

**Support to the judiciary in Serbia in the implementation of the
European Convention on Human Rights**

Project summary

Project title	Support to the judiciary in Serbia in the implementation of the European Convention on Human Rights
Country	Serbia
Budget	996 000 €
Funding	Voluntary contribution - Norway
Duration	24 months (1 September 2013 – 31 August 2015)
Partners and beneficiaries	Supreme Court of Cassation, Constitutional Court, Administrative Court, four Appellate Courts (Belgrade, Kragujevac, Nis, Novi Sad), Judicial Academy and legal professionals
Main objective	to enhance the capacity of judges and judicial assistants to implement in a coherent way the provisions of the ECHR and its case law, through harmonising the court practice between the four appellate courts ensuring a uniform and consistent application of the provisions of the ECHR and its case law and enhancing the institutional capacity for an effective implementation of the ECHR provisions and its case law at national level by reinforcing the knowledge and skills of judges and judicial assistants of the partner courts
Outputs and results	<ol style="list-style-type: none"> 1. the role of the Supreme Court of Cassation was reinforced vis-à-vis the harmonisation of court practice and regaining of its leadership role; 2. the inter-judicial dialog among the four Appellate courts was enhanced, as well as the commitment of the courts' Presidents concerning harmonisation of national jurisprudence with ECtHR case law; 3. the significance of the court practice departments and proper understanding of their role was strengthened; 4. the Judicial Academy database of ECtHR judgments and national jurisprudence related to the ECtHR case law was established, ensuring an increase in the quality of the services provided by the Academy as regards the initial and continuous training on human rights standards;

	<ol style="list-style-type: none"> 5. the understanding of the functioning of the ECtHR was increased; 6. standard training curricula was developed at the Judicial Academy in 3 thematic fields – general human rights education, reasonable time standard as set by the ECHR and the ECtHR case law and application of the ECHR in criminal proceedings; 7. knowledge and skills of judges/judicial assistants necessary for the proper application of the reasonable time standard set by the ECHR and the ECtHR jurisprudence were enhanced; 8. cooperation and exchange of best practices with a number of CoE Member States were improved, in particular with regard to alignment with the ECtHR case law and protection of the right to trial within a reasonable time.
Follow-up	<p>The effective incorporation of the ECtHR case law into Serbian jurisprudence, being part of the substantive reform process, requires further interventions regarding the enhancement of the capacity of the Serbian judiciary, having in mind the deficiencies in legal education, insufficient legislative framework and the overall positivistic approach to law. The Council of Europe proposed a new project as a follow-up, building on the findings and achievements of the current one, with the additional motivation of requests by the Project partners to provide continuing support. The new Project will respond to the essential need of the Serbian judiciary in establishing a judicial system fully compliant with European standards set by the ECHR and related case law, recommendations of various CoE bodies – Venice Commission, CCJE, CCPE, CEPEJ, and by the EU acquis.</p>