

# SERBIA



Population 6 951 235



GDP per capita
6 092 €

CoE Median 20 301 €



**Efficiency** 

Avg gross annual salary 8 471 €

CoE Median 20 612 €

#### Implemented judicial system budget **Judicial system Courts Prosecution services** Legal aid 0.66% of GDP 40.2 per inh. 36.2 per inh. 5.7 per inh. NA per inh. CoE Median: 0,30% CoE Median: 64,50 CoE Median: 43,53 CoE Median: 13,86 CoE Median: 3,08 0.66% 40,2 33.3 29,0 9.8 10.5 2020 2014 2016 2018 2020 2014 2016 2018 2020 2014 2016 2018 2020 2014 2016 2018 2020

**Budget**: In 2020, Serbia spent 279 484 639 € on implemented judicial system budget, which is 40,21 € per inhabitant, which is less than the COE Median. This however accounts for 0.66% of the State's GDP which is more than the COE Median. In Serbia, the legal aid budget is included in the court's budget as the budget for the mandatory representation in courts cannot be isolated.

#### Legal aid

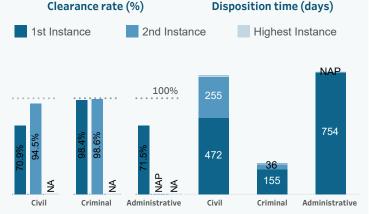
In Serbia, the Law on Free Legal Aid came into force on 1st October 2019. In 2020, the total number of cases for which legal aid was granted is 27 965. Thus, the number of legal aid cases per 100 000 inhabitants is 398, which is still lower than the CoE median.

#### Court related mediation

Generally speaking, ADR and mediation in particular are not well developed in the Western Balkans region. However, the number of mediators in Serbia is already significantly large (21,1 mediators per 100 000 inhabitants, almost double the CoE median). However, the number of mediation cases is still low.

#### **Professionals**

Eastern European countries traditionally have a very high number of professionals per inhabitants. Serbia confirms this tendency, having the number of judges (38 per 100 000 inhabitants) and non-judge staff (128 per 100 000 inhabitants) twice as high as the CoE median. The high number of judges and staff is related to the high number of incoming cases which is one of the highest among the CoE member States and entities.



Efficiency: In 2020, the courts are most efficient in the second instance criminal cases, while the Disposition Time is the highest in the first instance administrative cases. The efficiency of courts decreased in 2020 in first and second instances, compared to the previous cycle, whereas the Supreme court data are unavailable. As regards civil and commercial litigious cases, the number of incoming cases has been constantly increasing between 2018 and 2020. This, together with the decrease of the number of resolved cases because of COVID-19, caused a decrease in the clearance rate (CR) of the first instance (from 110% in 2018 to 71% in 2020), and an increase in the number of pending cases by 46%. Consequently, the disposition time (DT) more than doubled in two years (from 225 days in 2018 to 472 in 2020).





#### Clearance Rate (CR) = (Resolved cases / Incoming cases) \*100

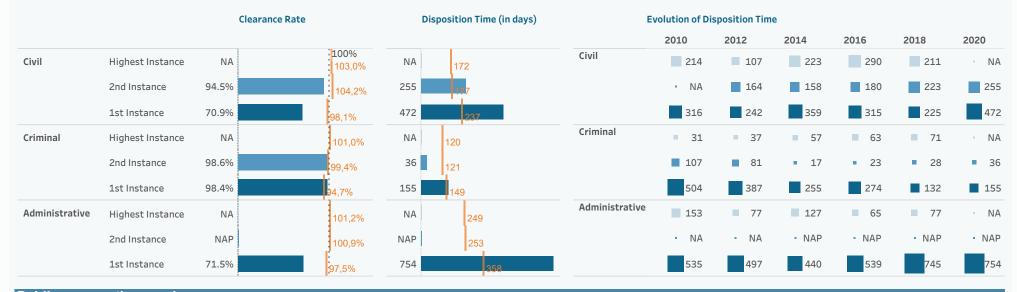
CR > 100%, court/judicial system is able to resolve more cases than it received => backlog is decreasing

CR < 100%, court/judicial system is able to resolve fewer cases than it received => backlog is increasing

#### Dispostion Time (DT) = (Pending cases / Resolved cases) \*365

The Disposition Time (DT) is the theoretical time for a pending case to be resolved, taken into consideration the current pace of work





## Public prosecution services

### Total number of criminal cases of 1st instance per 100 inhabitants Distribution of processed cases per 100 inhabitants



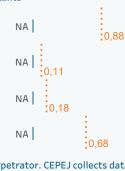
Discontinued during the reference year

Concluded by a penalty or a measure imposed or negotiated by the public prosecutor

Cases closed by the public prosecutor for other reasons

Cases brought to court

NA



Discribution of discontinued cases per 100 inhabitants

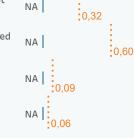
Discontinued because the offender could not be identified

NA Discontinued due to the lack of an established

offence or a specific legal situation

Discontinued by the public prosecutor for reasons of opportunity

Discontinued for other reasons



Note: There are different methodologies on calculating number of cases in prosecution statistics by event or by perpetrator. CEPEJ collects data per case (event) but some countries present it by perpetrator.

## Judiciary related websites

1. Legal texts

2. Case-law of the higher court/s

3. Information about the judicial system

<u>NA</u>