Chart 18

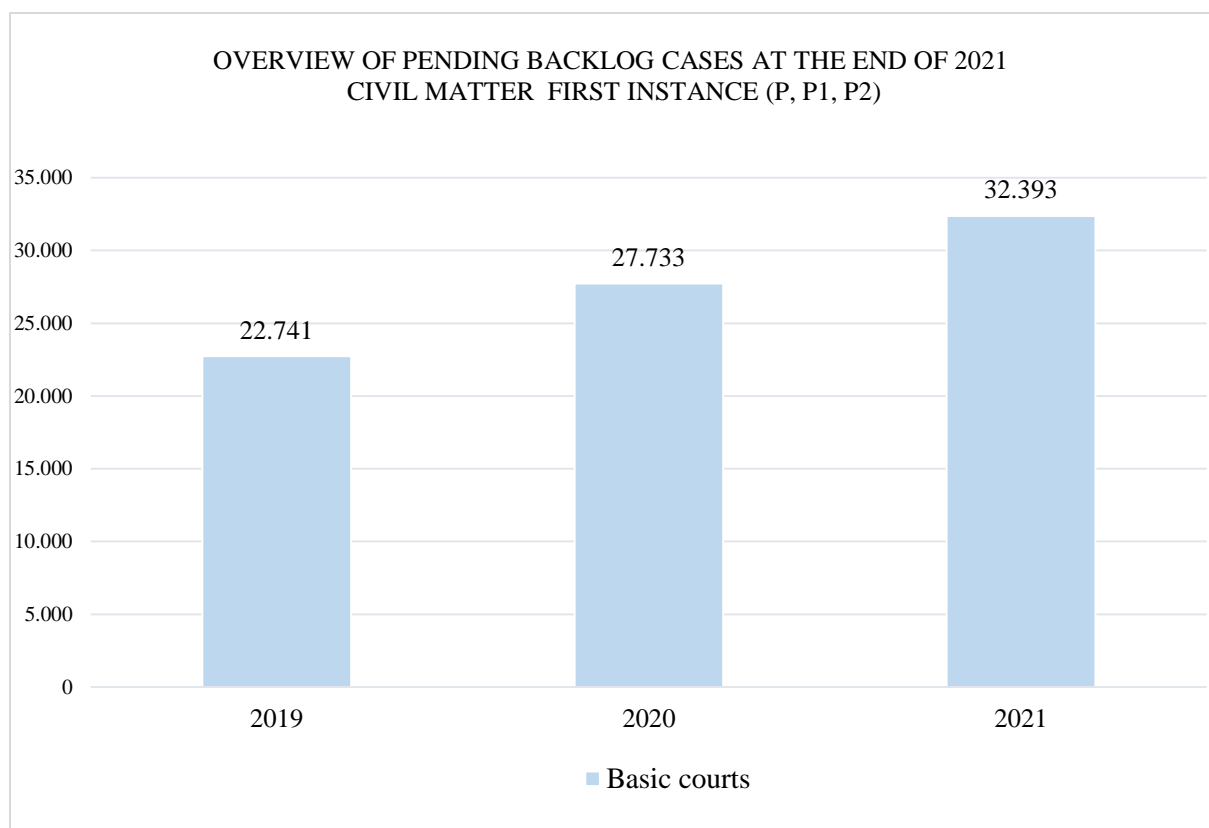


Chart 19

ADMINISTRATIVE COURT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION 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	46	83,494	4,311	4,294	17		5.16	93.72
2	UR	46	259	16	16			6.18	0.35
3	UI	46	1,581	34	34			2.15	0.74
4	UO	46	116						
5	UV	17	769	2	2			0.26	0.12
6	UP	43	190	22	22			11.58	0.51
TOTAL 1-6		46	86,409	4,385	4,368	17		5.07	95.33
TOTAL - ALL MATTERS		46	86,940	4,385	4,368	17		5.04	95.33

Table 14

COMMERCIAL APPELLATE COURT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION 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	17,694	1,427	1,058	325	44	8.06	44.59
2	Pvž	14	658	44	13	20	11	6.69	3.14
3	Iž	33	1,199	10	6	3	1	0.83	0.30
4	R	7	50						
TOTAL 1-4		33	19,601	1,481	1,077	348	56	7.56	44.88
5	Pkž	2	1,018	58	56	2		5.70	29.00
TOTAL - ALL MATTERS		34	30,225	1,539	1,133	350	56	5.09	45.26

Table 15

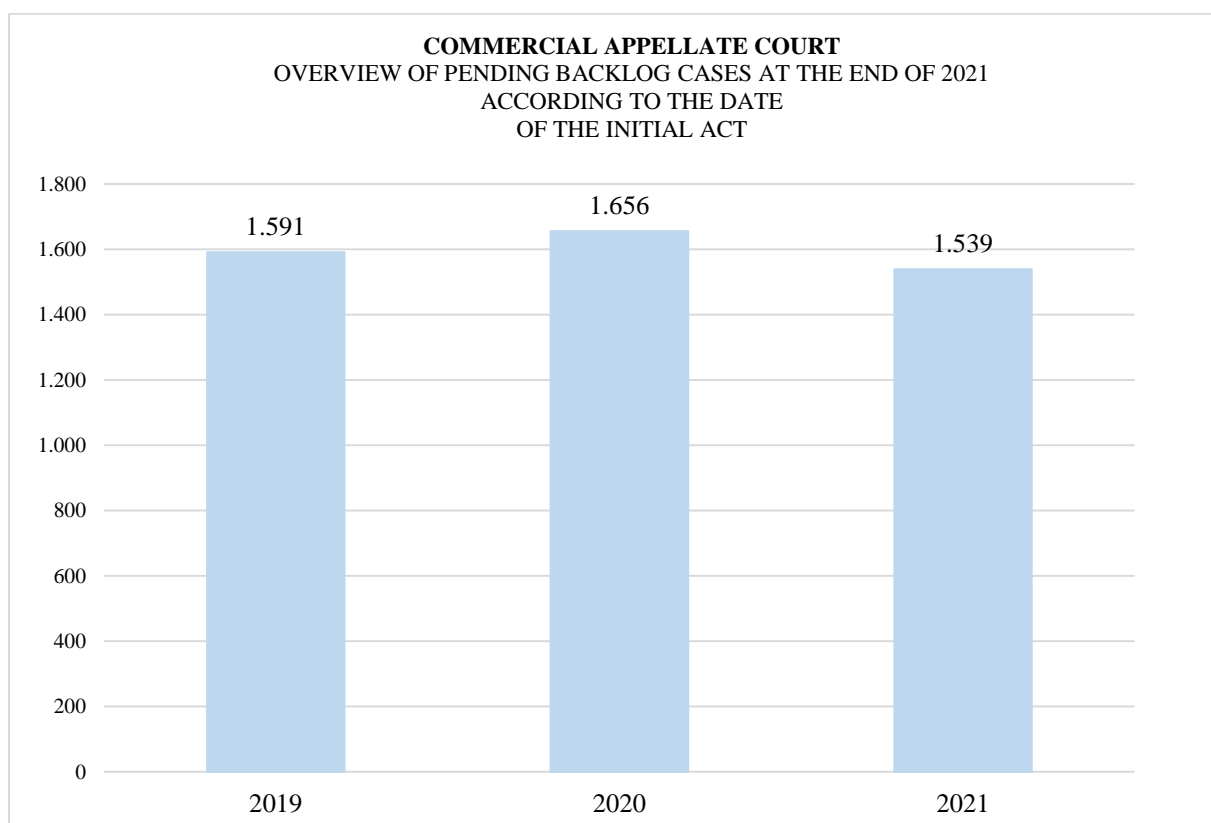


Chart 20

COMMERCIAL COURTS

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE END 12/31/2021	DURATION OF BACKLOG CASES			% OF PENDING 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	43,039	582	572	10		1.35	10.03
2.	Bankruptcy	71	2,552	1,156	163	523	470	45.30	16.28
a	I	18	1,009	18	10	8		1.78	1.00
b	Iv	15	79	4		2	2	5.06	0.27
c	Total (a+b)	24	1,088	22	10	10	2	2.02	0.92
d	Other enforcement	56	36,360	17	5	10	2	0.05	0.30
3.	All enforcement (c+d)	58	37,448	39	15	20	4	0.10	0.67
4.	Payment order	48	461						
5.	Litigation	98	34,097	1,473	859	506	108	4.32	15.03
6.	Non-litigious	60	3,687	5	3	1	1	0.14	0.08
TOTAL - ALL MATTERS		165	151,016	3,255	1,612	1,060	583	2.16	19.73

Table 16

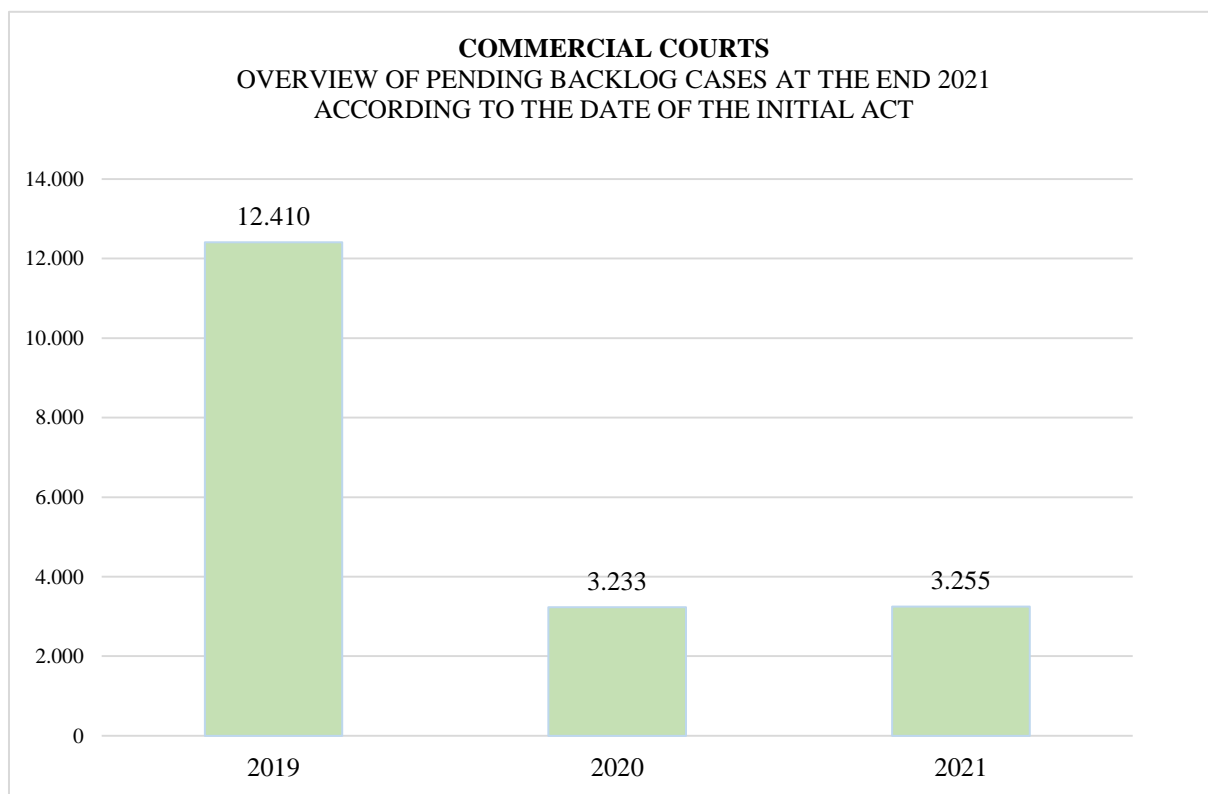


Chart 21

MISDEMEANOR APPELLATE COURT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION OF BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	01-Public order and peace	PRŽ	56	3,123					
		PRŽM	56	96					
2	02-Traffic	PRŽ	56	19,301	4	2	2	0.02	0.07
		PRŽM	56	173					
3	03-Public safety	PRŽ	56	1,383					
		PRŽM	56	58					
4	04-Commercial	PRŽ	56	2,195	9	5	4	0.41	0.16
		PRŽM							
5	05-Finance and customs	PRŽ	56	2,728	70	43	27	2.57	1.25
		PRŽM	1	1					
6	06-Labor, labor relations and protection at work	PRŽ	56	604					
		PRŽM							
7	07-Education, science, culture and information	PRŽ	56	2,247					
		PRŽM							
8	08-Health and social protection, health insurance and environmental protection	PRŽ	56	573					
		PRŽM	1	1					
9	09-Defense - Military	PRŽ	56	58					
		PRŽM	11	11					
10	10-Administration	PRŽ	56	61					
		PRŽM							
TOTAL 1-10		PRŽ	56	32,273	83	50	33	0.26	1.48
		PRŽM	56	340					
TOTAL - ALL MATTERS			56	33,979	83	50	33	0.24	1.48

Table 17

MISDEMEANOR COURTS

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2021	TOTAL PENDING BACKLOG CASES AT THE AND 12/31/2021	DURATION OF BACKLOG CASES			% OF PENDING BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	01-Public order and peace	IIP	443	41,337	45	45		0.11	0.10
		IIPM	377	2,054	6	6		0.29	0.02
2	02-Traffic	IIP	445	329,687	398	398		0.12	0.89
		IIPM	383	4,857	10	10		0.21	0.03
3	03-Public safety	IIP	444	44,119	13	13		0.03	0.03
		IIPM	371	1,831					
4	04-Commercial	IIP	443	41,277	443	272	171	1.07	1.00
		IIPM	15	26					
5	05-Finance and customs	IIP	444	36,876	5,838	3,185	2,653	15.83	13.15
		IIPM	23	32	2	2		6.25	0.09
6	06-Labor, labor relations and protection at work	IIP	442	6,862	19	19		0.28	0.04
		IIPM	1	1					
7	07-Education, science, culture and information	IIP	437	8,666	22	22		0.25	0.05
		IIPM	5	8					
8	08-Health and social protection, health insurance and environmental protection	IIP	440	9,987	43	43		0.43	0.10
		IIPM	103	146					
9	09-Defense - Military	IIP	416	8,032	9	9		0.11	0.02
		IIPM	293	1,218					
10	10-Administration	IIP	124	909	4	4		0.44	0.03
		IIPM							
TOTAL 1-10		IIP	445	527,752	6,834	4,010	2,824	1.29	15.36
		IIPM	384	10,173	18	18		0.18	0.05
TOTAL - ALL MATTERS			471	1,131,250	6,852	4,028	2,824	0.61	14.55

Table 18

III.4. DISMISSED CASES DUE TO EXPIRATION OF THE STATUTORY TIME LIMIT

(criminal, misdemeanor, commercial matters)

Number of cases dismissed due to expiration of the statutory time limit in criminal proceedings, misdemeanour proceedings, as well as for commercial offences, indicated that number of such cases was decreasing, while the number of cases before the misdemeanor courts was growing.

The number of dismissed cases due to expiration of the statutory time limit before the **misdemeanor courts** in 2021, was **84,998**, which continued the trend of growth of expired cases from 2019.

In the proceedings related to economic offenses before **commercial courts** in 2021, number of dismissed cases due to expiration of the statutory time limit time limit was **4,739**, which is **4,706** cases **more** than in 2020.

TOTAL EXPIRATION OF THE STATUTE OF LIMITATIONS IN 2021 (FOR MOSTLY TRIAL MATTERS)

Number	Court	Total number of disposed cases	Cases dismissed due to the statute of limitations	Rejected/reversed decisions due to the statute of limitations	Total cases expired of statute of limitations
1	Appellate courts	50,293	0	1	1
2	Higher courts	94,324	1	5	6
3	Basic courts	442,446	25	56	81
4	Commercial Appellate Court	19,113	0	0	0
5	Commercial courts	122,380	4,739	0	4,739
6	Misdemeanor Appellate Court	30,362	1,632	19	1,651
7	Misdemeanor courts	558,277	83,200	1,798	84,998
TOTAL		1,317,195	89,597	1,879	91,476

Table 19

In the period from 2017-2021, misdemeanour courts dismissed due to expiration of the statutory time limit, as follows: 2017-129,671 cases from resolved 696,607 cases in total; 2018 - 111,919 cases out of a total of resolved 676,361 cases; 2019-55,400,986 out of a total of resolved 614,246 cases; 2020- 66,536 cases out of a total of resolved 475,897 cases, while in **2021** there were not significant increase in the number of cases resolved in this manner - **84,998**, out of resolved **558,277** cases in total.

In the **commercial courts**, dismissed due to expiration of the statutory time limit in the period from 2017 to 2020, approximately the same number of cases (from 4 to 33), while in **2021** the number of expired cases was drastically increased (4,739).

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

A large number of cases pending before courts in the Republic of Serbia, a large number of pending backlog cases, and in particular pending backlog enforcement cases - required systematic, comprehensive and long-term measures at the national level to increase efficiency, reduce amount of pending old cases and cut the length of court proceedings.

In order to reduce the huge number of pending enforcement cases, particularly pending backlog enforcement cases, which have burdened the judicial system for a longer period, the Republic of Serbia adopted the Law on Enforcement and Security (hereinafter: LoES), in 2015 (published in Official Gazette of RS", No. 106/2015).

Some provisions of the LoES contained systemic measures that led to a shift in jurisdiction and to its partial transfer to the enforcement agents.

In the period of 2016 to 2019, the Supreme Court of Cassation, aiming to expedite implementation of the Law on Enforcement and Security, adopted several key strategic documents:

1. Amended Unified Backlog Reduction Program 2016-2020, which in its special part provided measures for resolving backlog enforcement cases;
2. Special Backlog Enforcement Reduction Program;

The Supreme Court of Cassation, jointly with the High Judicial Council and the Ministry of Justice, adopted the Guidelines for the Implementation of the Law on Enforcement and Security.

Amendments to the Law on Enforcement and Security ("Official Gazette of RS", No. 54/2019), which came into force 1st of January 2020, have drawn the lines between competencies of courts and enforcement agents in the enforcement and security proceedings, as well as boundaries between the courts themselves, disabling overlap or conduct of double enforcement proceedings. In enforcement cases involving shift in jurisdiction, amendments to the law provided in details duties of the creditors, enforcement agents, the courts, as well as the presidents of courts. The lack of exercising jurisdiction by the enforcement agents has been provided with sanctions, as well as with appropriate measures being prescribed for particular types of enforcement cases.

Following the adoption of the Amendments to the LoES, the Supreme Court of Cassation, jointly with the High Judicial Council and the Ministry of Justice, adopted new strategic document - Guidelines for the Implementation of Amendments to the Law on Enforcement and Security.

The implementation of the provisions of the Law on Enforcement and Security has been comprehensively improved through the cooperation between all judicial instances, supported by the international projects - IPA 2012 projects "Improving the Efficiency of Judiciary in the Republic of Serbia", "EU for Serbia - Support to the Supreme Court of Cassation" and "EU for Serbia - Support to the High Judicial Council", resulting in **comprehensively exceptional results, with regard to the reducing the number of backlog enforcement cases, in the period of 2016-2021.**

In 2021, 255,792 new enforcement cases were received, 514,833 were resolved and 66,610 cases remained unresolved.

	Pending at the beginning	Total incoming	Total disposed	Pending at the end
2017.	982,162	491,659	635,178	838,643
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

Table 20

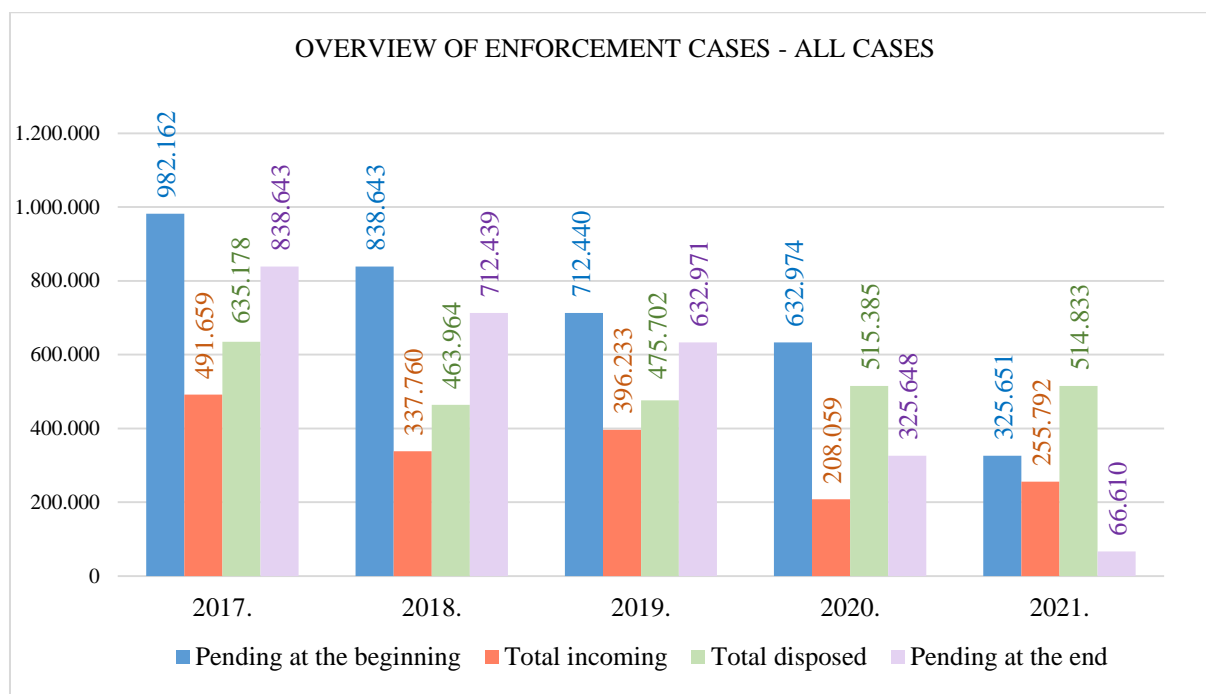


Chart 22

OVERVIEW OF ENFORCEMENT CASES
TOTAL - ALL BASIC AND COMMERCIAL COURTS IN 2021

2021	Matter	Pending at the beginning	Total incoming	Total disposed	Pending at the end
BASIC COURTS	I	17,529	16,115	22,887	10,757
	Iv	282,311	6,438	253,169	35,580
	Total (I+Iv)	299,840	22,553	276,056	46,337
COMMERCIAL COURTS	I	364	645	557	452
	Iv	12	67	75	4
	Total (I+Iv)	376	712	632	456
TOTAL (BASIC + COMMERCIAL)	I	17,893	16,760	23,444	11,209
	Iv	282,323	6,505	253,244	35,584
	Total (I+Iv)	300,216	23,265	276,688	46,793

Table 21

Comparative indicators of the structure of enforcement cases (Registers I, Iv) indicate that the total number of these enforcement cases at the end of 2020 compared to the end of 2021 decreased from 300,216 to 46,793, which is 253,423 cases less.

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 work of courts.

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

BASIC COURTS
REPORT ON PENDING BACKLOG CASES AT THE END OF 2021
ACCORDING TO THE DATE OF THE INITIAL ACT

	Matter	Total number of pending backlog cases	DURATION OF 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

Table 22

COMMERCIAL COURTS
REPORT ON PENDING BACKLOG CASES AT THE END OF 2021
ACCORDING TO THE DATE OF THE INITIAL ACT

	Matter	Total number of pending backlog cases	DURATION OF 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

Table 23

Data on the number of disposed backlog enforcement cases (Register Iv) indicate that the implementation of measures envisaged by the Unified Program for Backlog Reduction in the Republic of Serbia for the period 2021-2025. mostly achieved the designated goals even before the deadline set by the Program.

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

Amendments to the Law on Court Organization and the new Law on Protection of the Right to a Trial within Reasonable Time have shifted responsibility for protection of this right from the Constitutional Court to the courts of general and special jurisdiction. This has led to the filing of a large number of lawsuits to that effect before all Serbian courts, including objections requesting acceleration of proceedings and claims for just satisfaction for both non-pecuniary and pecuniary (Register Prr1) damages (40,607 cases).

REPORT ON FILED LAWSUITS FOR PECUNIARY AND NON-PECUNIARY DAMAGES (Prr, Prr1) IN 2021

Number	Court	Pending at the beginning	Total incoming		Total caseload	Total disposed			Pending at the end	
			Total	Incoming		Disposed on the merits	Disposed in other way	Total	Total	Backlog cases by date of entry into the court
1	Higher courts	21	62	51	83	37	1	38	45	
2	Basic courts	18,289	20,868	19,064	39,157	22,634	2,499	25,133	14,024	80
TOTAL		18,310	20,930	19,115	39,240	22,671	2,500	25,171	14,069	80

Table 24

A total of 13,109 cases in which the parties claimed just satisfaction for non-pecuniary damage were received pursuant to the decisions of court presidents upholding objections requesting acceleration of proceedings, as well as ruling establishing infringement of the right to a trial within reasonable time before Basic Courts in the Republic of Serbia, as well as 7,821 new lawsuits for compensation of pecuniary damage, due to the infringement of the right to a trial within reasonable time (total of 20,930 pecuniary and non-pecuniary damage cases).

Most of these cases refer to the enforcement of effective court decisions, in which the enforced collection of claims from labor relations was suspended due to peremptory rules of the Law on Privatization, a legislative solution which could not have been affected by the courts, and due to the insolvency of debtors in restructuring preceding privatization, the claims were transferred to the state (*Kačapor vs. Serbia, Vlahović vs. Serbia...*). The amounts paid to parties instead of these insolvent debtors, which are socially or state-owned and privatized by the state, are heavily burdening the budget, so public criticism - that the budget is burdened only because of the poor and inefficient work of the courts - cannot be reasonably accepted.

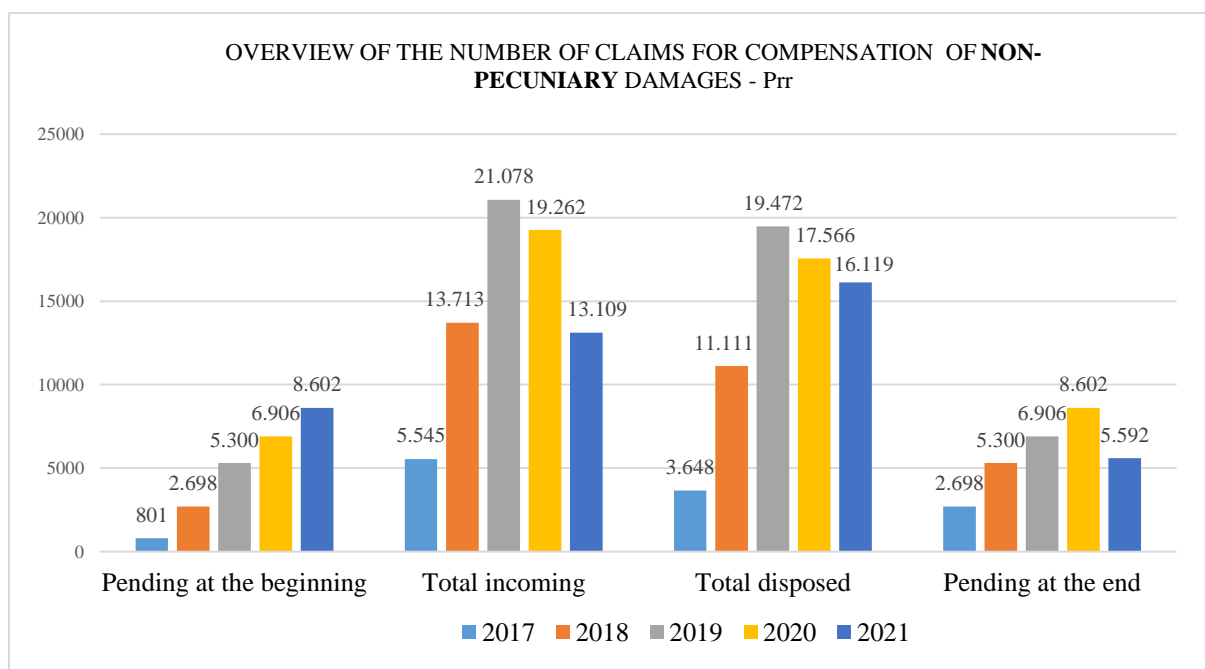


Chart 23

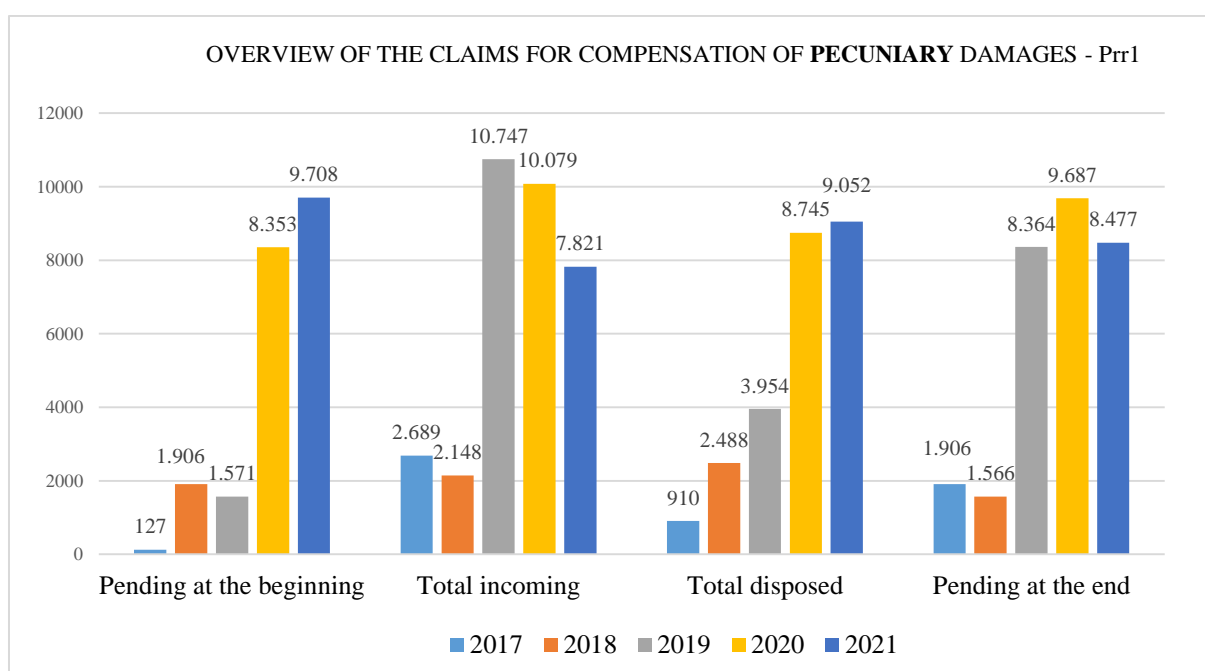


Chart 24

The largest **number of new lawsuits** in which the parties claimed just compensation for pecuniary and non-pecuniary damage was in 2019 (31,825). The trend of such high number of lawsuits has stopped, comparing the number of these cases in 2020 (29,341), which has **reduced to 20,930 cases**.

The number of these pending cases was 14,069 on 31. 12. 2021. which is 4,220 cases less comparing with 2020, when there were most pending cases, 18,289 (as a result of the largest inflow in 2019, but also due to the obstacles for courts' continuous work due to COVID pandemic).

IV.1. COMPENSATION FOR DAMAGES BASED ON DECISIONS OF NATIONAL COURTS IN 2021.

1. The compensation for damages based on the violation of the right to a trial in reasonable time in the decisions of domestic courts, amicably paid by courts, was **383,364,000.00** dinars.
2. The compensation for damages based on the violation of the right to a trial within reasonable time by the sentences of domestic courts, enforced at the burden of court' budget, was **3,307,828,000.00** dinars.
3. The compensation for damages based on the violation of right to a trial within reasonable time based on the decisions of domestic courts, amicably paid based on the settlement with State Attorney's Office was **124,559,000.00** dinars.

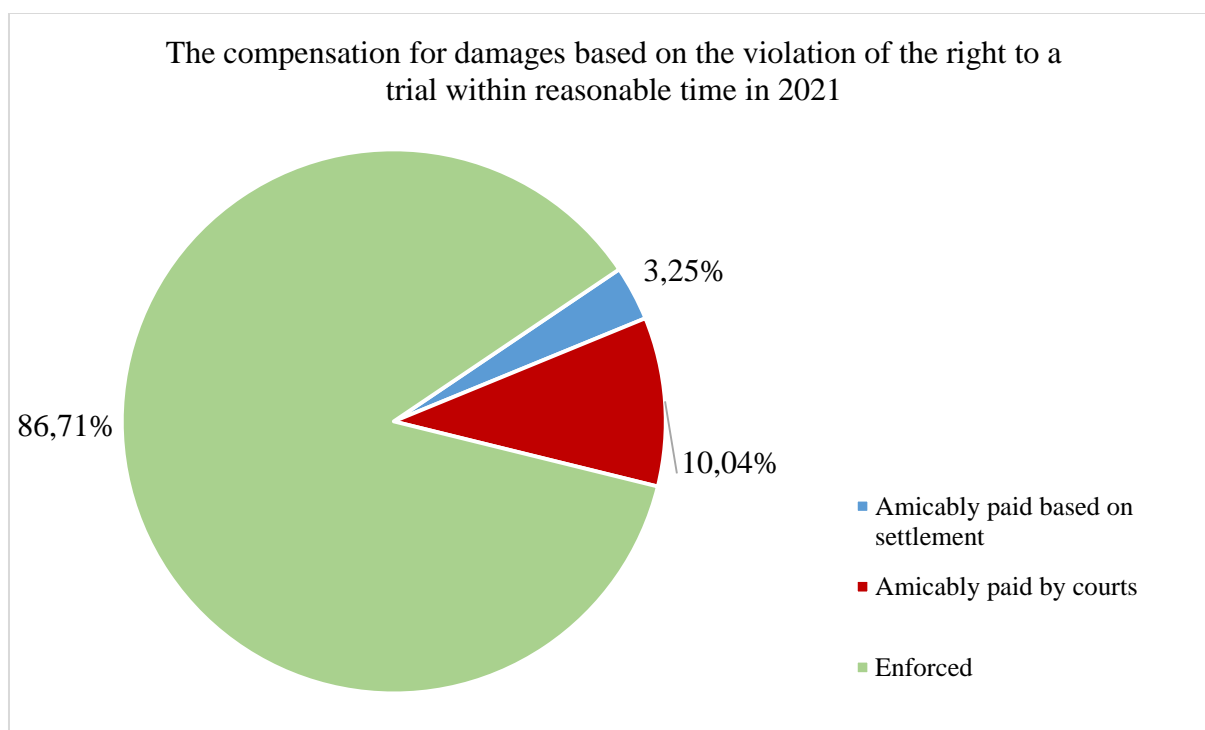


Chart 25

V. COURT JURISDICTION IN THE STRUGGLE AGAINST CORRUPTION, HUMAN TRAFFICKING (Article 388 Criminal Code), VIOLENCE ON SPORTS EVENTS OR PUBLIC ASSEMBLIES, PROTECTION FROM DOMESTIC VIOLENCE AND „MISSING BABIES“

The forthcoming analyses of statistical data refers to the reports Supreme Court of Cassation is due to submit periodically to respective state institutions.

V.1. CORRUPTION

Amendments to the Criminal Code (*“Official Gazette of the Republic of Serbia”*, no. 94/2016) revised chapter on criminal offenses against economic crime and chapter on criminal offenses against misuse of office. Adopted new Law on organisation and competencies of state authorities in struggling against organized crime, terrorism and corruption (*“Official Gazette”*, no. 94/16 and no. 87/18) established four special departments for processing criminal offenses within four Higher Courts: in Belgrade, Kraljevo, Niš and Novi Sad, acting in the first instance. Pending cases are to be completed before the court, which initiated the proceeding.

CORRUPTION - CRIMINAL OFFENSES IN 2021

No.	Court	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of initial act	Number of indicted persons	Total	Number of indicted persons	Total	Number of indicted persons	Disposed in merits	Disposed in other way	Total	Backlog cases according to the date of initial act	Total	Backlog cases according to the date of initial act
1	Appellate courts	74	33	293	346	692	420	985	339	0	339	127	81	37
2	Higher courts	786	330	2,216	598	1,020	1,384	3,236	442	196	638	239	746	317
3	Basic courts	348	159	556	131	191	479	747	182	67	249	110	230	111
TOTAL		1,208	522	3,065	1,075	1,903	2,283	4,968	963	263	1,226	476	1,057	465

Table 25

According to the Law on Agency for the Struggle against Corruption, specialized courts (Misdemeanour courts) act in the first instance (apart from the courts of general jurisdiction).

CORRUPTION – MISDEMEANOURS IN 2021

No.	Court	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of initial act	Number of indicted persons	Total	Number of indicted persons	Total	Number of indicted persons	Disposed in merits	Disposed in other way	Total	Backlog cases according to the date of initial act	Total	Backlog cases according to the date of initial act
1	Misdemeanor Appellate Court	5	0	5	9	9	14	14	10	2	12	0	2	0
2	Misdemeanor courts	31	0	31	2	2	33	33	13	20	33	0	0	0
TOTAL		36		36	11	11	47	47	23	22	45	0	2	

Table 26

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

The Law on the Protection of Whistleblowers also reflects the actual effects of the fight against corruption.

REPORT ON CASES OF THE PROTECTION OF WHISTEBLOWERS FROM 01.01.2021. TO 31.12.2021.

Number	Court	Matter	Number of judges	Pending at the beginning	Total incoming	Total caseload	Total disposed	Pending at the end	
								Total	DURATION OF PROCEEDINGS LENGTHIER THAN 36 MONTHS SINCE THE INITIAL ACT IN 2021
1	Supreme Court of Cassation	Rev-uz	4	3	5	8	8		
		Rev2-uz	4	2	4	6	5	1	1
TOTAL				5	9	14	13	1	1
1	Appellate courts	Gž-uz	14	5	17	22	15	7	2
		Gž1-uz	17	3	18	21	19	2	2
2	Higher courts	P-uz	13	21	27	48	23	25	7
		Ppr-uz		2	17	19	18	1	
3	Basic courts	P1-uz	5	6	4	10	7	3	1
4	Administrative Court	U-uz	8	6	7	13	11	2	
5	Misdemeanor Appellate Court	Prž-uz							
6	Misdemeanor courts	Pr-uz							
TOTAL - ALL COURTS EXCEPT THE SUPREME COURT OF CASSATION:				43	90	133	93	40	12
TOTAL				48	99	147	106	41	13

Table 27

In the courts of the Republic of Serbia, at the end of 2021, there was a total of 41 pending cases regarding the protection of whistleblowers from retaliation for disclosure of information in accordance with the Law on the Protection of Whistleblowers. In 2020, 117 incoming cases were received comparing to 99 cases in 2021. Although these cases are not numerous, their importance is remarkable, given the fact that the protection of whistleblowing right, as part of the fundamental 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, 13 cases remained pending at the end of 2021, namely, in which the proceedings have not been completed even after three years, considering from the date of the filing of the initial act.

V.2. CRIMINAL OFFENSE OF HUMAN TRAFFICKING (Article 388 of CRIMINAL CODE)

Within Article 388 Criminal Code (CC) provided criminal offense of human trafficking. Aiming to reach efficiency in struggling against human trafficking, through harmonization with the respective Council of Europe Convention, provision in the Article 388 of CC has been amended aggravating criminal sanctions, since 2013.

CRIMINAL OFFENSE OF HUMAN TRAFFICKING
(Article 388 of Criminal Code)

No.	Court	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of initial act	Number of indicted persons	Total	Number of indicted persons	Total	Number of indicted persons	Disposed in merits	Other types of decisions	Total	Backlog cases according to the date of initial act	Total	Backlog cases according to the date of initial act
1	Appellate courts	1		3	15	22	16	25	15		15	4	1	
2	Higher courts	8	4	16	2	2	10	18	6		6	5	4	1
3	Basic courts	5	2	5	11	12	16	17	5	2	7	2	9	
TOTAL		14	6	24	28	36	42	60	26	2	28	11	14	1

Table 28

V.3. CRIMINAL OFFENSE OF VIOLENCE AT SPORTS EVENTS OR PUBLIC ASSEMBLY (Article 344a of Criminal Code)

Acts of violence at sport events or public assembly are provided in Article 344a of the Criminal Code.

Law on Preventing Violence and Misconduct at Sports Events (in its Article 21) also provides this as the misdemeanor

CRIMINAL OFFENSE OF VIOLENCE AT SPORTS EVENTS OR PUBLIC ASSEMBLY
(Article 344a of Criminal Code)

No.	Court	Pending at the beginning			Incoming		Total caseload		Total disposed				Pending at the end	
		Total	Backlog cases according to the date of initial act	Number of indicted persons	Total	Number of indicted persons	Total	Number of indicted persons	Disposed on the merits	Other types of decisions	Total	Backlog cases according to the date of initial act	Total	Backlog cases according to the date of initial act
1	Appellate courts	3	1	6	10	18	13	24	9		9	6	4	
2	Higher courts	25	8	34	39	47	64	81	38		38	5	26	5
3	Basic courts													
TOTAL		28	9	40	49	65	77	105	47	0	47	11	30	5

Table 29

V.4. APPLICATION OF THE LAW ON MISSING BABIES

The Law on Determining Facts on the Status of Newborn Infants Allegedly Missing from the Maternity Hospitals¹ in the Republic of Serbia was adopted after the European Court of Human Rights ruling in the case of *Zorica Jovanovic vs. Serbia* (Application No. 21794/08, dated from 26 March 2013, became final on 9 September 2013).

REPORT ON THE CASES PURSUANT TO THE LAW ON DETERMINING THE FACTS ON THE STATUS OF NEWBORN INFANTS MISSING AT THE MATERNITY WARD IN THE REPUBLIC OF SERBIA IN 2021

	Court	Matter	Number of judges	Pending at the beginning	Incoming	Total disposed	Pending at the end
1	Higher courts	R5	36	648	73	189	532
2	Appellate courts	Gž5	33		50	47	3

Table 30

V.5. CASES OF DOMESTIC VIOLENCE

According to the positive legislation, in particular, following the adoption of the Law on the Prevention of Domestic Violence, courts of general jurisdiction (Basic and Higher Courts) act in the first instance - in criminal and civil matter – as well as specialized courts (Misdemeanour courts).

DOMESTIC VIOLENCE CASES IN 2021

No.	Court	Pending at the beginning	Total incoming	Total disposed	Pending at the end
1	Supreme Court of Cassation	20	144	141	23
2	Appellate courts	33	588	579	42
3	Higher courts	162	3,294	3,336	120
4	Basic courts	2,822	24,059	24,511	2,605
5	Misdemeanor Appellate Court	7	220	223	4
6	Misdemeanor courts	128	2,178	2,140	166
TOTAL		3,172	30,483	30,930	2,960

Table 31

¹ “Official Gazette of the Republic of Serbia”, no. 18/2020, the Law was adopted in the National Assembly on 29 February 2020. The President of the Republic passed a Decree on this Law on 3 March 2020, and the Law was published on the same date. It came into force on 11 March 2020.

Before Basic Courts 24,059 cases including domestic violence (P2, K, NP) were received in 2021, 24,511 cases were disposed (on the merits 23,668) and 2,605 remain pending.

Before Higher Courts in the first instance in cases with elements of domestic violence (P2, K) 4 cases were received in 2021, 5 cases disposed in total (on the merits 5) and 5 cases remain pending.

Before Higher Courts in the appellate instance, 3,290 cases were received; while 3,336 were disposed in total (among which, on the merits 3,289) and 115 cases remain pending.

Before Appellate Courts 588 cases were received, in the appellate instance, while 579 were disposed (on the merits 558) and 42 cases remain pending.

Before Supreme Court of Cassation, in processing by the extraordinary legal remedies, 144 cases were received, 141 cases were disposed and 23 cases remain pending.

Before Specialized Courts, in the first instance, before Misdemeanour Courts, 2,178 cases were received, 2,140 cases were disposed (among which, 219 on the merits) and 166 cases remain pending.

Misdemeanour Appellate Court received in the appellate instance 220 cases, while 223 cases in total were disposed (on the merits 219) with 4 cases pending.

VI. QUALITY OF JUSTICE

The ratio 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 on the merits indicates the number of cases that were, based on the legal remedy, returned to a lower instance court for retrial.

It would be necessary to monitor the trends in the number of revoked decisions, since these 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.

OVERVIEW OF THE QUALITY OF COURT DECISIONS IN 2021

Number	Court	Number of judges	Total disposed	Disposed in merits	Number of reviewed appeals	Total number of revoked	% Revoked decisions in relation to total disposed	% Revoked decisions in relation to decisions on the merits of the case	% Considered appeals in relation to total disposed	% Considered appeals in relation to decisions on the merits of the case	% Revoked decisions in relation to the number of considered appeals
1	Appellate courts	204	59,347	56,072	7,301	903	1.52	1.61	12.30	13.02	12.37
2	Higher courts	369	203,197	135,443	13,951	1,491	0.73	1.10	6.87	10.30	10.69
3	Basic courts	1,132	1,289,885	673,810	116,189	15,827	1.23	2.35	9.01	17.24	13.62
4	Administrative Court	46	22,104	21,411	323	30	0.14	0.14	1.46	1.51	9.29
5	Commercial Appellate Court	34	19,113	18,435	808	71	0.37	0.39	4.23	4.38	8.79
6	Commercial courts	165	122,380	90,644	16,313	1,134	0.93	1.25	13.33	18.00	6.95
7	Misdemeanor Appellate Court	56	30,362	26,701	23	14	0.05	0.05	0.08	0.09	60.87
8	Misdemeanor courts	471	558,277	391,494	27,141	5,530	0.99	1.41	4.86	6.93	20.38
TOTAL		2,477	2,304,665	1,414,010	182,049	25,000	1.08	1.77	7.90	12.87	13.73

Table 12

Number	Court	Number of judges	Total disposed	Total number of revoked	% Revoked decisions in relation to the number of considered appeals
1	Appellate courts	204	7,301	903	12.37
2	Higher courts	369	13,951	1,491	10.69
3	Basic courts	1,132	116,189	15,827	13.62
4	Administrative Court	46	323	30	9.29
5	Commercial Appellate Court	34	808	71	8.79
6	Commercial courts	165	16,313	1,134	6.95
7	Misdemeanor Appellate Court	56	23	14	60.87
8	Misdemeanor courts	471	27,141	5,530	20.38
TOTAL		2,477	182,049	25,000	13.73

Table 32

VII. DURATION OF COURT PROCEEDINGS IN THE INSTANCE

The assessment of the quality of courts is also affected by the duration of disposed cases in predominantly trial matters (P,P1,P2 and K).

Above indicators suggest that in all trial matters, most cases are disposed within one year, and that after number of disposed cases decreases.

AGE OF DISPOSED CASES IN PREDOMINANT TRIAL MATTERS IN 2021

Number	Court	Total disposed	DURATION OF PROCEEDINGS					
			Up to 1 year	1 TO 2	2 TO 3	3 TO 5	5 TO 10	MORE THAN 10
1	Appellate courts	50,293	47,712	1,862	517	200	2	
2	Higher courts	94,324	70,047	13,096	8,155	2,733	274	19
3	Basic courts	442,446	313,332	103,790	15,616	7,790	1,914	4
4	Administrative Court	22,104	9,762	4,895	4,244	3,172	31	
5	Commercial Appellate Court	19,113	16,177	2,715	217	4		
6	Commercial courts	122,380	110,895	6,976	3,120	1,194	151	44
7	Misdemeanor Appellate Court	30,362	30,329	31	2			
8	Misdemeanor courts	558,277	309,536	171,015	74,456	2,248	1,022	
TOTAL		1,339,299	907,790	304,380	106,327	17,341	3,394	67

Table 34

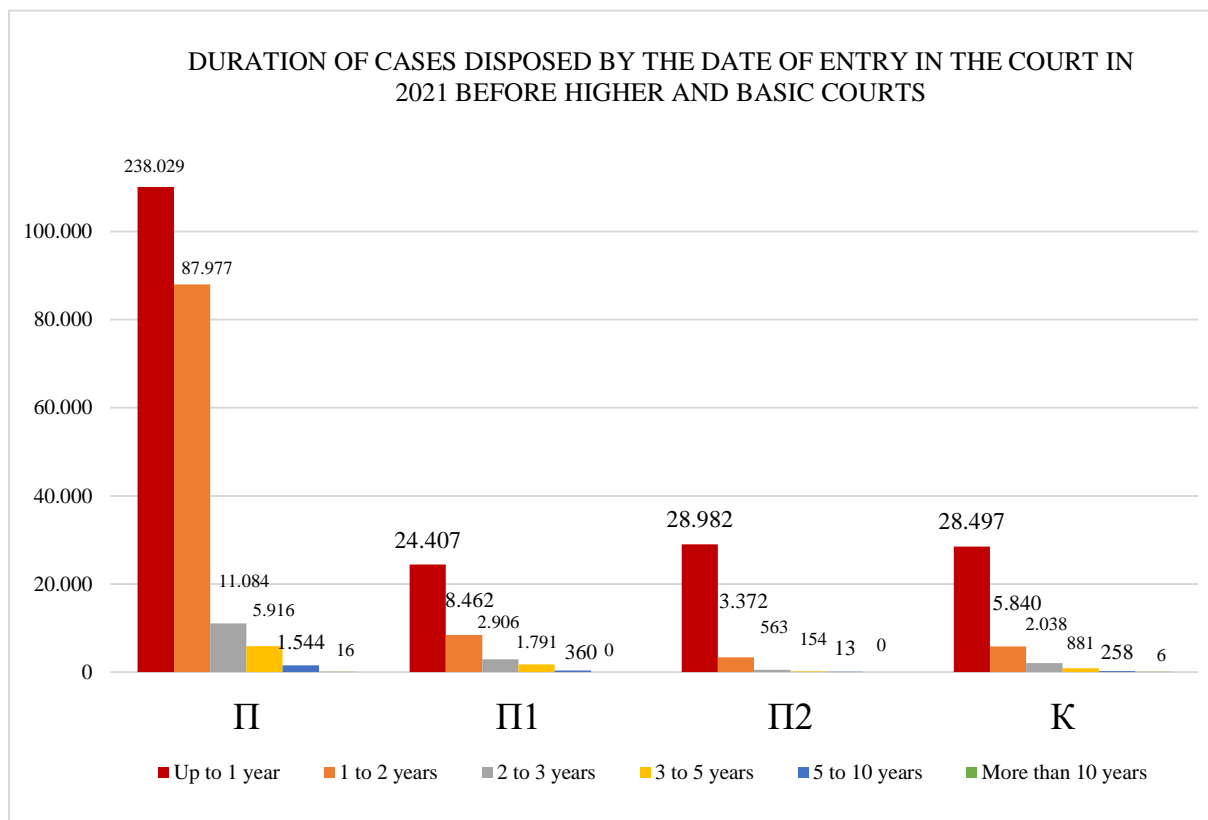


Chart 26

**DURATION OF CASES DISPOSED IN PREDOMINANTLY TRIAL MATTERS
IN 2021.**

BASIC COURTS

Number	Matter	Total disposed	DURATION OF PROCEEDINGS					
			Up to 1 year	1 TO 2	2 TO 3	3 TO 5	5 TO 10	MORE THAN 10
1	P	337,444	233,907	86,676	10,346	5,135	1,378	2
2	P1	37,256	23,986	8,356	2,837	1,749	328	
3	P2	32,421	28,426	3,301	541	141	12	
4	K	35,325	27,013	5,457	1,892	765	196	2
TOTAL 1-4		442,446	313,332	103,790	15,616	7,790	1,914	4

Table 35

HIGHER COURTS

Number	Matter	Total disposed	DURATION OF PROCEEDINGS					
			Up to 1 year	1 TO 2	2 TO 3	3 TO 5	5 TO 10	MORE THAN 10
1	P	7,122	4,122	1,301	738	781	166	14
2	P1	670	421	106	69	42	32	
3	P2	663	556	71	22	13	1	
4	K	2,195	1,484	383	146	116	62	4
TOTAL 1-4		10,650	6,583	1,861	975	952	261	18

Table 36

VIII. PERFORMANCE INDICATORS ACCORDING TO THE C E P E J

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 indicators, 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 next CEPEJ report will be submitted in 2023, for 2021 and 2022.

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

$$\text{Average Duration} = \frac{\text{annual number of pending cases}}{\text{annual number of disposed cases}} \times 365$$

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

$$\text{Clearance Rate} = \frac{\text{annual number of disposed cases}}{\text{annual number of incoming cases}} \times 100$$

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

The average duration of court proceedings in the Republic of Serbia for the period 2017-2021 is shown in the following table.

AVERAGE DURATION OF COURT PROCEEDINGS IN 2021

	2014	2015	2016	2017	2018	2019	2020	2021
Pending at the end	2,849,360	2,886,619	2,043,925	1,911,086	1,701,580	1,656,645	1,510,472	1,498,237
Total disposed	1,793,212	2,087,332	2,953,921	2,335,760	2,298,870	2,268,769	2,013,829	2,415,672
Average duration of court proceedings	580	505	253	299	270	267	274	226

Table 37

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 DURATION OF COURT PROCEEDINGS

Court	Clearance rate	Average duration of court proceedings	Clearance rate	Average duration of court proceedings
	2018.		2020.	
	%	in days	%	in days
Supreme Court of Cassation	94.88	181	88.89	282
Administrative Court	73.41	734	72.00	738
Appellate courts	99.71	86	101.71	87
Higher courts	102	134	97.80	147
Basic courts	113.98	323	120.25	256
Commercial Appellate Court	111.68	159	99.04	185
Commercial courts	99.25	160	108.71	107
Misdemeanor Appellate Court	97.15	29	97.62	44
Misdemeanor courts	113.17	278	94.89	429
TOTAL	110.03	270	107.81	274

Table 38

CLEARANCE RATE AND AVERAGE DURATION OF COURT PROCEEDINGS IN 2021

Court	Clearance rate (%)	Average duration of court proceedings (days)
Misdemeanor courts	97.64	375
Misdemeanor Appellate Court	99.20	43
Commercial courts	102.74	85
Commercial Appellate Court	81.98	212
Basic courts	107.69	184
Higher courts	80.58	260
Appellate courts	101.76	71
Administrative Court	56.78	1071
Supreme Court of Cassation	100.54	30
TOTAL	100.55	226

Table 39

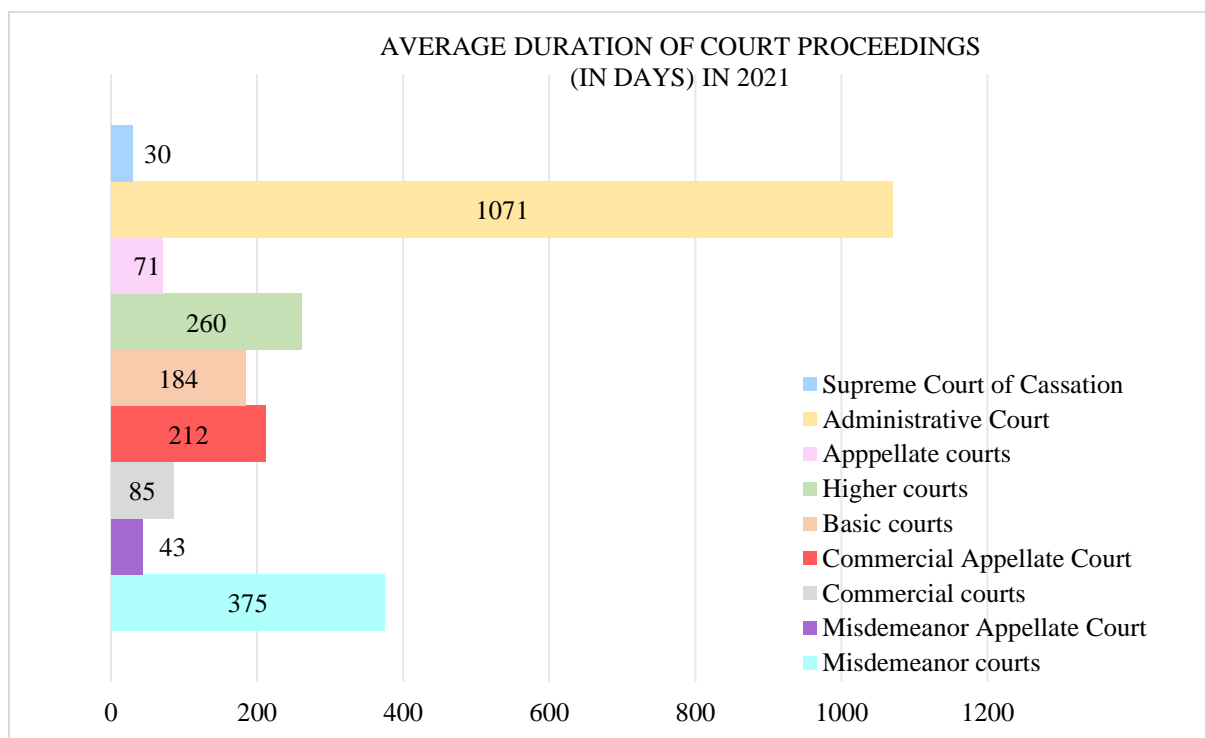


Chart 27

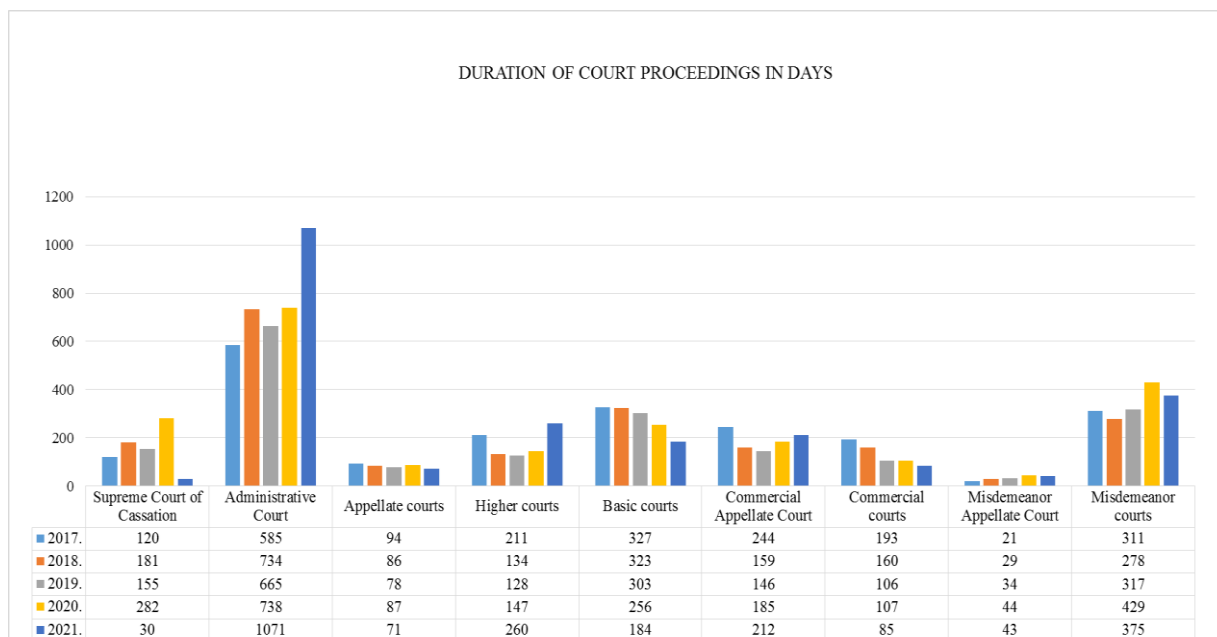


Chart 28

IX. REPORT ON WORK OF THE SUPREME COURT OF CASSATION

IX.1. GENERAL INFORMATION

On December 31, 2021. judicial function was exercised by 43 judges. 31 judges acted effectively during the reporting period. The number of the court staff on the same day (December 31, 2021) was 228, of which 58 judge's associates.

The Budget Law 2021 of the Republic of Serbia and amendments to the Law determined financial resources from the budget of the Republic of Serbia, for the Supreme Court of Cassation **653,395,000.00** dinars („Official Gazette of RS“ No.110/21).

IX.2. JURISDICTION OF THE SUPREME COURT OF CASSATION

IX.2.1. JURISDICTION IN-TRIAL

Supreme Court of Cassation, as the highest court in the Republic decides on extraordinary legal remedies instituted against decisions of all courts in the Republic of Serbia and on other issues prescribed by the law (Article 30. paragraph 1. Law on Organization of Courts).

In the Supreme Court of Casation the number of incoming cases in 2021 was **110,413**, including around **90,000** transferred jurisdiction cases of the First and the Third Basic Court in Belgrade and Basic Court in Novi Sad, which is an enormous inflow of cases. Supreme Court of Cassation acted on transferred jurisdiction cases according to the suggestions of the three busiest courts, which received about 200.000 lawsuits against banks in 2021, in order to collect the costs of loan processing, so in an effort to relieve these courts and resolve disputes faster, Supreme Court of Cassation determined other courts with substantive jurisdiction, and less burdened.

As a consequence of the changed jurisdiction of the Supreme Court of Cassation according to legislation (ZPP), passed in the previous period, the inflow of cases in civil matters in 2021 increased as well.

Despite the extraordinary inflow of **110,413** cases, Supreme Court of Cassation resolved a total of **111,007** cases, thus overcoming the inflow with **100.54%** and thus absorbing the increased inflow and reducing backlogs.

The following charts show the number of received, disposed and pending cases in the Supreme Court of Cassation in the period from 2017-2021

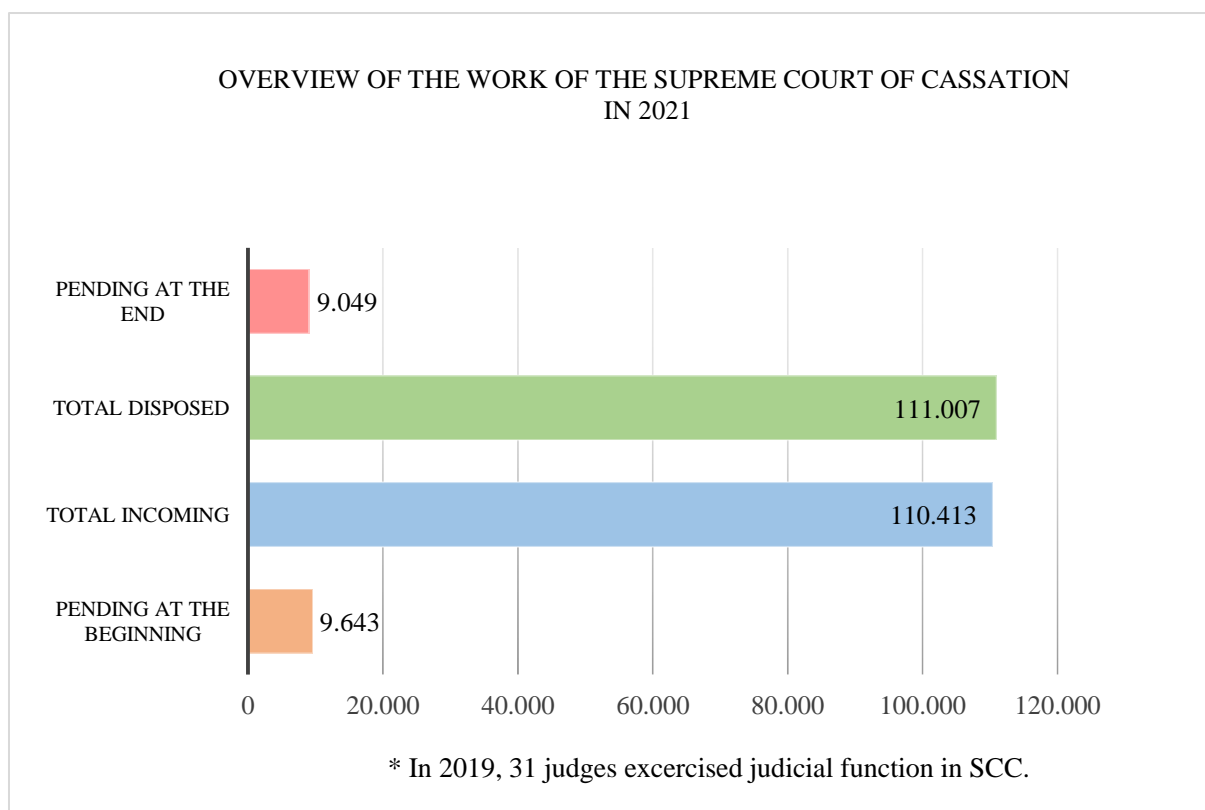


Chart 29

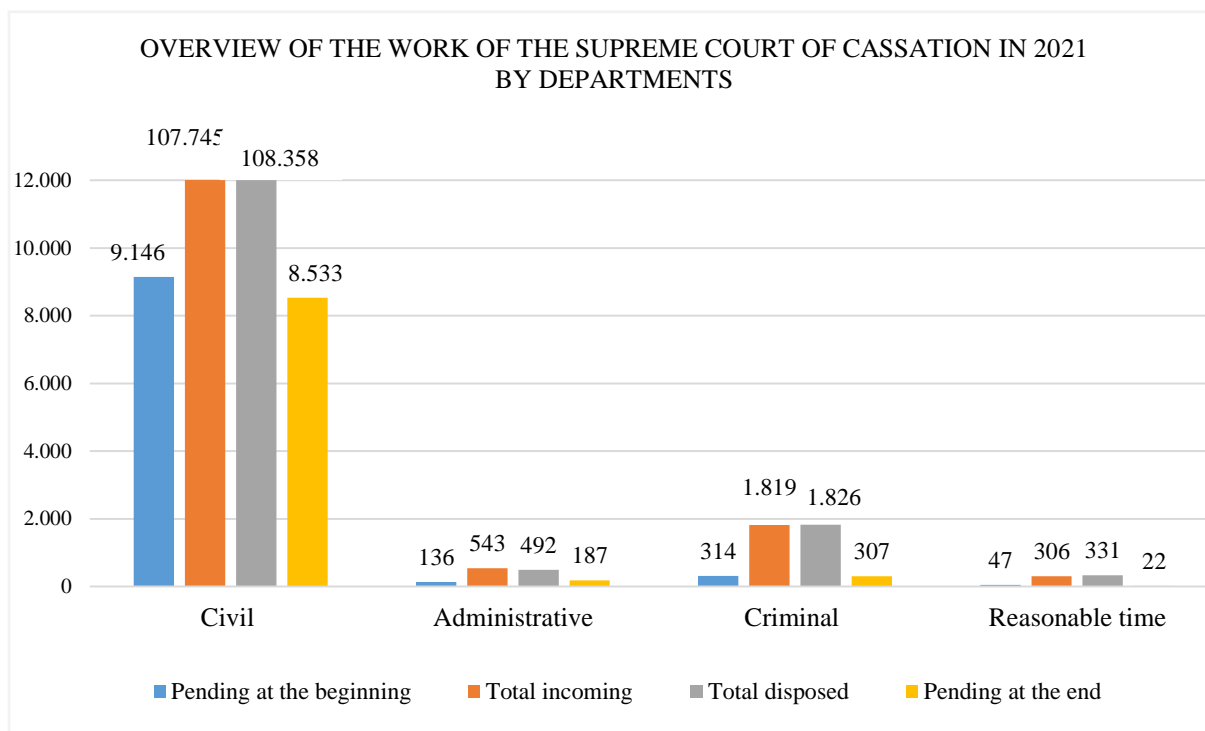


Chart 30

The following charts displays the number of incoming, disposed and pending cases in the Supreme Court of Cassation in the period from 2017-2021.

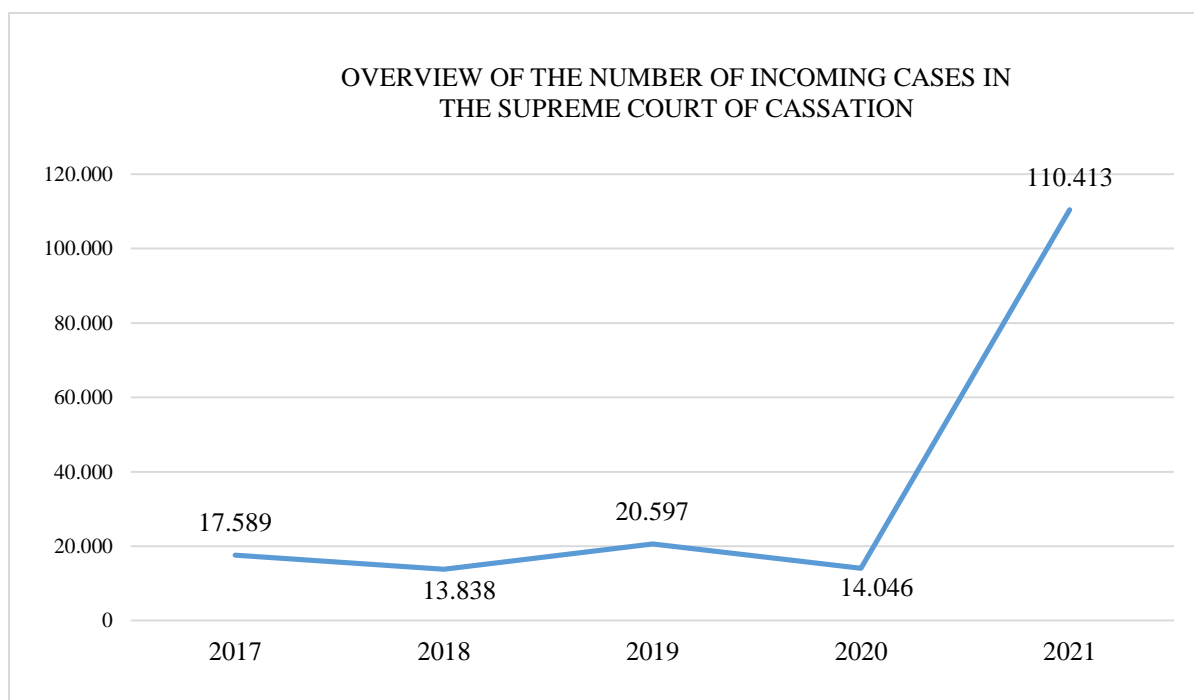


Chart 31

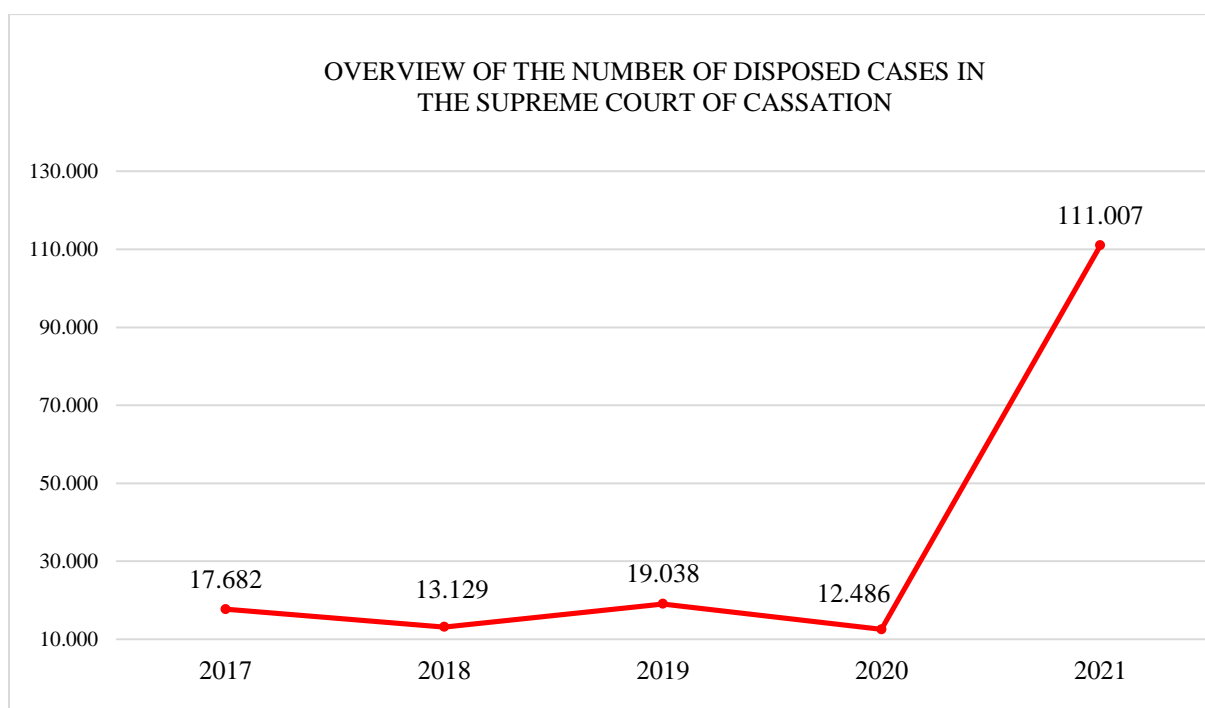


Chart 32

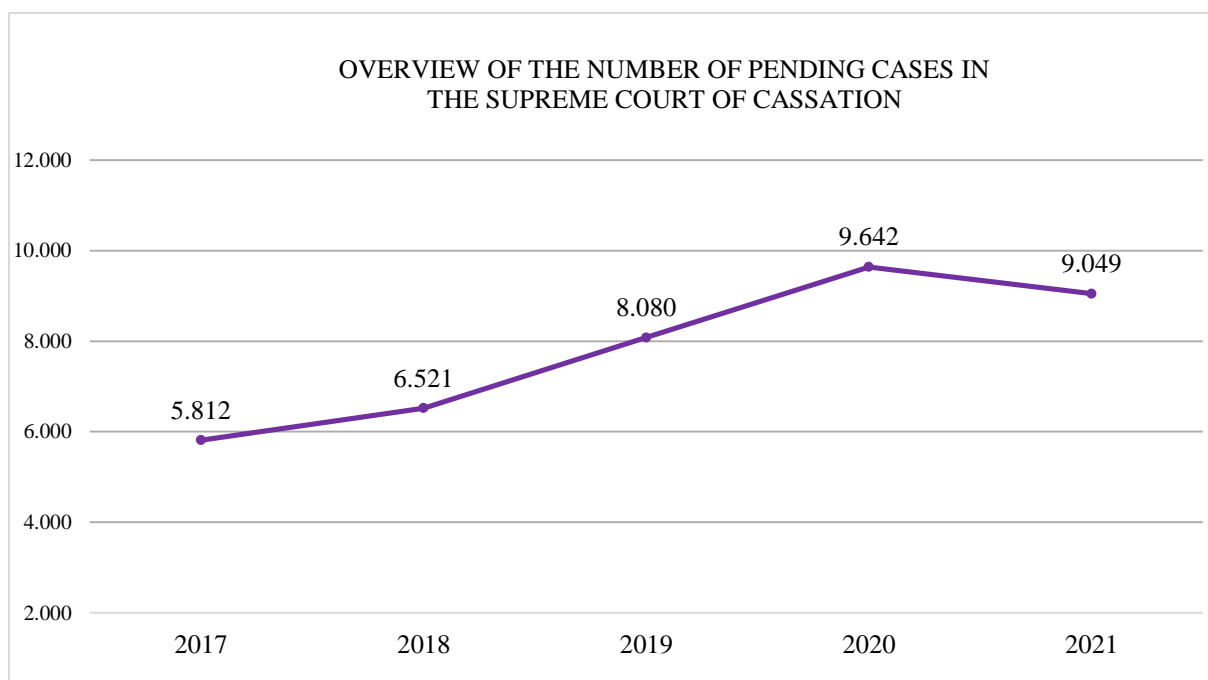


Chart 33

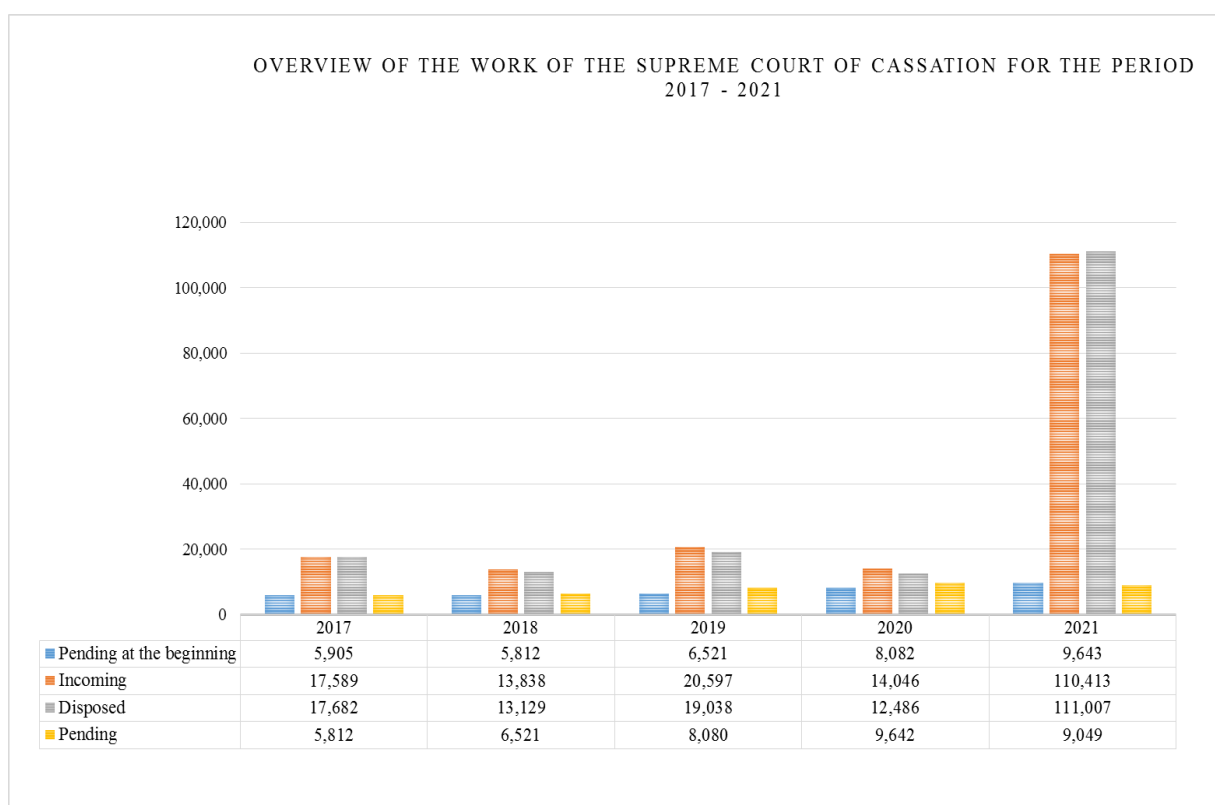


Chart 34

The most burdened department in the Supreme Court of Cassation is the Civil Department. This department also has the largest increase in inflow of cases. **The workload of the Civil Department**, with the existing number of judges and judicial assistants, although it managed to overcome the inflow in 2021, is **extremely excessive**.

IX.2.2. HARMONIZATION OF COURT JURISPRUDENCE

As the highest court in the system of judicial power **Supreme Court of Cassation** ensures uniform application of the law and equality of parties in court proceedings, reviews the application of laws and regulations, and the work of courts, thus exercising its statutory out-of-trial jurisdiction (Article 31 of the Law on Courts).

The agreement of the Presidents of the Appellate Courts on the Organization, Time and Venue of the Joint Sessions of the Appellate Courts in the period from 2021 to 2025 has been signed between the Supreme Court of Cassation and the Appellate Courts on February 24, 2021. The joint meetings of judges in civil matter were restrictively held, while harmonization of court jurisprudence in criminal and civil matters was mostly done by exchanging contentious legal issues and adopted views and standpoints, in writting, due to restrictions imposed by corona virus pandemic.

Three meetings of judges of special anti-corruption departments of Higher Courts were held.

Supreme Court of Cassation, with its authorized representative, participated in the online Forum of the Network of Supreme Courts on June 11, 2021, related to the practice of courts with regards to the case management and harmonization of court jurisprudence.

In order to exchange court decisions between courts, a Court Jurisprudence Database (<https://sudskapraksa.sud.rs>) with uploaded court decisions of the Supreme Court of Cassation, Commercial Appellate Court, Misdemeanor Appellate Court, Administrative Court and appelatte courts has been established. It consists so far of 269,140 integral decisions, 32,413 anonymized decisions, 112 legal views, 33 bulletins of case law and 17 sentences.

On the website of the Court - [Court Jurisprudence of the Supreme Court of Cassation](#) were published 7,702 anonymized decisions, among which 773 from criminal matter, 6,715 from civil matter, 47 from administrative matter and 167 in cases of protection of the right to a trial within a reasonable time.

Supreme Court of Cassation published two (2) editions of Bulletin of Court Jurisprudence, as well as publications: Annual Report on the Work of Courts in the Republic of Serbia 2020, Report on the Work of Courts in the Republic of Serbia for the period January - June 2021.

Supreme Court of Cassation passed in February 2021 Unified Backlog Reduction Programme in the Republic of Serbia for the period 2021-2025 (measures, recommendations, implementation and monitoring for the period 2021-2025).

Supreme Court of Cassation organized meeting of the Backlog Reduction Working Group in September 2021, in order to discuss the achieved results, in compliance with obligation provided with new Judicial Development Strategy and Revised Action Plan for Chapter 23.

IX.3. TRANSPARENCY

In the course of 2021, a new President of the Supreme Court of Cassation, Justice Jasmina Vasović, has been elected for a five-year term, who took office as President of the Court at Plenary Session solemnly held on April 16, 2021.

Supreme Court of Cassation received the Award for contribution to the public right to know in the category of the highest public authorities, which is awarded by Commissioner for Information of Public Importance and Personal Data Protection on the occasion on the „Right to know” Day.

**SCC received this Award in 2020, 2018. and 2016.*

Internet web-site of the Court (<http://www.vk.sud.rs>) is regularly updated on daily-basis with current information on the work of Court (news, case law database, information on public procurement, legal views, conclusions, selected sentences, contentious legal issues, activities aimed at unifying court jurisprudence, general regulations of the Court, Data Base of the European Court of Human Rights jurisprudence and anonymized court decisions).

Supreme Court of Cassation has published in 2021, 13 Press Releases on the internet website of the Court, some of which being forwarded to the printed and electronic media.

120 requests for free access to information of public importance were received, of which 65 requests were submitted by citizens, 6 by media, 5 by non-governmental organizations and other citizens' associations and 44 requests by others (lawyers, institutions).

A total of 120 requests were submitted until December 31, 2021 and all requests were answered within the deadline provided in legislation.

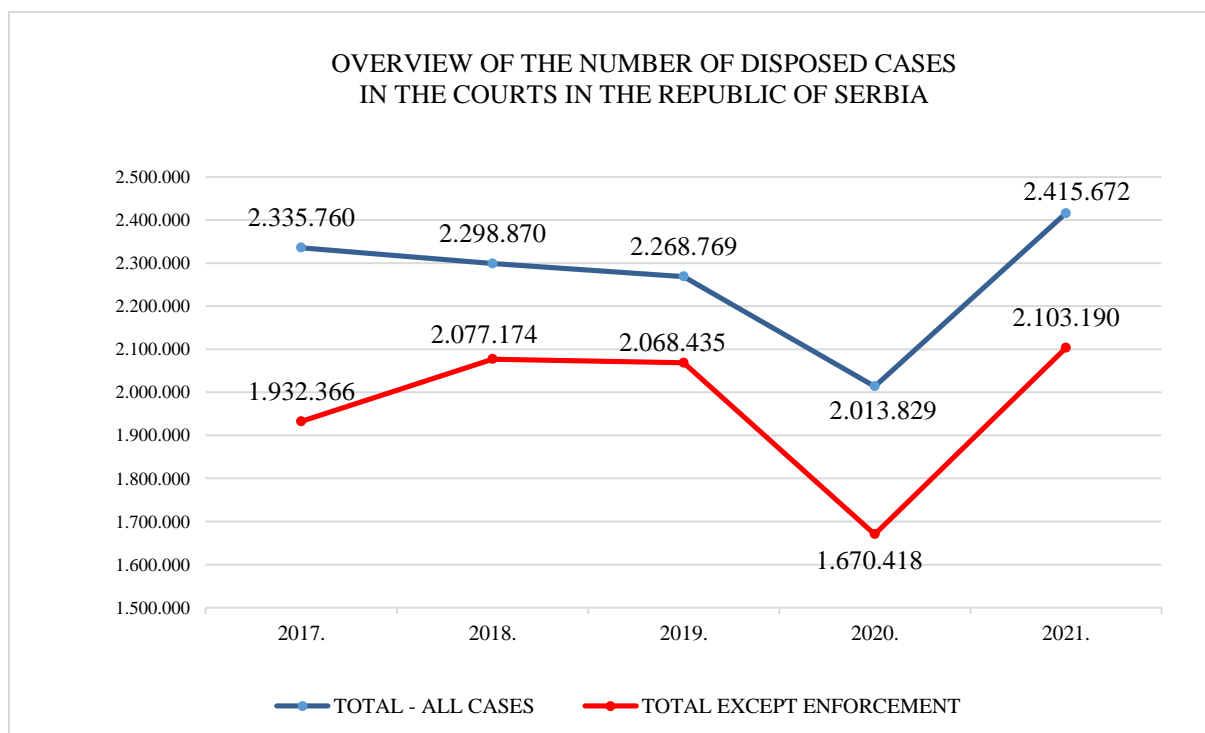
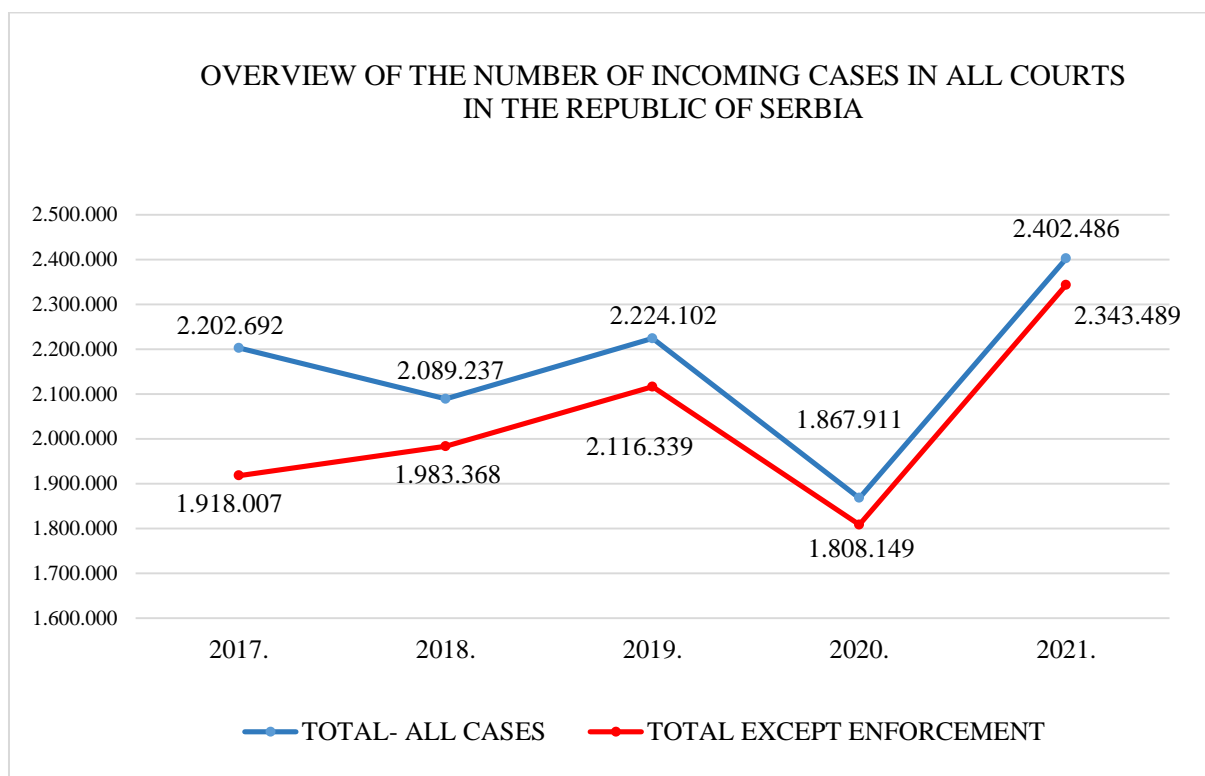
During 2021, 10 lawsuits/ complaints were recorded.

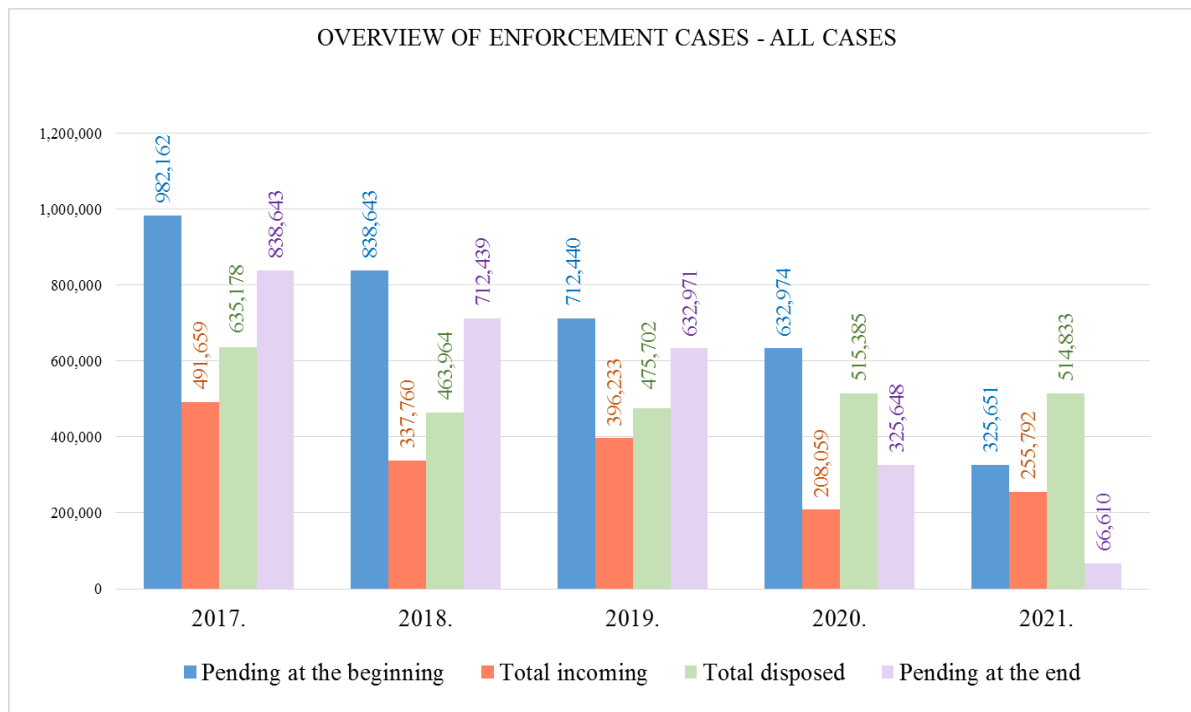
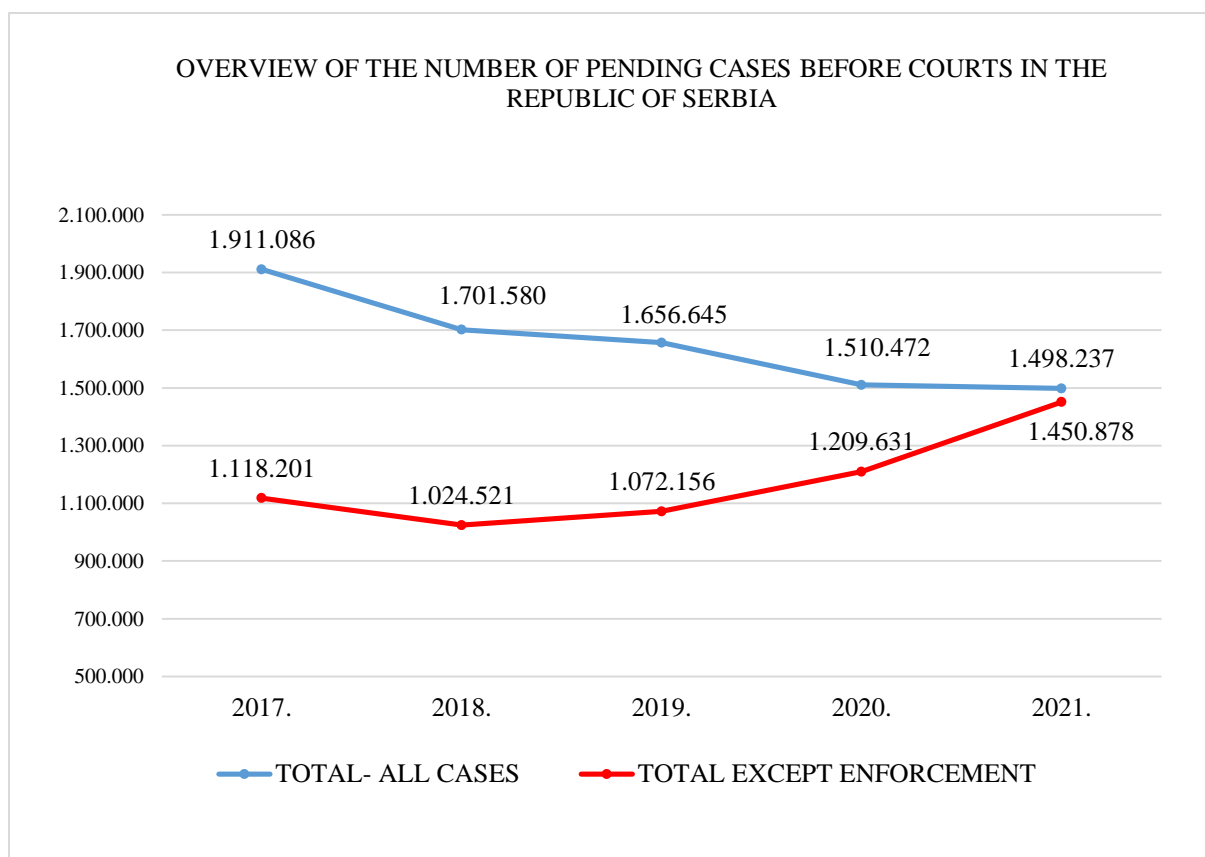
The data published in the Information Booklet <http://www.vk.sud.rs> have been updated for five times.

IX.4 COMPLAINTS

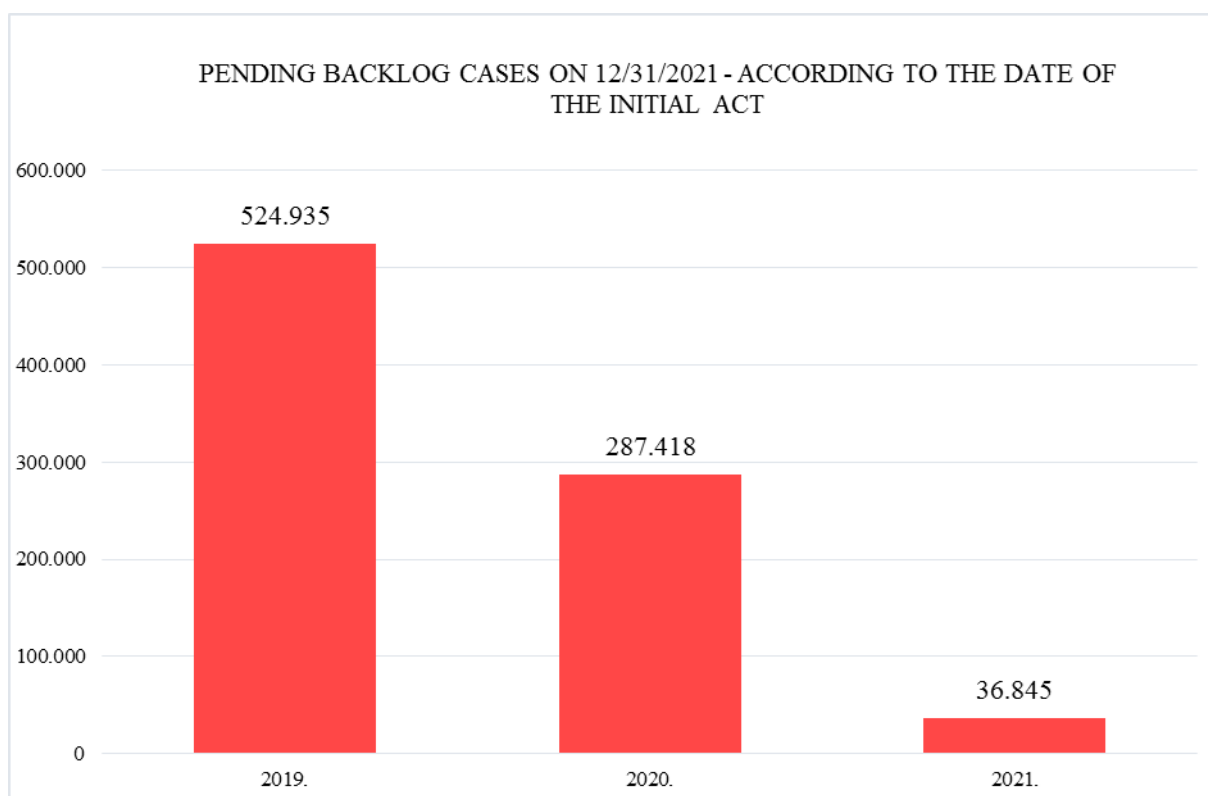
Supreme Court of Cassation processed 372 complaints, 47 of which pertains to the work of the Supreme Court of Cassation. Six (6) of them were founded and related to the duration of the proceeding. 365 complaints were processed and 7 complaints remained pending (*i.e.* 98.26% complaints disposed).

X. BRIEF OVERVIEW OF THE WORK OF COURTS IN 2021

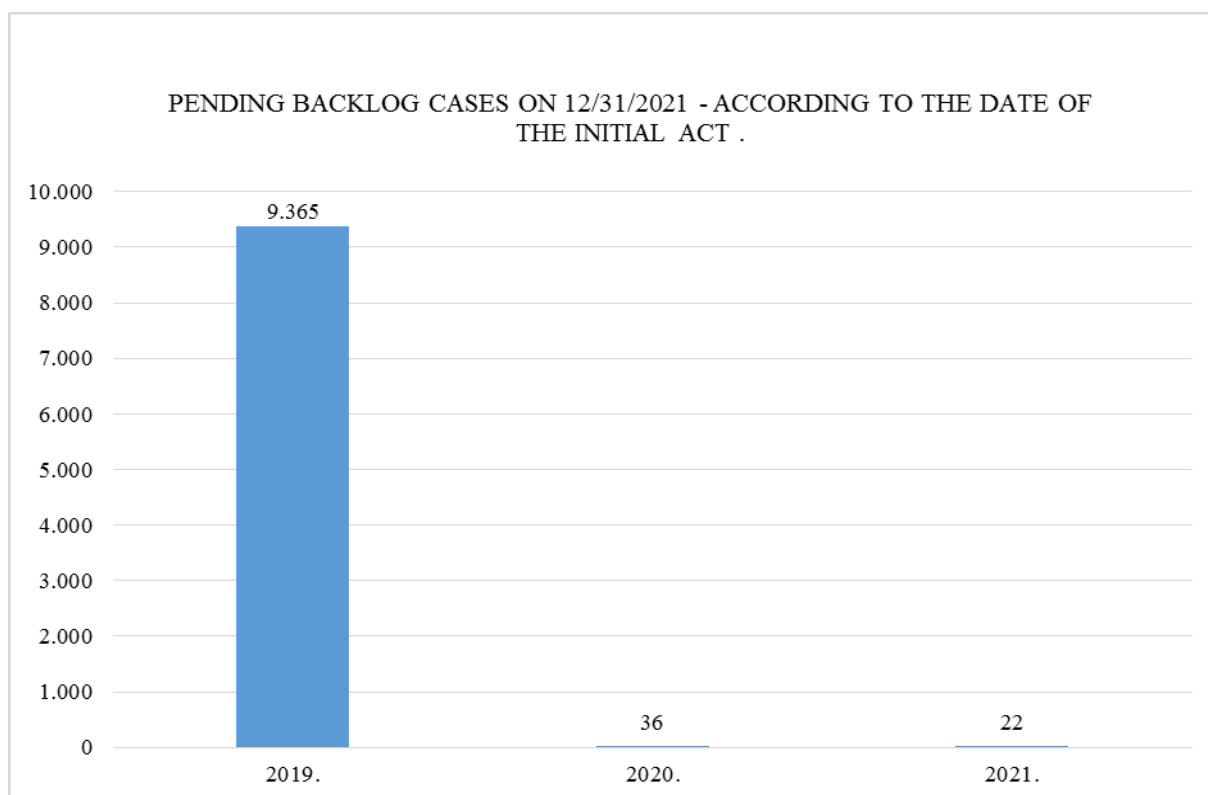




BASIC COURTS



COMMERCIAL COURTS



- Drafting court decisions in the Republic of Serbia took in average 226 days in 2021.

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