



**SUPREME COURT OF CASSATION**

**ANNUAL CONFERENCE OF JUDGES OF  
THE REPUBLIC OF SERBIA**

**"Judicial Days – 2017"**

*Topics:*

*Judiciary today  
Laws and their application  
Current disputed issues in the court  
jurisprudence*

**VRNJAČKA BANJA  
OCTOBER 5 – 7, 2017**



**DAY ONE**  
**Thursday, October 5, 2017**

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**MORNING**

**PLENARY SESSION**

Chairman: Dragomir Milojević, Chief Justice of the  
Supreme Court Of Cassation

Large Conference Hall, ZVEZDA Hotel

9.30-10.00 Reception / working breakfast (per  
invitation)

10.00-11.00 **OPENING CEREMONY**  
*Dragomir Milojević, Chief Justice of the  
Supreme Court of Cassation*

Introductory remarks by guest speakers

11.00-12.00 **THE JUDICIARY TODAY: KEYNOTE  
SPEECH ON CURRENT ISSUES OF  
JUDICIAL INDEPENDENCE AND  
EFFICIENCY, STATUS AND POSI-  
TION OF JUDGES AND THE COURT  
OF LAW**  
*- Dragomir Milojević, Chief Justice of  
the Supreme Court of Cassation*

*End of the plenary session*

12:00 - 12:30  
**COMMUNICATION WITH MEDIA**

*-Conference continued in sections-*

**CRIMINAL SECTION**

Chairman: Justice Bata Cvetković, President of the Criminal  
Department of the Supreme Court of Cassation

Crystall Hall, ZVEZDA Hotel

**ROUND TABLE**  
**COURT JURISPRUDENCE IN JUDICIAL REVIEW  
PROCEEDINGS**

12.00-14.00

***Introductory Papers:***

"Court Jurisprudence in request for protection of legality proceedings " – *Vesko Krstajić, Justice, Supreme Court of Cassation*

"Violation of principle of legality as a consequence of the limited review by the second instance courts" – *Dragan Jocić, Justice, Supreme Court of Cassation & President of the Appellate Court in Niš*

***Presentation of Papers of Judges of the Appellate Courts***

"Court jurisprudence in legal remedies proceedings"  
– *Sretko Janković, LL.M, Judge, Appellate Court in Belgrade*

"Court jurisprudence of the Appellate Court in Kragujevac in legal remedies proceedings" – *Ljubinko Četenović, Judge, Appellate Court in Kragujevac*

"Several issues in court jurisprudence in legal remedies proceedings" – *Dragoljub Vujasinović, Judge, Appellate Court in Novi Sad*

DISCUSSION

**PLENARY SESSION OF THE CIVIL AND ADMINISTRATIVE SECTION**

Chairman: Justice Predrag Trifunović, President of Civil Department of the Supreme Court of Cassation

Large Conference Hall, ZVEZDA Hotel

12.00-12.15 EUROPEAN DAY OF JUSTICE

**CIVIL SECTION**

12.15 – 14.00

Chairman: Justice Predrag Trifunović, President of the Civil Department of the Supreme Court of Cassation

"Case law harmonization activities of Supreme Court of Cassation Civil Department " - *Vesna Popović, Justice, Supreme Court of Cassation*

"Compensation for damages due to violation of right to a trial within reasonable time accordint to the new Law " *Ljubica Milutinović, Justice, Supreme Court of Cassation*

"Current case law of the European Court for Human Rights concerning Republic of Serbia" - *Nataša Plavšić, Ph.D, Acting Deputy State Attorney, Agent of Republic of Serbia before European Court of Human Rights*

DISCUSSION

**AFTERNOON SESSION**

**PLENARY SESSION**

Chairman: Dragomir Milojević, Chief Justice of the Supreme Court Court of Cassation

Large Conference Hall, ZVEZDA Hotel

**ROUNDTABLE**

**"COURT JURISPRUDENCE HARMONIZATION"**

17.00-19.00

Introductory Remarks

*Dragomir Milojević, Chief Justice of Supreme Court of Cassation*

*Vesna Popović, Justice, Supreme Court of Cassation*

*Vesko Krstajić, Justice, Supreme Court of Cassation*

***Introductory Paper - Supreme Court of Cassation***

"Constitutional judicial protection of human rights violated in the administrative proceedings and administrative disputes" – *Katarina Manojlović Andrić, Justice, Supreme Court of Cassation*

***Contributions to the Discussion***

"Court jurisprudence harmonization issues in Serbia"– *Nadežda Vidić, Judge, Appellate Court in Kragujevac*

CASE LAW LEGAL DATABASE - presentation  
*Judicial Efficiency Project*

E – COURT – presentation  
*Stevo Đuranović, Judge, Administrative Court*

**JUDICIARY AT CROSSROADS: STRATEGIC RESPONSE**

*Juan Carlos da Silva, Judge*  
*EU project "Support to the Judicial Academy"*

DISCUSSION

**DAY TWO**  
**Friday, October 6, 2017**

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**MORNING SESSION**

Conference Hall, BREZA Hotel

**MEETING OF THE CHIEF JUSTICE OF THE  
SUPREME COURT OF CASSATION WITH PRESI-  
DENTS OF COURTS FROM REPUBLIC OF SERBIA**  
10.00-11.00

*Achievements and results:  
Revised Unified Backlog Reduction Plan; the effects of the  
new Law on Enforcement and Security*

*Measures for improvement of enforcement of court decisions  
2017-2020*

11.00-11.30 Break

11.30-12.30

Case Weighting:

- "Methodology of Case Weighting" – Dragomir Milojević, Chief Justice of the Supreme Court of Cassation
- "Comparative Analysis of Case Weighting" – Linn Hammergren, Ph.D, World Bank expert on judicial performance measurement
- "Implementation of measurement formula in Case Weighting" – Jon Ceretto, EU Judicial Efficiency Project

*Mediation*  
Experiences from 2nd Basic Court from Belgrade and Basic  
Court from Kragujevac

12.30-12.45 Break

12.45-14.30

**Presentation of Projects**

*EU "Judicial Efficiency Project"– overview of project  
activities and achievements*

*EU & CoE Project: "Support to the Efficient Legal Remedies and Mutual Legal Assistance"– goals and achievements*

*EU Project "Support to the Judicial Academy" –Legal*

*Database of ECHR Judgments in Serbian – Aleksandar Stojanović*

*Presentation of the new USAID project – "Rule of Law in Serbia" – David Greer, Chief of Party, ROLP, USAID,*

*Presentation of the EU project "Prevention and Struggling against Corruption"– Roman Prah, Project Team Leader and James May, expert on financial investigations*

14.30 Lunch

## **CRIMINAL AND MISDEMEANOR SECTION**

Chairman: Justice Bata Cvetković, President of the Criminal Department of the Supreme Court of Cassation

Crystal Hall, ZVEZDA Hotel

### **ROUND TABLE "EUROPEAN STANDARDS OF NE BIS IN IDEM PRINCIPLE"**

10.00

*Introductory Papers:*

*"Ne bis in idem principle in the Supreme Court of Cassation Jurisprudence"– Milunka Cvetković, Justice of the Supreme Court of Cassation*

Presentation of Papers of the Appellate Courts

*"Ne bis in idem" – Veroljub Cvetković, Judge, Appellate Court in Belgrade*

*"European standards regarding ne bis in idem principle" – Radoman Sparić, Judge, Appellate Court in Kragujevac*

*"A contribution to the discussion – application of ne bis in idem principle" – Dijana Janković, Ph. D, Judge, Appellate Court in Niš*

*"European standards regarding ne bis in idem principle"– Dušan Vojnović, Judge, Appellate Court in Novi Sad*

**EXPERIENCES FROM REGION**

**DISCUSSION**

## CIVIL SECTION

Chairman: Justice Predrag Trifunović, President of the Civil  
Department of the Supreme Court of Cassation

Large Conference Hall, Zvezda Hotel

10.00 - 12.30

### *Introductory Papers*

"The lawsuit for the inadmissibility of enforcement and the principle of relying on public records" – *Predrag Trifunović, Justice of the Supreme Court of Cassation*

"The right to a contractual penalty upon the termination of a contract due to failure to fulfil contractual obligations" – *Dragiša Slijepčević, Justice of the Supreme Court of Cassation*

"De facto expropriation" – *Božidar Vujičić, Justice, Supreme Court of Cassation*

"Abuse at work (mobbing)" - *Lidija Đukić, Justice, Supreme Court of Cassation*

"Protection of the social rights in the jurisprudence of European Court of Human Rights – trends and challenges" – *Branko Lubarda, Ph.D, Full Profesor & Justice, European Court of Human Rights*

## DISCUSSION

12.30-13.00 - Break

## ROUND TABLE

### "ON THE PROTECTION OF WHISTLEBLOWERS"

13.00 - 14.00

"Violation of secrecy by whistleblowing and its consequences" – *Igor Vuković, Adjunct Professor, University of Belgrade Law Faculty*

*Thomas M. Devine, Director of the GAP, Washington D.C, USA*

*"Pištaljka", Civil Society Organization*

## DICUSSION

## ADMINISTRATIVE SECTION

Chairman: Justice Mirjana Ivić, President of the Special Panel for Administrative Matters of the Civil Department of Supreme Court of Cassation



Small Conference Hall, ZVEZDA Hotel  
10:00 - 14:00

*Introductory Papers:*

"Overview of new institutes in Law on the Administrative Procedure ('Official Gazette of Republic of Serbia', 18/2016)" – *Ruža Urošević and Stevo Đuranović, Judges, Administrative Court*

"Harmonization of legislation with Law on the Administrative Procedure" – *Dobrosav Milovanović, Ph. D, Full Professor at University of Belgrade Faculty of Law*

"Guarantee act in Law on the Administrative Procedure and related laws in this matter" – *Vuk Cucić, Ph. D, Adjunct Professor of University of Belgrade Faculty of Law*

"Legal nature of the decision on urban construction land" – *Mirjana Vulić, Judge, Administrative Court*

DISCUSSION

**AFTERNOON SESSION**

**PLENARY SESSION**

Chairman: Justice Dragomir Milojević, Chief Justice of the Supreme Court of Cassation,

Large Conference Hall, ZVEZDA Hotel

**ROUND TABLE**

**"PROTECTION FROM DOMESTIC VIOLENCE"**

17.00-19.00

*Introductory Papers:*

"Protection of rights of victims of domestic violence in criminal proceedings and domestic violence prevention proceedings" - *Biljana Sinanović, Justice, Supreme Court of Cassation*

"Protection against domestic violence in administrative law" – *Dragan Skoko, Justice, Supreme Court of Cassation*

"Domestic violence prevention: EU approach" – *Judge Juan Carlos da Silva, EU project "Support to the Judicial Academy"*

DISCUSSION

20.00 CULTURAL EVENT

**DAY THREE**  
**Saturday, October 7, 2017**

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**MORNING SESSION**

**CRIMINAL SECTION**

Crystal Hall, ZVEZDA Hotel

Chairman : Justice Bata Cvetković, President of the Criminal  
Department of the Supreme Court of Cassation

10:00-10:45

"New incriminations against sexual freedom in the Criminal  
Code of Republic of Serbia" - *Janko Lazarević, Justice,  
Supreme Court of Cassation and Milan Škulić, Ph.D, Full  
Professor at the University of Belgrade Faculty of Law &  
Justice of the Constitutional Court of Serbia*

**DISCUSSION**

10.45-11.00 - Break  
11.00-12.30

Chairman: Dragomir Milojević, Chief Justice of the Supreme  
Court of Cassation

**PRESENTATION OF MANUAL FOR DRAFTING THE  
CRIMINAL COURT JUDGMENT**

**PRESENTATION OF MANUAL ON STRUGGLING ECO-  
NOMIC CRIME AND CORRUPTION**

**DISCUSSION**

**CIVIL SECTION**

Chairman: Justice Predrag Trifunović, President of Civil  
Department of Supreme Court of Cassation

Large Conference Hall, ZVEZDA Hotel

**ROUND TABLE**  
**‘ON COMMERCIAL LAW‘**

10.00-11.30

"The relationship between bankruptcy proceedings and  
enforcement proceedings on settling monetary claims on  
immovable property" - *Judge Jasminka Obućina, Acting*

*President of the Commercial Appellate Court*

"Settling monetary claims arising from utility and other related services" - *Tatjana Matković, Judge, Commercial Appellate Court*

"Legal standpoints of Commercial Appellate Court" – *Jelena Vildović Živković and Tatjana Đurica, Judges, Commercial Appellate Court*

DISCUSSION

11.30-11.45 - Break

11.45-13.00

PRESENTATION - THE MANUAL ON LAW ON CIVIL PROCEDURE – *Forum of Judges of Serbia*

**MISDEMEANOR SECTION**

Chairman: Justice Mirjana Ivić, President of the Special Panel for Administrative Matters of the Civil Department of the Supreme Court of Cassation

Conference Hall, BREZA Hotel  
10.00-13.00

***Introductory Papers of Misdemeanor Appellate Court***

"Evidence – dilemmas and shortcomings in the practice"-  
*Milena Popović, Judge, Misdemeanor Appellate Court*

"Public hearing before first instance and second instance misdemeanor courts" – *Vesna Adamović, Judge, Misdemeanor Appellate Court*

"Degree of responsibility in misdemeanor proceedings" – *Pre-drag Dimitrijević, Judge, Misdemeanor Appellate Court*

"Judgment without grounds" – *Mladen Jeličić, Ph.D, Judge, Misdemeanor Court in Šabac*

DISCUSSION

***End of conference at 14:00***

