

REPUBLIC OF SERBIA
MULTI DONOR TRUST FUND FOR JUSTICE SECTOR SUPPORT
TF071444

AIDE MEMOIRE
September 8 to 12, 2014

1. **A World Bank team conducted a technical mission in Serbia from 8 to 12 September 2014.** The mission was led by Ms. Georgia Harley (Public Sector Specialist, GGODR) and was joined in Belgrade by Mr. Srdjan Svircev (Public Sector Specialist, GGODR) and Marina Matic (Consultant). The team was supported from the Country Office by Ms. Hermina Vukovic Tasic (Program Assistant, ECCYU).
2. **The objectives of the mission were to:** discuss the draft findings and recommendations contained in the Serbia Judicial Functional Review with stakeholders, including at field locations; monitor other ongoing and planned MDTF-JSS activities.
3. **The team met with officials from the courts, prosecution service, the Ministry of Justice (MOJ), justice sector stakeholders and development partners.** The team expresses its gratitude to all the stakeholders met. In particular, the team thanks the various Court Presidents, along with their judges and staff, for their ongoing engagement and detailed feedback on the draft Functional Review. A non-exhaustive list of people met is attached as **Annex 1**.
4. **Key next steps are highlighted in the table below.**

Activity	Next Steps & Time Frame	Responsibility
Functional Review Report	Stakeholders to provide all remaining feedback/comments by Friday 17 October 2014	All Stakeholders
Multi-Stakeholder Justice Perception Survey	Finalizing the text of the Survey Report. IPSOS to incorporate comments by 31 October 2014.	World Bank team / IPSOS
Access to Justice Report	Finalizing the text of the Survey Report. IPSOS to incorporate comments by 31 October 2014..	World Bank team / IPSOS
Process Maps Report	Finalizing the text of the Survey Report. IPSOS to incorporate comments by 30 November 2014.	World Bank team / IPSOS
RAFU	MOJ to share draft Transition Plan	MOJ

A. JUDICIAL FUNCTIONAL REVIEW

5. **The Functional Review team continues to receive detailed feedback from stakeholders on the draft Functional Review via formal and informal meetings and field visits.** Feedback has been positive and there is broad consensus that the analysis and findings are sound. Additional information was provided by courts and prosecutor offices regarding the

composition of the ‘shadow workforce’ of volunteers, interns and temporary staff. Further insights were offered regarding the capabilities of existing ICT systems and reasons for varying court practice in this regard. Views were expressed on draft recommendations relating to, *inter alia*, Attorney Fee Schedules, enforcement officers and court fee collection. Some factual updates will also be reflected, including the recent approval of evaluation criteria for judges and prosecutors and the privatization of verification services to notaries (and its likely impact on court revenues). Some stakeholders in Belgrade, predominantly from outside of the courts, have expressed reservations regarding the recommendations to freeze judicial appointments and to pivot the Judicial Academy towards continuing education. The team will consider all of these comments as it finalizes the Functional Review Report.

6. The MOJ is already drawing on the earlier consultation draft of the Functional Review Report to develop Serbia’s Action Plan for opening negotiations under Chapter 23. Detailed discussions have been held with the MOJ on the draft recommendations to ensure that they are feasible, that timeframes are realistic, and that in each case the appropriate agencies have been nominated to take the issue forward. It was agreed that the timeframes of recommendations should synchronize these timeframes in the upcoming update of the Action Plan for the 2013-2018 National Judicial Reform Strategy. The Action Plan and the Functional Review will be presented to the next Partner’s Forum in October 2014.

7. The consultation process for the Functional Review is now drawing to a close. Any further comments should be provided no later than Friday 17 October 2014. The Review Report will be approved by the Bank in November 2014. Publication and dissemination activities will follow, including panel events in Brussels and Washington DC, and a series of targeted workshops around Serbia. Mr Srdjan Svircev will also present findings and recommendations to Court Presidents at the Annual Judge’s Conference in October 2014.

8. As agreed at the last Management Committee Meeting, the MDTF-JSS will propose an updated Program Framework to reflect the Functional Review and the Chapter 23 Accession Action Plan. A number of donors have advised that they intend to draw on the Functional Review to inform their future programming. Separately, the EC cancelled the procurement of its upcoming Efficiency Project (9 mil EUR) and intends to draw on the Review in re-drafting terms of reference for that project. Meanwhile, a number of courts have informally requested support to implement draft recommendations, including relating to ICT training, the tightening of court schedules, procedural efficiency and the strengthening of reporting. Updating the Program Framework provides an opportunity to systematically prioritize areas for future MDTF support in line with client and donor expectations.

B. MDTF-JSS ACTIVITY UPDATE

9. The team is finalizing a series of analytic reports, including the Multi-Stakeholder Perception Survey Report, the Access to Justice Report and the Process Maps Report. Finalization of these reports has been delayed as stakeholders, the Bank and contractors have been focused on finalizing the Functional Review. IPSOS, the local survey consultancy that conducted the research, has received comments on the drafts and will submit deliverables for Bank review through October and November 2014.

10. **At the Management Committee Meeting held in July 2014, the MOJ had agreed to share a draft transition plan for the Reform and Accession Facilitation Unit (RAFU).** Under the existing agreement between MDTF-JSS and MOJ funding for the RAFU is secured until December 31, 2014. The MOJ has indicated that it will request an extension of the RAFU, and this report would inform that consideration.

11. **Some vacancies have arisen within the RAFU and donors have provided no-objection to filling these.** Recruitment is underway, and interviews are scheduled for mid-October 2014. The MOJ will invite donor's representative to observe and participate in the final interview with the shortlisted candidates.

C. PROGRESS TOWARDS PROJECT DEVELOPMENT OBJECTIVE (PDO)

12. **Progress toward the Project Development Objectives remains satisfactory.** The implementation of Bank-executed activities has greatly intensified in the last year, with progress across all sub-components 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 the reformed RAFU. The commencement of the EU screening process will provide additional impetus to reform and likely continue accelerating progress under MDTF activities. Financial management remains satisfactory.

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. Kuburović	Nela	Assistant Minister, Ministry of Justice and Public Administration
Ms. Kršikapa	Majda	Secretary, Administrative Office of HJC
Mr. Nikolić	Goran	President, Basic Court, Vršac
Mr. Jovanović	Radislav	Public Prosecutor, Basic Prosecutor Office, Vršac
Ms. Damjanovic	Dubravka	President, Appellate Court, Kragujevac
Mr. Ristić	Djordje	President, Higher Court, Kragujevac
Mr. Ilić	Zoran	President, Basic Court, Kragujevac
Ms. Bojanic-Kerkez	Jelica	Deputy President, Appellate Court, Novi Sad
Mr. Tadić	Darko	President, Higher Court, Novi Sad
Mr. Stanojević	Andjelka	President, Basic Court, Novi Sad
Ms. Dončić	Milijana	Public Prosecutor, Appellate Prosecutor office, Kragujevac
Mr. Petrović	Aleksandar	Public Prosecutor, Higher Prosecutor office, Kragujevac
Ms. Stojadinović	Jasmina	Public Prosecutor, Basic Prosecutor office, Kragujevac
Ms. Nicović	Nina	Association of Judicial Associates of Serbia

International Community

Ms. Vandeputte	Bianca	Program Manager, European Union Delegation
----------------	--------	--

World Bank Team

Ms. Harley	Georgia	Public Sector Specialist
Mr. Svirčev	Srdjan	Public Sector Specialist, Program Coordinator
Ms. Vuković Tasić	Hermina	Program Assistant
Mr. Drazilov	Kornel	Program Assistant
Ms. Matic	Marina	Consultant