

REPUBLIC OF SERBIA
MULTI DONOR TRUST FUND FOR JUSTICE SECTOR SUPPORT
TF071444
AIDE MEMOIRE
24 February to 6 March 2014

A. INTRODUCTION

1. **A World Bank team visited Serbia from about February 24 to March 6 2014 for the Serbia Multi-Donor Trust Fund for Justice Sector Support.** The mission was led by Ms. Georgia Harley (Justice Reform Specialist) and comprised Mr. Alexey Proskuryakov (Financial Management Consultant), Ms. Kate Harrison (Human Resource Management Consultant) and Ms. Ellen Kelly (Stakeholder and Institutional Analysis Consultant). The team was joined in Belgrade by Mr. Srdjan Svirčev (Public Sector Specialist), Ms. Jovanka Manić (Fiscal Data Consultant), Mr. Dragan Obrenović (Caseload Data Consultant), Ms. Marina Matić (Communications Consultant) and Ms. Olga Šipka (Desk Review Consultant). The team was supported from the Country Office by Ms. Hermina Vuković Tasić (Program Assistant).
2. **The objectives of the mission were to:**
 - a. Complete the first phase of data collection and preliminary analysis for the Judicial Functional Review;
 - b. Engage in consultations with institutions engaged in the Judicial Functional Review on the performance assessments, resource analyses and institutional analysis, and;
 - c. Supervise the implementation of other MDTF-JSS activities.
3. **The team met with officials from the judiciary, Ministry of Justice and Public Administration (MOJPA) and justice sector stakeholders and development partners.** The team expresses its gratitude to all the stakeholders met, particularly to the Judiciary for arranging field visits outside of Belgrade and for their warm and open engagement with the Functional Review process. A list of people met is attached as **Annex 1**.

B. KEY FINDINGS AND AGREED NEXT STEPS

4. **Key next steps are highlighted in the table below.**

Next steps	Time Frame	Responsibility
Functional Review Report	See Implementation Schedule annexed to the Functional Review Concept Note	World Bank team
Multi-Stakeholder Justice Perception Survey	Workshops to present preliminary results, end March 2014	World Bank team
Reform and Accession Facilitation Unit	MOJPA to report on results at MDTF Management Committee meetings.	MOJPA
Review of the Criminal Chain Process Analysis	Proposal for re-design of activity to be shared by end March 2014.	World Bank team & MOJPA

C. JUDICIAL FUNCTIONAL REVIEW

5. **The substantive work of the Serbian Judicial Functional Review is underway.** The first phase of data collection and processing is complete. The team continues to collect some quantitative data on specific aspects, but the focus is shifting to qualitative data and data analysis.
6. **The Functional Review team met with approximately 100 interlocutors over the course of the mission.** The team visited courts and prosecutors' offices across all levels of jurisdiction in Belgrade, Negotin, Novi Sad and Vršac. A stakeholder workshop was held in Nis to discuss the performance framework with judges and prosecutors there. The team continues to fine-tune the performance framework, based on ongoing dialogue.
7. **Following the mission, the Functional Review team will share three draft documents to institutions for their review and comments:**
 - a. the draft 'megatable' which compiles and synthesizes data received from institutions and displays relevant court characteristics, caseload data, financial and human resource data for all courts in Serbia for 2013, 2012, 2011 and some data for 2010 in one excel spreadsheets with corresponding pivot tables;
 - b. the draft Desk Review which compiles and summarizes existing analytic work related to judicial reform Serbia published since 2010;
 - c. the draft Background Annex which provides basic background information about the Serbian judiciary, including a summary of recent reforms, the existing court structure, governance arrangements for the judiciary and some background on related institutions and stakeholders.
8. **During the next mission (17-26 March 2014), the team will work closely with IPSOS to share the preliminary results from the Multi-Stakeholder Survey.** The team will host two workshops with relevant institutions to discuss results, with one workshop in Belgrade, and another in a regional center (TBC). The team will also: conduct further field visits to courts and prosecutor offices outside of Belgrade; host a CSO stakeholder workshop; meet individually with stakeholders to receive feedback on the drafts mentioned above; and conduct interviews to deepen the data analysis. The Functional Review's infrastructure consultant is now on board and will participate in her first mission to gather data and conduct interviews focusing on infrastructure planning for justice service delivery.

D. MDTF-JSS ACTIVITY UPDATE

9. **Bank-executed activities to support legal aid have been delivered to MOJPA.** The Bank produced a Fiscal Impact Analysis on Legal Aid and a Cross-Country Comparative Analysis of the Costs of Delivering Legal Aid. These are intended to inform ongoing discussions regarding the draft Free Legal Aid Law, which has recently undergone public debate. The Bank stands ready to provide further technical assistance to the MOJPA and the Free Legal Aid Working Group as needed.

10. **Under the recipient-executed component of the MDTF-JSS, recruitment has been finalized for positions at the Reform and Accession Facilitation Unit (RAFU).** MDTF donors provided their concurrence to the process and appointments prior to MDTF no-objection. Work at the RAFU is underway and the MOJPA will report on progress against results in MDTF Management Committee meetings, the next one scheduled for March 2014.
11. **After several attempts to secure the cooperation of the Ministry of Interior regarding the Review of the Criminal Chain Process, the Bank team terminated this activity and notified the consultant of the expiration of its contract.** Consultations are underway as to how best to support criminal procedure reforms currently underway in a manner that is both evidence-based and ensures stronger stakeholder engagement. MOJPA and the Bank team will prepare a joint proposal for consideration at the next Management Committee Meeting.
12. **The new MDTF-JSS website has been launched at <http://www.mdttfjss.org.rs>.** The website will be further updated with information relating to justice reform activities, including the Judicial Functional Review.

E. PROGRESS TOWARDS PROJECT DEVELOPMENT OBJECTIVE (PDO)

13. **Progress toward the Project Development Objectives is satisfactory.** The objective of the Trust Fund is to provide support for strengthening and advancing the justice sector reform in the Republic of Serbia in order to facilitate its integration to the EU. The implementation of Bank-executed activities is intensifying, with progress across all sub-components (institutional capacity, resource management and aid coordination, legal and institutional environment, judicial facilities and infrastructure, and outreach, monitoring and evaluation) but with particular focus on delivering the Serbian Judicial Functional Review. The implementation of Recipient-executed activities has also accelerated, and remaining funds under the RFU component will be disbursed via a reformed RAFU. The commencement of the EU screening process will provide additional impetus to reform and likely accelerate progress under MDTF activities.

List of Persons Met

Last Name	First Name	Title/Organization
Government and Justice Officials		
Mr. Backović	Čedomir	Assistant Minister, Ministry of Justice and Public Administration
Ms. Blagojević	Ljiljana	Assistant Minister, Ministry of Justice and Public Administration
Mr. Todoroski	Igor	Assistant Minister, Ministry of Justice and Public Administration
Mr. Davidović	Vladimir	Assistant Minister, Ministry of Justice and Public Administration
Ms. Jelača	Slavica	Assistant Minister, Ministry of Justice and Public Administration
Ms. Cvejić	Jelica	Ministry of Justice and Public Administration
Ms. Netković	Snežana	Ministry of Justice and Public Administration
Ms. Savić	Jadranka	Ministry of Justice and Public Administration
Mr. Popović	Slobodan	Ministry of Justice and Public Administration
Mr. Jelić	Bojan	IT, Ministry of Justice and Public Administration
Ms. Andrejević	Snežana	Judge, The Supreme Court of Cassation
Mr. Lazarević	Janko	Vice President, The Supreme Court of Cassation
Mr. Tomić	Miroljub	Judge, Member of the High Judicial Council, President of the NJRS Implementation Commission
Ms. Ivić	Mirjana	Judge, Member of the High Judicial Council
Ms. Vidanović	Sonja	Judge, Member of the High Judicial Council
Ms. Ilić	Mirjana	Discipline Prosecutor, High Judicial Council
Mr. Stoilkovski	Aleksandar	Judge, High Judicial Council
Ms. Pavlović	Mirjana	Head of Department for Normative Affairs and European Integration, High Judicial Council
Mr. Stamenković	Branko	International Affairs and Legal Assistance Department - Adjoined Deputy, Republic Public Prosecutor's Office
Ms. Boljević	Dragana	President, Judges Association of Serbia
Mr. Hadžiomerović	Omer	Vice President, Judges Association of Serbia
Mr. Ilić	Goran	President, Association of Public Prosecutors
Mr. Šabić	Rodoljub	Commissioner, The Commissioner for Information of Public Importance and Personal Data Protection
Mr. Kankaraš	Predrag	IT Administrator, 1st Basic Court, Belgrade
Mr. Nikolić	Miroslav	President, Commercial Appellate Court, Belgrade
Ms. Plavšić	Nataša	Advisor, Constitutional Court
Ms. Lazić	Ljiljana	Advisor, Constitutional Court
Mr. Nikolić	Goran	Acting President, Basic Court, Vršac
Mr. Berlovan	Lucijan	Acting President, Misdemeanor Court, Vršac
Mr. Jovanovic	Radislav	Prosecutor, Basic Prosecutor Office, Vršac

Ms. Singurilović	Dragica	Acting President, Higher Court, Negotin
Ms. Milojković	Ljiljana	Acting President, Basic Court, Negotin
Mr. Antic	Zoran	Prosecutor, Higher Prosecutors Office, Negotin
Mr. Peković	Novica	Acting President, Appellate Court, Novi Sad
Mr. Djordjević	Dejana	Acting President, Misdemeanor Court, Novi Sad
Mr. Crevar	Goran	Acting President, Commercial Court, Novi Sad
Mr. Tkalac	Milan	Prosecutor, Appellate Prosecutor Office, Novi Sad
Ms. Vučković Janković	Jelica	Appellate Prosecutor Office, Niš
Ms. Pejić	Ljiljana	Commercial Court, Niš
Mr. Zdravković	Dragan	Commercial Court, Niš
Ms. Pantič	Snežana	Commercial Court, Niš
Ms. Mojašević Krstić	Aleksandra	Basic Court, Niš
Mr. Perić	Dobrivoje	Higher Prosecutors Office, Niš
Ms. Petrović	Slavica	Appellate Court, Niš
Ms. Rudić	Sandra	Basic Court, Niš
Ms. Kitanović	Slobodanka	Appellate Court, Niš
Mr. Stevanović	Aleksandar	Basic Prosecutor Office, Niš
Ms. Cvetković	Marija	Basic Prosecutor Office, Niš

International Community

Ms. Ramadanović	Ivana	OSCE
Mr. Baltić	Miloš	Project Manager, Legal Reform Project, GIZ
Ms. Pavlović	Ljubica	Project Manager, Legal Reform Project, GIZ
Mr. Vojnović	Nikola	USAID Separation of Powers Program
Mr. Vetter	Larry	Chief of party, USAID JRGA – Judicial Reform and Government Accountability
Ms. Lukić	Dragana	Deputy chief of party, USAID JRGA – Judicial Reform and Government Accountability
Mr. LeDuc	Brian	USAID SPP Project
Ms. Stanojević	Dragana	USAID BEP
Mr. Milatović	Siniša	Consultant

Other (Agencies, NGOs, Community Representatives)

Mr. Joksimović	Vladan	Deputy director, Anti-Corruption Agency
Mr. Blagojević	Marko	Director, CESID
Mr. Radomirović	Vladimir	Editor in Chief, Pištaljka
Ms. Živković	Mirjana	Lawyer, IP firm Petošević
Mr. Zatezalo	Mihajlo	Lawyer, IP firm Petošević
Ms. Nicović	Nina	Association of Judicial Associates of Serbia
Ms. Djordjević	Nada	Association of Judicial Associates of Serbia
Mr. Radojević	Nikola	Association of Judicial Associates of Serbia
Ms. Trešnjev	Aleksandra	President, Chamber of Bailiffs
Ms. Milošević	Sladjanka	President, Union of employees in Judiciary

Mr. Antonijević	Milan	Director, Lawyers Committee for Human Rights (YUCOM)
Mr. Stefanović	Nenad	President, Association of Judicial and Prosecutorial Associates of Serbia
Mr. Lazović	Lazar	Vice President, Association of Judicial and Prosecutorial Associates of Serbia
Ms. Dedeić	Maša	Coordinator for international cooperation, Association of Judicial and Prosecutorial Associates of Serbia
Mr. Djordjević	Dragoljub	President, Bar Association
Ms. Logar	Svetlana	Ipsos Strategic Marketing
Mr. Popović	Aleksandar	Managing Director, MEGA
Mr. Marković	Žarko	Belgrade Centre for Human Rights
Mr. Jovanović	Nebojša	Presidency member, Foreign trade arbitration within Serbian Chamber of Commerce
Ms. Karanikić	Marija	Presidency member, Foreign trade arbitration within Serbian Chamber of Commerce
Dr. Čukavac	Mirjana	Secretary, Foreign trade arbitration within Serbian Chamber of Commerce
Mr. Petrović	Petar	President, Committee on the Judiciary, Public Administration and Local Self-Government
Mr. Milovanović	Bratislav	Director, Paragraf Lex
Mr. Pavlović	Dušan	Paragraf Lex

World Bank Team

Mr. Verheijen	Tony	Country Manager
Mr. Svirčev	Srdjan	Public Sector Specialist, Program Coordinator
Ms. Harley	Georgia	Public Sector Specialist
Ms. Vuković Tasić	Hermína	Program Assistant
Mr. Dražilov	Kornel	Program Assistant
Ms. Harrison	Kate	Consultant
Ms. Kelly	Ellen	Consultant
Mr. Proskuryakov	Alexey	Financial Management Consultant
Ms. Manić	Jovanka	Consultant
Ms. Matic	Marina	Consultant
Mr. Obrenović	Dragan	Consultant
Ms. Olga	Šipka	Consultant