

MULTI-DONOR TRUST FUND FOR JUSTICE SECTOR SUPPORT PROJECT IN SERBIA (MDTF-JSS)

Implementation Support Mission

DRAFT AIDE MEMOIRE

11-16 September, 2015

1. A World Bank implementation support mission for the Multi-Donor Trust Fund for Justice Sector Support Project (MDTF-JSS) visited Serbia from 11 to 16 September 2015.¹ The objectives of the mission were to: finalize consultations on the proposed extension of the MDTF-JSS and the prioritization of future activities; monitor the implementation of existing activities; and host a Management Committee meeting. This follows a technical mission that was conducted 11 to 17 July 2015. The team thanks the diverse range of stakeholders met during the mission for their generosity of contributions and active participation in these missions. The list of persons met is at **Annex 1**.

A. KEY FINDINGS AND AGREED NEXT STEPS

2. The MDTF-JSS continues to make progress in supporting the justice sector to strengthen its performance in line with EU benchmarks. In recent months, and despite the normally-quiet Summer period, the project produced some sound achievements, including: delivery of a series of workshops to share knowledge and innovations across the sector; the development of the Chapter 23 Accession Action Plan and updates to the National Judicial Reform Strategy Action Plan; the start of activities to support the Supreme Court of Cassation in backlog reduction, case law harmonization and statistical reporting; as well as the finalization of extensive consultations regarding the future of the MDTF-JSS beyond 2015.

3. At the conclusion of the mission, the following Action Plan has been agreed.

ITEM	NEXT STEP	RESPONSIBILITY	TIMEFRAME
1.	Incorporate final comments into the draft work plan 2016-2018	World Bank	September 2015
2.	Draft procurement plan for 2016-2018 & prepare TORs for new activities	PIU	October 2015
3.	Process paperwork for the MDTF-JSS extension	Bank / donors / MOJ	November 2015
4.	Conduct needs assessment of Commercial Courts	Bank	October 2015
5.	Advertise to fill vacancy at RAFU	PIU	September 2015

4. The Management Committee met on 15 September 2015 to discuss recent project results and next steps for the extension of the MDTF-JSS. The meeting noted the recent progress made by the Reform and Accession Facilitation Unit; approved the proposed work plan for 2016-2018 (subject to the incorporation of some final verbal comments); and agreed on next steps to process the paperwork to extend the MDTF-JSS. The minutes of that meeting are at **Annex 2**.

¹ The mission was led by Ms. Georgia Harley (Justice Reform Specialist and Task Team Leader, GGODR) and was joined in Belgrade by Mr. Srdjan Svircev (Public Sector Specialist, GGODR) and Ms. Marina Matic (Consultant, GGODR).

B. UPDATE ON EXISTING ACTIVITIES

5. **On the Recipient-executed side of the MDTF, the RAFU has helped the MOJ finalize and share the fourth draft of the Chapter 23 Accession Action Plan.** The Action Plan shows the linkages between its activities and the Functional Review recommendations. Following the mission on 28 September 2015, the EC approved the Action Plan. This is a significant achievement for the sector, and particularly for the MOJ and RAFU that led the work over many months.
6. **Since starting work in April 2015, the technical assistance to the Supreme Court of Cassation (SCC) is already showing good results.** The team is supporting: implementation of the SCC backlog reduction strategy; targeted on-the-job training to officers in specialized roles at courts; and preparation of draft guidelines for statistical reporting to improve managerial use of case management systems. In the field of case law harmonization, the team has supported workshops on case law harmonization, identified lessons learned from a recent study tour to Germany and is developing a case law database. Currently there are only two consultants working within the SCC. One consultancy assignment is to be advertised.
7. **On the Bank-executed side of the project, a number of information-sharing initiatives have showcased innovations across the sector.** In June 2015, the task team facilitated a workshop to share good practices and recommendations from the Judicial Functional Review regarding service of process, e-filing and ICT management to the representatives of judiciary from territory of Novi Sad Appeal Court. The Novi Sad Misdemeanor Court highlighted their work methods for serving process, and the Subotica Basic Court highlighted their work on e-filing, and the workshop discussed various options to replicate these practices across other courts. In July 2015, the MDTF-JSS hosted a workshop to disseminate the results from the four Process Maps.² The team prepared a video explaining the methodology, which is available here - <https://www.youtube.com/watch?v=pngwL9sK2E>. The video and workshop were financed by the World Bank from the proceeds of the World Bank ECA Knowledge and Innovation Award 2015.
8. **Terms of Reference were drafted for a range of ICT-related activities (under both Bank and Government executed components) as part of the ‘bridging activities’ for 2015 but procurement is yet to commence.** New staffing and governance arrangements for ICT have revealed new stakeholder preferences, so the mission provided an opportunity to discuss emerging needs and possible ways forward. Terms of reference are expected to be finalized by mid-October so that activities can commence in November 2015.
9. **The project’s financial management arrangements continue to be satisfactory.** An audit of financial statements for 2014 was submitted by 30 June 2015 in line with the audit terms of reference. The audit was acceptable to the World Bank and consistent with the Bank’s own findings of financial management supervision. The auditors issued clean audit opinion and did not identify any issues on which to provide recommendations in the management letter. Quarterly financial reports are submitted on time and the reports are considered to be reliable.
10. **Progress toward the Project Development Objective remains satisfactory.** The launch of the Judicial Functional Review and the Chapter 23 Accession Action Plan have increased momentum within the sector and is expected to accelerate progress in implementation in the coming years. The extension of

² The four Process Maps developed under the MDTF-JSS are available here - http://www.mdtfjss.org.rs/en/serbia-judicial-functional-review#VUdk0_IVgoI.

the MDTF-JSS is seen as critical to providing support to the sector as it moves to the next phase, which will focus on implementing reforms in line with the agreed plans.

List of Persons Met

Serbian authorities	
Mr. Dragomir Milojević	Chief Justice, Supreme Court of Cassation
Ms. Mirjana Puzović	Head of the Office of the President of the Supreme Court of Cassation
Mr. Jovan Kordić	President, Commercial Court
Ms. Majda Kršikapa	Secretary of the Administrative Office at High Judicial Council
Mr. Čedomir Backović	Assistant Minister for European Integration, MOJ
Ms. Ljiljana Krejović	Procurement Specialist, PIU
Mr. Milan Stevović	Director, Administration for the Execution of Criminal Sanctions
Mr. Milan Tanasković	Head of Finance, Administration for the Execution of Criminal Sanctions
Mr. Srdjan Majstorović	Deputy Director, SEIO
Mr. Miloš Golubović	Advisor, Serbian European Integration Office (SEIO)
Ms. Sonja Prostran	RAFU Consultant, SCC
Mr. Dragan Obrenović	RAFU Consultant, SCC
Ms. Darija Koturović	RAFU Consultant, MOJ

International Community	
Ms. Onny Jalink	Team Leader, Regional Rol Unit at the Netherlands' Embassy
Mr. Juan Ignacio Iquino Lafuente	Counselor, Embassy of Spain
Ms. Jannicke Bain	Deputy Head of Mission, Royal Norwegian Embassy
Mr. Marko Uljarević	Director, IPSOS Strategic Marketing
Mr. Morten Skovgaard Hansen	Counsellor/Deputy Head of Mission, Royal Danish Embassy
Ms. Svetlana Nesović	Programme Officer, Embassy of Sweden
Ms. Isabel Perich	Country Director, Swiss Cooperation Office
Mr. Petar Vasilev	National Programme Officer, Swiss Cooperation Office
Ms. Bianca Vandeputte,	Project Manager, Delegation of the European Union to the Republic of Serbia
Ms. Yolanda San-Jose	Head of Operations I, Delegation of the European Union to the Republic of Serbia
Mr. Aleksandar Momirov	Senior Policy Advisor, Rule of Law, Embassy of the Kingdom of the Netherlands
Ms. Aleksandra Kalinić	Development Cooperation Officer, Embassy of the Kingdom of the Netherlands
Ms. Ljubica Pavlović	Senior Project Manager, GIZ
Ms. Romana Schweiger	Head of the Rule of Law and Human Rights Department, OSCE Mission to Serbia
Mr. Holger Hembach,	Legal Advisor, OSCE Mission to Serbia

Minutes of the MDTF-JSS Management Committee Meeting
September 15, 2015
2:00 p.m. – 3:30 p.m.
World Bank Office, Belgrade

Participants

Serbian authorities:

- Mr. Čedomir Backović - Assistant Minister, MOJ
- Ms. Ljiljana Krejovic – PIU Procurement Specialist, MOJ
- Ms. Daliborka Grubić, Financial Management Specialist, MOJ
- Mr. Janko Lazarević – Vice President, SCC
- Mr. Aleksandar Malešević, SPC
- Ms. Olivera Kijevčanin – SPC
- Mr. Milan Delić, Advisor, SEIO
- Mr. Dragan Obrenović, MDTF-JSS SCC Consultant
- Ms. Sonja Prostran, MDTF-JSS SCC Consultant

Donor representatives:

- Mr. Morten Hansen – Councillor/Deputy Head of Mission, Embassy of Denmark
- Mr. Rok Janez Steblaj – Secretary at MoJ, Republic of Slovenia
- Mr. Emilio Ramos, Counsellor, Embassy of Spain
- Mr. Juan Iquino, Embassy of Spain
- Ms. Aleksandar Momirov – Embassy of Netherlands
- Ms. Svetlana Nešović – Embassy of Sweden
- Ms. Bianca Vandeputte - Project Manager, Operations I, EU Delegation
- Ms. Olivera Purić – Expert, SDC

World Bank:

- Ms. Georgia Harley – Public Sector Specialist, and MDTF-JSS TTL, World Bank
- Mr. Srdjan Svircev - Public Sector Specialist, World Bank
- Mr. Kornel Dražilov – ETT Program Assistant, World Bank

1. Update on draft Chapter 23 Action Plan and work/results of the RAFU at MOJ

The MOJ updated the Management Committee members on their recent accomplishments, current activities and future plans. The major contribution of RAFU consultants to daily activities and tasks was emphasized, most notably in researching and drafting material for the Accession process. In particular, the RAFU has been working on revision of strategic judicial documents such Chapter 23 Accession Action Plan, the update of the Action Plan for National Judicial Reform Strategy (2013-2018) and Anti-Corruption Strategy, and their alignment with Action Plan on Chapter 23, and facilitating stakeholder inputs. The final version of the Chapter 23 Accession Action Plan is to be adopted in the near future. In addition, the MOJ is working on coordination and development of Special Action Plan for National Minorities and support to the work on Special Action Plan for Roma. Law on Enforcement and Security

is in the pipeline and it is expected soon to be endorsed by the Parliament. The Law on Free Legal Aid remains to be a challenge as entrenched financial interest depend on the way the Law is drafted. Last year's austerity measures, public servants reduction plan, and new FLA procedural framework are also affecting adoption of final version. By the end of 2015, the MOJ plans to summarize achieved results in a series of workshops. Selected topic for these workshops include: the Action Plan for Chapter 23, fundamental rights in connection to Action Plan for Chapter 23; budgeting in the judiciary; and mechanisms of the case law harmonization. The MOJ also elaborated on the transparency of the public consultations process for strategies, action plans and draft laws. Denmark requested clarification regarding CSO participation in the development of plans, and the MOJ explained the practice whereby the Ministry sends invitations for comments and opinions to reputable CSOs depending on the discussed topic, facilitates dialogue at events, and posts on the MOJ website a summary of the received comments and actions taken. RAFU consultants support this engagement. Further detail on MOJ activities can be found in the presentation at **Annex 3**.

2. Update on the work/results of the RAFU seconded to SCC

The SCC presented a number of activities completed since the last Management Committee meeting. These activities were conducted with a significant support from RAFU consultants who commenced work in April 2015. Their work is seen a crucial in bridging the gap left after termination of USAID Separation of Powers Project and in strengthening court performance and transferring know-how. The SCC organized a two-day workshop on case law harmonization for legal advisors from various courts, which identified inconsistencies and bottlenecks in the system and discussed appropriate solutions. It was agreed that a follow-up event should take place in December 2015. The Action Plan on Case Harmonization Activity Plan was updated. Implementation of Appellate Courts Meeting's Plan was assessed and amendments for 2016 were proposed. Furthermore, inputs to Action Plan for Chapter 23, EU Progress Report, and SAA implementation documents were drafted. A number of activities were conducted on statistical reporting and processing, including a list of key performance indicators that the SCC intends to track in future. Data from backlog reports was transposed from paper format into excel format, and statistically processed. RAFU consultants prepared guidelines for improvement of statistical data gathering and statistical analysis. User manual for registration of court fees in the AVP system was updated and shared with all Basic and Higher Courts. A number of trainings for administrative staff on using software applications was conducted in order to increase capacity and improve the quality of collected statistical data. Further detail on SCC activities can be found in the presentation at **Annex 4**.

3. Update on 2015 bridging activities

The task team reminded the Committee that the last MC meeting in April 2015 had agreed upon some 'bridging activities' that were designed to support reform progress and the implementation of the National Judicial Reform Strategy 2013-2018 pending the adoption of the Chapter 23 Accession Action Plan. A status update on Bridging Activities is can be found in **Annex 5**. In late June 2015, World Bank team in cooperation with Appellate Court in Novi Sad organized a one-day workshop on examples of best practices of service processing and electronic exchange of documents. Supported by presidents of Misdemeanor Court in Novi Sad and President of the Basic court in Subotica, MDTF-JSS team choose to build up on an existing base of domestic knowledge and share it with other court officials. By the end of 2015, three similar workshops will be organized in Belgrade, Kragujevac and Nis.

In order to facilitate knowledge exchange on benefits of having a preparatory departments in courts, the Bank team will in cooperation with the SCC and HJC organize a workshop in Novi Sad. Representatives from the court in Subotica will share their experience with other court presidents and court secretaries from the jurisdiction of the Novi Sad Appellate Court. The workshop is scheduled to take place in late October, after the Annual Conference of Judges. Another 3 workshops are envisaged by March 2016.

Other bridging activities focused on training and upgrades to case management systems. Previously, the only training on how to use AVP³ was delivered in 2010 and was supported by the MDTF-JSS. Since 2010 the AVP has undergone numerous changes and upgrades, and the SCC and HJC approached the MDTF-JSS with a request to support a training program. The Bank team prepared TORs for this training program and this has been shared with the MOJ for comments. Due to the internal reorganization in the department for ICT at the MOJ the TOR will be reviewed. The Bank team also prepared TOR for a consultancy which will identify critical upgrades needed in AVP and SAPS. After consultations with the MOJ the scope of this consultancy has been reduced and it will focus on what needs to be upgraded in AVP and SAPS in order to improve court fee collection. The MOJ will review the proposed TOR and this activity will be implemented under the RETF. It is envisaged that this work will start in October 2015.

According to the previously agreed transitional plan parts of the judicial budget which have been under control of the MOJ should be completed July 1, 2016. To support this transition the MDTF-JSS was discussing additional support to the SPC. This support will be closely coordinated with the IPA-financed Twinning Project since one of the main pillars of this project is strengthening budget planning and preparation capacities in HJC and SPC. The inception report for the twinning project will be available in December and the Bank will carefully calibrate work in conjunction with that team.

Progress on court fee waiver activities has been slower than expected, and the MOJ and task team will meet following the mission to discuss these activities.

4. Feedback on the draft MDTF Work Plan 2016-2018

The MDTF-JSS task team thanked all stakeholders for their active participation in the process of developing the Work Plan 2016-2018 (at **Annex 6**) with particular thanks to national stakeholders for identifying and prioritizing activities that meet the agreed selection criteria and the MDTF-JSS development objective. Additional feedback was provided at the meeting as follows:

- The EU Delegation reminded the task team that activities which focus on strengthening of administrative capacity of the High Judicial Council and State Prosecutorial Council should not overlap with the upcoming IPA-financed Twinning Project, the Inception Report of which will be due in coming months. It was agreed that the task team and twinning team would carefully calibrate efforts to support this important task;
- The Committee welcomed the inclusion of activities focusing on improving uniformity of judicial decisions; mechanisms to publish decisions; small claims processing as well as on support to the Commercial Courts;
- The Slovenian Embassy asked that the plan explicitly note that training participants will include judicial professions (such as lawyers) and to elaborate work on improving uniformity of decision-making (databases etc.) and improving case management systems (IT solutions).

³ AVP is a case management software (CMS) used in courts of general jurisdiction.

- Swedish SIDA recommended that the sections of the Work Plan and Activities Table that discuss outputs, outcomes, and results indicators be merged into a standard results framework.

The team will incorporate the feedback received, and the Work Plan will remain under the periodic review of the Management Committee.

5. Confirmation of process for extending the MDTF

The task team reminded Management Committee of the requirements for processing the extension. With the approval of the Management Committee, the task team will now seek internal approval from the Bank Regional Vice President to process the extension of the project, noting that 3-year extensions require a more rigorous process than 2-year extensions. Should approval be granted, the Bank will prepare draft amendments to the Administrative Agreements for each of the donors wishing to continue their membership to the MDTF-JSS. Of the nine contributing donors to the MDTF-JSS, there are currently five active donors (Denmark, Slovenia, Spain, Swiss Cooperation, Swedish SIDA), all of whom have indicated an intention to extend the MDTF-JSS. A copy of the previous Administrative Agreement was shared with the meeting to show donors the standard format of the letter. Upon receipt of signed copies of the five Amended Administrative Agreements, the Bank can sign the Grant Agreement with SEIO to extend the recipient-executed component of the project. All processing must be complete by December 2015 to enable the project to be extended.

The team also clarified the position of the four donors whose contribution has expired. Norway, the UK and the Netherlands terminated their participation several years ago. The participation of the EU Delegation expired in July 2015 and the Delegation has confirmed that it is administratively unable to issue a no-cost extension, and so its participation will also expire. The World Bank, as an administrator of the MDTF, will prepare a termination of the agreement for the EU delegation which will officially close their participation at the MDTF. The EU delegation will continue to participate in the Management Committee Meetings in a capacity of the observer.

The Dutch Embassy notified the Management Committee of its intention to ‘re-join’ the MDTF-JSS, noting that it is taking steps to make a financial contribution this calendar year.

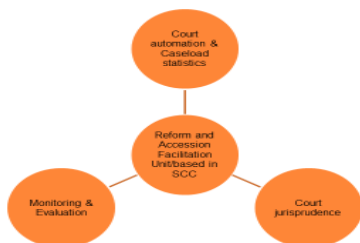
6. Any Other Business

It was agreed that presentations and handouts of the meeting would be shared with the Aide Memoire of the mission. It was also agreed that draft presentations would, wherever possible, be sent prior to future Management Committee meetings.

Management Committee Presentation by MoJ

MANAGEMENT COMMITTEE MEETING SEPTEMBER 2015

Reform and Accession Facilitation Unit (RAFU)



CONTRIBUTION OF MoJ RAFU CONSULTANTS - CONT

- Analysis and Recommendations on the position of assistants of judges and public prosecutors assistants in progress
- Budgeting AP23 pursuant to EC methodology finalized
- Analysis of the ICT system functioning
- 14 episodes of TV show related to Chapter 23 Negotiations – broadcasting in Autumn 2015 on Public Service Broadcaster
- Law on Personal Data Protection – drafting near completion
- Workshop for Serbian justices on Uniformity Decisions in Case Law by Curia in Hungary – a sample of synergy MoJ/SCC

MoJ ACTIVITIES

- AP Chapter 23
- Update AP for National Judicial Reform Strategy
- Update AP for Anti corruption Strategy
- Coordination & development of Special AP for National Minorities
- Support to the work on Special AP for Roma
- New laws in MoJ pipeline:
 - ✓ Law on Enforcement
 - ✓ Law on FLA



CONTRIBUTION OF MoJ RAFU CONSULTANTS

- Final Draft AP23 submitted
- Work on Special AP for National Minorities in progress
- Support & coordination of the work on Special AP for Roma in progress
- Update of Action plan for Implementation National Anti-Corruption Strategy in progress
- Update of Action plan for Implementation National Judicial Reform Strategy in progress
- Law on FLA – adoption procedure
- Financial Investigations Strategy adopted
- Drafting AP for Financial Investigations Strategy in progress
- Law on Enforcement – broad public debate finalized
- Civil Procedure Code – public debate initiated
- Amendments to the Law on Notary System and other relevant acts adopted;
- System of licensing and Register of Mediators established

CONTRIBUTION OF SCC RAFU CONSULTANTS

- Updated Case Law Harmonization Action plan
- Final Draft MOU JA – HCC on future cooperation regarding case law exchange and search
- Two workshops on international practice and experience in the area of case law alignment – Austria and Germany/Hungary
- Updated user manual for registration of court fees in the AVP system - circulated to all Basic and Higher Courts
- Training of SCC administrative staff in using new software application for submission of judges' personal files to the HJC
- Training SCC statisticians in using Excel Pivot tables for advanced (ad-hoc) court caseload statistical analysis
- Preparation of Guidelines for improvement of statistical data gathering and statistical analysis in the SCC

CAPACITY BUILDING OF MoJ/SCC AND OTHER RELEVANT STAKEHOLDERS

- Support to accession and reform implementation units at MoJ, normative department, financial department, etc.;
- Continuous daily twinning and on-the-job, training – involving a set of stakeholders from the respective institutions;
- Further knowledge and skills transfer;
- Provision of comparative analyses, normative acts and regulatory framework forms and tables, seminars/workshops, infographics, brochures, etc.

WORKSHOP 1

- Planned for 1st week of October at MoJ
- Participants: contact points across all institutions responsible for implementation of AP23/24
- Topics:
 - ✓ challenges in implementation of AP23/24
 - ✓ reporting mechanism for implementation of AP23/24
 - ✓ establishing links among contact points to facilitate implementation

WORKSHOP 3

- Planned for 1st week of November at MoJ
- Participants: contact points across all institutions responsible for implementation of AP23 Subchapter Fundamental Rights
- Topics:
 - ✓ Awareness raising – internal coordination in the process of implementation of AP23
 - ✓ Interconnectedness among different strategic documents in the field of fundamental rights and AP23
 - ✓ Strengthening management to avoid overlaps and/or gaps in shared activities

WORKSHOP 5

- Planned for December
- Participants: representatives of SCC, appellate courts, basic and higher courts, advisors and judicial assistants, etc.
- Topics:
 - ✓ Anonymization of court decisions – rules & procedure
 - ✓ Extending case law database of SCC with decisions of appellate courts – responsibilities & challenges
 - ✓ Regulation of the work of case law department
 - ✓ Analysis of harmonized legal opinions in 2015.

PLANNED WORKSHOPS BY THE END OF 2015

- Workshops aimed at summarizing the achieved results - *lessons learned and future challenges*
- Five separate workshops including:
 1. Joint workshop on AP23 (October)
 2. Judicial Academy - training and AP Ch23 (October)
 3. Fundamental Rights - workshop on AP23 (November)
 4. Budgeting in the judiciary (November)
 5. Mechanisms of case law harmonization (December)

WORKSHOP 2

- Planned for beginning of October at the JA during the promotion of the 6th generation at JA
- Participants: USAID representatives, JA students, JA alumni, etc.
- Topics:
 - ✓ Analysis of the position of judicial academies in the region
 - ✓ Mandatory initial training for first election to judicial function
 - ✓ Activities of JA in AP Ch23

WORKSHOP 4

- Planned for November
- Participants: representatives of basic/higher courts, administrative staff across judicial institutions working on financial matters
- Topics:
 - ✓ Financial aspects of AP Ch23
 - ✓ Unified approach to data representation
 - ✓ Assessment of amounts and structure of expenses for AP Ch23 implementation
 - ✓ Identification of financing sources for AP Ch23
 - ✓ Determination of qualitative elements for budgeting
 - ✓ Determination of quantitative expenses for AP Ch23 implementation
 - ✓ Dynamics and structure of expenses

Thank you

Management Committee Presentation by SCC

 <p>Republic of Serbia Supreme Court of Cassation</p> <p>MDTF-JSS Support to the Supreme Court of Cassation in 2015</p>		 <p>Republic of Serbia Supreme Court of Cassation</p> <h3>COMMON ACHIEVEMENTS (1/4)</h3> <ul style="list-style-type: none"> Designed and conducted a two-day workshop for the legal advisers from case-law departments of the Supreme Court of Cassation, state level courts and appellate courts on the principles and know-how of case law harmonization. Results: identified inconsistencies and bottlenecks; internal operations improved (management of final decisions); next steps identified: follow-up workshop to take place in December. Updated Action Plan of Case Law Harmonization Activity Plan: identified 'all players in the game' i.e. donors who support related activities and introduced coordination among them.
 Multi Donor Trust Fund for Justice Sector Support in Serbia   Multi Donor Trust Fund for Justice Sector Support in Serbia 		
 <p>Republic of Serbia Supreme Court of Cassation</p> <h3>COMMON ACHIEVEMENTS (2/4)</h3> <ul style="list-style-type: none"> SCC Case Law Bulletin 1/2015: impact analysis, i.e. encompassed results of case law harmonization activities in 2014. Assessment of the implementation of the Appellate Courts' Joint Meetings' Plan: recommendations for the 2016 amendments. Legal framework analysis: comparative law. Verified and cross-compared CEPEJ reports for the period 2006-2012 against official SCC statistics and drafted SCC response to the MoJ. 	 <p>Republic of Serbia Supreme Court of Cassation</p> <h3>COMMON ACHIEVEMENTS (3/4)</h3> <ul style="list-style-type: none"> Drafted MoU between Supreme Court of Cassation and Judicial Academy, on case-law exchange related to human rights violations Drafted contributions to the Action Plan for Chapter 23 Drafted contributions to the Progress Report Drafted SAA implementation documents 	
 Multi Donor Trust Fund for Justice Sector Support in Serbia   Multi Donor Trust Fund for Justice Sector Support in Serbia 		
 <p>Republic of Serbia Supreme Court of Cassation</p> <h3>COMMON ACHIEVEMENTS (4/4)</h3> <ul style="list-style-type: none"> Updated NJRS Action Plan Drafted plan to expand SCC case-law database Drafted parts of tender dossier for the IPA 2012 (1M EUR) procurement of computer hardware and equipment for the courts 	 <p>Republic of Serbia Supreme Court of Cassation</p> <h3>STATISTICAL REPORTING & PROCESSING (1/2)</h3> <ul style="list-style-type: none"> Consolidated backlog reports from paper format to Excel, statistically processed data and presented findings to SCC management; Identified errors in T1 statistical reports produced by the AVP system and coordinated bug-fixes with MEGA Computer Engineering, free of charge; Prepared guidelines for improvement of statistical data gathering and statistical analysis in the Supreme Court of Cassation. 	
 Multi Donor Trust Fund for Justice Sector Support in Serbia   Multi Donor Trust Fund for Justice Sector Support in Serbia 		



Republic of Serbia
Supreme Court of Cassation

STATISTICAL REPORTING & PROCESSING (2/2)

- Designed and presented the proposed list of statistical indicators that should be monitored by SCC in the future.
- Updated user manual for registration of court fees in the AVP system and circulated to all Basic and Higher Courts in order to improve quality and availability of financial data;
- Developed Excel application for the SCC statisticians, for automatic consolidation of individual Excel reports submitted by the courts for ad-hoc analytical processing.



Multi Donor Trust Fund for Justice Sector Support in Serbia



Republic of Serbia
Supreme Court of Cassation

TRAININGS, CAPACITY BUILDING

- Trained Supreme Court of Cassation administrative staff in using software application for submission of judges' personal files to the High Judicial Council;
- Trained SCC management and statistical department in analysis and interpretation of court statistical reports
- Trained SCC statisticians in using Excel Pivot tables for advanced (ad-hoc) court caseload statistical analysis;



Multi Donor Trust Fund for Justice Sector Support in Serbia



Republic of Serbia
Supreme Court of Cassation

NEXT STEPS

To support Unified BLR Program:

AVP & SAPS Trainings

- Expected deliverables from consultants directly depend on accuracy of statistical reports
- Quality of data is in direct correlation with users' skills in using case management systems – conclusion of the BLR working group.

To support Case Law Harmonization Plan:

- Web-site template for appellate courts
- Organizational development of case-law departments of courts of all levels and types



Multi Donor Trust Fund for Justice Sector Support in Serbia



Update on Bridging Activities

ACTIVITY	AGENCY LEAD	OUTPUT / OUTCOME	STATUS
Service of process (with presentations by courts that have experimented (Subotica Basic Court, Uzice Basic Court, Novi Sad Misdemeanor Court etc.) for Basic Courts, Misdemeanor Courts and the MOJ, in partnership with SCC and MOJ; Workshop on use of e-filing, with presentations by pilot courts to exchange lessons learned.	HJC & SCC	Court presidents would increase skills and proactivity in daily functions for service of process.	The first in a series of workshops was organized in Novi Sad in June. There were 2 presentations: a) a presentation on service of process, and b) e-filing. The presentation in Belgrade was scheduled for early July but was postponed for after the Summer break. The MDTF plans to have this workshop in Belgrade in early October, Kragujevac in November and Nis in December.
Scheduling of hearings for Court Presidents and Court Secretaries in Basic and Higher Courts (with presentation by courts that use electronic scheduling (Novi Sad High Court etc.) and demonstration of how AVP can be used in Basic and High Courts for electronic scheduling (4 sessions in appellate courts) in partnership with the SCC;	HJC & SCC	Court presidents and Court Secretaries would increase capacity in daily functions for using AVP for scheduling of hearings.	The workshop in Novi Sad will take place in October, Belgrade in November. Kragujevac will be organized in January and Nis in February 2016.
ICT management for key ICT personnel working in the judiciary and MOJ (sessions by court type: Basic Courts; High Courts; Appellate Courts; Misdemeanor Courts etc.)	HJC & SCC	ICT personnel from the judiciary and MoJ would increase capacity in ICT management.	This activity will be coordinated with the MOJ and first meeting is planned to take place in Belgrade after the Annual Conference of Judges.
Workshop on the use of preparatory departments, with presentations by courts that have established preparatory departments to exchange lessons learned;	SCC, including role by SCC RAFU consultant.	Court presidents would increase their knowledge on benefits from introduction of preparatory departments.	The workshop will take place in October.
Provide training on AVP functionality for all Basic & High courts	MoJ and Basic &	Users of AVP would increase aptitude in	The TOR for AVP training shared with the MOJ and SCC. Pending on their

	High Courts, under SCC leadership	basic daily functions for case processing.	endorsement the MDTF will initiate procurement asap. The implementation of the training program is scheduled to begin in December.
Develop specifications for minor critical ICT upgrades.	MOJ working closely with SCC	Specifications would be ready for GoS to fund minor/critical upgrades to ICT systems to enable greater functionality of existing systems.	The TOR for this consultancy shared with the MOJ and SCC. Based on input from the MOJ scope of this consultancy has changed and consultant will focus on necessary upgrades needed for improvement of court fee collection. The work will start in November and draft report will be ready in December.
Provide advice on what data entry should be mandatory for front line staff using AVP & SAPS.	SCC working closely with MOJ	Based on advice, the SCC could approve an instruction, the effect of which would be to require all court staff across the territory to generate a basic set of data consistently.	RAFU consultant at the SCC is finalizing a list of mandatory data which should be entered in the system through AVP and SAPS. The activity should be finalized by the end of September. The SCC will ensure compliance with the data request.
Provide advice on improving court fee collection. Consult with stakeholders (SCC, HJC, MOJ) and draft instructions on the collection of court fee collection. Organize workshop for courts on enhancing court fee collection.	Basic Courts, under SCC leadership	Stakeholders would be better informed of their options/constraints in court fee revenue raising. SCC would have a draft instruction that it could approve, the effect of which would be to require courts throughout the territory to collect fees consistently. Workshops would promote that consistency.	The TOR finalized in line with the MOJ's comments. Work will start in November, draft report should be available in December.

Strengthen the accounting of financial commitments and expenditures of the courts and PPOs	SPC and prosecutor s' offices	Procedures for the accounting and reporting of financial commitments by the PPOs will be strenghten.	The MDTF will coordinate closely this activity with the USAID funded project for support of the HJC and with the twinning project. USAID project will start by the end of the year and twinning inception report should be finalized by December 2015. The MDTF will continue the dialogue with the SPC and will finalize TORs by the end of the year. The work on this consultancy will start in the first quarter of 2016.
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DRAFT (at 15 September 2015)
PROGRAM DOCUMENT FOR EXTENSION OF THE MDTF-JSS

BACKGROUND

The Multi Donor Trust Fund for Justice Sector Support (MDTF-JSS) was established in 2009 to support the strengthening the justice sector of the Republic of Serbia in order to facilitate its integration to the European Union. In doing so, the MDTF-JSS aims to improve aid effectiveness and donor coordination across the sector through the implementation of a coordinated work program, financed by pooled contributions from Serbia's development partners. For more information about the MDTF-JSS, see <http://www.mdtfjss.org.rs/en>.

Progress under the MDTF-JSS was slow in the early years due to a range of factors detailed in the 2012 Mid-Term Review. From 2013, momentum and implementation progress have improved, and the project has been rated as satisfactory. Largely due to this slow initial progress, the fund has an undisbursed balance of approximately 3,000,000 USD. The MDTF-JSS is due to close on 31 December 31, 2015.

REQUEST FOR EXTENSION

In February 2015, the Minister of Justice, in consultation with judicial stakeholders, requested that the MDTF-JSS be extended for an additional three years to December 2018 to build on and leverage the project's good results to date and ensure their sustainability (see letter at **Annex 1**).

In April 2015, the MDTF-JSS Management Committee requested the task team to draft this program document to elaborate plans for programming from 2016 to 2018. Based on the request of the Minister and donors, this programming document is not limited to the existing resource envelope, but on a realistic assessment of needs and capacities, as per the design process below.

PURPOSE OF THE EXTENSION

The purpose of the extension would be to intensify implementation support to the sector in the coming years, to build on and leverage the good results and ensure their sustainability. In recent years, the MDTF-JSS has provided valuable contributions to strengthen the rule of law and align with EU standards while offering a flexible mechanism that minimizes donor overheads and improves coordination. Much diagnostic and analytic work has been undertaken recently, in particular through the 2014 Judicial Functional Review, which documents the current performance challenges and the reasons for them. The sector is now well-placed to receive more targeted technical assistance to implement agreed actions. As a result, future programming would focus more on recipient-executed implementation than on Bank-executed advisory services. In doing so, the MDTF-JSS will focus more intensively than in the past on support for Access to Justice, given that the dedicated Access to Justice sub-component has a large (approx. 1.6 million USD) undisbursed balance. Consultations and analytic work highlight pressing needs in this area, which the MDTF-JSS is well-placed support.

The project design would remain highly flexible to emerging needs. The draft Chapter 23 Accession Action Plan is awaiting approval and, once finalized, will likely be updated from time

to time in the course of negotiations. MDTF-JSS programming can adjust to response to needs that emerge throughout the EU integration process, including as-yet-unforeseen beneficiary requests. Further, the task team would ensure appropriate alignment with emerging donor programs, including IPA-financed projects whose terms of reference are not yet available and IPA 2015, by coordinating closely and adjusting activities based on the Inception Reports of those projects. The Management Committee will continue to provide strategic oversight to enable activities to be added, dropped or amended as needs evolve.

PROCESS OF CONSULTATION/DESIGN

In developing this draft programming document, the task team analyzed:

1. *Strategic sectoral documents* (the National Judicial Reform Strategy 2015-2018 and its accompanying NJRS Action Plan, Screening Report for Ch23, the draft Ch23 Accession Action Plan, and the SEIO draft Sector Planning document);
2. All current *analytic work* (the Judicial Functional Review, Desk Review and other works that highlight the sector's challenges, unmet needs and priorities);
3. *MDTF-JSS program documents* (2012 Mid-Term Review, monitoring reports etc.)
4. Existing and planned *donor programming* across the sector.

The team requested stakeholders to identify activities that should be prioritized for support and held consultations with Serbian stakeholders and MDTF donors regarding preferences and priorities. The MDTF involved in consultation process a broad group of stakeholders including the judiciary, Judicial Academy and professional associations (judges and prosecutors associations) as well as relevant CSOs (including YUCOM as the leading CSO in the working group of the National Convent for Chapter 23).

The following criteria were applied to select sectoral activities for the Activities Table:

1. Requested by national stakeholders to meet an identified need in one of the results areas;
2. Aligns with NJRS, the NJRS AP, SPD, and the draft Ch23 AP and in particular supports the implementation of the AP;
3. Aligns with existing donor activities, or is readily capable of aligning with planned donor activities;
4. Complies with MDTF-JSS rules and reflects MDTF comparative advantage;
5. Maximizes opportunities for sustainability and the transfer of knowledge and skills with partners.

MDTF OBJECTIVE & STRUCTURE

The objective of the MDTF-JSS would remain the same, namely to provide support for strengthening the justice sector of the Republic of Serbia in order to facilitate its integration to the European Union. The 'hybrid' structure of the MDTF-JSS would remain, so the project would continue to provide both Bank-executed advisory services and Recipient-executed technical assistance and implementation. The MDTF-JSS would adopt the methodological rubric of the Judicial Functional Review 2014, by focusing in the results areas of *Efficiency of Justice Services*, *Quality of Justice Services* and *Access to Justice*.

RECIPIENT EXECUTED TECHNICAL ASSISTANCE

Recipient executed technical assistance would focus on implementing reforms. Recipient-led work ensures that the design of the activity is locally-owned and needs-driven, with support and policy dialogue with the Bank. Procurement of services would be led by the recipient using Bank procurement guidelines, and the recipient would continue to be responsible for managing performance and ownership of results. The Recipient-led component would continue to be divided into two sub-components: Reform, Accession and Facilitation, and Access to Justice. For *Recipient Executed Activities*, funds would continue to be used to finance: (a) consultants' services (excluding salaries of government employees), (b) training, (c) goods, and (d) operating costs.

Sub-Component A: Reform, Accession and Facilitation

This sub-component would continue to fund up to twelve consultants at the MOJ to support the implementation of the Chapter 23 Accession Action Plan through to December 2016, by which time responsibility for this work is expected to transition to IPA financing. It would also fund up to three consultants at the SCC to support the implementation of reforms there, through to December 2018. The RAFU support would be organized in a manner that aims to transfer knowledge, know-how and skills to peers. The sub-component would also fund intensified knowledge exchange between stakeholders, including travel to Brussels for accession dialogue, conferences, study tours, SCC-led reform meetings etc. This suite of activities is focused on support to the improvement of efficiency and quality of justice.

Efficiency: Serbia's challenges in terms of efficiency are documented in detail in the Serbia Judicial Functional Review. Under the MDTF-JSS, activities relate to the efficiency would be focus on peer exchange between the best performing courts and lower performing courts, exchange of good local practice in areas such as utility bill backlog reduction, performance data, service of process, and the monitoring of court enforcement agents. Additional activities in this area will be aligned with the upcoming IPA project and other donor funded projects.

Quality: A key challenge lies in strengthening a culture of judicial duty, independence, accountability, internal ethics and quality in decision-making. Activities to support improved quality of justice is an area where international assistance is somewhat lacking yet the recommendations from the Serbia Judicial Functional Review and stakeholder consultations have identified a clear list of the topics to be supported. These include promoting uniformity of court decisions, statistical reporting on appeals, integrity plans, support to implementation of the JA's continuous professional development program and annual curriculum, and equipment and systems to support financial independence of the Councils.

This sub-component would also continue to fund the operation of the Project Implementation Unit (PIU) and its operational costs, including periodic audits.

Sub-component B: ACCESS TO JUSTICE

This sub-component would focus on supporting the implementation of initiatives that promote access to justice for Serbian citizens. This would include significant support to the rollout of the Free Legal Aid Law once it is enacted, including support to the drafting of regulations and the readiness of legal aid providers. In addition to supporting the flagship FLA reform, this sub-component would also support a range of initiatives that do not require legislative change, rather changes or standardization of practice and introduction of specific monitoring mechanism such as

how to exercise of right to interpreter, standardization of court websites, e-filing or simplification of fee schedule.

BANK EXECUTED ADVISORY SERVICES

Bank-executed advisory work would focus on meeting key analytic gaps where they remain in areas such as fiscal impact analyses, and sub-sectors where the Functional Review identified that further analysis is required. Bank-executed advisory work would also provide technical know-how to transfer needed skills, such as how to conduct surveys and functional analysis, to Serbian stakeholders. For *Bank Executed Activities*, funds would continue to be used to finance (a) staff costs, (b) media and workshops, (c) consultants fees, (d) contractual services, (e) extended term consultant costs, (f) temporary support staff costs, (g) travel expenses, (h) associated overheads, and (i) equipment lease.

SUPERVISION AND TRUST FUND ADMINISTRATION & MANAGEMENT

The World Bank would continue to provide the necessary modality and oversight to enable the MDTF-JSS to function, namely by supervising recipient-executed activities and managing and administering the trust fund in accordance with all trustee responsibilities.

RESULTS

The MDTF-JSS has lacked an adequate results framework. In future, the MDTF-JSS would focus on achieving results in key results areas to meet the development objective. Recent analytic work and consultations provide a foundation for results and intermediate outcomes can be measured.

Results Area 1: Improved efficiency in the delivery of justice services

- The number of pending cases over 2 years is reduced by at least 20 percent (measured by caseload data from SCC Annual Reports; Annual backlog reduction program);
- Quality of statistical reporting is improved (measured by qualitative assessments, Functional Reviews 2014, 2018).

Results Area 2: Improved quality in the delivery of justice services

- User satisfaction surveys are generated and inform decision-making (measured by qualitative assessments, Functional Reviews 2014, 2018);
- Court user satisfaction rates improve on quality, fairness and integrity aspects by at least 15 percent (measured by Multi-stakeholder Justice surveys 2009, 2013, 2017).

Results Area 3: Improved access to justice services

- Citizens report being better able to access the justice system (measured by Multi-stakeholder Justice surveys 2009, 2013, 2017).

Results Area 4: Improved Reform facilitation:

- The evidence base for reform is strengthened and analytic work informs reform processes. (measured by analytic works; qualitative assessments; MC meeting minutes; aide memoires);
- The AP for NJRS is regularly monitored and updated (measured by the submission of EU Commission Annual Progress Reports, meetings of Strategy Implementation Commission (SIC) and SIC progress reports).

Results Area 5: Donor coordination

- MDTF coordinates donor input and maintains administrative overheads (measured by Partners Forums, MC meeting, conferences, knowledge exchange fora, aide memoires, financial reporting)

- MDTF provides platform for active stakeholder engagement (measured by Partners Forums, MC meeting, conferences, knowledge exchange fora, aide memoires etc.)

RISK MANAGEMENT

The MDTF-JSS task team anticipates the following risks and proposes accompanying mitigations:

Risk 1: Fragmentation of stakeholders and reform efforts slows implementation progress.

Mitigation: Design aligns to approved and draft Action Plans. Regular management committee meeting and support to Partners Forums. Strong local presence for informal consultations.

Risk 2: Limited implementation capacity within agencies slows progress of activities.

Mitigation: Boosting of capacity to implement reforms within the MOJ and SCC, while strengthening their sustainability and knowledge transfer. High-quality program implementation unit to manage procurement, FM, monitoring etc. Ownership among senior leadership can support prioritization of activities. A 3-year extension also provides a more accommodating schedule for reform implementation.

Risk 3: Turnover of key stakeholders causes delays in approvals and loss of corporate memory.

Mitigation: Ongoing dialogue with all stakeholders across the sector. Prioritization of more pragmatic technical-level reforms in certain periods. Information exchange and briefing of incoming stakeholders.

Risk 4: Political will for EU integration wanes.

Mitigation: selection of activities that align with domestic political will, including improvements in user services. Design aligns to approved NJRS AP and Ch23 AP.

Risk 5: Reform efforts are stop-start due to lack of thorough analysis, consultation & buy-in

Mitigation: Ongoing dialogue on reform proposals. Design of program based on objective analysis (desk reviews, surveys, Functional Review etc.) Selection of activities that support evidence-based policy making (fiscal impact analyses etc.) Support to MOJ to host consultations (working groups, convents etc.)

MANAGEMENT COMMITTEE

The MDTF-JSS Management Committee has become an active forum for stakeholder dialogue and strategic direction to the MDTF-JSS. The Committee would continue in its role to provide general oversight and direction for the MDTF-JSS. The Committee would continue to comprise the key representatives, namely the MOJ, SCC, HJC, RPPO, SPC, SEIO, contributing donors, and the World Bank. From time to time, additional beneficiaries could be invited to participate in meetings. Meetings would continue to be held periodically (approximately once per quarter) and members may be consulted via email from time to time. The Committee would continue to be consulted on activities to be financed from the fund, excluding activities concerning Trust Fund management, administration, and monitoring and supervision of Recipient-executed activities.

ACTIVITIES

The Activities Table attached highlights the activities that the MDTF-JSS proposes to undertake during the period from 1 January 2016 to 31 December 2018. The Activities Table would be a working-level document that would operate under the Administrative Agreements and Grant Agreement as a living document under the continual consult of the MDTF-JSS Management Committee. The Activities Table follows the model of the previous Bridging Activities Table, the format of which was well-received by stakeholders. The table would be fleshed out in an updated Procurement Plan that would be approved by the MDTF task team.



Request for Extension of the MDTF-JSS

Република Србија
Министарство правде
Немањина 22-26
11000 Београд



Republic of Serbia
Ministry of Justice
22 – 26 Nemanjina Str.
11000 Belgrade

World Bank Vienna
Serbia Country Director
-Ms Ellen Goldstein-

Belgrade, 19 February 2015

Dear Ms Goldstein,

As you would be aware, the Multi-Donor Trust Fund for Justice Sector Support in Serbia (MDTF-JSS) has provided valuable contributions to our efforts to strengthen the rule of law and align our performance with EU standards. It also offers a flexible mechanism that minimizes donor overhead for us, the client, and it has produced good results. In particular, the recent Serbia Judicial Functional Review developed a comprehensive list of recommendations that were agreed among stakeholders. The implementation of these recommendations will be important to align Serbian justice system performance with EU standards. The process of alignment with EU standards will take several years, and we are at a critical juncture on that path, as we start negotiations of Chapter 23 of the Acquis Communautaire relating to the Judiciary and Fundamental Rights.

In light of these facts, it would be unfortunate for the MDTF-JSS to close in December of this year before this important work is done. In our view, the MDTF-JSS should continue providing support to the sector in the coming years to build on and leverage its good results and to ensure their sustainability.

As a result, on behalf of the Ministry of Justice and Serbian judiciary, I kindly request that the MDTF-JSS be extended for a period of three years from December 2015 to December 2018. The MDTF-JSS program framework is now outdated and should be amended to reflect current needs, in particular those arising out of the Functional Review recommendations. We should also join our efforts to secure additional contributions to the MDTF-JSS so that donors can work together in the interests of Serbia's EU integration effort.

We kindly request that the project be extended. We look forward to working with you and the MDTF-JSS in the coming years.

Yours Sincerely,

MINISTER
Nikola Selaković



MDTF-JSS DRAFT ACTIVITY TABLE 2016-2018

ACTIVITY	AGENCY LEAD	OUTPUT/ OUTCOME	YE AR	LINKAGES		
				FR RE C	NJR S AP	CH23 /24 AP
RECEPIENT EXECUTED TECHNICAL ASSISTANCE						
1. Increasing Efficiency in Justice Service Delivery ⁴						
Proposed topics are directly linked with following document: the National Judicial Reform Strategy AP (strategic guideline 5.3.2;), draft Action plan for Chapter 23 (1.3.6.1; 1.3.6.2; 1.3.6.4; 1.3.6.7) and the Sector Planning Document (Specific objective 1)						
1.1 Support roll out of improved Service of process through knowledge exchange, support to guidelines, trainings, minor equipment	SCC, HJC and MoJ	Courts presidents and managers would share innovations for service of process and embed good practices.	2016	√	√	√
1.2 Support to the utility bill backlog reduction in basic courts through development of internal programs and organization of transfer of knowledge activities ⁵	SCC	Court presidents of the basic courts would increase their capacities to deal with utility bill cases and decrease number of this type of cases.	2016	√	√	√
1.3 Support to court performance improvement through incentives – i.e. peer exchange, awards programs	MoJ and SCC	SCC would use data and incentive tools to drive court performance.	2016	√		
1.4 Support to the statistical work to use full functionality of the existing system through organization of trainings, workshops, minor equipment and capacity building activities for judicial staff and judicial office holders	MoJ and SCC	Users of AVP/SAPS would increase aptitude in basic daily functions for case processing.	2016 - 2018	√		√
1.5 Improving collection of statistics and analysis on performance of court and private enforcement agents	MOJ, Chamber of Bailiffs	Design of a system for collection of information on performance of court and private enforcement agents	2016	√	√	

⁴ This group of activities would be aligned with the IPA-financed activities in order to avoid overlap and to enable synergy of the results.

⁵ Activities would be calibrated with IPA-financed Efficiency Project, including inception report.



	SCC					
1.6 Support to increase efficiency in prison transfers and feasibility of VC connections. Based on analysis, pilot VC connections in select prisons.	SCC, MPA	Courts would be better equipped to manage prison transfers and reduce arrears.		√		
2. Improving the Quality of Justice Service Delivery						
Proposed topics are directly linked with following document: the National Judicial Reform Strategy AP (strategic guideline 2.7.1; 2.7.2; 2.1.1), draft Action plan for Chapter 23 (1.3.9; 1.2.2.13; 1.3.8) and the Sector Planning Document (Specific objective 1)						
2.1 Support activities of the SCC towards uniformity of court decisions – database of appellate decisions, interface with SAPS system for automatic import of final court decisions and Judicial Academy ⁶	SCC	Judges would increase their awareness on court practice in the country and decisions of the appellate courts.	2016 - 2017	√	√	√
2.2 Improve statistical reporting on appeals to enable tracking of small and large appellations including data relating to decisions confirmed, amended or remanded back to the lower court	SCC in cooperation with the MoJ	SCC would be able to analyze variations in small and large appellations and to oversight quality in decision making.	2016	√	√	√
2.3 Support to the update and monitoring of integrity plans in courts and prosecutors' offices followed by court user survey on experience of corruption (i.e. trainings of judges, prosecutors and court staff on integrity plans and identification of corruption risks	SCC/HJC/RPPO/SPC	Judges, prosecutors and judicial staff would increase their skills in identification of risks in their environment and proposing of mitigation plan. SCP and HJC would increase their capacities and awareness on importance to monitor activities related to the preparation and implementation of integrity plans.	2016 - 2017	√	√	√

⁶ Data exchange interface with Judicial Academy eCase system for searching and filtering SCC decisions related to human rights.



points, promotion of rules on gift giving)						
2.4 Activities related to the quality of service delivery including improvement of judicial independence, reduction of corruption in courts and PPOs (trainings, workshops, round tables, conferences, amendments to bylaws).	SCC, HJC, SPC, JA	Improved dialogue among cadre of judges and prosecutors of values regarding the independence of judiciary and corruption in the system.	2017	√	√	√
2.5 Support to the implementation of the Annual curriculum of the Judicial Academy ⁷	JA	JA would be empowered to offer annual list of the trainings for continuous education which would have effect on the image of the JA in the judiciary. Users of JA trainings would benefit from the possibility to plan trainings year in advance and to participate in JA's regular program.	2017 - 2018	√	√	√
3. Improving Access to Justice Services						
Proposed topics are directly linked with following documents: the National Judicial Reform Strategy AP (strategic guideline 2.5.1.; 2.5.2; 2.9.2; 5.1.6), draft Action plan for Chapter 23 (1.3.3; 1.3.3.2; 1.3.8; 3.7.1.1; 3.7.1.11) and the Sector Planning Document (Specific objective 1, Action 1)						
3.1 Assessment on possibilities to simplify fee schedule	MoJ and SCC	Simplified fee schedule would enable court users to predict costs of the case.	2016	√		√
3.2 Support courts to improve and standardize court websites. Create court fee calculators in basic and higher courts	MoJ and SCC	Better websites would increase accessibility of information for the general public. Simplified fee schedule would enable users to predict costs.	2016	√		
3.3 Support roll-out of e-filing, starting in basic courts	SCC in close cooperation with the MoJ	President and court managers of the basic courts would have tool for improvement of the efficiency within the court.	2016	√		√

⁷ IPA project Enhancing Educational Activities and Improvement of Organizational Capacities of the Judicial Academy would support the JA in improvement of the Annual curricula and MDTF JSS could support the JA in implementation of the new Annual curricula.



3.4 Additional access to justice activities i.e. lay formats, court outreach activities	SCC	Court users would have ready to use formats to navigate through the case.	2017 - 2018	√		
3.5 FLA rollout – i.e. drafting by laws, development of manuals, training, fee schedule,	MoJ, SCC, JA	FLA users would increase awareness about their rights and FLA providers would deliver standardize quality of the service.	TBC	√	√	√
4. Supporting Reform and Accession Facilitation						
Proposed topics are directly linked with following document: the National Judicial Reform Strategy AP (strategic guideline), draft Action plan for Chapter 23 () and the Sector Planning Document (Specific objective 1)						
4.1. MOJ consultants x 12	MoJ	RAFU would continue to support the Ch23 process as a bridge to IPA financing from 2017	2016			√
4.2. SCC consultants x 3; SPC consultant x 1	SCC / MoJ	SCC consultants would pair up with Serbian staff to rollout reforms across the court network.	2016 - 2018	√		
4.3. Knowledge exchange (i.e. working groups meetings, retreats, regional and EU events, study tours, conferences, presentations)	MoJ/SCC/ HJC/SPC		2016 - 2018	√	√	√
4.4. Professional skills training (program management, financial management, procurement, communication, ICT skills etc.)	MoJ/SCC/ HJC/SPC	Professional mid-level staff would be equipped with modern professional skills.	2016 - 2018	√	√	



ACTIVITY	AGENCY LEAD	OUTPUT / OUTCOME	YE AR	LINKAGES		
				FR RE C	NJR S AP	CH23 /24 AP
BANK EXECUTED ADVISORY SERVICES						
1. Support to Strengthening the Evidence Base for Reform						
Proposed topics are directly linked with following document: the National Judicial Reform Strategy AP (strategic objective 2.10), draft Action plan for Chapter 23 (3.7.1.20) and the Sector Planning Document (Specific objective 1)						
1.1. Analysis of reform proposals for different models of victims support system. ⁸ Fiscal impact assessment.	MoJ/SPC/ HJC	Based on the assessment the MoJ/SPC/HJC could choose the best model for Serbian circumstances.	2016	√	√	√
1.2. Assessment of efficiency and quality of small claims procedure, and reform options. Targeted TA to streamline/strengthen small claims processing.	SCC/HJC	SCC would be empowered to improve efficiency in small claims procedure. Adopted recommendations could be piloted in up to 8 basic courts. Results from the pilot would be rolled out to other basic courts.	2016 - 2017	√		
Proposed topics are directly linked with following document: the National Judicial Reform Strategy AP (strategic guideline 1.2.1.; 5.3.1) draft Action plan for Chapter 23 (1.1.4.) and the Sector Planning Document (Specific objective 1, Action 1)						
1.3. Analysis of efficiency of prosecution service under new CPC	SPC/RPPO	SPC/RPPO would have for the first time data rich overview of situation in prosecution system, including success stories and bottlenecks.	2016	√		
1.4. Support the implementation of the principle of opportunity through organization of workshops, round tables and outreach activities to increase benefits of the institute and measures listed in the law (i.e. community work, medical treatment of drug or alcohol addiction, psychological treatment, etc)	RPPO	Prosecutors would increase knowledge on possibilities given by the implementation of the principle of opportunity and establish network with commissioners and other relevant stakeholders. Public would increase their awareness on benefits of principle of opportunities for community.	2017	√	√	

⁸ This group of activities would be aligned with the OSCE in order to avoid overlap and to enable synergy of results.



2. Support efficiency and quality in commercial courts							
Proposed topics are directly linked with following document: the National Judicial Reform Strategy AP (strategic guideline 5.1.1.2), draft Action plan for Chapter 23 (1.3.6.9) and the Sector Planning Document (Specific objective 1)							
2.1. Targeted technical assistance based on needs assessment	SCC/CAC	Better performance of the commercial courts would influence on legal certainty in business sector and improvement of investments climate.	2016	√	√	√	
2.2 Functionality assessment of the CMS system in commercial courts	Moj/SCC/CAC	CMS is outdated and in a need for overhauling which would further contribute to efficiency of commercial courts	2016	√	√	√	
2.3 Upgrading of the CMS in commercial courts and ICT training	MoJ/CAC, JA	Based on the assessment the CMS would be upgraded and would include new options. The upgrade would also include a training program for clerks and judges (judges assistants)	2017	√	√	√	
3. Support financial independence of judiciary⁹							
Proposed topics are directly linked with following document: the National Judicial Reform Strategy AP (strategic guideline 1.2.1.2), draft Action plan for Chapter 23 (1.1.4.4) and the Sector Planning Document (Specific objective 1)							
3.1. Targeted TA to further strengthen budget departments in the HJC and SPC and support the transfer of responsibilities	HJC/SPC	SPC and HJC would have sufficient capacities to ensure efficient transfer of budget responsibilities	2016	√	√	√	
3.2. Training programs for SPC staff in financial management, procurement statistics, BPMIS training events etc.	HJC/SPC, JA	HJC and SPC would strengthen its capacity in key skills areas to undertake their new responsibilities.	2016	√	√	√	
4. Follow-up Multi-Stakeholder Justice Survey in 2017 including skills transfer to Serbian authorities through the following							
Proposed topics are directly linked with following documents: National Judicial Reform Strategy AP (strategic guideline 2.1.3.2), draft Action plan for Chapter 23 (activity 1.1.6.7) and the Sector Planning Document (Specific objective 1, Action)							
4.1. Conduct a follow-up multi-stakeholder survey	Moj/SCC/RPPO	.Survey would provide information on perception of different target groups related to the judiciary and enable comparison with the surveys from 2010 and 2014. The survey would provide sufficient information to measure results and progress in the	2018	√			

⁹ These activities would align closely with IPA-financed twinning project, based on inception report and ongoing donor coordination between MDTF task team and Twinning Project.



		implementation of the NJRS and AP for Chapter 23.				
4.2. Develop court user survey to supplement court statistics with periodic user survey	SCC/HJC	SCC/HJC would have ready to use tool for future court user surveys to follow satisfaction of users with court services.	2017	√	√	√
4.3. Build capacity of Councils to design and deliver regular customer satisfaction surveys (in person and online) and use survey results to inform decision-making.	SCC/HJC	SCC/HJC would increase their skills and knowledge to implement court users' survey on a regular basis. SCC would design a web-based platform (with the support of the MDTF) to collect and analyze results from all courts.	2018	√		√
5. Follow-up Functional Review 2018, including skills transfer through the following						
Proposed topics are directly linked with following documents: the National Judicial Reform Strategy AP (strategic guideline), draft Action plan for Chapter 23 (1.3.3.3) and the Sector Planning Document (Specific objective)						
5.1. Conduct follow up functional review to measure reform impact	MoJ/HJC/SCC	Follow up Functional Review would provide information on success of reforms undertaken from 2014.	2018	√		√
5.2. Organize transfer of skills to empower Serbian authorities to conduct periodic reviews	HJC/SCC	HJC and SCC would increase their capacities to capable to implement review regularly in order to measure system performance.	2018	√		√

