



**Republic of Serbia
Supreme Court of Cassation**

**REPORT ON THE WORK OF COURTS
IN THE REPUBLIC OF SERBIA
FOR THE PERIOD JANUARY – JUNE 2020**

Belgrade, July 2020

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**Republic of Serbia
SUPREME COURT OF
CASSATION
Su I - 1 101//2020
July 30, 2020
Belgrade**

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FOR THE PERIOD JANUARY – JUNE 2020**

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 law, generally accepted rules of international law and ratified international treaties

I

INTRODUCTION

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

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

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

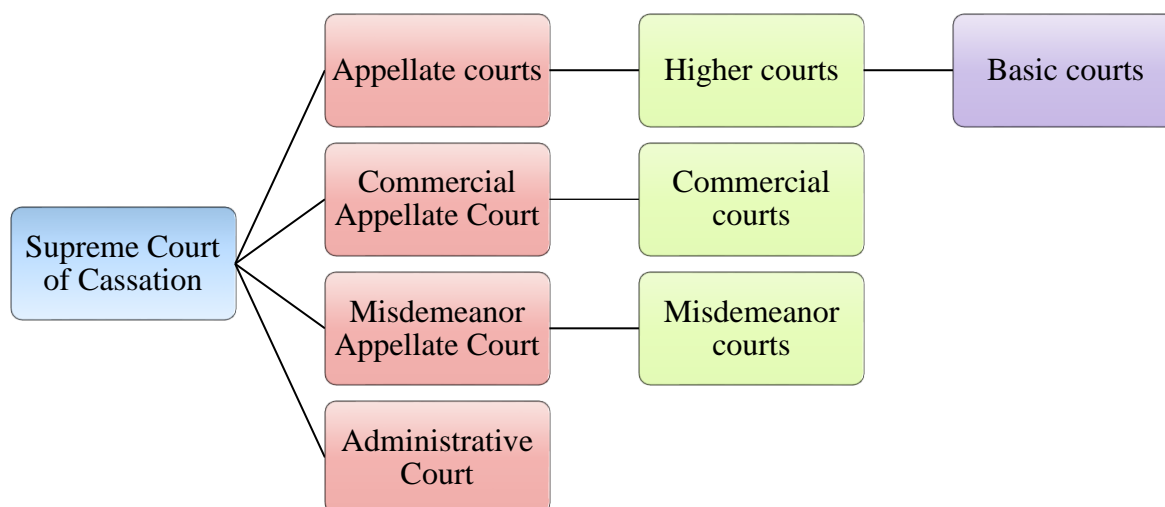
Courts of special jurisdiction are commercial courts, Commercial Appellate Court, misdemeanor courts, Misdemeanor Appellate Court and Administrative Court.

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.

In the Republic of Serbia, as of January 1, 2014, there is total of 159 courts: 66 basic courts, 25 higher courts, 16 commercial courts, 44 misdemeanor courts and the Administrative Court, which act as the first instance courts. Higher courts act as second instance courts, as well as 4 appellate courts, Commercial Appellate and Misdemeanor Appellate Court.

For the territory of the AP Kosovo and Metohija, until the adoption of special regulations, the following three courts were open: Misdemeanor Court in Kosovska Mitrovica, Higher Court in Kosovska Mirovica and Basic Court in Kosovska Mitrovica.



According to the data of the High Court Council in the first semester of 2019, the total number of judicial positions, determined by the Decision of the High Court Council, was 3,019 judges' positions, of which 2,735 positions were filled, while 2,538 judges were effectively working.

At the end of 2019, out of 3,022 judges' positions, 2,703 were filled, while 2,531 judges were effectively working in courts.

In the first half of 2020, the total number of judicial positions, determined by the Decision of the High Court Council, was **3,038**, of which **2,742** positions were filled, while **2,602** judges were effectively working in all courts in the Republic of Serbia. Compared to 2019, the number of filled judicial positions is higher, but there are still **296** vacant judicial positions, causing reduced efficiency of the entire judicial system in the Republic of Serbia.

COMPARATIVE OVERVIEW OF THE NUMBER OF JUDGES FOR THE PERIODS 01/01 - 12/31/2019 AND 01/01 - 06/30/2020

Court	Number of judges according to the Decision of the High Court Council		Number of filled positions		Number of judges in the report on the work of the court	
	01/01 - 12/31/2019	01/01 - 06/30/2020	01/01 - 12/31/2019	01/01 - 06/30/2020	01/01 - 12/31/2019	01/01 - 06/30/2020
Supreme Court of Cassation	46	50	44	44	33	38
Administrative Court	51	51	50	49	41	46
Commercial Appellate Court	41	41	39	39	31	34
Misdemeanor Appellate Court	65	65	58	56	58	56
Appellate courts	240	240	231	229	199	212
Higher courts	413	420	375	377	340	360
Basic courts	1.446	1.451	1.243	1.269	1.168	1.206
Commercial courts	179	179	148	171	152	158
Misdemeanor courts	541	541	515	508	509	492
TOTAL:	3.022	3.038	2.703	2.742	2.531	2.602

Table 1

According to the above mentioned indicators in the judicial system, the fact that there are still vacant positions in the system is inadequate to the needs of a particularly increased inflow of new cases in the previous period.

The average age of judges in Serbia is 52. There was the total of 773 male and 1,969 female judges in the system. There were 350 judges that were 40 years old or younger, 769 judges from 40 to 50 years of age, 1,126 judges from 50 to 60, and 497 judges that were older than 60.

The unfavorable age structure of judges in the courts in the Republic of Serbia should be eliminated through future systemic solutions and regular filling of vacant judicial positions in a timely manner, in order to ensure professional continuity and continuity in experience in the performance of judicial functions, although the average age of judges was reduced from 54 to 52 year of age.

According to the data of the High Court Council, there was a total of 10,742 court staff in the judiciary, of the average age of 46. Out of that, there were: 1,645 judicial assistants, 6,119 civil servants and 2,978 general service employees.

In the first half of last year, the number of judicial assistants was 1,595, and in the first half of 2020, it was increased to 1,645 judicial assistants which is insufficient and further reduces the efficiency of judicial function, especially in drafting court decisions, which facilitates the work of judges in individual cases.

Based on the Law on Budget for 2020, all courts were financed from the budget with RSD **27,524,826,000.00**. Compared to the total budget of the Republic of Serbia amounting to RSD **1,318,418,831,000.00**, the expenditures for courts constitute **2.08 %**, of which the Supreme Court of Cassation received RSD **568,931,000.00** from the budget. Previously, judiciary received less than 2% of the overall budget.

II

DISPOSED CASES

During 2019, all courts in the Republic of Serbia disposed **2,268,769** cases.

In the first half of 2020, all courts disposed the total of **899,533** cases, while **1,145,268** cases were disposed in the same period the year before.

Comparing the first half of 2019 with the first half of 2020, it is obvious that fewer cases were disposed, as a direct consequence of the state of emergency declared due to the epidemic caused by the COVID-19 virus in the period from March 15, 2020 until May 6, 2020 when the courts acted only on urgent cases, while the hearings in all other cases were postponed indefinitely and they were not acted upon.

Basic courts disposed 195,682 cases in the period from January – June 2020, at the request of citizens for the verification of the signature of manuscripts and transcripts, issuing certificates, etc. which are not shown in the tables in this Report, while there were 31,782 such cases in the higher courts. The total of 306,931 such cases were resolved in the misdemeanor courts, which are not shown in the tables for these special courts. These cases are handled by the court administration under the supervision of the court presidents, i.e. judges, which makes a total of another **534,395** disposed cases.

In the period from January – June 2020, a total of 38,949 cases were given to public notaries for the purpose of compiling death certificates and another 34,380 cases for the purpose of conducting probate proceedings, which amounts to the total of **73,329** cases.

The largest number of cases in the period from January 1 – June 30, 2020 was disposed in basic courts – 456,331 and misdemeanor courts – 206,262 cases.

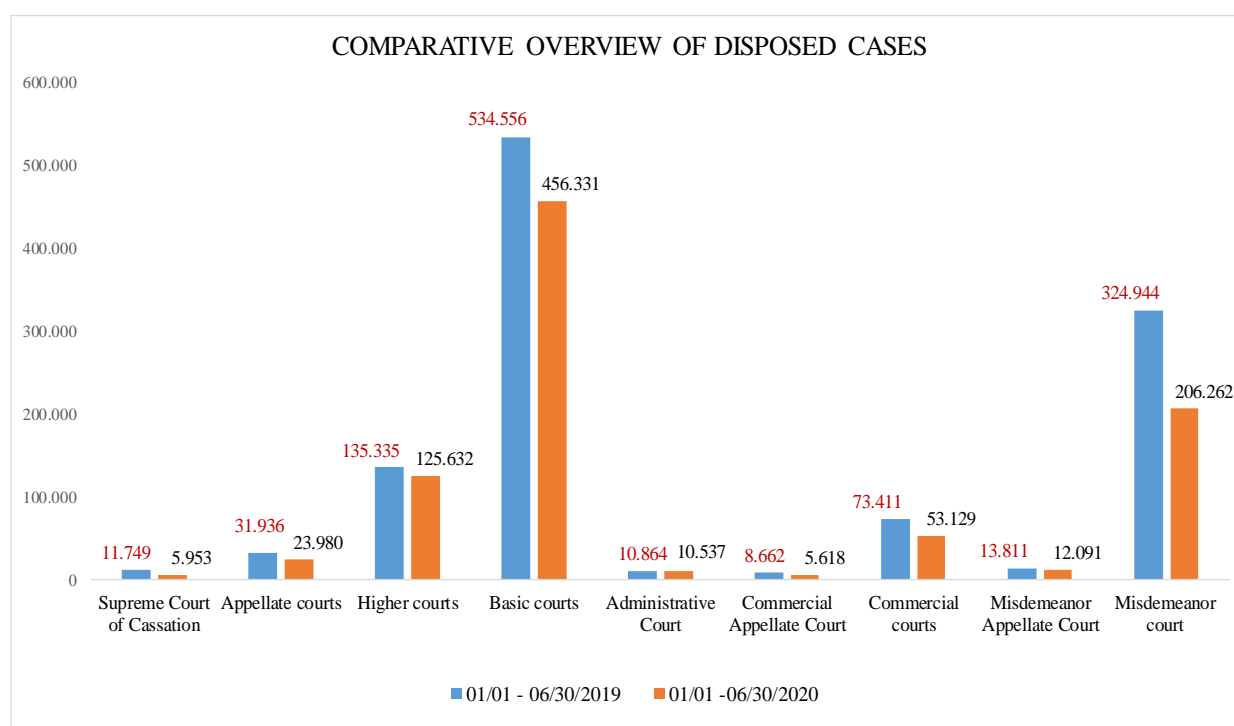


Chart 1

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

	01/01 - 06/30/2019	01.01. -30.06.2020.
TOTAL AT THE NATIONAL LEVEL - ALL CASES	1.145.268	899.533
TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT	1.048.081	747.615
Basic courts - I + Iv	68.863	128.174
Commercial courts - all enforcement	28.324	23.744

Table 2

The data above show less disposed cases in the first half of 2020 in the so-called trial matters, compared to the same period last year, not counting the enforcement cases, which is a consequence of the declaration of the state of emergency due to the COVID-19 pandemic.

When it comes to enforcement cases, in which administrative and technical measures are taken, without any hearings, the number of disposed cases is higher, given the systemic solutions implemented in courts based on the Law on Amendments and Supplements to the Law on Enforcement and Security which entered into force on August 3, 2019 with the support of the Ministry of Justice and the “EU for Serbia – Support to the Supreme Court of Cassation” Project.

III

INCOMING CASES IN THE FIRST HALF OF 2020

Comparative data on incoming cases in all courts in the Republic of Serbia indicate a significant increase of inflow starting from 2015. However, due to the corona virus pandemic, a smaller number of new cases in trial matters was received in the first half of 2020, and the number of new enforcement cases decreased due to the changed jurisdiction, since most of the court enforcement jurisdiction was transferred to public enforcement agents as of January 1, 2020. The Administrative Court was the only one that, due to the so-called electoral cases, received more cases in the first half of 2020 compared to the same period last year.

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

	01/01 - 06/30/2019	01/01 - 06/30/2020
TOTAL AT THE NATIONAL LEVEL - ALL CASES	1.083.546	836.373
TOTAL AT THE NATIONAL LEVEL - WITHOUT	1.029.267	808.539
Basic courts - I+Iv	30.286	13.524
Commercial courts - all enforcement	23.993	14.310

Table 3

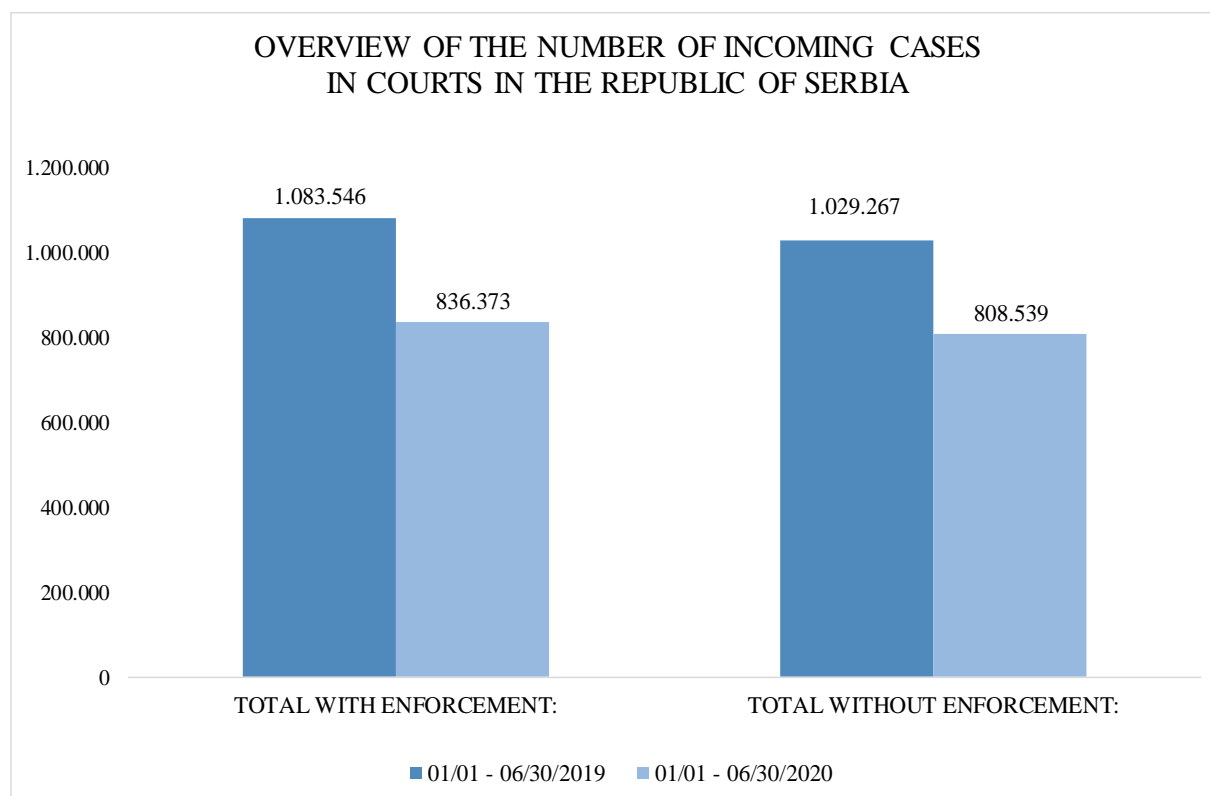


Chart 2

TOTAL NUMBER OF INCOMING CASES IN ALL MATTERS

No.	Court name	Total incoming	
		01/01 - 06/30/2019	01/01 - 06/30/2020
1	Supreme Court of Cassation	13.140	6.054
2	Appellate courts	31.460	24.783
3	Higher courts	130.546	121.780
4	Basic courts	509.219	377.527
5	Administrative Court	11.218	13.601
6	Commercial Appellate Court	8.857	6.654
7	Commercial courts	66.053	47.942
8	Misdemeanor Appellate Court	14.819	13.543
9	Misdemeanor courts	298.234	224.489
TOTAL:		1.083.546	836.373

Table 4

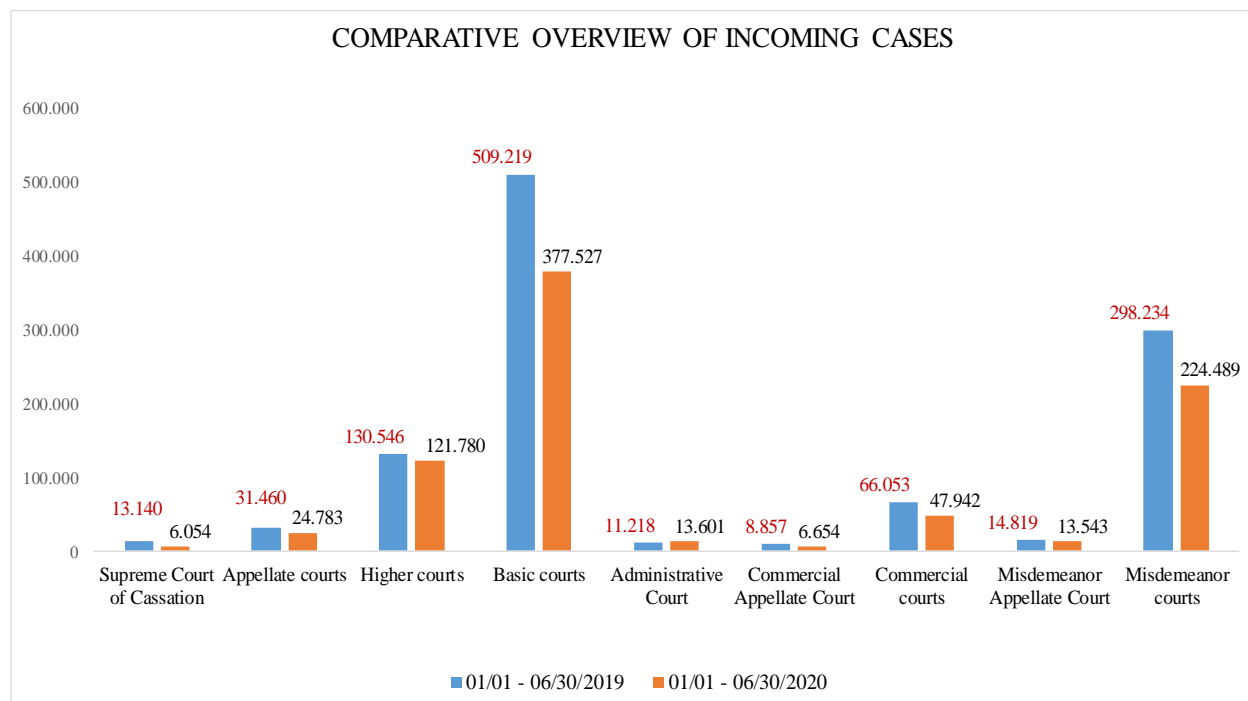


Chart 3

The increase in the inflow of new cases in the previous period in trial matters was especially pronounced in the Belgrade courts of both general and special jurisdiction, which is why they needed to be strengthened in terms of staff and the number of judges, but also these courts needed an additional number of judicial assistants, knowing the fact that the judges in these courts handle and dispose the largest number of cases in Serbia.

The increased inflow cannot be cleared without the timely filling of vacant judicial positions and the engagement of more judicial assistants and other court staff that is acting on cases, especially bearing in mind **the still ongoing ban on employment in courts**. The number of administrative staff in courts does not correspond with the professional needs of court staff who handle cases and assist judges in their work, which is why it would be necessary to analyze the

actual structural needs of court staff and judicial assistants to enable judges to work more efficiently in individual cases.

The largest actual increase in new cases relates to cases of protection of the right to a trial within reasonable time. In the first half of 2018, the total of 32,894 of such cases were received, and in the first half of 2019 – 48,987 cases. A large number of cases were received for non-pecuniary damage due to violation of the right to a trial within reasonable time – 9,181 in the first half of 2020, while in the same period last year 10,561 of such cases were received, but the number of cases for compensation of material damage increased compared to the first half of last year, from 4,416 cases to 5,934.

The increase in the number of cases for protection of the right to a trial within reasonable time refers to the enforcement of final court judgements against socially-owned enterprises, from labor relations, which was suspended by the Law on Privatization, on which the courts did not have any impact and the privatization resources did not flow to the court budgets, so that the damages could now be paid from the court budgets intended for the work of courts, although the obligations of insolvent socially-owned enterprises were transferred to the state due to the violation of human rights of citizens inflicted by other institutions other than the courts. Therefore, criticism that enormous funds are paid to citizens due to the unreasonably long duration of court proceedings caused by the lack of timeliness of the courts cannot be accepted without questioning.

PROTECTION OF THE RIGHT TO A TRIAL WITHIN REASONABLE TIME
01/01 - 06/30/2020

Number	Court	Number of judges in the matter	Pending at the beginning	Total incoming	Total caseload	Total disposed	Pending at the end of the reporting period
1	Supreme Court of Cassation	12	32	123	155	96	59
2	Appellate courts	120	128	1.260	1.388	1.020	368
3	Higher courts	147	3.023	6.802	9.825	7.413	2.412
4	Basic courts	621	17.187	19.534	36.721	14.466	22.255
TOTAL 1-4		900	20.370	27.719	48.089	22.995	25.094
5	Administrative Court	1	34	209	243	152	91
6	Commercial Appellate Court	34	609	2.532	3.141	1.865	1.276
7	Commercial courts	57	2.350	12.891	15.241	12.313	2.928
8	Misdemeanor Appellate Court	4	25	184	209	176	33
9	Misdemeanor courts	56	92	359	451	276	175
TOTAL 5-9		152	3.110	16.175	19.285	14.782	4.503
TOTAL 1-9		1.052	23.480	43.894	67.374	37.777	29.597

Table 5

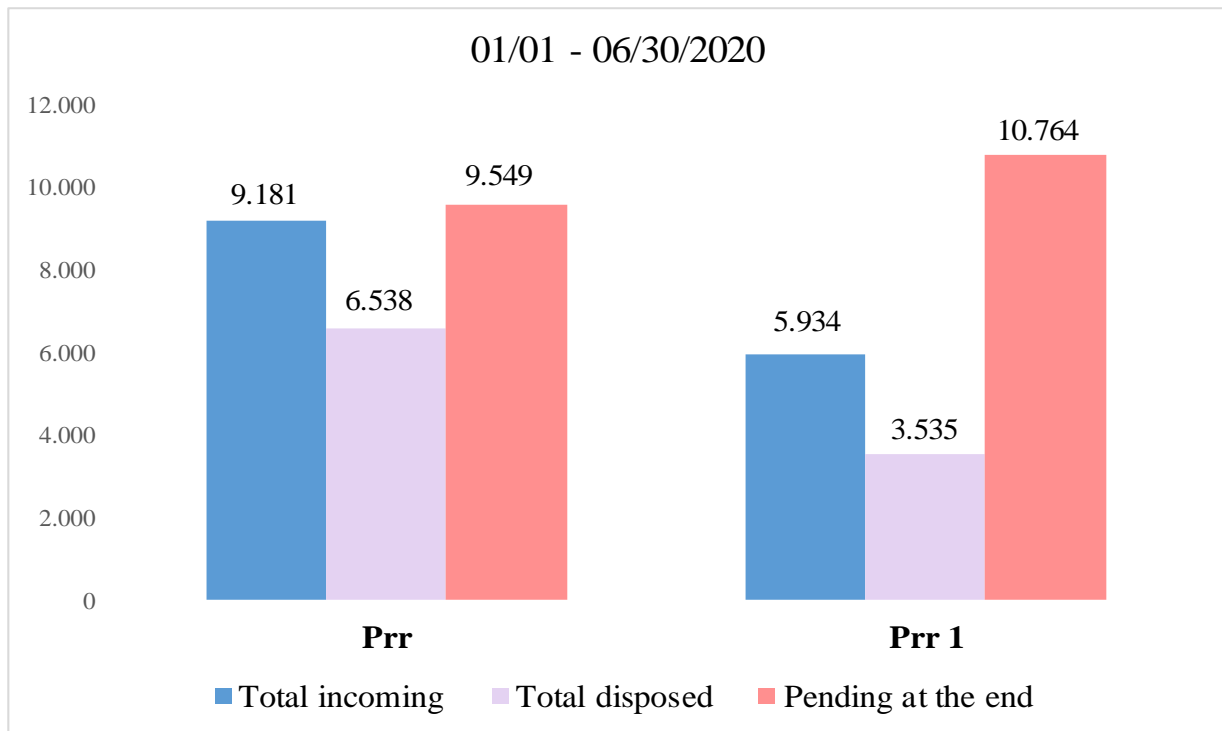


Chart 4

The Law on determining the facts on the status of newborn infants missing at the maternity ward in the Republic of Serbia was published on March 3, 2020, came to force on March 11, 2020, and it is applied starting from June 12, 2020, three months after the date of entry into force. The application of this Law requires a special specialization of judges for handling such cases, and due to the complexity of factual and legal issues from the beginning of application on June 12, 2020 until the end of the first semester of 2020 it could not be expected that some of these cases would be resolved in four higher courts (in Belgrade, Kragujevac, Niš and Novi Sad) that are competent for those cases.

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 FOR THE PERIOD FROM 03/11/2020 - 06/30/2020

Court	Matter	Pending at the beginning	Incoming	Total caseload	Disposed in merits	Disposed in other way	Total disposed	Pending at the end
Higher courts	R5		37	37				37
Appellate courts	Gž5							

Table 5-a

IV

PENDING CASES ON JUNE 30, 2020

Comparative indicators for the period 2012 – 2019 show a significant decrease in the number of pending cases in all courts in the Republic of Serbia, and compared to 2012, there was 1,501,755 pending cases less at the end of 2019 (there were 3,158,400 pending cases, and 2019 ended with 1,656,645 pending cases).

At the end of the first semester of 2020, **1,593,185** cases remained pending, so that the total number of pending cases in Serbia, in all matters, is lower by 63,460 cases compared to the end of 2019, regardless of the fact that courts were inactive during the declared state of emergency. The number of pending cases in trial matters is somewhat higher, but this is a consequence of the cancellation of scheduled hearings, i.e. unsuccessful hearings during the state of emergency and the time required to schedule those cases in which hearings are postponed indefinitely.

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

	2012	2013	2014	2015	2016	2017	2018	2019	01/01-06/30/2020
TOTAL AT THE NATIONAL LEVEL - ALL CASES	3.158.400	2.874.782	2.849.360	2.886.619	2.043.925	1.911.086	1.701.580	1.656.645	1.593.185
TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT	872.831	815.178	898.204	1.093.432	1.132.331	1.118.201	1.024.521	1.072.156	1.132.780

** In basic courts, matters I, Iv were included, and in commercial courts all enforcement cases were included*

Table 6

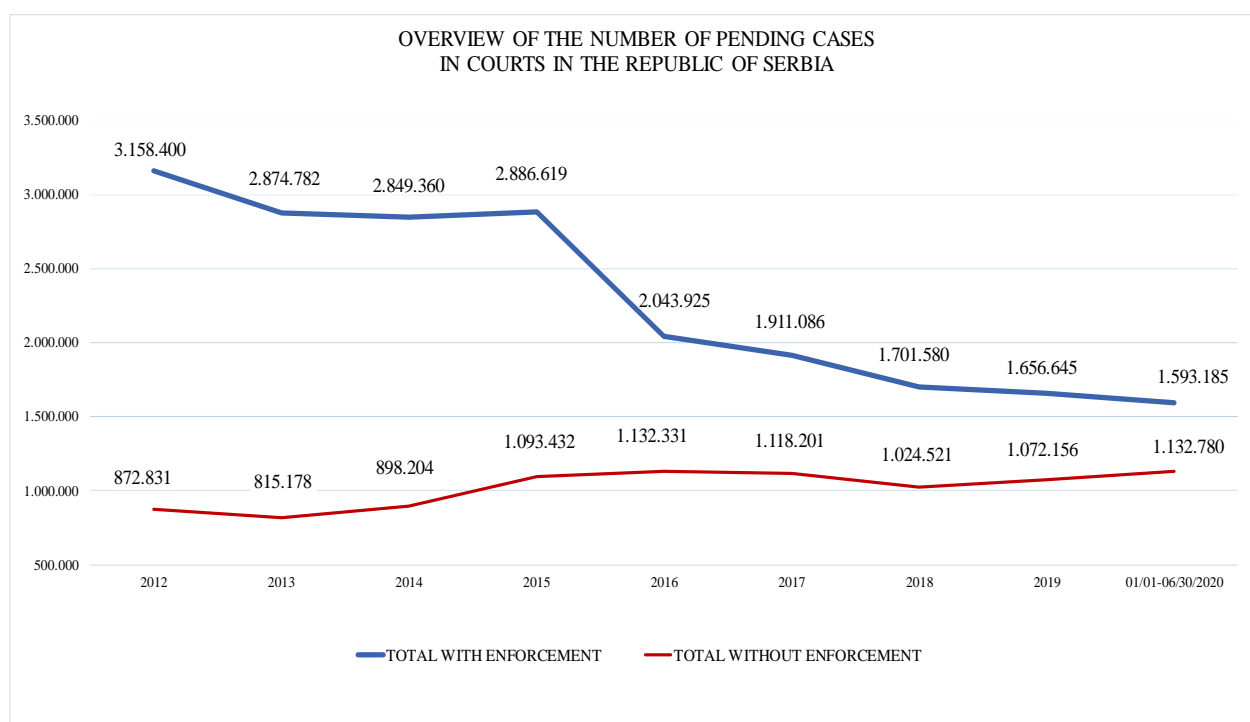


Chart 5

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

	30.6.2019	30.6.2020
TOTAL AT THE NATIONAL LEVEL - ALL CASES	1.639.846	1.593.185
TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT	1.005.696	1.132.780
Basic courts - I+Iv	619.095	458.542
Commercial courts - all enforcement	15.055	1.863

Table 7

In the first semester of 2019, after a long period, the total number of pending cases in Serbia in all matters decreased, as well as the number of pending cases – not counting enforcement cases, as well as the total number of “I” and “Iv” cases in basic courts, and the total number of enforcement cases in commercial courts was halved.

However, in the first semester of 2020 this trend was stopped due to the pandemic, so it is **necessary to take general and special measures in the courts in order to eliminate the consequences of the delay in the work of the courts by the end of 2020.**

It should be particularly emphasized that the total number of pending cases has decreased in basic and commercial courts, which was a particular consequence of the disposition of enforcement cases under the amendments to the Law on Enforcement and Security from 2019.

OVERVIEW OF ENFORCEMENT CASES

TOTAL FOR ALL BASIC AND COMMERCIAL COURTS IN THE PERIOD FROM 01/01-06/30/2020

	Matter	Pending at the beginning	Total incoming	Total disposed	Pending at the end
BASIC COURTS	I	97.811	9.346	59.889	47.268
	Iv	475.381	4.178	68.285	411.274
	Total (I+Iv)	573.192	13.524	128.174	458.542
COMMERCIAL COURTS	I	2.701	362	2.473	590
	Iv	7.631	244	7.376	499
	Total (I+Iv)	10.332	606	9.849	1.089
TOTAL (BASIC + COMMERCIAL)	I	100.512	9.708	62.362	47.858
	Iv	483.012	4.422	75.661	411.773
	Total (I+Iv)	583.524	14.130	138.023	459.631

Table 7-a

V

RATIO OF PENDING CASES AT THE END OF THE REPORTING PERIOD, INCOMING, DISPOSED AND PENDING CASES AT THE END OF THE REPORTING PERIOD BY TYPES OF COURTS FROM 01/01 – 06/30/2020

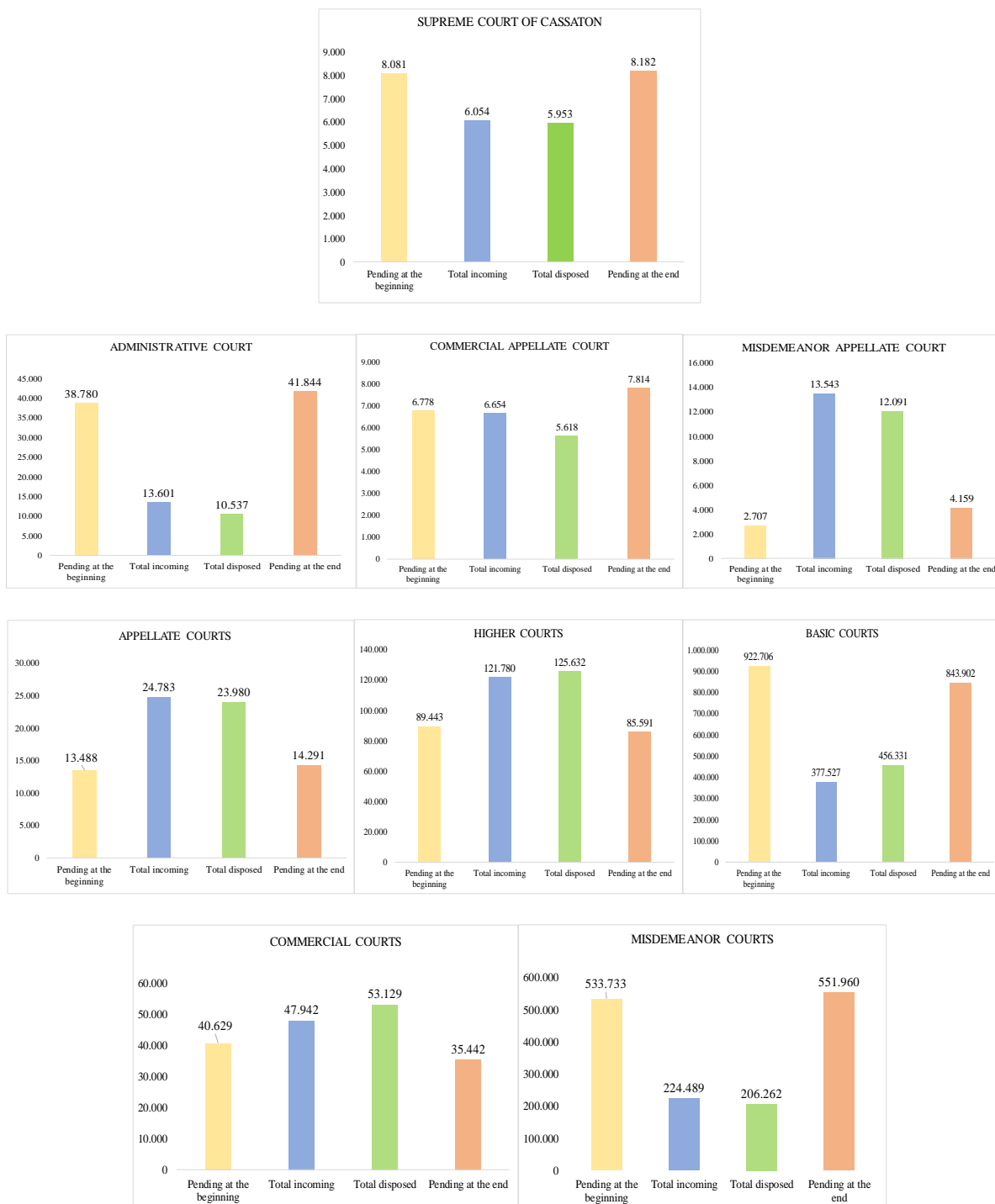


Chart 6

VI

BACKLOG CASES

On August 10, 2016 the Supreme Court of Cassation adopted the Amended Single Backlog Reduction Program, with the duration until 2020. The amended Program envisages systemic, general, special and individual measures for backlog reduction in the courts in the Republic of Serbia, measures that should be undertaken by the Supreme Court of Cassation, the High Court Council and the Ministry of Justice in order to enable the citizens to have trials within reasonable time and in order to achieve the established objectives until 2020, by matters and actions in urgent cases.

With the implementation of the measures listed in this strategic document the Supreme Court of Cassation has shown in its reports the comparative numbers of pending backlog cases in which the proceedings take more than two years from the date of filing of the initial act for the period from 2012 - 2018. In the meantime, the Book of Court Rules was amended and it stipulates that a backlog cases is considered as a case that has not been resolved within three years, counting from the date the initial act was submitted¹, so for 2019 and the first semester of 2020 the number of backlog cases was presented in accordance with the new definitions of the Book of Court Rules.

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

	2012	2013	2014	2015	2016	2017	2018	2019	01/01- 06/30/2020
TOTAL AT THE NATIONAL LEVEL - ALL CASES	1.729.768	1.773.475	1.822.001	1.740.400	915.667	859.272	781.137	621.324	526.869
*TOTAL AT THE NATIONAL LEVEL - WITHOUT	140.418	127.773	126.878	133.365	125.463	128.661	149.649	86.962	91.751
* Commercial courts (All enforcement)	22.771	29.872	31.804	32.180	24.303	22.392	17.439	9.427	709
* Basic courts (I, Iv)	1.566.579	1.615.830	1.663.319	1.574.855	765.901	708.219	614.049	524.935	434.409

** In basic courts, cases in matters I and Iv were included, and in commercial courts all enforcement cases were included*

** Cases of reasonable time in higher courts were not included for 2014 and 2015*

Table 8

Thus, at the end of 2012, there were 1,729,768 backlog cases in all courts in the Republic of Serbia, while at the end of the first half of 2020 the total of **526,869** backlog cases remained pending, and the procedure in these cases now lasts more than three years from the submission of the initial act. In any case, there are 1,202,899 pending backlog cases less in Serbia when compared to 2012, especially thanks to systemic measures in the reform of the enforcement procedural law implemented by the Ministry of Justice, and the implementation was made possible by the EU JEP Project in cooperation with the Supreme Court of Cassation, the Project EU for Serbia – Support to the Supreme Court of Cassation and the USAID – Rule of Law Project.

¹ Book of Court Rules on the amendments and supplements to the Book of Court Rules (“Official Gazette of the Republic of Serbia”, No. 43/19, published on June 19, 2019, came to force on the eighth day from the publication – on June 27, 2019)

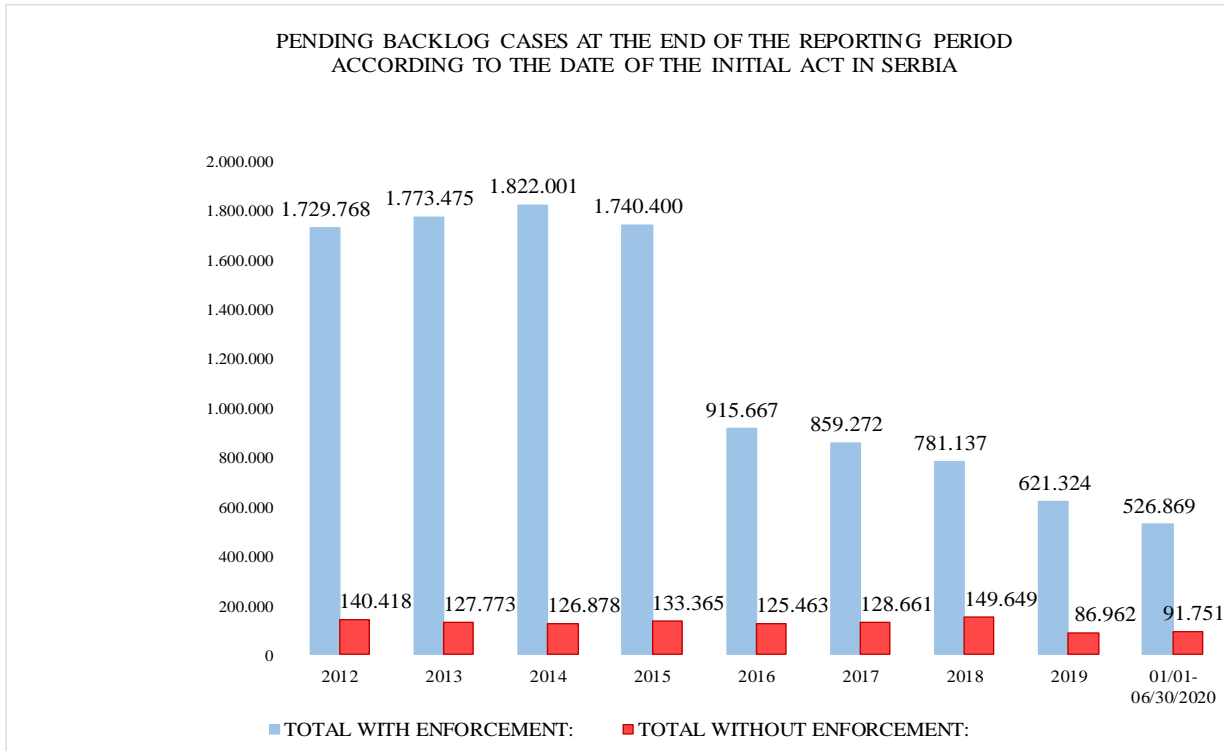


Chart 7

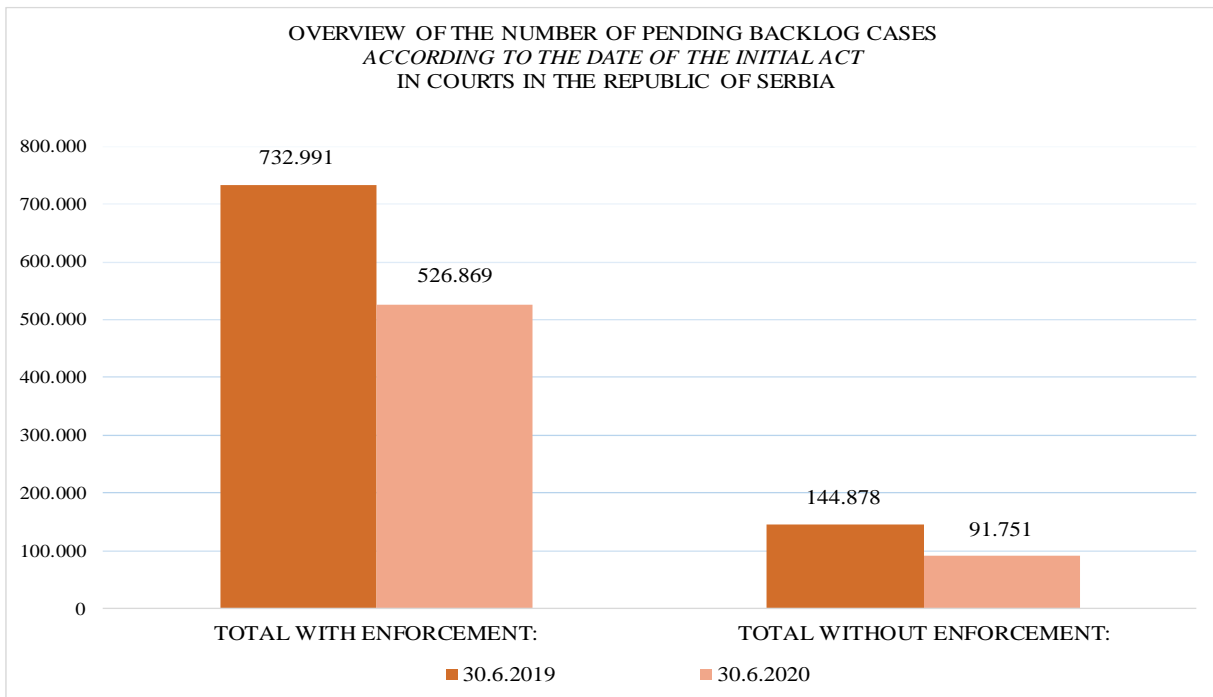


Chart 8

Although the number of pending backlog cases has decreased compared to the previous period, the increased inflow from 2015 when 400,000 more cases than planned entered the court system each year could not be cleared, especially due to the insufficient number of judges, so the number of backlog cases in the first half of 2020 is slightly higher compared to the same period the year before. These results were also impacted by the declaration of the state of emergency when the courts acted only on urgent cases and the difficulties in operations of courts caused by the corona virus pandemic.

VII

DISPOSED BACKLOG CASES

In the period from January – June 2020, the total of **899,533** cases were disposed in all courts in the Republic of Serbia, including the total of **145,427** backlog cases, i.e. cases that are older than three years counting from the date of submission of the initial act.

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

	01/01 - 06/30/2019	01/01 - 06/30/2020
TOTAL AT THE NATIONAL LEVEL - ALL CASES	148.271	145.427
TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT	93.537	39.842
Basic courts - I+Iv	49.197	96.436
Commercial courts - all enforcement	5.537	9.149

Table 9

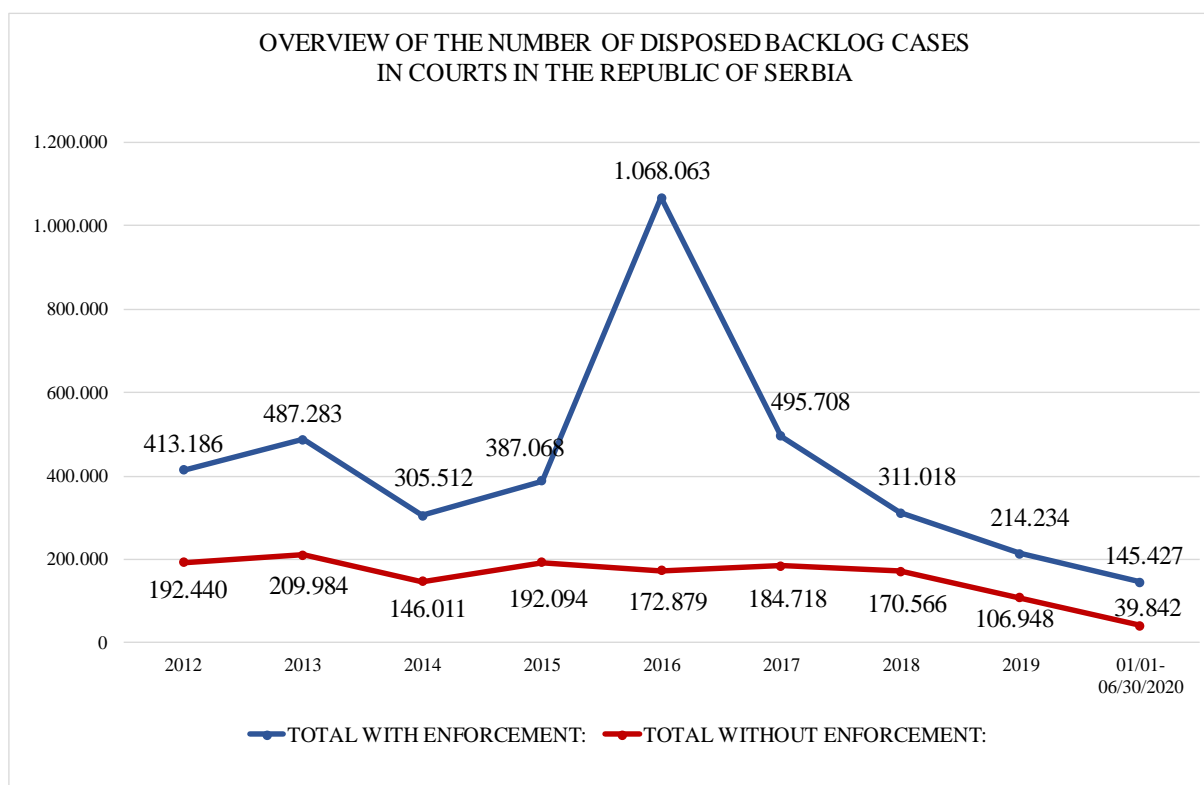


Chart 9

VIII

STRUCTURE OF PENDING BACKLOG CASES ON JUNE 30, 2020

REPORT ON THE PENDING BACKLOG CASES ON JUNE 30, 2020
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) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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	38	14.135	5.223	2.426	2.057	740	36,95	137,45

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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	212	38.271	6.985	3.411	2.779	795	18,25	32,95
2	Higher courts	360	211.223	24.910	15.724	7.893	1.293	11,79	69,19
3	Basic courts	1.206	1.300.233	474.345	37.268	163.570	273.507	36,48	393,32
TOTAL:		1.778	1.549.727	506.240	56.403	174.242	275.595	32,67	284,72

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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	52.381	1.674	1.664	9	1	3,20	36,39
2	Commercial Appellate Court	34	13.432	1.935	1.420	463	52	14,41	56,91
3	Commercial courts	158	88.571	4.085	1.986	1.639	460	4,61	25,85
4	Misdemeanor Appellate Court	56	16.250	123	86	37		0,76	2,20
5	Misdemeanor courts	492	758.222	7.589	4.661	2.928		1,00	15,42
TOTAL:		786	928.856	15.406	9.817	5.076	513	1,66	19,60

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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		
TOTAL		2.602	2.492.718	526.869	68.646	181.375	276.848	21,14	202,49

Table 10

IX

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

HIGHER COURTS

REPORT ON PENDING BACKLOG CASES ON 12/31/2019 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2019	TOTAL PENDING BACKLOG CASES on 12/31/2019	AGE OF BACKLOG CASES			% BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	P	116	37.565	2.188	1.363	647	178	5,82	18,86
2	P1	84	4.443	249	149	94	6	5,60	2,96
3	P2	72	952	20	14	6		2,10	0,28
4	GŽ	125	126.129	20.856	14.385	5.573	898	16,54	166,85
5	GŽ1	100	4.200	400	169	190	41	9,52	4,00
6	GŽ2	78	1.414	18	14	4		1,27	0,23
7	K	79	4.724	631	273	303	55	13,36	7,99
8	K-Po1	17	318	66	19	43	4	20,75	3,88
9	K-Po2	7	29	8	3	5		27,59	1,14
10	K-Po3	12	95	8	2	5	1	8,42	0,67
11	K-Po4	20	666						
12	KŽ1	68	7.619	107	85	21	1	1,40	1,57
13	KIM	40	4.014	3	3			0,07	0,08
14	KM	41	2.292						
MOSTLY TRIAL MATTERS		318	194.460	24.554	16.479	6.891	1.184	12,63	77,21
TOTAL FOR ALL MATTERS		340	344.205	25.530	17.053	7.222	1.255	7,42	75,09

Table 11

HIGHER COURTS

REPORT ON PENDING BACKLOG CASES ON 06/30/2020 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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	116	13.545	2.598	1.575	840	183	19,18	22,40
2	P1	99	1.248	259	141	112	6	20,75	2,62
3	P2	88	630	28	19	9	0	4,44	0,32
4	GŽ	135	85.544	19.755	12.799	6.056	900	23,09	146,33
5	GŽ1	110	1.940	345	144	159	42	17,78	3,14
6	GŽ2	77	632	11	8	3	0	1,74	0,14
7	K	80	3.264	642	283	299	60	19,67	8,03
8	K-Po1	18	174	58	19	34	5	33,33	3,22
9	K-Po2	7	20	8	2	6	0	40,00	1,14
10	K-Po3	15	71	10	6	3	1	14,08	0,67
11	K-Po4	19	443	1	1	0	0	0,23	0,05
12	KŽ1	73	4.083	154	124	29	1	3,77	2,11
13	KIM	45	2.366	5	5	0	0	0,21	0,11
14	KM	41	1.210	1	1	0	0	0,08	0,02
TOTAL FOR MOSTLY TRIAL MATTERS		334	115.170	23.875	15.127	7.550	1.198	20,73	71,48
TOTAL FOR ALL MATTERS		360	211.223	24.910	15.724	7.893	1.293	11,79	69,19

Table 12

BASIC COURTS

REPORT ON PENDING BACKLOG CASES ON 12/31/2019 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2019	TOTAL PENDING BACKLOG CASES on 12/31/2019	AGE OF BACKLOG CASES			% BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	P	565	297.247	18.208	10.382	6.601	1.225	6,13	32,23
2	P1	286	70.741	4.296	2.648	1.397	251	6,07	15,02
3	P2	266	50.022	237	201	35	1	0,47	0,89
4	K	252	61.309	2.047	1.185	763	99	3,34	8,12
TOTAL 1-4		933	479.319	24.788	14.416	8.796	1.576	5,17	26,57
5	Iv	191	549.635	472.084	16.844	209.279	245.961	85,89	2.471,64
6	I	173	170.728	52.851	20.100	28.380	4.371	30,96	305,50
TOTAL 5-6		208	720.363	524.935	36.944	237.659	250.332	72,87	2.523,73
ALL ENFORCEMENT		412	1.044.213	532.951	42.067	240.532	250.352	51,04	1.293,57
TOTAL FOR ALL MATTERS		1.168	2.033.170	561.142	58.393	250.539	252.210	27,60	480,43

Table 13

BASIC COURTS

REPORT ON PENDING BACKLOG CASES ON 06/30/2020 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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	601	249.074	20.382	11.699	7.334	1.349	8,18	33,91
2	P1	317	50.623	5.168	3.258	1.627	283	10,21	16,30
3	P2	302	27.758	309	273	35	1	1,11	1,02
4	K	269	38.757	2.098	1.246	749	103	5,41	7,80
TOTAL 1-4		981	366.212	27.957	16.476	9.745	1.736	7,63	28,50
5	Iv	194	479.559	409.697	5.876	134.655	269.166	85,43	2.111,84
6	I	168	107.157	24.712	8.114	14.352	2.246	23,06	147,10
TOTAL 5-6		216	586.716	434.409	13.990	149.007	271.412	74,04	2.011,15
ALL ENFORCEMENT		419	700.050	442.874	18.893	152.534	271.447	63,26	1.056,98
TOTAL FOR ALL MATTERS		1.206	1.300.233	474.345	37.268	163.570	273.507	36,48	393,32

Table 14

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

CRIMINAL MATTER	MATTER	31.12.2019		30.6.2020	
		Number of judges	Number of cases	Number of judges	Number of cases
Higher courts	K	79	631	80	642
Basic courts	K	252	2.047	269	2.098
TOTAL:		331	2.678	349	2.740

Table 15

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

CIVIL MATTER	MATTERS	31.12.2019		30.6.2020	
		Number of judges	Number of cases	Number of judges	Number of cases
Higher courts	P	116	2.188	116	2.598
	P1	84	249	99	259
	P2	72	20	88	28
TOTAL:		272	2.457	303	2.885
Basic courts	P	565	18.208	601	20.382
	P1	286	4.296	317	5.168
	P2	266	237	302	309
TOTAL:		1.117	22.741	1.220	25.859
TOTAL HC + BC:	P	681	20.396	717	22.980
	P1	370	4.545	416	5.427
	P2	338	257	390	337
TOTAL P+P1+P2 (BC+HC):		1.389	25.198	1.523	28.744

Table 16

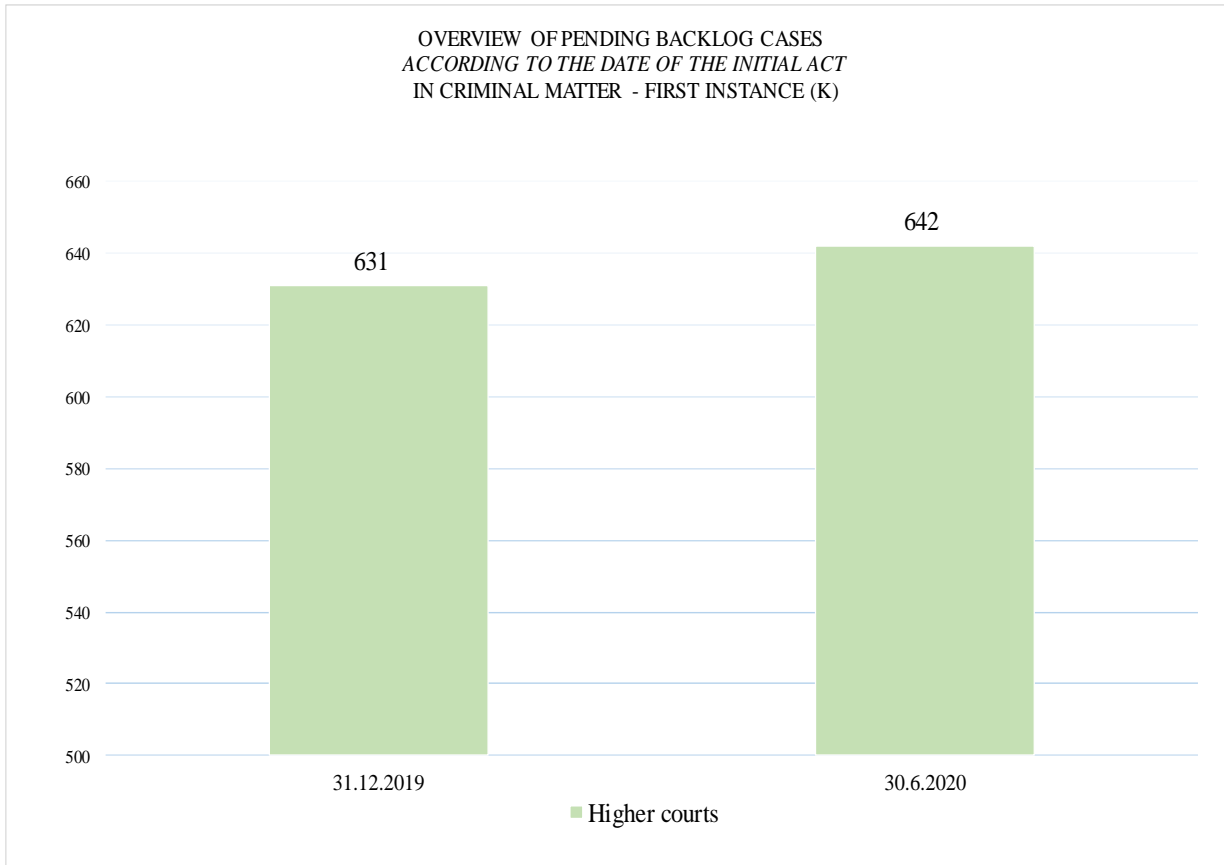


Chart 10

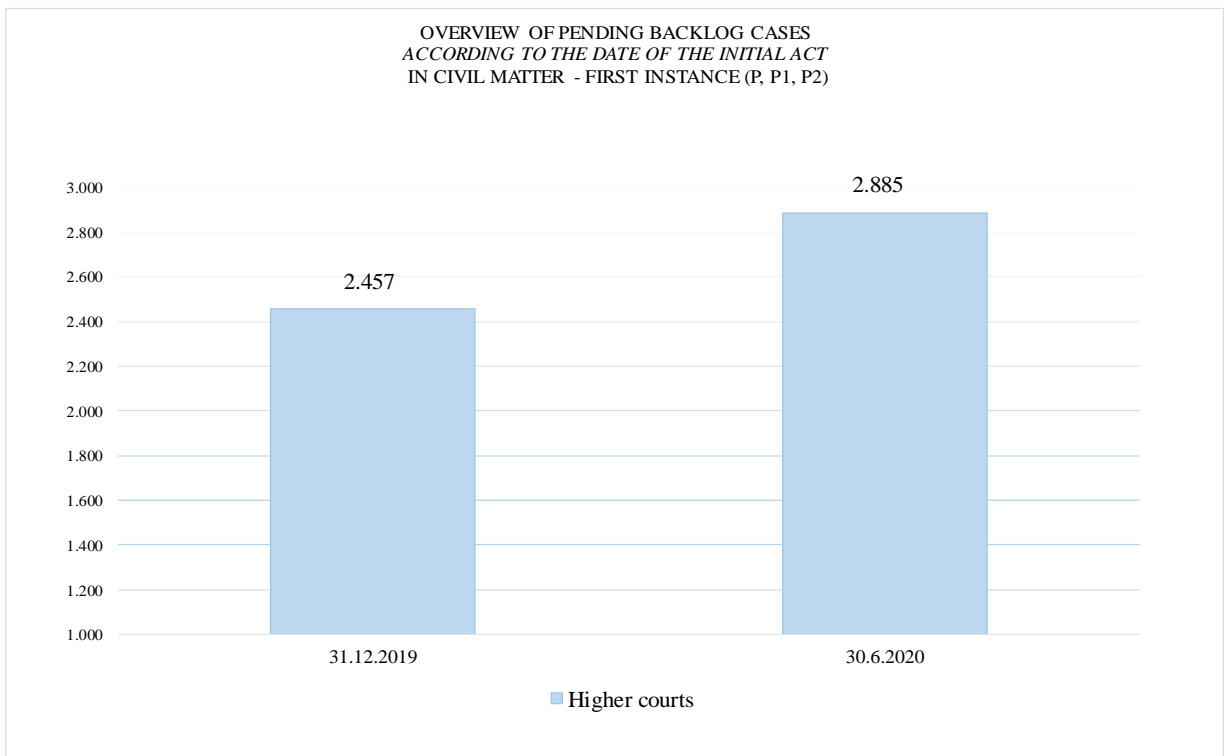


Chart 11

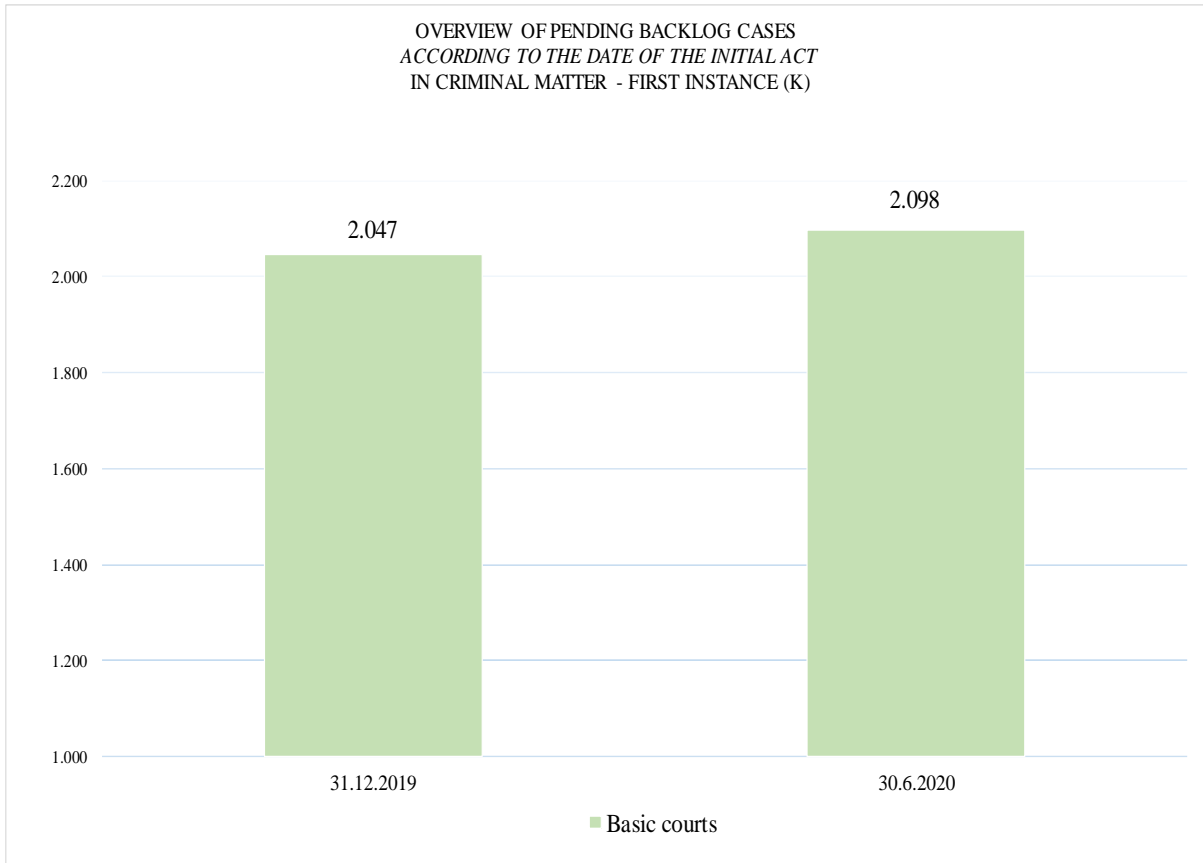


Chart 12

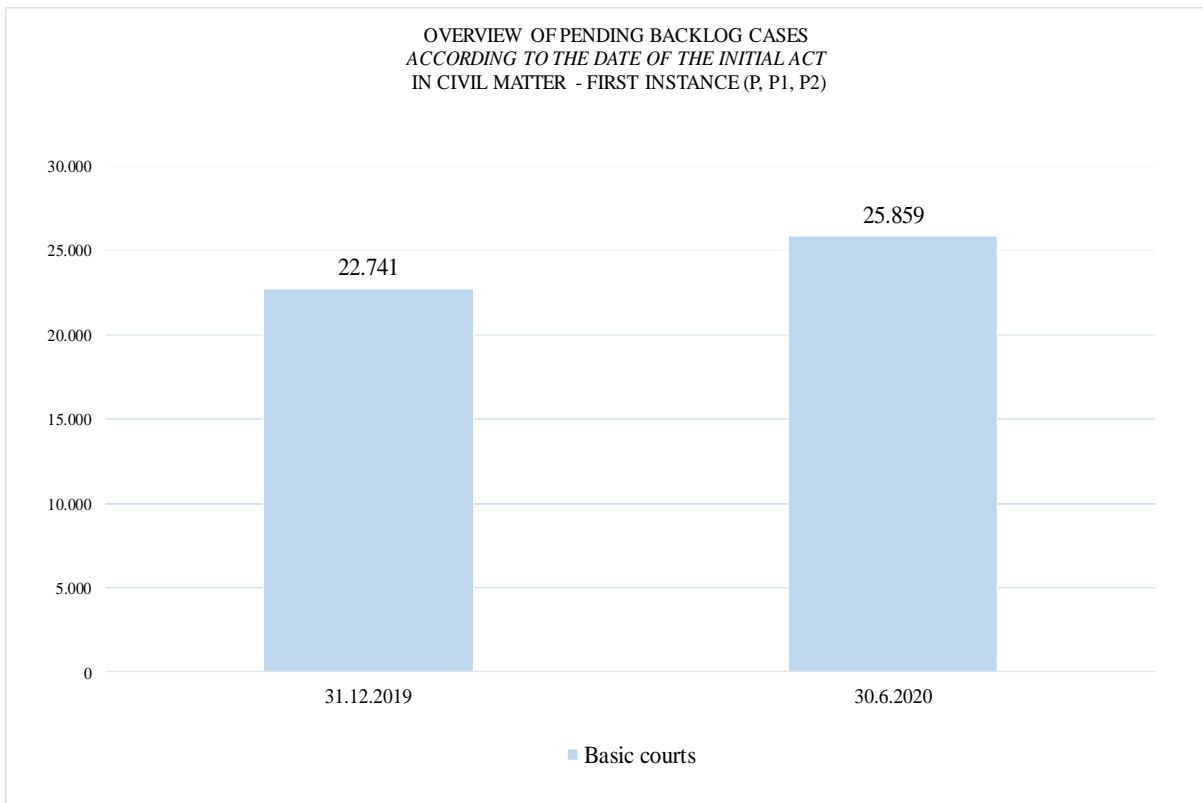


Chart 13

COMMERCIAL COURTS

REPORT ON PENDING BACKLOG CASES ON 06/30/2020 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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	50	27.034	507	489	18	0	1,88	10,14
2.	Bankruptcy	66	2.280	1.303	321	641	341	57,15	19,74
<i>a</i>	I	29	3.063	184	72	110	2	6,01	6,34
<i>b</i>	Iv	29	7.875	471	144	319	8	5,98	16,24
<i>c</i>	Total (<i>a+b</i>)	31	10.938	655	216	429	10	5,99	21,13
<i>d</i>	Other enforcement	55	14.669	54	31	20	3	0,37	0,98
3.	All enforcement (<i>c+d</i>)	57	25.607	709	247	449	13	2,77	12,44
4.	Payment order	54	336	0	0	0	0	0,00	0,00
5.	Litigation	98	15.788	1.560	925	531	104	9,88	15,92
6.	Non-litigious	58	2.285	6	4	0	2	0,26	0,10
7.	Reasonable time	57	15.241	0	0	0	0	0,00	0,00
TOTAL 1-7		158	88.571	4.085	1.986	1.639	460	4,61	25,85

Table 17

MISDEMEANOR COURTS

REPORT ON PENDING BACKLOG CASES ON 06/30/2020 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 36 MONTHS SINCE THE INITIAL ACT on 06/30/2020	AGE 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	PR	471	31.635	95	95		0,30	0,20
		PRM	391	1.471	9	9		0,61	0,02
2	02-Traffic	PR	473	172.636	653	653		0,38	1,38
		PRM	402	2.959	8	8		0,27	0,02
3	03-Public safety	PR	473	27.783	31	31		0,11	0,07
		PRM	389	1.494	0			0,00	0,00
4	04-Commercial	PR	472	26.781	536	305	231	2,00	1,14
		PRM	14	22	0			0,00	0,00
5	05-Finance and customs	PR	472	28.424	6.143	3.446	2.697	21,61	13,01
		PRM	14	16	0			0,00	0,00
6	06-Labor, labor relations and protection at work	PR	472	6.721	25	25		0,37	0,05
		PRM	0	0	0				
7	07-Education, science, culture and information	PR	452	6.427	17	17		0,26	0,04
		PRM	5	8	0			0,00	0,00
8	08-Health and social protection, health insurance and environmental protection	PR	448	4.199	46	46		1,10	0,10
		PRM	14	21	0			0,00	0,00
9	09-Defense - Military	PR	467	8.557	17	17		0,20	0,04
		PRM	231	893	0			0,00	0,00
10	10-Administration	PR	126	513	9	9		1,75	0,07
		PRM	0	0	0				
TOTAL 1-10		PR	473	313.676	7.572	4.644	2.928	2,41	16,01
		PRM	406	6.884	17	17		0,25	0,04

Table 18

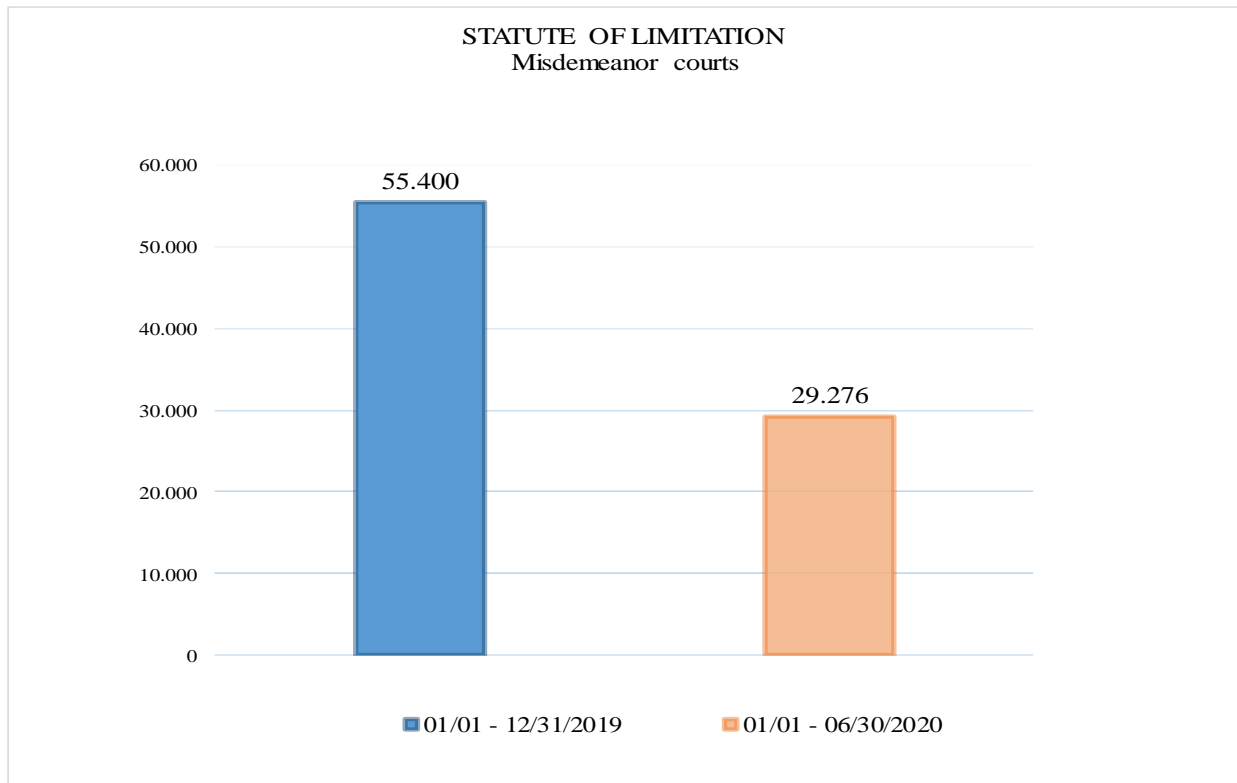


Chart 14

STATUTE OF LIMITATIONS		01/01 - 12/31/2019				01/01 - 06/30/2020			
No.	Court	Total number of disposed cases 01/01 - 12/31/2019	Decision on suspension due to the statute of limitations	Dismissal/reversed decision due to the statute of limitations	Total statute of limitations	Total number of disposed cases 01/01 - 06/30/2020	Decision on suspension due to the statute of limitations	Dismissal/reversed decision due to the statute of limitations	Total statute of limitations
1	Appellate courts	57.541		3	3	21.068			
2	Higher courts	116.202	50	12	62	40.193	1	13	14
3	Basic courts	255.568	40	67	107	96.595	15	18	33
4	Commercial Appellate Court	16.993				5.618			
5	Commercial courts	140.082	8		8	53.129	3		3
6	Misdemeanor Appellate Court	28.786	2.443	14	2.457	12.091	863		863
7	Misdemeanor courts	614.246	54.445	955	55.400	206.262	28.924	352	29.276
TOTAL		1.229.418	56.986	1.051	58.037	434.956	29.806	383	30.189

Table 19

Statute of limitation indicators show a significant decrease in the number of cases that are dismissed due to the statute of limitations, especially in misdemeanor courts.

ADMINISTRATIVE COURT

REPORT ON PENDING BACKLOG CASES ON 06/30/2020 - ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2020	TOTAL PENDING BACKLOG CASES on 06/30/2020	AGE OF BACKLOG CASES			% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					3 TO 5	5 TO 10	MORE THAN 10		
1	U	46	48.518	1.640	1.630	9	1	3,38	35,65
2	UR	39	157	5	5			3,18	0,13
3	UI	46	674	17	17			2,52	0,37
4	UO	33	46						
5	UV	15	454	1	1			0,22	0,07
6	UP	36	156	11	11			7,05	0,31
TOTAL 1-6		46	50.005	1.674	1.664	9	1	3,35	36,39
7	UVP I								
8	UVP II								
9	UŽ	43	2.123						
10	UIP								
11	U-uz	5	10						
TOTAL 7-11		43	2.133						
12	R4 u	1	243						
TOTAL 1-12		46	52.381	1.674	1.664	9	1	3,20	36,39

Table 20

The administrative judiciary requires special reform measures and the introduction of a multi-level administrative judiciary, as increasing the number of judges is not an adequate systemic solution that will improve the efficiency of the administrative judiciary. Therefore, the Supreme Court of Cassation would like to reiterate all its proposals listed in the Annual reports on the work of courts in 2018 and 2019.

X

PENDING CASES OLDER THAN 10 YEARS ON JUNE 30, 2020 IN HIGHER AND BASIC COURTS

**PENDING CASES OLDER THAN 10 YEARS ON JUNE 30, 2020
IN HIGHER AND BASIC COURTS**

No.	Court name	P	P1	P2	K	All matters
APPELLATE COURT IN BELGRADE						
1	Higher Court in Belgrade	158	6		43	1.052
2	Higher Court in Valjevo					
3	Higher Court in Pančevo					4
4	Higher Court in Smederevo	1			1	31
5	First Basic Court in Belgrade	363	55		13	152.941
6	Second Basic Court in Belgrade	171	25		9	64.305
7	Third Basic Court in Belgrade	392	125		26	46.170
8	Basic Court in Valjevo	3				3
9	Basic Court in Velika Plana	26	5		1	145
10	Basic Court in Vršac					2
11	Basic Court in Lazarevac	2			8	173
12	Basic Court in Mionica	2				8
13	Basic Court in Mladenovac	6				3.390
14	Basic Court in Obrenovac	2	1		1	100
15	Basic Court in Pančevo	2	1			4
16	Basic Court in Smederevo	34	38		4	535
17	Basic Court in Ub	1	1			15
HIGHER AND BASIC - TOTAL		1.163	257		106	268.878

APPELLATE COURT IN KRAGUJEVAC						
1	Higher Court in Novi Pazar	2				19
2	Higher Court in Kragujevac	1			2	14
3	Higher Court in Jagodina	2				2
4	Higher Court in Kraljevo				3	7
5	Higher Court in Kruševac					5
6	Higher Court in Požarevac					3
7	Higher Court in Užice	2				2
8	Higher Court in Čačak	2				21
9	Basic Court in Arandelovac				7	101
10	Basic Court in Brus		1			11
11	Basic Court in Veliko Gradište	1				1
12	Basic Court in Gornji Milanovac	2				26
13	Basic Court in Despotovac	14				15
14	Basic Court in Ivanjica	6				6
15	Basic Court in Jagodina	10	1		3	17
16	Basic Court in Kragujevac	29			2	373
17	Basic Court in Kraljevo	15	1		2	62
18	Basic Court in Kruševac	3				10
19	Basic Court in Novi Pazar	14			2	378
20	Basic Court in Paraćin	6				123
21	Basic Court in Petrovac na Mlavi					1
22	Basic Court in Požarevac	2				3
23	Basic Court in Požega					
24	Basic Court in Priboj					1
25	Basic Court in Prijepolje	6			1	12
26	Basic Court in Raška	1				6
27	Basic Court in Sjenica					2
28	Basic Court in Trstenik					1
29	Basic Court in Užice	14				29
30	Basic Court in Čačak	10				145
HIGHER AND BASIC - TOTAL		142	3		22	1.396

APPELLATE COURT IN NIŠ					
1	Higher Court in Vranje	1			1
2	Higher Court in Zaječar				3
3	Higher Court in Leskovac	3			11
4	Higher Court in Negotin				
5	Higher Court in Niš	1		1	58
6	Higher Court in Pirot				3
7	Higher Court in Prokuplje				1
8	Basic Court in Aleksinac	2			2
9	Basic Court in Bor		1		5
10	Basic Court in Bujanovac	4			133
11	Basic Court in Vranje	10	3		943
12	Basic Court in Dimitrovgrad				
13	Basic Court in Zaječar	4		1	11
14	Basic Court in Knjaževac	2			2
15	Basic Court in Kuršumlja				
16	Basic Court in Lebane	3			11
17	Basic Court in Leskovac	30	4	1	169
18	Basic Court in Majdanpek				
19	Basic Court in Negotin	9			36
20	Basic Court in Niš	64	2	8	1.794
21	Basic Court in Pirot	5	1		22
22	Basic Court in Prokuplje				5
23	Basic Court in Surdulica				595
HIGHER AND BASIC - TOTAL		138	11	11	3.805

APPELLATE COURT IN NOVI SAD					
1	Higher Court in Zrenjanin			1	3
2	Higher Court in Novi Sad	4		8	30
3	Higher Court in Sombor				1
4	Higher Court in Sremska Mitrovica	2			9
5	Higher Court in Subotica				1
6	Higher court in Šabac	4		1	12
7	Basic Court in Bačka Palanka	4	3		17
8	Basic Court in Bečež	1			4
9	Basic Court in Vrbas	2	7		9
10	Basic Court in Zrenjanin	4			8
11	Basic Court in Kikinda				2
12	Basic Court in Loznica	19	1	3	48
13	Basic Court in Novi Sad	20		2	379
14	Basic Court in Ruma	5	1	3	23
15	Basic Court in Senta				
16	Basic Court in Sombor	4	5		79
17	Basic Court in Sremska Mitrovica	6			14
18	Basic Court in Stara Pazova	2		1	20
19	Basic Court in Subotica			2	2
20	Basic Court in Šabac	12	1	4	60
21	Basic Court in Šid				
HIGHER AND BASIC - TOTAL		89	18	1	721

Table 21

XI

**BACKLOG CASES COMPARED TO THE TOTAL NUMBER OF PENDING CASES
IN BASIC COURTS ON JUNE 30, 2020**

BASIC COURTS

No.	Matter	Number of judges	Other pending on June 30, 2020	Pending backlog on June 30, 2020	Total caseload	% of backlog cases compared to the number of pending cases on June 30, 2020	% of backlog cases compared to total caseload on June 30, 2020	Remained pending backlog cases per judge on June 30, 2020
1	P	601	191.740	20.382	249.074	10,63	8,18	33,91
2	P1	317	37.439	5.168	50.623	13,80	10,21	16,30
3	P2	302	15.968	309	27.758	1,94	1,11	1,02
4	K	269	24.470	2.098	38.757	8,57	5,41	7,80
TOTAL 1-4		981	269.617	27.957	366.212	10,37	7,63	28,50
5	I, Iv	216	458.542	434.409	586.716	94,74	74,04	2.011,15
TOTAL FOR ALL MATTERS		1.197	728.159	462.366	952.928	63,50	48,52	386,27

Table 22

XII

INSTEAD OF CONCLUSION

Bearing in mind the objectives defined in the strategic documents of the Supreme Court of Cassation that by 2020 there will be no criminal cases in the courts of the Republic of Serbia in which the proceedings last more than five years, and in civil matters over ten years, the following should be noted:

- in basic and higher courts in the Republic of Serbia there are 1,532 cases – “P” older than ten years, 289 – “P1” of such cases and 1 “P2” case, making the total of **1,822**;

- in basic and higher courts in the Republic of Serbia there are **163** “K” cases older than ten years;

- that it is a total of **1,985** cases that the judges of these courts can realistically resolve in the coming period.

There are 371 bankruptcy cases and 104 litigations in commercial courts that are older than 10 years, and in misdemeanor courts there are 231 commercial offence cases and 2,697 financial and customs offences with proceedings that are 5 to 10 year old.

It should be noted that 10 higher courts and 14 basic courts do not have any cases with proceedings older than 10 years. Some courts have only one such case, or several such cases. These are significantly better indicators compared to previous period, as the number of courts that do not have the oldest cases is constantly growing.

ACTING PRESIDENT
OF THE SUPREME COURT OF
CASSATION
JUDGE
Dragomir Milojević

Prepared by:
The Supreme Court of Cassation
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