

SECRETARIAT GENERAL

DIRECTORATE GENERAL  
HUMAN RIGHTS AND RULE OF LAW

THE DIRECTOR GENERAL

Please quote: DG1/PB/CG/ML/TT/170-15

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

President of the Supreme Court of  
Cassation of the Republic of Serbia  
Mr Dragomir Milojevic  
Nemanjina br.9  
11000 Belgrade  
Serbia

Strasbourg, 6 August 2015

Dear President,

I would like to thank you for your letter of 23 June 2015, in which you highlighted the positive results of our cooperation activities in Serbia and requested information about the Council of Europe's further support to the Serbian judiciary, a question we discussed during your last visit to the Council of Europe on 21 May 2015.

I have noted with great interest that the Council of Europe's efforts supporting the application of the European Convention on Human Rights (ECHR) at the national level, through the current project "Support to the Judiciary in Serbia in the Implementation of the ECHR", are very well received by the Supreme Court of Cassation and other national courts. The holistic approach of the current project has proven to be an effective method for triggering the necessary changes in the attitudes of the Serbian judiciary, with respect to the implementation of the ECHR. Furthermore, novel practices and methodologies which were introduced under the current project have yielded positive results in the application of the ECHR. The exchange of views among the court practice departments of appellate courts have played a central role in the harmonisation of the court practices at the national level.

My Directorate General is therefore ready to continue this co-operation and further support the Supreme Court of Cassation of the Republic of Serbia. In particular, I am delighted to inform you that the Human Rights Policy and Co-operation Department has developed a new project entitled "Bringing Human Rights Home", which will further develop these successful approaches and assist the judiciary in the implementation of more effective working methods as regards the implementation of the ECHR. The new project is currently pending approval by the donor and is due to be launched in early 2016. It will address one of the key challenges facing Serbia's justice sector: an inter judicial dialogue between the highest national courts and information exchange regarding the reasoning applied in national judgments to address various ECHR issues. The new project will thus facilitate the strengthening of the communication within the judiciary and find the most appropriate ways to apply the ECHR case law at "home".

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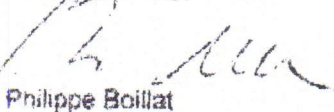
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Ensuring overall consistency of national jurisprudence and its harmonisation with the ECHR requirements is a complex task that the Serbian judiciary is trying to achieve. It requires that the Supreme Court of Cassation remain a leading force in the implementation of the new project.

The Council of Europe would also be ready to explore with you a possible collaboration focusing on the role of the Supreme Court of Cassation in the administration of justice, in particular in respect of monitoring the workload of the judiciary and related judicial practices. We would welcome information as to whether this would be of interest, in which case we would organise a visit of experts from Council of Europe member states to discuss the possibilities and share national experiences.

I would like to reiterate the Council of Europe's readiness to fully support the Serbian judiciary and the Supreme Court of Cassation in this endeavour and look forward to our continued co-operation in the context of the new projects.

Yours sincerely,



Philippe Boillat

cc: Permanent Representation of the Republic of Serbia to the Council of Europe  
Head of the Council of Europe Office in Belgrade