



YUCOM

Lawyers' Committee
for Human Rights

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ANNOUNCEMENT ASSESSMENT OF THE JUDICIARY

Based on the fifteen - year experience in providing free legal aid to citizens, Lawyers' Committee for Human Rights - YUCOM is confident that the judicial reform was carried out only formally, without adequate preparation and fair assessment of the alarming situation in courts. This conclusion is made regarding the fact that even after 40 days of implementation of the new laws, adopted for cause of reordering competencies and the new network of courts, there is no transparent progress.

We are providing this assessment, upon the following reasons:

- Nearly two months after the beginning of the reform new network has not yet started to function well, despite the statements of the Minister Selaković and other representatives of the competent ministry.
- Changes of competencies have led to trial delays. From the previous YUCOM practice, we can single out trials canceled in mid-December due to the redistribution of cases, and even after two months, we do not know where the cases are, or before which courts, nor when the trials will be continued. Some of these cases are related to processes for protection of mobbing victims and other sensitive cases of human rights violations, in which the applicable legal standards prescribe the exigency and courts have duty to act in shorter timeframes.
- The most recent case of obsolescence, as in the Kertes case (ex director of Custom Directorate), only fulfills the image of the judiciary initiated in earlier reforms, and there is no need in explaining the obnoxious effects of such failures.

We are expecting that the Government of the Republic of Serbia, Ministry of Justice and Public Administration, as well as the High Judicial Council take responsibility for the aforementioned situation and to publicly declare which measures are they going to implement, in order to contribute to the initiation of justice and thus reduce damage to all citizens. This is even more important, if we consult the latest strategy of the Ministry of Justice, which recommends the adoption of regulations that require new reforms in the judiciary. Despite of their partial character, if they are prepared as previous, they can jeopardize the rights of citizens.

We appeal for preventing the further collapse of judicial institutions because they should be at the service of citizens. In that way we can ensure legal security and equality before the law in the protection of fundamental rights, such as the right to access to justice.



Milan Antonijević
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