

July 12, 2017

H.E. Ms. Nela Kuburović
Minister
Ministry of Justice
Government of the Republic of Serbia
Nemanjina 22-26
11000 Belgrade

Your Excellency,

*Re: Republic of Serbia
Multi-Donor Trust Fund for Justice Sector Support
Implementation Support Mission Aide Memoire: May 25 to June 2, 2017*

The World Bank team conducted an implementation support mission for the Multi Donor Trust Fund for Justice Sector Support (MDTF-JSS) from May 25 to June 2, 2017. The mission was led by Ms. Georgia Harley (Justice Reform Specialist and Task Team Leader) and comprised Mr. Srdjan Svirčev (Public Sector Specialist), Dr. Marina Matić (Justice Reform Advisor), Mr. Nenad Milić (Communications and Online Transparency Consultant), Ms. Olga Šipka (Justice Reform Expert), and Ms. Linn Hammergren (Judicial Performance Expert). The team was supported by Ms. Bisera Nurković (Program Assistant).

The objectives of the mission were to:

- a. monitor the implementation of ongoing activities;
- b. supervise the rollout of new activities under the Serbia MDTF-JSS grant, including a sector wide skills training program, the State Prosecutorial Council's initiative on prosecution accountability, and ongoing support to Commercial Courts, and;
- c. host a Management Committee meeting with MDTF-JSS donors and beneficiaries.

The team thanks the stakeholders we met during the mission for their contributions and active leadership.

The MDTF-JSS continues to make progress in supporting the justice sector to strengthen its performance in line with EU benchmarks. The most recent World Bank *Implementation Status and Results Report* for the project was completed following the mission. That report rated progress towards achievement of the project development objective as satisfactory. The report also upgraded the rating for implementation progress from satisfactory to highly satisfactory, noting the recent improvements in PIU performance, reflected in the increased grant amount, increased pace of activity implementation, increased rate of disbursements, and progress against the results framework.

Further information is contained in the attached *Aide Memoire*. Additional updates are available at the MDTF-JSS website <http://mdtfjss.org.rs/en> which is continually refreshed with information about project activities, reporting and results. The next implementation support mission is tentatively scheduled for early September 2017.

Sincerely,



Lazar Šestović
Acting Country Manager
The World Bank Office
Republic of Serbia

Attachments:

- *Aide Memoire*
- *MDTF-JSS Support to the Supreme Court of Cassation Presentation*
- *MDTF-JSS Recipient-Executed Grant Results Presentation*

cc: Mr. Dragomir Milojević, President, Supreme Court of Cassation
Mr. Janko Lazarević, Deputy President, Supreme Court of Cassation
Ms. Zagorka Dolovac, Public Prosecutor, Republic Public Prosecution Office
Mr. Čedomir Backović, Assistant Minister, Ministry of Justice
Ms. Slavica Jelača, Assistant Minister, Ministry of Justice
Ms. Majda Krškapa, Secretary of the Administrative Office, High Judicial Council
Ms. Mirjana Puzović, Head of the President's Office, Supreme Court of Cassation
Ms. Sonja Prostran, Monitoring and Evaluation Specialist, MDTF-JSS Support to the Court of Cassation
Mr. Tomo Zorić, Secretary of the Administrative Office, State Prosecutorial Council
Mr. Branko Stamenković, Head of the Special Prosecution Office for High Tech Crime
Ms. Marijana Santrač, Senior Advisor for International Cooperation, State Prosecutorial Council
Mr. Srdjan Majstorović, Deputy Director, Serbian European Integration Office
Mr. Miloš Delić, Advisor, Serbian European Integration Office
Mr. Nenad Vujić, Director, Judicial Academy
Mr. Lazar Lazović, President, Association of Judicial and Prosecutorial Assistants
Mr. Žak Pavlović, President, Association of Judicial Associates of Serbia
H.E. Mr. Philippe Guex, Ambassador, Embassy of the Swiss Confederation
H.E. Mr. Miguel Fuertes Suárez, Ambassador, Embassy of the Kingdom of Spain
Mr. Morten Skovgaard Hansen, Charge d' Affaires, Royal Danish Embassy
Mr. Juan Ignacio Iquino Lafuente, Counselor, Embassy of the Kingdom of Spain
Mr. Emilio Ramos Jara, Counsellor, Embassy of the Kingdom of Spain
Ms. Ursula Läubli, Country Director, Cooperation, Swiss Cooperation Office
Mr. Petar Vasilev, National Program Officer, Swiss Cooperation Office
Mr. Torgny Svenungsson, Head of Development Cooperation Department, Embassy of Sweden
Ms. Nataša Zoranović Divić, Program Officer, Embassy of Sweden
Mr. Oskar Benedikt, Deputy Head of Delegation, Delegation of the European Union
Mr. Holger Schroeder, Head of Cooperation, Delegation of the European Union
Mr. Nicolas Bizel, Head of Operations I, Delegation of the European Union
Mr. Enrico Visentin, Delegation of the European Union
Ms. Mirjana Cvetković, Legal Officer, Delegation of the European Union
Ms. Una M. Kelly, Justice Sector Program Manager, Delegation of the European Union
Ms. Jannicke Bain, First Secretary, Royal Norwegian Embassy
Ms. Mari Timenes Nordmo, Second Secretary, Royal Norwegian Embassy
Mr. Jurij Mesec, Legal Expert, Department for International Cooperation and EU Law, Ministry of Justice, Republic of Slovenia
Ms. Maja Klemencic Turk, Coordinator, Department for International Cooperation and EU Law, Ministry of Justice, Republic of Slovenia
Ms. Sanja Torov, Policy Officer, British Embassy
Ms. Nataša Radović, Good Governance Program Manager, British Embassy
Mr. Brian Le Duc, Team Leader, Judicial Efficiency Project
Ms. Dicky Methorst, Head of Regional Rule of Law Unit, Royal Netherlands Embassy
Ms. Aleksandra Kalinić, Policy Officer, Development Cooperation Department, Royal Netherlands Embassy
Mr. Aleksandar Momirov, Senior Policy Advisor, Rule of Law Unit, Royal Netherlands Embassy
Ms. Azza El Abd, Mission Director, USAID
Ms. Ivana Ramadanović, Legal Officer, OSCE
Mr. Werner Gruber, Executive Director, The World Bank

bcc:

Messrs./Mmes. Fozzard, Harley, Matić, Padilla, Svirčev, Šipka (GGO15); Oliveros (GGO03); Crnomarković (GGO21); Šestović, Dražilov (GMF12); Verheijen, Ivanović, Nurković, Vuković Tasić (ECCYU)

Serbia DL, MDTF-JSS Task Team, ECAVP Managers, ECA Safeguards, WBDocs

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

**Implementation Support Mission
AIDE MEMOIRE
25 May to 2 June, 2017**

1. A World Bank implementation support mission for the MDTF-JSS visited Serbia from 25 May to 2 June, 2017.¹ The objectives of the mission were to:

- a. monitor the implementation of ongoing activities (analyses of non-core functions in the judiciary, victims support, prosecution budget planning, prosecution strategic planning, various training activities);
- b. supervise the rollout of new activities under the Serbia MDTF-JSS grant, including a sector wide skills training program, the State Prosecutorial Council's initiative on prosecution accountability, and ongoing support to Commercial Courts, and;
- c. host a Management Committee meeting with MDTF-JSS donors and beneficiaries.

2. This mission builds on technical missions that were held on January 16 to 26, 2017 and February 6 to 14, 2017 (reported separately but summarized here). The team thanks the stakeholders we met during the mission for their contributions and active leadership. A list of persons met is at **Annex 1**.

KEY FINDINGS AND AGREED NEXT STEPS

3. **The MDTF-JSS continues to make progress in supporting the justice sector to strengthen its performance in line with EU benchmarks.** A Management Committee meeting was held on Wednesday 31 May, 2017. Minutes of the meeting are at **Annex 2** and presentations at **Annex 3**. The MDTF-JSS website <http://mdtfjss.org.rs/en> is updated continually with information about project activities, reporting and results.

4. The mission agreed upon the following key actions over the coming months.

ITEM	NEXT STEP	RESPONSIBLE	TIMEFRAME
1.	PIU to initiate procurement of activities to support website development to improve transparency and outreach at prosecutor offices	PIU and SPC	July 2017
2.	MOJ to facilitate coordination meeting on victim support services	MOJ	July 2017
3.	Finalize reports on: comparative analysis of financing mechanisms for victim support services; mapping exercise and interactive map of existing victims support services, and;	World Bank	September 2017

¹ The mission was led by Ms. Georgia Harley (Justice Reform Specialist and Task Team Leader) and comprised Mr. Srdjan Svirčev (Public Sector Specialist), Dr. Marina Matić (Justice Reform Advisor), Mr. Nenad Milić (Communications and Online Transparency Consultant), Ms. Olga Šipka (Justice Reform Expert), and Ms. Linn Hammergren (Judicial Performance Expert). The team was supported by Ms. Bisera Nurković (Program Assistant).

	comparative analysis on networking arrangements for victim support services.		
4.	Scale up existing skills training for staff across the justice sector	PIU	September 2017
5.	Start dissemination of the Self Representation Guide	YUCOM / World Bank	September 2017
6.	Start work with HJC on: arrears analysis; training needs update; and annual reporting process.	HJC/World Bank	October 2017
7.	Update procurement plan for 2016-2018	PIU	October 2017
8.	Prepare the next round of the SCC court rewards program	SCC / World Bank	October 2017
9.	Design a newsletter based on the MDTF-JSS website updates	World Bank	September 2017
10.	Next implementation support mission	World Bank	September 2017

UPDATE ON ACTIVITIES

Bank-executed activities

5. **The Bank is working closely with the Supreme Court of Cassation (SCC) to scale up the next round of the Court Rewards Program.** The program aims to incentivize first instance courts to improve efficiency and productivity in case processing. The program has been formally endorsed and included in the Court Book of Rules and has been received exceptionally well within the judiciary as a tool to promote positive competition. The initiative puts Serbia at the forefront of innovation among judiciaries in Europe in incentivizing court performance. This second year may include a larger number of rewards.

6. **Technical work on a Guide to Self-Representation for Citizens and Businesses is nearing completion.** The guide offers practical information about the basic features of law and procedure in a lay format for citizens and business. It aims inform potential court users so that they can feel empowered to uphold their rights and resolve their disputes, either in or out of court. The MDTF-JSS has partnered for this activity with local CSO, YUCOM, which has prepared a draft guide and is conducting consultations to tailor the final version. YUCOM and the SCC have agreed to post the guide on all court websites. Several CSOs have also agreed to promote the guide via their platforms. YUCOM will lead the dissemination of the guide, starting in September 2017. Based on the successful rollout of this work, the Bank is open to considering further activities that increase access to legal information by reaching out directly to communities and target groups.

7. **The HJC and the task team agreed start work on the following activities requested by the HJC in September 2017:**

- a) **Analysis of the status of arrears in courts.** Arrears currently create significant inefficiencies in the courts and better arrears management provides opportunities to identify cost savings, improve transparency, reduce frustration and stress among staff. The analysis will apply a similar methodology to the arrears analysis conducted by the MDTF-JSS together with the SPC in early 2017, which improved the SPC to identify cost savings and successfully argue for greater budget allocation in the 2017 budget.

- b) **Review the training needs of their staff to update HJC’s internal training program.** Their current training plan will expire in December 2017, so a review of the implementation of that plan and future needs is necessary. Other donors are not providing assistance in this area. The review will apply a similar methodology to the training needs analysis conducted by the MDTF-JSS together with the SPC in early 2016, which has formed the basis of their programming.
- c) **Improvement of HJC’s annual reporting process as a transparency and outreach tool.** This technical assistance will apply a similar methodology to the transparency and outreach work that the MDTF-JSS conducted together with the SCC in late 2016.

8. **The MOJ requested interest in fast-tracking small claims procedures, as part of its broader efforts to update the civil procedure code.** The Bank agreed to provide targeted technical assistance to further explore options for fast-tracking, including by analyzing how many small claims there are in Basic Courts in Serbia, which are the best comparator countries for Serbia, which practices work best for them, relevant legal provisions relating to small claims, and how those countries navigated the reform process. The MOJ and the task team agreed start work on these activities in September 2017.

9. **The Bank is finalizing the various targeted analyses requested by the MOJ regarding lessons learned from EU member states on the establishment of victims’ support services.** The package of related analyses includes: a comparative analysis of financing mechanisms for victim support services; a comparative analysis on networking arrangements for victim support services; analysis of the role of police in victim support service delivery; a survey and institutional mapping exercise of existing services available throughout Serbia, and; an interactive map of existing victims support services in Serbia. The team shared drafts of these reports with relevant stakeholders. Dissemination is planned for September 2017. In 2016, the MOJ had requested a fiscal impact analysis of victims’ support services, but this was not possible at the time because a strategy or policy had not been developed upon which the fiscal impacts could be modeled. Following discussions with the MOJ, OSCE, and the EUD, it was agreed that, once a draft strategy was developed under the EU-financed OSCE project in 2018, the MDTF-JSS could start work on the fiscal impact analysis.

Government-executed activities

10. **The Prosecution Association of Serbia, together with the SPC, the Republic Prosecutor’s Office and the International Association of Prosecutors, hosted a *Global Forum on Prosecution Accountability and Ethical Standards*.** Most of the 100+ participants were Serbian prosecutors, but participants included prosecutors from Austria, Brazil, Canada, Denmark, Hungary, Ireland, Italy, the Netherlands, Portugal, Bosnia and Herzegovina, and Poland. The goal of the forum was to identify how these related organizations can together contribute most effectively to the strengthening of prosecutors' accountability and the implementation of ethical standards of prosecution service. The goal is directly related to goal of Chapter 23 AP, increasing of accountability of the judiciary. Prosecutors from Serbia had the opportunity to learn about the best practices and challenges in implementation of ethical standards. The conference allowed exchange of practice and experiences from other countries regarding the prosecutors’ accountability, inter alia, in field of accountability in media and in resource management (human and financial resources). In addition to financing the conference, MDTF-JSS Task Team Leader,

Georgia Harley, gave welcome remarks and World Bank experts led panel sessions on financial accountability, resource management politics and strategic planning.

11. **The first round of skills based training that was started in 2016 has been completed.** During 2016, more than 950 staff from across the justice sector, mainly from courts and prosecutor offices, undertook skills training in core business fields, including in ICT literacy. For many staff, this is the first training they have received during their employment. President Milojević of the Supreme Court of Cassation participated in ICT skills training, which stakeholders welcomed as a positive signal to the judiciary that training is important and accessible, regardless of seniority, age, or title. Based on feedback from the course evaluations, 95 percent of participants reported that the training was useful to their work, and 83 percent of participants reported that they had improved their skills during the training course. Based on the success of the first rounds of training, the PIU agreed to scale up the training offerings and widen the course offerings. The SCC also requested that staff receive training on the optimal use of existing case management systems, and the Bank agreed to consider such a request. The PIU will prepare a request for no objection for new skills training programs by September to further intensify skills training across the justice sector.

12. **The SCC's efforts to reduce case backlogs continues to progress well.** During this mission, the SCC requested that the MDTF-JSS provide additional manpower to temporary backlog reduction teams in Basic Courts, to transition from that support provided by the EU funded Judicial Efficiency Project. The MDTF-JSS conveyed its openness to explore options to support backlog reduction efforts, but preferably those that do not rely on the influx of temporary additional manpower, noting that the current judiciary is already overstaffed. The team also shared an advanced copy of the report, *Towards Effective Enforcement of Uncontested Claims: Lessons from the EU II*. The SCC and the task team agreed to continue to discuss options for further support to backlog reduction.

13. **Progress toward the project's development objective remains satisfactory.** The latest World Bank Implementation Status and Results Report is available here, <http://documents.worldbank.org/curated/en/131881498402878585/Serbia-Serbia-Justice-Sector-Support-Multi-Donor-Trust-Fund-P121377-Implementation-Status-Results-Report-Sequence-02>. The rating for implementation progress was upgraded from Satisfactory to Highly Satisfactory, noting the recent improvements in PIU performance, reflected in the increased grant amount, increased pace of activity implementation, increased rate of disbursements, and progress against the results framework.

List of Stakeholders Met

Name	Title, Organization
Mr. Čedomir Backović	Assistant Minister, Ministry of Justice
Ms. Snežana Andrejević	Judge, Supreme Court of Cassation
Ms. Mirjana Puzović	Head of the Office of the President of the Supreme Court of Cassation
Ms. Sonja Prostran	MDTF-JSS Consultant Monitoring and Evaluation Specialist at Supreme Court of Cassation
Ms. Majda Kršikapa	Secretary General, High Judicial Council
Mr. Tomo Zorić	Secretary General, State Prosecutorial Council
Ms. Svetlana Nenadić	Member of State Prosecutorial Council
Mr. Goran Ilić	Deputy Republic Public Prosecutor, State Prosecutorial Council
Mr. Saša Djokić	Public Prosecutor, Basic Public Prosecutorial Office in Nis
Ms. Borica Mitić	Public Prosecutor, Higher Public Prosecutorial Office in Nis
Mr. Ivan Simonović	First Deputy of the Public Prosecutor, Higher Public Prosecutorial Office in Nis
Mr. Nebojša Tasić	Public Prosecutor, Appellate Public Prosecutorial Office in Nis
Mr. Dragomir Milojević	President, Supreme Court of Cassation
Ms. Jasminka Obućina	Acting President, Appellate Commercial Court
Mr. Jovan Jovanović	Acting President, Commercial Court in Belgrade
Ms. Ljiljana Krejović	MDTF-JSS Procurement Specialist, PIU
Ms. Daliborka Grubić	MDTF-JSS Financial Management Specialist, PIU
Mr. Aleksandar Momirov	Senior Policy Advisor, Embassy of the Kingdom of the Netherlands
Mr. Enrico Visentin	Program Manager, Delegation of the European Union to the Republic of Serbia
Ms. Úna M. Kelly	Justice Sector Program Manager, Delegation of the European Union to the Republic of Serbia
Mr. Marko Uljarević	Opinion and Social Research Director, IPSOS
Mr. Milan Antonijević	Director, YUCOM, Lawyers' Committee for Human Rights



Management Committee Meeting for the Multi-Donor Trust Fund for Justice Sector Support in Serbia

**Wednesday 31 May 2017, World Bank Office, Belgrade
Minutes**

1. Welcome & participants

Name	Title, Organization
Mr. Čedomir Backović	Assistant Minister, Ministry of Justice
Ms. Darja Koturović	Consultant for Access to Justice, Ministry of Justice
Mr. Vladimir Vukićević	Consultant for Human Rights, Ministry of Justice
Ms. Marijana Santrač	Senior Advisor for International Cooperation, State Prosecutorial Council
Mr. Ola Andersson	Counsellor, Embassy of Sweden
Ms. Nataša Zoranović Divić	National Program Officer, Embassy of Sweden
Mr. Aleksandar Momirov	Senior Policy Advisor, Embassy of the Kingdom of the Netherlands
Ms. Olivera Purić	Adviser, Swiss Cooperation Office
Mr. Boško Šukilović	Finance and Administration Officer, Danish Embassy
Ms. Majda Kršikapa	Secretary General, High Judicial Council
Mr. Janko Lazarević	Deputy President, Supreme Court of Cassation
Ms. Sonja Prostran	Monitoring and Evaluation Specialist, Supreme Court of Cassation
Ms. Vanja Rodić	Senior Legal Adviser for European Integration, Supreme Court of Cassation
Mr. Milan Bajić	MDTF Senior Court Jurisprudence Specialist, Supreme Court of Cassation
Mr. Radiša Veljović	ICT Senior Adviser, Supreme Court of Cassation
Mr. Neven Vukašinić	Deputy President, Appellate Commercial Court
Mr. Matthew Jordan	Second Secretary, Head of Policy and Programs, British Embassy Belgrade
Ms. Andrea Subotić	Policy Development Team Intern, British Embassy Belgrade
Mr. Ewoud ROES	First Secretary - Political and Economic Section, Embassy of Belgium in Serbia
Ms. Úna M. Kelly	Justice Sector Program Manager, Delegation of the European Union to the Republic of Serbia
Mr. Enrico Vinsentin	Program Manager, Delegation of the European Union to the Republic of Serbia
Ms. Ljiljana Krejović	MDTF-JSS Procurement Specialist, PIU
Ms. Olga Šipka	Justice Reform Expert, World Bank
Mr. Srdjan Svirčev	Public Sector Specialist, World Bank
Ms. Georgia Harley	Senior Public Sector Specialist, World Bank
Dr. Marina Matić Bošković	Justice Reform Expert, World Bank

This was the first MDTF-JSS Management Committee meeting held in 2017: previous attempts to host the meeting were postponed due to elections in Serbia. The meeting agreed to try to meet at

least twice per year. Despite the large number of participants, the Bank undertook to continue to host the meeting at the Bank premises, both for the convenience of participants and to ensure good value for money, as part of its trust fund administrative functions. The Bank also offered to open the meeting to participants via video conference.

2. Update & discussion of recent progress

a. Bank executed advisory services:

Updates were provided by the Bank (Georgia Harley, Srdjan Svircev and Marina Matic) on recent advisory support. See MDTF-JSS website for details.

The EU Delegation (Enrico Visetin) highlighted the exceptional efforts that the MDTF has undertaken to ensure donor coordination at a technical level. The EU Delegation (Una Kelly) requested that the MDTF facilitate a donor coordination meeting to discuss victim support services. The MDTF agreed that to coordinate, and that the MOJ should chair.

b. Government-executed implementation:

Updates were provided by Ministry of Justice (Čedomir Backović, Vladimir Vukićević and Darja Koturović), Supreme Court of Cassation (Janko Jašarević), High Judicial Council (Majda Kršikapa) & State Prosecutorial Council (Marijana Santrač). See attached presentation for details.

3. Updates on related regional programming

The Bank (Georgia Harley) provided updates on two regional programs that are led by the Bank and which relate to the MDTF-JSS.

The Program, *Understanding economic dimensions of LGBTI discrimination in the Western Balkans* collects data on the socio-economic outcomes and experiences of discrimination of LGBTI people in the Western Balkans, with a deep dive in Serbia. The largest data initiative of its kind, this research comprises three components:

- a. a regional replication of the 2012 LGBTI survey of EU member states conducted by the Fundamental Rights Agency (FRA);
- b. a national replication of the Survey of Income and Living Conditions (SILC) in Serbia, and;
- c. a mystery shopping qualitative study on access to services in Serbia.

These reports will be finalized in 2017, and dissemination is planned for late 2017. The Program will inform efforts to reduce discrimination against LGBTI people consistently with Serbia's commitments under the Chapter 23 Accession Action Plan. The reports may also inform MDTF-JSS programming on access to justice and support to EU integration.

The Program, *Informing Justice Policy Dialogue in the Western Balkans*, is co-funded by the Bank with a generous contribution by the Dutch Balkan Rule of Law Initiative of the Ministry of Foreign Affairs of the Kingdom of the Netherlands. The Program provides targeted technical advice on

topics that are common challenges for judiciaries in the Western Balkans, based on government request. In 2017, the program has produced two outputs of interest to Serbian stakeholders.

a. Fast-tracking the Resolution of Minor Disputes: Lessons from EU Member States

b. Towards Effective Enforcement of Uncontested Claims: Lessons from the EU11.

The Dutch Embassy (Aleksandar Momirov) shared copies of these reports in English and Serbian. Dissemination continues. The SCC and MOJ have expressed interest in better understanding these two issues, and these reports will inform MDTF-JSS programming through 2017 and 2018.

4. Looking forward

b. Feedback / suggestions for improvement

To increase convenience for donors and visibility of MDTF activities, the Bank offered to push MDTF-JSS website updates via email to the MDTF Management Committee distribution list. The Bank will design a newsletter which will be distributed on a regular basis.