



The Republic of Serbia
THE CONSTITUTIONAL COURT

**AN OVERVIEW OF
THE WORK OF THE CONSTITUTIONAL
COURT IN 2019**

Belgrade, February 2020

AN OVERVIEW OF THE WORK OF THE CONSTITUTIONAL COURT IN 2019¹

I

INTRODUCTORY REMARKS

In 2019, the Constitutional Court worked with the full composition of 15 judges up to 29 April, when the term in office of four judges expired. When the three newly appointed judges assumed office on 9 May 2019, it sat with the composition of 14 judges up to 27 July 2019, when for two more judges the term in office expired. From then until the end of 2019, the Constitutional Court sat with the composition of 13 judges.

In exercising its constitutionally determined competences, the Constitutional Court in its work in 2019 was focused, in addition to deciding the cases from the area of abstract control of laws, primarily on deciding constitutional appeals.

It should be pointed out that though 2019 was marked for the greatest number of cases processed before the Constitutional Court up to then, the number of decided cases exceeded the number of the newly received ones. This was possible through a joined effort of the judges and the Professional Service of the Constitutional Court, despite the fact that in the observed period the composition of the court went through several changes. As already mentioned, for six judges the term in office expired and the newly appointed judges assumed their duties, which affected the Court's work dynamic in 2019.

II

HANDLING THE CASES AND THE BASIC STATISTICAL INDICATORS

a) Data on the newly received cases

Just as over the past few years, the number and type of the cases that were received in the observed period continue to indicate that the Court's caseload consists more and more of constitutional appeals, and that according to its scope this competence continues to be the Court's dominant competence.

In the course of 2019, the Constitutional Court received 27,963 submissions, which is 2,363 more than in 2018 when this number was 25,600. Based on the submissions received in 2019 14,419 new cases were formed, which is 1,126 less than in 2018 (15,545 new cases formed). This means that the number of newly formed cases in 2019 was by 7, 81% less than in the previous year. The stated number of cases formed in 2019 included 14,112 cases of constitutional appeals, 246 cases from other Constitutional Court's competences, and 61 case outside of the constitutional competences (the cases marked „R“ where the party's request was not within the Court's competences). The number of the newly formed cases of constitutional appeals (14,112) is 1,038 cases lower than in the previous year, when based on the submitted constitutional appeals 15,150 new cases had been formed. It follows from the presented data that the number of the cases formed based on the constitutional appeals

¹ The Overview was adopted at the 3rd session of the Constitutional Court, held on 13 February 2020.

submitted in 2019 was reduced by 7.36% when compared with 2018. It should be pointed out, however, that the presented data are not an indicator of a decreased inflow of constitutional appeals in 2019 as compared with the previous year. Namely, with the aim of more rational and effective operation, the Constitutional Court formed a constitutional case by joining 10 or more constitutional appeals. These are so called "standard" cases (where constitutional appeals by different appellants allege a violation of the same guaranteed right in the same proceedings or against the same disputed individual legal act). This is why the number of the newly submitted individual constitutional appeals was by far higher.

When it comes to the newly-formed cases from other competences of the Constitutional Court (cases marked IU to XU), there is a noticeable decrease in their total number as compared with 2018. Namely, in 2019 the Constitutional Court received 246 new cases within its constitutional competence, which is 54, i.e. by 21.95% less than in 2018, when 300 were received from the area of normative control (requests for constitutional review of laws and other general acts), the area of a conflict of competences (requests for their resolution) and other constitutional court competences (cases based on other requests).

As regards new cases requesting review of alignment of laws with the Constitution and ratified international agreements, review of the alignment of ratified international agreements with the Constitution, and review of the constitutionality and/or lawfulness of regulation and other general acts, there were 199, which is 30 cases less when compared with the previous year (229). Unlike in 2018, when the inflow of the newly formed cases based on requests for resolution of a conflict of competences was higher by 106% as compared with 2017, the inflow of these cases was lower by 15.08 % in 2019. Namely, in 2019 the Constitutional Court was submitted 44 requests for resolution of a conflict of competences, which is 24 less than in the previous year, with 68 such requests. The newly received constitutional court cases included one request for the enforcement of a Constitutional Court decision, and two appeals of judges, public prosecutors and public prosecutor deputies filed against the decision on termination of function.

6) Data on the total number of cases processed in 2019

The total number of cases processed in 2019 includes 22,473 of backlog from the previous years, as well as 14,419 newly received cases in 2019. This makes the total of 36,892 cases, which is the highest recorded number of cases processed before the Constitutional Court in one year. Namely, though 2018 was noted for the highest number of cases processed as compared with the previous years – 33,784, 2019 saw an increase by 8.42%.

Structurally, the cases processed before the Constitutional Court were as follows:

- 98.37% of the total number of the cases processed were constitutional appeals - there were nominally 36,291 (22,179 backlog cases and 14,112 newly-formed cases);

- 1.45% of the total number were the cases from other constitutional competences - nominally 536 cases (290 backlog cases and 246 newly-formed cases). Out of this number, 475 of them were cases requesting review of the constitutionality and/or lawfulness of a general act (276 backlog cases and 199 new cases), and 55 were the cases formed on requests for resolution of a conflict of competences (11 backlog cases and 44 new cases). The remaining 6 processed cases were the cases from all other constitutional competences (3 backlog cases and 3 newly-received cases);

- 0.18% of the remaining processed cases, which is nominally 65 cases, are the „R“ cases (4 backlog cases and 61 newly-received ones).

c) Data on the number of decided and pending cases at the end of 2019

In the course of 2019, the Constitutional Court decided 15,129 cases. Among the decided cases there were 14,780 cases of constitutional appeals, 241 cases of normative control, 41 requests for resolution of a conflict of competences and 4 cases from other competences of the Constitutional Court (total of 286), and 63 solved „R“ cases.

There were 21,763 backlog cases, namely: 21,511, constitutional appeals, 234 cases of normative control, 14 requests for resolution of a conflict of competences, and 2 cases from all other constitutional competences (total of 250) , with two backlog „R“ cases.

The presented data indicate that in the observed period, the number of decided constitutional appeals was increased by 26.83% , the number of decided cases of normative control and other constitutional competences stayed the same as in the previous year when their total number was 289 (in 2019 their number was 285), whereas almost all „R“ cases were decided.

Hence, as the number of the cases decided by the Constitutional Court in 2019 was 15,129 - 3,863 more than in 2018 when their total number was 11,266, it follows that the number of decided cases in 2019 expressed in percentage format was increased by 34.29%, and that the total number of pending cases was reduced by 3.49%. In addition, the data indicates that the Constitutional Court in 2019 succeeded at handling the inflow of cases, in view of the fact that the number of formed cases was 14,419 and the number of decided cases was 15,129, i.e. that the inflow was mastered 4.92%.

The Overview of the Constitutional Court's Work in 2019 is accompanied by more detailed data on the structure of cases according to the court competences laid out in both numeric and graphic form.

III

DECIDING CASES WITHIN THE CONSTITUTIONAL COMPETENCES

1. Review of the constitutionality and lawfulness and of the alignment with ratified international agreements

As it has been already mentioned, the presence of cases according to individual Constitutional Court competences remained unchanged in comparison with the previous several years. Namely, the Court's competence to assess the alignment of laws and other general acts with the Constitution and ratified international agreements, or so-called normative control, used to be its basic and dominant competence before the promulgation of the Constitution of the Republic of Serbia (hereinafter: the Constitution) of 2006, currently in force. This competence continues to be extremely important for the protection of the constitutionality and lawfulness, but is more limited in scope. In 2019, the Constitutional Court processed 536 cases wherein the request included normative control of a disputed general legal act - of which there were 290 backlog cases and 246 newly received ones. In the observed period, 286 cases of normative control were decided, and 250 cases remained pending.

According to the type of disputed acts, normative control cases decided by a decision or ruling rejecting an initiative included: laws - 10 cases; acts of ministries and other republic bodies - 1 case; local self-government unit acts (municipalities and towns) - 6 cases;

other general legal acts (of public services, business companies, banks, associations and other organizations) - 3 cases.

When deciding the submitted proposals and initiatives requesting constitutional and legal review, and in certain cases review of the alignment with ratified international agreements, the Constitutional Court made: 9 decisions finding incompatibility with the Constitution and/or law; 3 decisions rejecting proposals/requests for finding a law unconstitutional; 8 rulings dismissing the initiatives for instituting proceedings of constitutional review; and 196 conclusions dismissing proposals and initiatives for review of the constitutionality and/or lawfulness because it had been established that there were no procedural presuppositions for conducting proceedings and deciding. The Constitutional Court discontinued proceedings in 10 cases, namely: in 4 cases the discontinuance was a result of alignment of the disputed act with the Constitution/law in the course of proceedings, and in 2 cases the proposer had withdrawn the initiative, whereas in 4 cases the procedural presuppositions for deciding had ceased to exist.

In the cases where it decided on the merits, the Constitutional Court adopted, according to the type of disputed acts: 1 decision finding provisions of the law unconstitutional and 2 decisions in which it rejected proposals for finding the laws unconstitutional; 1 decision finding a republic body act unconstitutional and unlawful; 5 decisions finding local self-government units general acts incompatible with the Constitution and law, and 3 decisions finding general acts of other subjects unconstitutional and unlawful - 12 in total.

1.1 Laws and other acts of the National Assembly

When deciding the cases disputing legal provisions in 2019, the Constitutional Court made: 1 decision finding individual legal provisions unconstitutional; 2 decisions rejecting the proposal for establishing unconstitutionality; 7 rulings dismissing the initiative because the offered disputing reasons failed to support the allegations of the grounds for instituting proceedings of constitutional review of the disputed law; and, 3 rulings discontinuing proceedings. There were also 81 conclusions rejecting the initiatives due to procedural shortcomings and 3 conclusions discontinuing proceedings because the proposer had given up.

When adopting a merits decision in the case IUz-130/2017 of 25 April 2019, the Constitutional Court found that the provision under Article 28a of the Law on Retirement and Disability Insurance (RS Official Gazette“ nos. 34/03, 64/04 –decision of the CC, 84/04 - another law, 85/05, 101/05 - another law, 63/06 - decision of the CC, 5/09, 107/09, 30/10 - another law, 101/10, 93/12, 62/13, 108/13, 75/14, 142/14 and 73/18), in the part which reads: “If the diseased who was insured or a beneficiary of an old age pension, early old age pension or disability pension, at the time of entering into marriage fulfilled the age requirement under Article 19 point 1) of this law“, was not compatible with the Constitution.

In its decision IUz-418/2014 of 21 March 2019, the Constitutional Court rejected the proposal for finding the provisions under Article 3 paragraph 2 of the Law on Amendments to the Law on the Budget System („RS Official Gazette“, no. 93/12) unconstitutional, and in its decision IUz-249/2016 of 18 April 2019, it rejected the proposal for finding the provision under Article 10 paragraph 1 of the Law on Commercial Chambers (“RS Official Gazette”, no. 112/15) unconstitutional and incompatible with a ratified international agreement.

1.2. Decrees and other Government acts

When it comes to the cases of constitutional review and the assessment of lawfulness of regulations and other acts of the Government, the Constitutional Court made 9 conclusions dismissing the initiatives due to the absence of procedural presuppositions for the Constitutional Court's proceeding.

1.3. Regulations and other general acts of ministries, judicial and other republic bodies and organisations

Having conducted proceedings in the cases disputing the constitutionality and/or lawfulness of general acts of the republic bodies and organizations, the Constitutional Court adopted 1 decision finding the general act unconstitutional and unlawful and 24 conclusions dismissing the initiatives due to procedural shortcomings.

1.4. General acts of an autonomous province bodies

In 2019, the Constitutional Court adopted 3 conclusions dismissing the initiatives referring to general acts of the Autonomous Province of Vojvodina. In all three cases, the initiatives were dismissed due to procedural shortcomings.

1.5. General acts of local self-government bodies and local communities

The initiatives requesting review of the constitutionality and lawfulness of general acts of local self-government units in 4 cases disputed provisions of statutes, whereas the remaining cases disputed general acts regulating the questions in the area of utility services, local communities organization, building land utilisation and local taxes and compensations. The Constitutional Court adopted 4 decisions finding that the disputed general acts were unconstitutional and unlawful and made 1 ruling dismissing the initiative for instituting proceedings of constitutional review. In 60 cases, the Constitutional Court dismissed the submitted initiatives making a conclusion on procedural shortcomings.

1.6. Acts of business companies, public services and other organizations, and collective agreements

In the cases where the initiatives disputed provisions of collective agreements, general acts of utility services and other business companies, institutions and other legal persons, the Constitutional Court made: 2 declaratory decisions; 1 decision dismissing the proposal of constitutional review; in one case it handed down 1 ruling discontinuing proceedings; and in 18 cases the procedural presuppositions for deciding on the merits were absent, hence a conclusion was made dismissing the initiatives.

2. The Constitutional Court's proceeding within its competence to resolve a conflict of competences

In the course of 2019, the Constitutional Court handed down 28 rulings in the cases formed on requests for resolution of a conflict of competences between the court and another state body, in which it determined the body competent to proceed in the concrete case and

made 13 conclusions by which it rejected requests for resolution of a conflict of competences, having found that, in the formal legal sense, the procedure in relation to which the Constitutional Court would be resolving a conflict of competences did not exist.

3. Proceeding on appeal of judges

As far as appeals against the decisions on termination of judicial function are concerned, the Constitutional Court decided 3 cases. In one case the appeal was dismissed as inadmissible, in another as untimely, and in one case the appeal was dismissed because it was not within the Court's competences.

4. Proceeding on constitutional appeal

As compared with 2018, when 10,813 constitutional appeals were decided, in the course of 2019 the Constitutional Court received 3,967 cases of constitutional appeals more, i.e. it decided 14,780 cases, which represents an increase by 26.84%. There were a total of 21,511 cases of pending constitutional appeals at the end of 2019.

In 844 cases, the Court decided on the merits an alleged violation of a guaranteed right, which makes 5.69% of the total number of decided cases of constitutional appeals. The remaining 66.81% of cases, i.e. 9,872 cases, were decided by dismissal of the constitutional appeal, 3,965 cases were decided (26.83%) in another procedural way, and in 99 cases proceedings were discontinued (0.67%).

The number of the adopted merits decisions in 2019 increased by 7.24% as compared with 2018, when 787 cases were decided on the merits.

When observed from the standpoint of the outcome of proceedings as compared with 2018, there is an increase in the number of cases upholding the constitutional appeal. Namely, in the course of 2019, there were 778 upholding decisions, which is by 18.25% more than in 2018, when 636 constitutional appeals were upheld. In the remaining 66 cases, the Constitutional Court dismissed the constitutional appeal as ungrounded.

The decisions upholding the constitutional appeal most often found a violation of the right to a fair trial under Article 32 paragraph 1 of the Constitution - in 380 decisions; a violation of the right to property - in 220 decisions; and, a violation of the right to a trial within a reasonable time in both completed proceedings as well as in uncompleted administrative proceedings - 112 decisions. In 1 decision the Court found a violation of the right to access to court, as an element of the right to a fair trial. Due to unequal proceeding in the same factual and legal situations, the Constitutional Court found a violation of the right to legal certainty in 42 cases, as an element of the right to a fair trial, and in 23 decisions a violation of the right to equal protection of rights under Article 36 paragraph 1 of the Constitution. A violation of the right to legal remedy under Article 36 paragraph 2 of the Constitution was found in 11 decisions. In 1 case, the Court found a violation of the right to just compensation under Article 60 paragraph 4 of the Constitution, and in 2 cases a violation of the rights and duties of parents under Article 65 of the Constitution. In 1 case there was a violation of the right to home under Article 8 of the European Convention for the Protection of Human Rights and Freedoms (hereinafter: the Convention).

In the area of criminal law, there was 1 decision finding a violation of the right to freedom and safety under Article 27 paragraph 3 of the Constitution, 1 decision finding a violation of the right to deprivation of freedom without a court decision under Article 29 paragraph 2 of the Constitution, 1 decision finding a violation of the right under Article 30 paragraph 2 of the Constitution, and 1 decision found a violation of the right to a limited

duration of detention under Article 31 paragraph 1 of the Constitution. In 1 decision there was a violation of the right to legal certainty in criminal law under Article 34 paragraph 2 of the Constitution.

In 96 cases the Constitutional Court, when finding a violation of the right to a fair trial, also established the right of the filers of constitutional appeals to non-pecuniary compensation, whereas in 217 cases it established the right to compensation of pecuniary damages, to be paid out of the budget of the Republic of Serbia, as a way of removing the consequences of the found violation of the right to property. The total of the established compensation of non-pecuniary damages was 224,250 EUR in Serbian dinar counter value on the day of payment according to the middle rate of the National Bank of Serbia and 500,000 Serbian dinars, whereas the compensation of the pecuniary damages was established in the amounts claimed which were allocated in enforceable court decisions, and which stayed unpaid in bankruptcy or enforcement proceedings. The Constitutional Court, in accordance with Article 89 paragraph 2 of the Law on the Constitutional Court, in 388 cases cancelled an individual act that committed a violation of a constitutional right and ordered the enactor of the act to re-decide the disputed issue, whereas in 6 decisions it extended the effect of its decisions to third parties, based on Article 87 of the Law on the Constitutional Court.

Finally, as a number of applications have been filed before the ECHR against the Republic of Serbia, the Constitutional Court finds it necessary to present also the data considering the work of the ECHR in 2019 in relation to the applications filed against the Republic of Serbia. According to the statistic data published on the website of the ECHR, there were 2,160 applications filed against the Republic of Serbia in 2019. The ECHR in 2019 decided 23 cases formed based on the applications filed against Serbia and found a violation of one of the guaranteed rights by the Convention or the Protocols accompanying it in 22 judgments. The greatest number of judgments were passed due to unreasonably long court proceedings. Within the same period, 7 unilateral declarations were signed and 103 friendly settlements reached.

IV

NORMATIVE ACTIVITY

In 2019, the Constitutional Court adopted:

- The Rule Book on Amendments to the Rule Book on Internal Organization and Systematization of Jobs within the Professional Service of the Constitutional Court;
- The Decision on Special Functional Competences in Certain Work Areas of the Professional Service of the Constitutional Court;
- The Rule Book on Amendments to the Decision Determining Posts and Distributing Jobs and Tasks Within the Professional Service of the Constitutional Court
- The Rule Book on the Composition of the Competition Committee, the Manner of Competency Testing, the Criteria and Standards for the Selection for the Posts and Executive Positions within the Professional Service of the Constitutional Court.

The Constitutional Court adopted also the regular annual documents (The Constitutional Court Financial Plan for 2019, The Public Procurement Plan of the Constitutional Court in 2019, the Decision Determining the Maximum Number of Employees on an Indefinite Time-Basis at the Professional Service of the Constitutional Court in 2019),

and established the Draft Budget of the Constitutional Court for 2019 and the Constitutional Court Human Resources Plan of for 2020).

V

THE RELATIONSHIP OF THE CONSTITUTIONAL COURT AND THE NATIONAL ASSEMBLY

Acting based on the provisions of the Law on the Constitutional Court (Article 33 and 107) and the Rules of Procedure of the Constitutional Court (Article 46), the Constitutional Court communicated to the National Assembly for its reply the submitted proposals and initiatives for the institution of proceedings of constitutional review of laws, i.e. for review of the alignment of laws with the Constitution and ratified international agreements in the cases where the procedural presuppositions for conducting proceedings before the Constitutional Courts existed.

VI

ENFORCEMENT OF THE CONSTITUTIONAL COURT DECISIONS

According to the provision under Article 166 paragraph 2 of the Constitution, the Constitutional Court decisions are final, enforceable and generally-binding, and by the provision under Article 104 paragraph 1 of the Law on the Constitutional Court, an obligation has been imposed on the state and other bodies, organizations entrusted with public powers, political parties, union organizations, citizen associations or religious communities to, within its rights and duties, enforce decisions and rulings of the Constitutional Court. In case of non-enforcement of a Constitutional Court decision, under the conditions and in the manner prescribed by law, the interested party may address the Constitutional Court requesting the decision enforcement. The number of such cases before the Constitutional Court has decreased, which indicates that the abovementioned provisions of the Constitution and law are observed, i.e. that the Constitutional Court decisions are enforced.

In 2019, when considering the request for Constitutional Court decision enforcement in the case XU-132/2019, the Constitutional Court dismissed it by making a conclusion on the absence of procedural presuppositions. This is because the individual acts that had been passed based on the general act found to be unconstitutional and unlawful in the Constitutional Court decision, could be changed in proceedings before the local self-government body which had passed those individual acts (rulings).

VII

FORMS AND METHODS OF THE CONSTITUTIONAL COURT'S WORK

The position and competences of the Constitutional Court, as well as the basics of its proceeding, are based on the Constitution and the Law on the Constitutional Court, whereas its internal organisation, mode of operation and other issues of relevance for the work of the Court are more closely regulated by the Rules of Procedure of the Constitutional Court.

1. The Constitutional Court sessions and Chambers

In the course of 2019, in accordance with the envisaged organization, the Constitutional Court decided in the Court sessions, sessions of the two Grand Chambers and five Chambers.

There were altogether 18 sessions of the Constitutional Court, 36 sessions of the Grand Chambers, and 170 sessions of Chambers.

2. Working bodies

Just as in the previous years, in order to achieve more efficiency when deciding in sessions, the preliminary hearing of individual disputed legal matters occurring in the cases, as well as draft decisions, were considered at the sessions of the permanent working bodies, and they were:

- I Constitutional Appeals Committee in the area of civil law, competent for considering draft decisions in the cases from the area of civil law, except for those listed as the competences of the 2nd Committee (There were 16 sessions at which 199 draft decisions were considered);

- II Constitutional Appeals Committee in the area of civil law, competent for considering draft decisions in the cases from the area of commercial law, labour law and family law disputes. (There were 11 sessions at which 45 draft decisions were considered);

- Constitutional Appeals Committee in the area of criminal law. (There were 9 sessions at which 73 draft decisions were considered).

- Constitutional Appeals Committee in the area of administrative law. (18 sessions were held at which 95 draft decisions were considered);

- Editorial Committee (30 sessions were held at which the final text of decisions or rulings made was adopted for 532 cases);

- Committee for Monitoring Implementation of the Constitutionality and Lawfulness (at 2 sessions the Committee considered the question of a possible change of the existing practice when proceeding on a constitutional appeal alleging a violation of the right to a trial within a reasonable time, and subsequently informed the Court of its findings in the form of an opinion and a draft standpoint);

The Organisational and Financial Matters Committee (at 8 sessions drafted the Court's general acts and proposals for appointment of civil servants to the rank of the Constitutional Court's advisor, and for the transfer to the post of the Case-Law Department Head).

In addition to the abovementioned, at the session held on 23 May 2019, the Constitutional Court adopted a Decision on Amendments to the Decision on the Formation of the Editorial Committee of the Constitutional Court's Bulletin. The Editorial Committee held two sessions in which the matters pertaining to the preparation of the Constitutional Court's Bulletin for 2017 and 2018 were considered, and drafted the final text of the bulletins.

VIII

INTERNATIONAL COOPERATION

The Constitutional Court's international cooperation in 2019 was oriented towards establishing and enhancing bilateral relations with constitutional courts of other countries, as

well as towards collaboration with them on a multilateral level, both within the region and worldwide.

The Court President and the judges took part in international gathering in the country and abroad.

In the reporting period, the Court cooperated with other constitutional courts on the bilateral level or within professional associations and international gatherings.

January

Constitutional Court judges, Bratislav Djokić and Sabahudin Tahirović, took part in the traditional ceremony which, at the commencement of a new judicial year, was held on 25 January 2019 at the European Court of Human Rights, in Strasbourg. A seminar entitled “Strengthening Trust in Judiciary” was held as part of the ceremony, with its four topics: “Appointment, promotion and dismissal of judges”, “A strategy for building trust and responsibility of other authority bodies to improve and protect judiciary”, “Judgments and dissenting opinions – complementarity and tensions”, and “Protocol 16”.

The Court President, Vesna Ilić-Prelić, participated in the work of the Regional conference “Obligation to Enforce the ECHR judgments” which was held on 31 January 2019, in Podgorica, Montenegro. The participants in this conference were representatives of constitutional and supreme courts, as well as the regional national representatives before the ECHR. The organizers were the Council of Europe Office in Podgorica and the Montenegro Government Agent Office before the ECHR.

February

The Constitutional Court judge, Tomislav Stojković, LLM, participated in the work of the XVI session in the area of international criminal law which was held from 13-18 February 2019, in Yekaterinburg, the Russian Federation. The session was organized by the Ural State Law University – the Institute for State and International Law.

The Deputy-President of the Constitutional Court, Snežana Marković, and the Director of the Council of Europe Human Rights Directorate, Christophe Poirel, met on 18 February 2019 at the Constitutional Court. They talked about enforcement of decisions and application of the ECHR case-law in the work of the Constitutional Court, as well as about the effectiveness of the constitutional appeal as a legal remedy in Serbia.

March

Constitutional Court Judges, Tijana Šurlan, LLD, and Tatjana Babić, took part in the work of the Sixth Regional Forum on the Rule of Law for South-Eastern Europe which was held in Dubrovnik, Croatia, on 22 and 23 March 2019. The topics of the forum were the rights of the child and the European Convention of Human Rights.

May

From 14 – 17 May 2019, the Deputy-President of the Constitutional Court, Snežana Marković, and judge of the Constitutional Court, Jovan Ćirić, LLD, participated in the work of the International Legal Forum, traditionally held in Sankt Petersburg, the Russian Federation. They took part in the work of the conference “Constitutional Identity and

Universal Values – the Art of Balance”, organized within the Forum by the Constitutional Court of the Russian Federation on 14 May.

June

President of the Constitutional Court, Vesna Ilić-Prelić, and the judges of the Constitutional Court, Gordana Ajnšpiler Popović, Jovan Ćirić, LLD, Milan Škulić, LLD, and Vladan Petrov, LLD, from 2-5 June 2019 were in a bilateral visit to the Constitutional Court of the Republic of Bulgaria. During the visit, the delegation of the Constitutional Court of Serbia discussed the topics of independence of constitutional justice and the constitutional protection of election rights, with the president and judges of the Constitutional Court of Bulgaria.

The Constitutional Court judges, Nataša Plavšić, LLD, and Sabahudin Tahirović, took part in the work of the Regional Conference “Division of Power and Checks and Balances – Independence of Constitutional Courts”, which was held in Podgorica, Montenegro 5 -7 June 2019. Judge Plavšić presented a paper on the topic “Normative and Real Presuppositions for a Constitutional Court Independency – Experiences of the Republic of Serbia”. The conference was organized by the Constitutional Court of Montenegro and the German Foundation for International Legal Cooperation (IRZ).

September

President of the Constitutional Court, Vesna Ilić Prelić, participated in the work of the conference of presidents of the highest courts of the Council of Europe member-States held in Paris, France, on 12 and 13 September. The topics of the conference were the right to an effective legal remedy before an independent and unbiased court, the relationship between national courts and the European Court of Human Rights, and freedom of expression when opposed to protection of private and family life.

President of the Constitutional Court, Vesna Ilić Prelić, and the Deputy-President of the Constitutional Court, Snežana Marković, on 20 September 2019 received a delegation of the courts of the People’s Republic of China consisting of several members, and lead by the president of the Supreme Court, His Excellency Zhou Qiang. The ambassador of the People’s Republic of China, Her Excellency Chen Bo, was also present at the meeting.

October

The Constitutional Court judge, Tijana Šurlan, LLD, took part in the work of the Sixteenth Counselling of Lawyers “October Lawyers’ Days”, held on 3 and 4 October 2019 at the Faculty of Law of Banjaluka University, in the Republic of Srpska. The topic of the counselling was “Implementation of the European Court of Human Rights Case-Law in Proceedings before Constitutional Courts”.

President of the Constitutional Court, Vesna Ilić Prelić, and Head of the Mission of Council of Europe in Belgrade, Tobias Flesenkemper, met on 15 October 2019 at the Constitutional Court. The Court President informed the Head of the Mission of the composition, competences and the mode of operation of the Constitutional Court.

President of the Constitutional Court, Vesna Ilić Prelić, and the Constitutional Court judge, Vladan Petrov, took part in the work of the Regional Conference of Constitutional Courts “Freedom of Confession in Constitutional Courts Case-Law”, which was held on 16 – 18 October 2019 in Teslić, Bosnia and Herzegovina. The president of the Constitutional

Court gave a presentation on the topic “Protection of Freedom of Confession through the Constitutional Court of the Republic of Serbia Case-Law”.

The Deputy-President of the Constitutional Court, Snežana Marković, and the Constitutional Court judge, Nataša Plavšić, LLD, took part in the work of the International Conference “Tackling Ill Police Treatment Noticed in the ECHR’s Judgements and Other Council of Europe Bodies” which was held in Budva, Montenegro, on 18 October 2019. The conference organizer was the Council of Europe Human Rights Directorate.

November

President of the Constitutional Court, Vesna Ilić Prelić, attended the ceremony “25 years of the Constitutional Court of the Republic of Srpska”, organized by this court on 6 November 2019 in Banjaluka.

The Deputy-President of the Constitutional Court, Snežana Marković, and the Constitutional Court judge, Milan Škulić, LLD, participated in the work of the 20th Traditional International Conference of Presidents and Judges of the World Highest Courts, which from 6 to 12 November 2019 was held in New Delhi and Lucknow, India.

The Constitutional Court judge, Tijana Šurlan, LLD, Dragana Kolarić, PhD, and Jovan Ćirić, LLD, participated in the work of the International Conference on Criminal Law, organized on 21-22 November 2019 in Warsaw, Poland. The topic of the conference was “Criminalization – Ideas and Limitations. The Principles of Criminalization in Constitutional Law”. Judge Šurlan presented the paper entitled “The Right to Life – Revised”, judge Kolarić presented the paper entitled “Institutions Drafting Criminal law and the Rules of Criminalization”, and judge Ćirić presented the paper entitled “Media and Crime: Fear and Manipulation”. The conference was dedicated to the 100th anniversary of founding the criminal law department of the Polish Commission for Codification of Laws, and was organized by the Constitutional Court of Poland.

IX

COOPERATION WITH OTHER STATE BODIES, ORGANIZATIONS AND INSTITUTIONS

The Court cooperated with other state bodies in professional meetings which considered the questions of relevance for the protection of human rights and freedoms in the Republic of Serbia, as well as directly, while performing regular tasks within its constitutional competences.

In the course of 2019, the Constitutional Court provided the Attorney General Office – the Government Agent before the ECHR Department – with 32 replies, i.e. information and standpoints in relation to the applications against Serbia filed with the EHCR.

When cooperation with the Joint Council on Constitutional Justice of the Venice Commission is in question, its content was the same as in the previous years: extracting pieced from the Court decisions and providing the excerpts and decisions of the Constitutional Court for the bulletin and the electronic database CODICES; preparation and communication of replies to the questions of constitutional courts i.e. equivalent bodies on national regulation and case-law in relation to various matters; and, participation in the annual meeting hosted by the Constitutional Court of Italy.

In 2019, the Constitutional Court took part in the work of the Superior Courts Network, having become its member in the previous year. It is a project of Council of Europe and the ECHR the goal of which is providing an efficient exchange of information between the ECHR and the national courts on the law of the Convention, ECHR case-law and the law and case-law of the countries whose courts are members of the Network.

The Constitutional Court took part in the regional conference “Shared Responsibility in Implementing the European Convention on Human Rights: Addressing Challenges with (New) Judicial Tools”, held in Sarajevo and organized by Council of Europe.

In 2019, the Constitutional Court joined the project “Strengthening the Effective Legal Remedies to Human Rights Violations in Serbia” conducted by Council of Europe within the joint project of the European Union and Council of Europe “Horizontal Facility for Western Balkans and Turkey”.

X

THE CONSTITUTIONAL COURT’S WORKING CONDITIONS

Some of the numerous activities carried out successfully by the Constitutional Court in 2019 were: public procurement of computer equipment; development, enhancement of safety and reliability of the IT system; adjustments of the applications ISUS and E-session to the newly-appointed judges; and, reassignment of the cases to the newly appointed judges. Their goal was maintaining unimpeded functioning of the IT system through which the entire work of the Court unfolds.

In addition, the Constitutional Court endeavoured to build up its library fund: 98 new publications were obtained (39 purchased, and 59 obtained through exchange). They are of relevance for both case-processing and writing papers in order to take part in professional meetings.

XI

CONCLUSION AND FINAL REMARKS

The data presented in this Overview point to the fact already noticed in the previous years - that individual protection of the guaranteed rights and freedoms remains the Constitutional Court’s dominant competence. This conclusion is based on the fact that out of the total number of the cases processed in 2019, 97.8% were constitutional appeals. When analyzed, the content of the constitutional appeals showed that the greatest number of them was based on essentially similar disputed questions and alleged violations of the rights and freedoms. Namely, the citizens alleged a violation of the right to a fair trial and the right to property, at the same time claiming compensation of pecuniary damages due to inability to win employment claims over a longer period of time in enforcement and/or bankruptcy proceedings conducted against a state-owned or public company. Due to this, and the fact that in the course of 2019 the Constitutional Court had the greatest number of cases processed before the Court - 36,888, the Court decided to, with the aim of more efficient proceeding, form one case by joining several individual constitutional appeals referring to the same disputed question.

The result of such approach was that, regardless of the changes of the Court’s judicial composition (expiration of the term of office and assumption of duty of four newly-appointed

judges) and its work with an incomplete composition, the Court managed to handle the inflow at the end of the year, not only of the cases formed based on the submitted constitutional appeals (altogether 14,112 cases formed and 14,778 decided), but of all the cases from all constitutional competences (altogether 14,419 new cases, with 15,126 cases decided). It is necessary, however, to point out that the greatest number of the submitted constitutional appeals still does not fulfil the procedural requirements for the Court's proceeding, because they expect the Constitutional Court to act as the court of fourth instance. This conclusion is supported by the data showing that from the total number of the submitted constitutional appeals, 66.81% was dismissed. In addition, as in the previous years, it is noticeable that a significant number of constitutional appeals were filed against decisions of the courts of general or specific competence, against which in accordance with the provisions of the valid procedural law, filing extraordinary legal remedies is not allowed (small claims disputes). The absence of procedural presuppositions for the court's proceeding is noticeable also in the cases of abstract control.

Having regard to the above mentioned, in these closing remarks it should be pointed out that a great number of requests lacking grounds for the Court's proceeding is implied when there is such broad availability of constitutional justice protection, not only in the area of disputing individual acts and actions of the carriers of public powers in the procedure on constitutional appeals, but also concerning anyone's standing to submit an initiative for review of the constitutionality and lawfulness of any general legal act. Namely, unlike in the proceedings conducted before courts of general competence in which extraordinary legal remedies can be filed only through an authorized representative who is a lawyer, an obligation for professional representation before the Constitutional Court has not been prescribed according to the valid legal solution. This results in a situation where the greatest number of the filed constitutional appeals do not meet the procedural presuppositions for the Court's proceeding. This, in turn, doesn't leave enough room for the Constitutional Court to fully dedicate itself to resolving complex questions in a timely and adequate manner. Hence, with due respect to understandable expectations of anyone who addresses the Constitutional Court to resolve their request in as short time-frame as possible, it must be taken into account that in all legal systems the procedure before the constitutional court is complex, strictly formal, and objectively time-consuming. When the increasing inflow of cases by year is added to this, deciding cases in a short time is not only objectively impossible, but it is also undesirable in the cases which, before the final decision is reached, require a detailed analysis and discussion on the disputed matters, not unseldom including consideration of the ECHR case-law.

**PRESIDENT OF THE
CONSTITUTIONAL COURT**
Snežana Marković

**AN OVERVIEW OF THE OF THE CONSTITUTIONAL
COURT'S STATISTICS IN 2019**

An overview of decided and pending cases in 2019 marked IU - XU

Case type classification	2019			Decisions					Decisions total	Rulings				Rulings total	Conclusions			Conclusions total	Otherwise decided	Decided total	Pending
	Backlog	Received	Total	unconstitutionality/unlawfulness	decisions on acceptance of an appeal	decisions on rejection of an appeals	decisions on rejection of an initiative/proposal/appeal	decisions on prohibition of work		rulings on dismissal of an initiative/motion	rulings on dismissal of an appeal	rulings on determination of competent body	rulings on discontinuance of proceedings		initiative/proposal/motion/appeal	conclusions on discontinuance of proceedings	conclusions on termination of proceedings				
IUz	117	81	198	1	0	0	2	0	3	7	0	0	3	10	81	3	0	84	10	107	91
IUm	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
IUo	159	117	276	8	0	0	1	0	9	1	0	0	1	2	115	3	0	118	5	134	142
IU total:	276	199	475	9	0	0	3	0	12	8	0	0	4	12	196	6	0	202	15	241	234
IIU	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IIIU	11	44	55	0	0	0	0	0	0	0	0	28	0	28	12	1	0	13	0	41	14
VU	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VIU	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VIIU	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VIIIU	3	2	5	0	0	0	0	0	0	0	3	0	0	3	0	0	0	0	0	3	2
IXU	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
XU	0	1	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	1	0
Total:	290	246	536	9	0	0	3	0	12	8	3	28	4	43	209	7	0	216	15	286	250
				9		3		0		11		28		4							

An overview of the cases of constitutional review and appeals of unappointed judges and prosecutors decided at Constitutional Court sessions January - December 2019

[illegible]

An overview of decisions on acceptance and rejection of constitutional appeals in 2019 by year of reception

Year	Total number of backlog and cases received in 2019	Decisions on acceptance				Total number of decisions on acceptance	Decisions on rejection		Total number of decisions on rejection	Total number of decisions	Rulings		Total number of rulings	Other decisions				Total number of other decisions	Total number of constitutional appeals decided in 2019	Total number of pending constitutional appeals in 2019
		decisions on acceptance of a constitutional appeal	decisions on acceptance and rejection of a constitutional appeal	decisions on acceptance and dismissal of a constitutional appeal	decisions on acceptance, rejection and dismissal of a constitutional appeal		decisions on rejection of a constitutional appeal	decisions on rejection and dismissal of a constitutional appeal			rulings on dismissal of a constitutional appeals	rulings on discontinuance of proceedings		joinder	reassignment	relinquishment	judicial notice			
backlog cases 2010	1	1	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	1	0
backlog cases 2011	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
backlog cases 2012	4	0	0	0	0	0	0	0	0	0	3	0	3	0	0	0	0	0	3	1
backlog cases 2013	30	1	0	1	0	2	0	0	0	2	11	0	11	0	1	0	0	1	14	16
backlog cases 2014	59	4	0	6	0	10	4	1	5	15	23	0	23	2	0	0	0	2	40	19
backlog cases 2015	297	13	2	15	2	32	5	3	8	40	179	0	179	3	1	0	2	6	225	72
backlog cases 2016	906	119	3	91	1	214	15	12	27	241	444	6	450	2	9	0	3	14	705	201
backlog cases 2017	5889	149	4	111	3	267	9	11	20	287	3489	24	3513	34	15	0	5	54	3854	2035
backlog cases 2018	14992	116	0	123	1	240	4	1	5	245	5513	65	5578	2637	3	0	7	2647	8470	6522
Total backlog cases 2011-2018:	22179	403	9	347	7	766	37	28	65	831	9662	95	9757	2678	29	0	17	2724	13312	8867
received in 2019	14112	11	0	1	0	12	1	0	1	13	210	4	214	1231	10	0	0	1241	1468	12644
Total:	36291	414	9	348	7	778	38	28	66	844	9872	99	9971	3909	39	0	17	3965	14780	21511

decisions total	844
decisions on acceptance	778
decisions on rejection	66
rulings total	9971
decided cases at sessions total:	10815
cancelled - otherwise decided:	3965
decided cases in 2019 total	14780

pending:		21511
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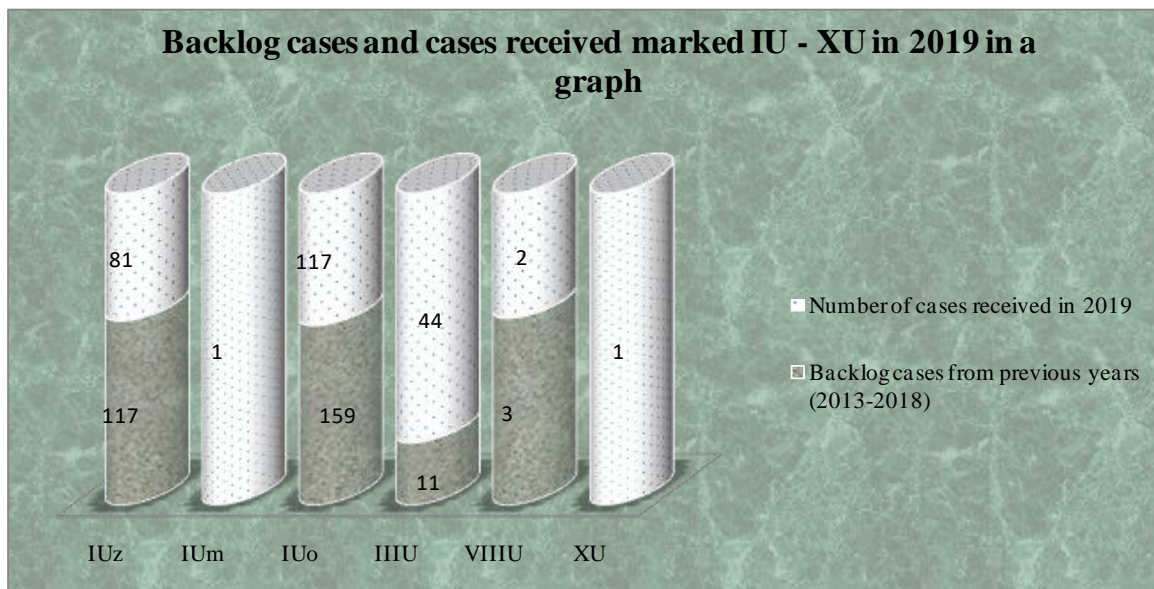
A table overview of violations found in constitutional appeals in 2019

[illegible]

Found violations of rights	Year of constitutional appeal submission										Found violations of rights total
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	
right to freedom of expression (Article 46 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
right to information (Article 51 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
election right (Article 52 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
right to freedom of assembly (Article 54 paragraph 1 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
right to property (Article 58 paragraph 1 of Constitution)	1	0	0	0	0	8	79	111	19	2	220
right to work (Article 60 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
right to just compensation for work (Article 60 paragraph 4 of Constitution)	0	0	0	0	0	0	1	0	0	0	1
right to legal protection in case of termination of work relationship (Article 60 paragraph 4 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
rights of the child (Article 64 paragraph 2 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
rights and duties of parents (Article 65 paragraph 1 of Constitution)	0	0	0	0	0	0	0	1	1	0	2
rights to social security (Article 69 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
right to constancy of judicial function (Article 146 paragraph 1 in relation to Article 148 paragraph 1 of Constitution)	0	0	0	0	0	0	0	0	0	0	0
right to respect for private and family life under Article 8 of the European Convention for the Protection of Human Rights and Freedoms	0	0	0	0	0	0	0	0	0	0	0
Total of violated rights by year:	1	0	0	2	10	32	227	274	240	12	798

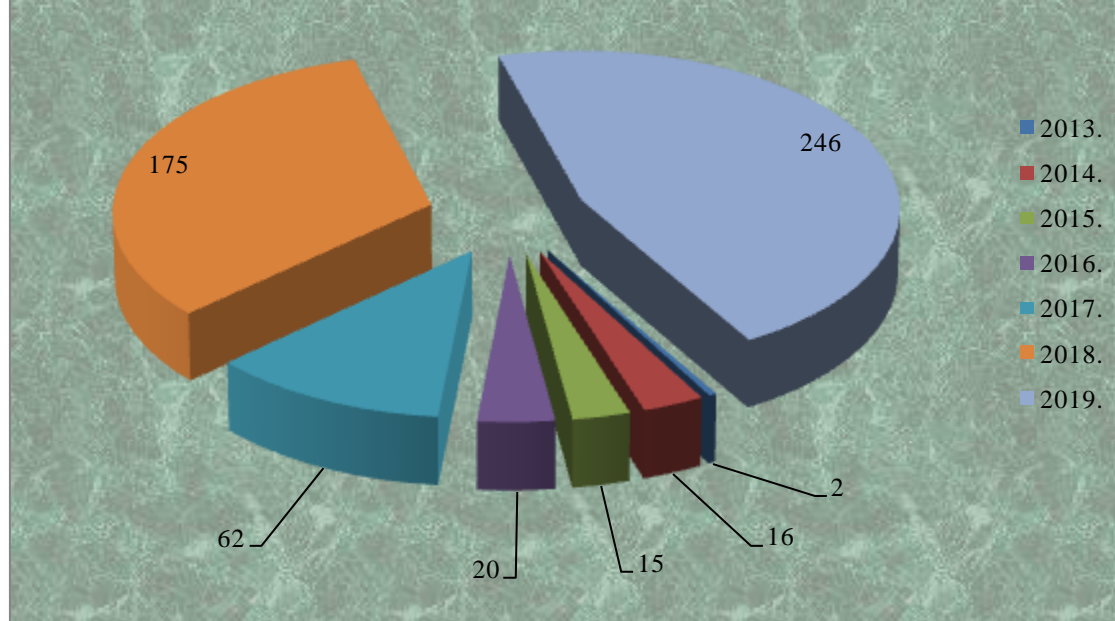
An overview of decided cases according to Constitutional Court sessions held January - December 2019
- constitutional appeals -

[illegible]

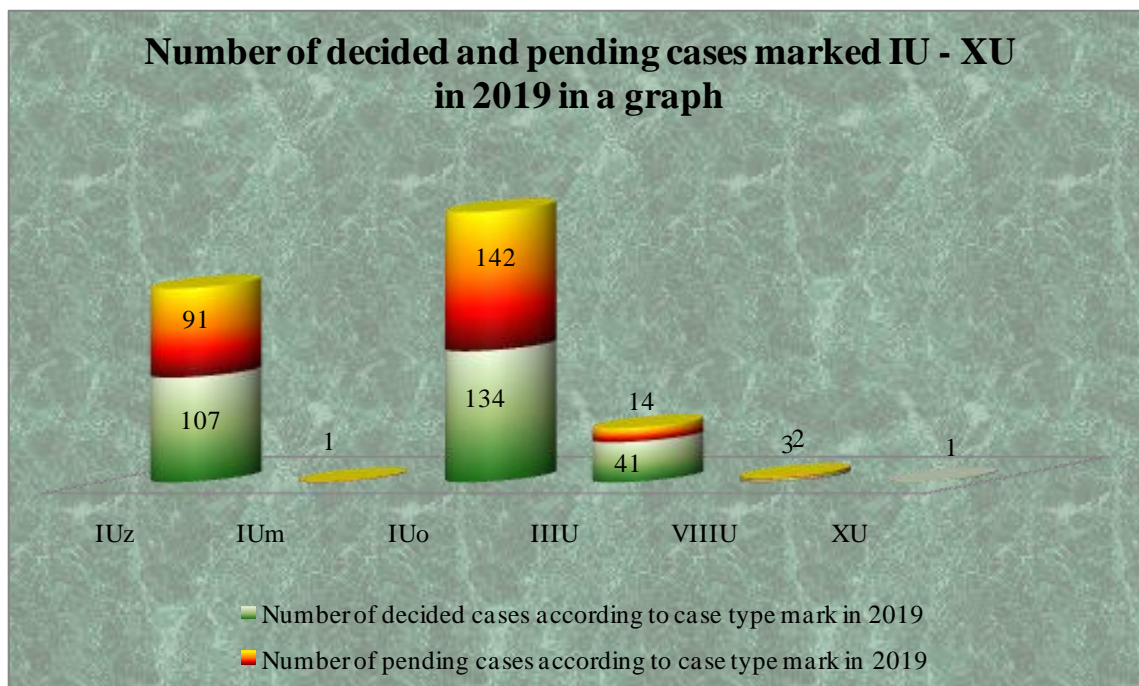


Case type mark	Backlog cases from previous years (2013-2018)	Number of cases received in 2019	Total number of cases processed
IUz	117	81	198
IUm		1	1
IUo	159	117	276
IIIU	11	44	55
VIIIU	3	2	5
XU		1	1
Total:	290	246	536

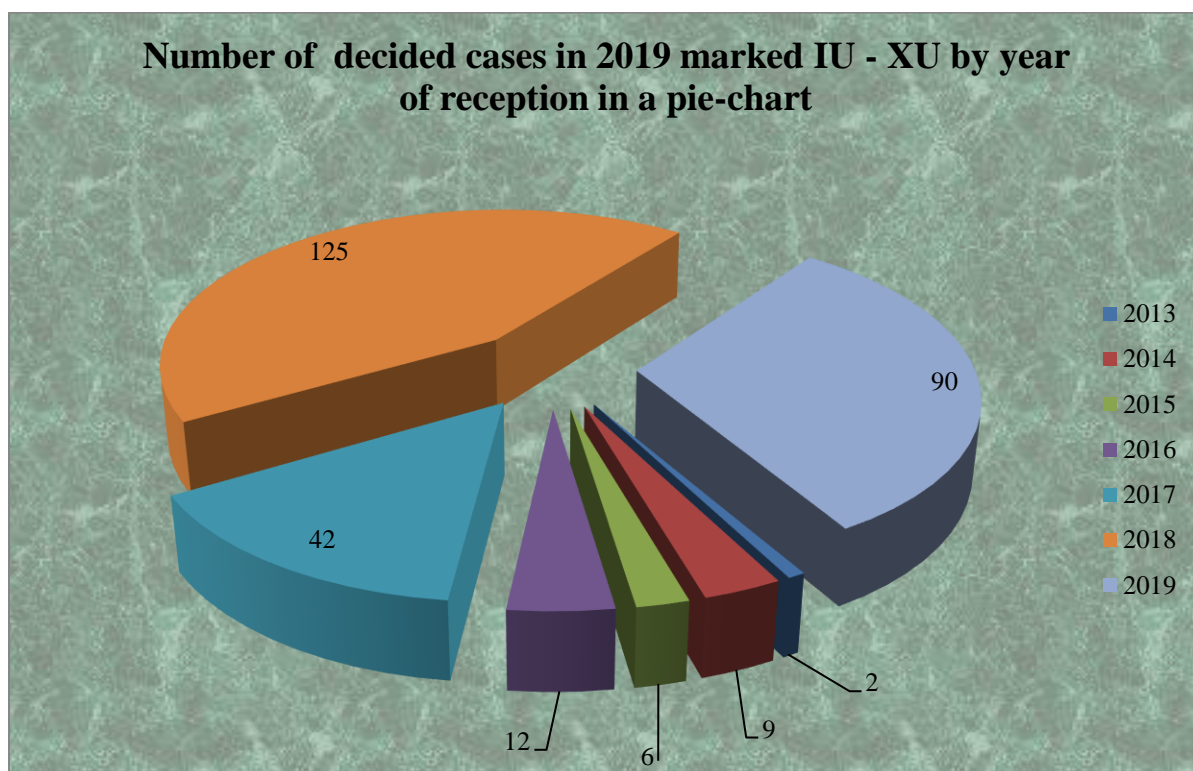
Number of cases marked IU - XU processed in 2019 by year of reception



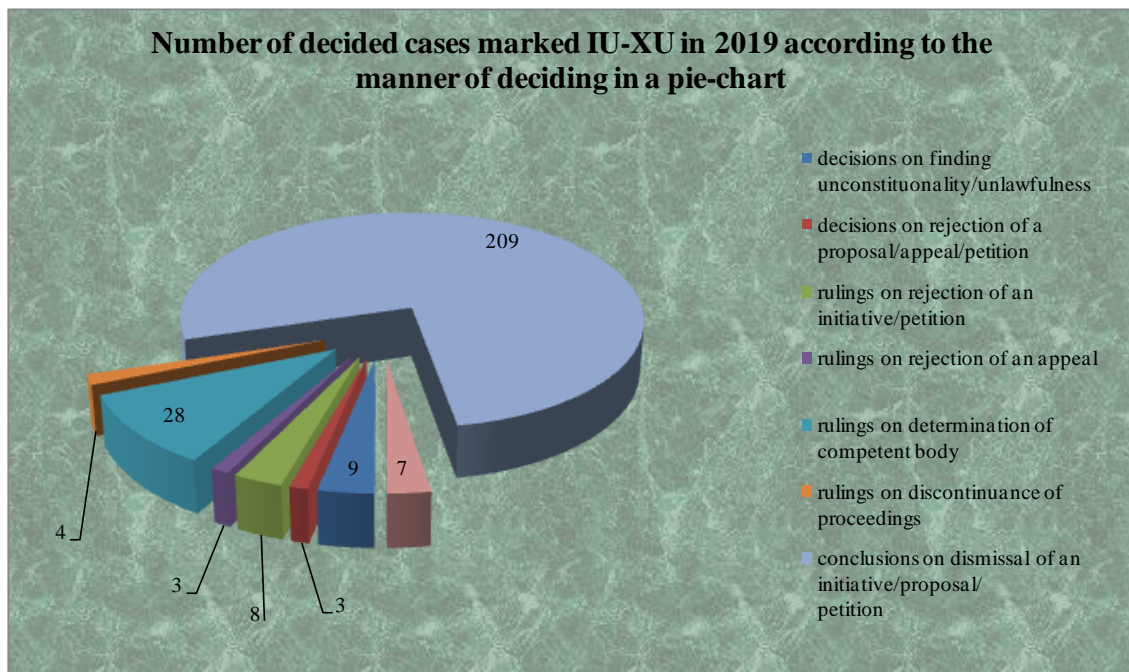
Year of reception	Number of cases processed in 2019 marked IU to XU by year of reception
2013	2
2014	16
2015	15
2016	20
2017	62
2018	175
2019	246
Total:	536



Case type mark	Total number of cases processed in 2019	Number of decided cases by case type mark in 2019	Number of pending cases by case type mark in 2019
IUz - cases disputing laws and other general acts of the National Assembly	198	107	91
IUm - cases disputing constitutionality of ratified international agreements	1		1
IUo - cases disputing other general acts (of public enterprises, business, companies, political parties, trade unions and collective agreements)	276	134	142
IIIU - cases referring to resolution of a conflict of competences	55	41	14
VIIIU - cases referring to appeals against decisions of HJC on termination of a judicial function and against decisions of SCP on termination of a public prosecutor function	5	3	2
XU - cases referring to other affairs determined by Constitution and law	1	1	

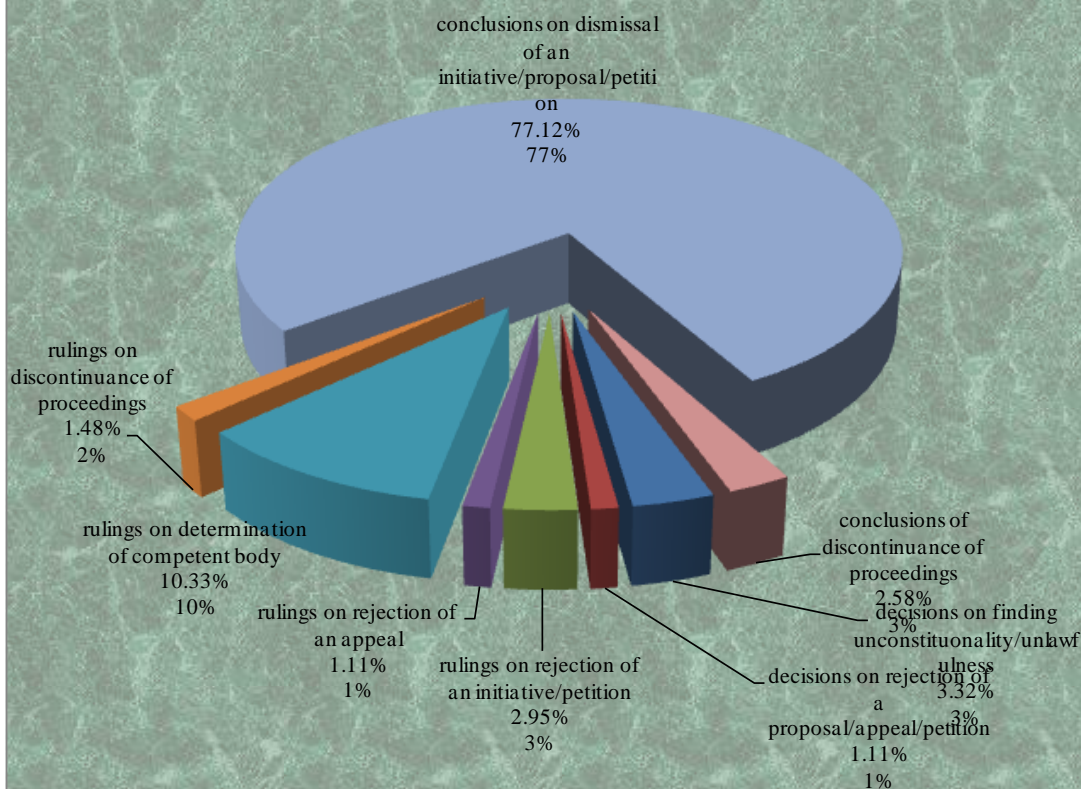


Year of reception	Number of decided cases in 2019 marked IU to XU by year of reception
2013.	2
2014.	9
2015.	6
2016.	12
2017.	42
2018.	125
2019.	90
Total:	286



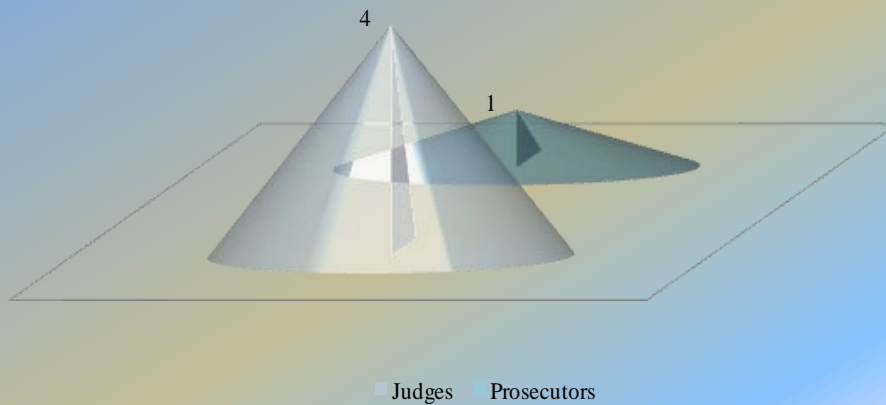
Manner of deciding	number of decisions/rulings/conclusions made
decisions finding unconstitutionality/unlawfulness	9
decisions on rejection of a proposal/appeal/motion	3
rulings on dismissal of an initiative/motion	8
rulings on dismissal of an appeal	3
rulings on determination of competent body	28
rulings on discontinuance of proceedings	4
conclusions on dismissal of an initiative /proposal/motion	209
conclusions on discontinuance of proceedings	7
Decided total:	271

Number of decided cases marked IU - XU according to manner of deciding in 2019 expressed in percentage format in relation to total number of decided cases in a pie-chart



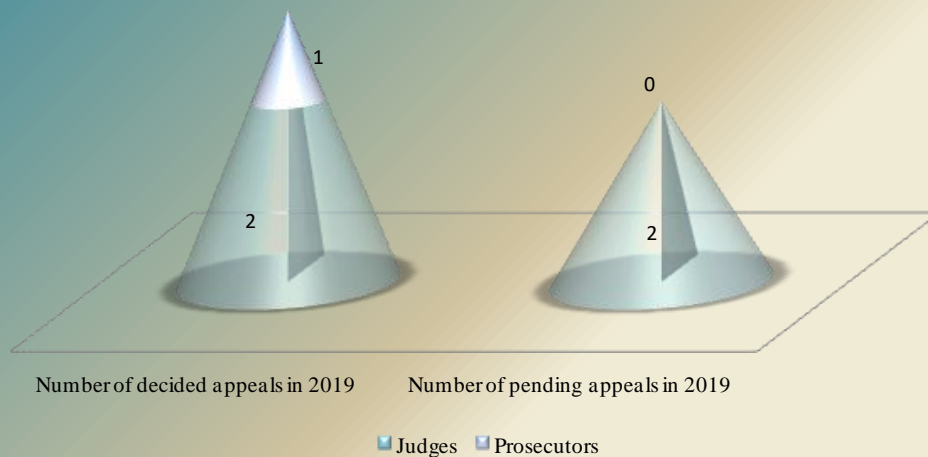
Manner of deciding	decisions/rulings/conclusions made in percentage formate
decisions finding unconstitutionality/unlawfulness	3,32%
decisions on rejection of a proposal/appeal/motion	1,11%
rulings on dismissal of an initiative/motion	2,95%
rulings on dismissal of an appeal	1,11%
rulings on determination of competent body	10,33%
rulings on discontinunace of proceedings	1,48%
conclusions on dimissal of an initiative /proposal/motion	77,12%
conclusions on discontinuance of proceedings	2,58%
Decided total:	100,00%

Total number of appeals against HJC decisions on termination of a judicial function and appeals against SCP decisions on termination of a public prosecutor function in a graph

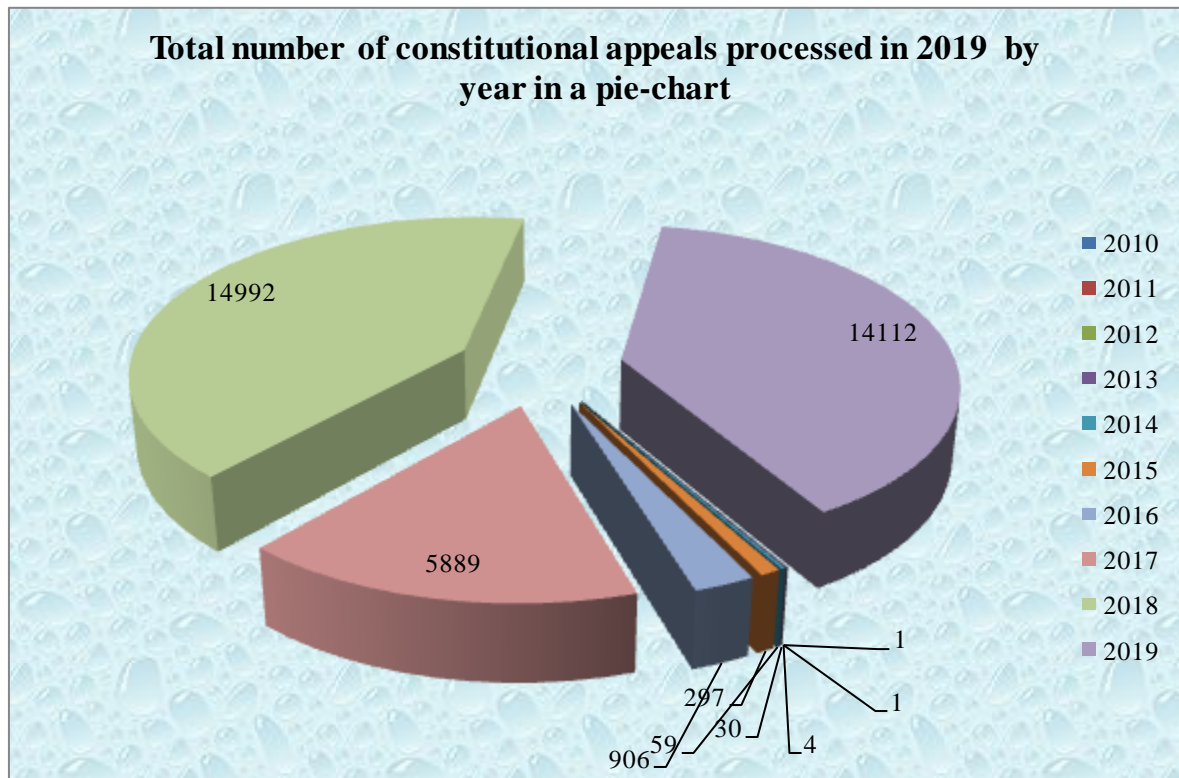


Appeals against HJC decisions on termination of a judicial function and appeals against SCP decisions on termination of a public prosecutor's function	Processed
Judges	4
Prosecutors	1
Total:	5

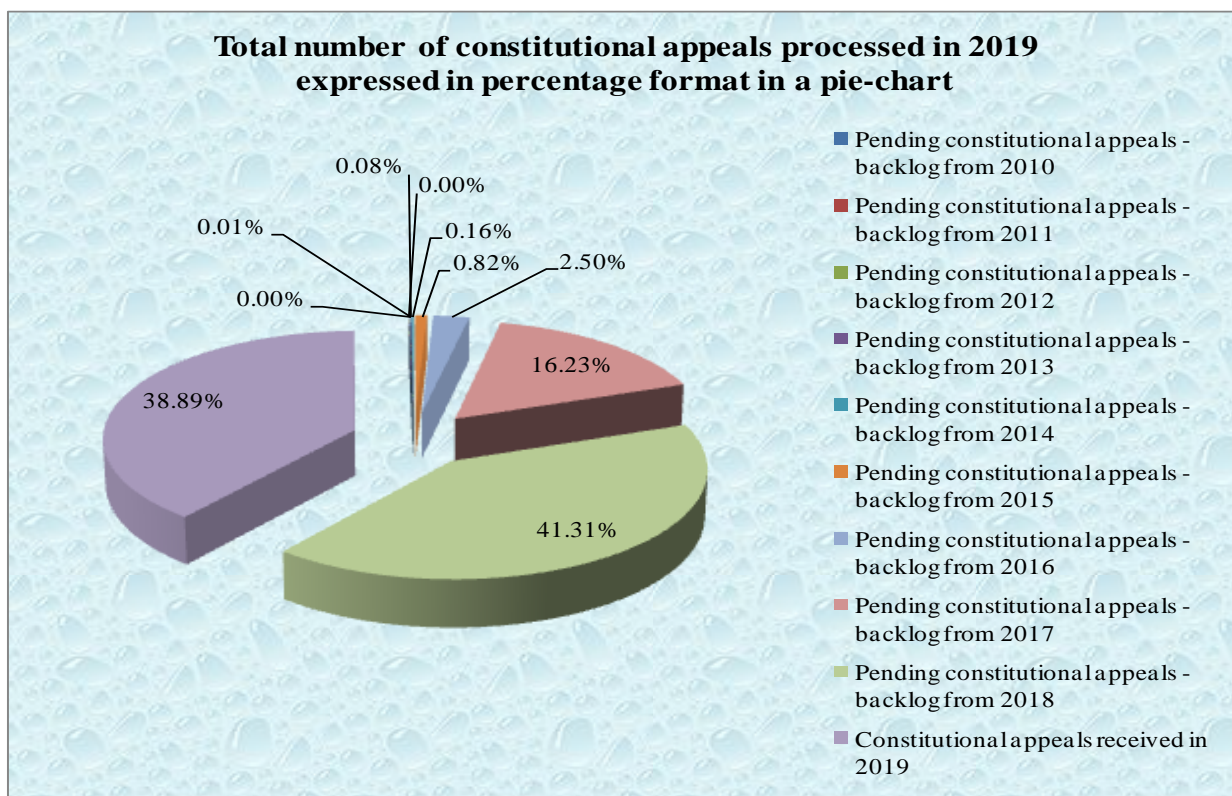
Number of decided and pending appeals against HJC decisions on termination of a judicial function and appeals against SCP decisions on termination of a public prosecutor's function in a graph



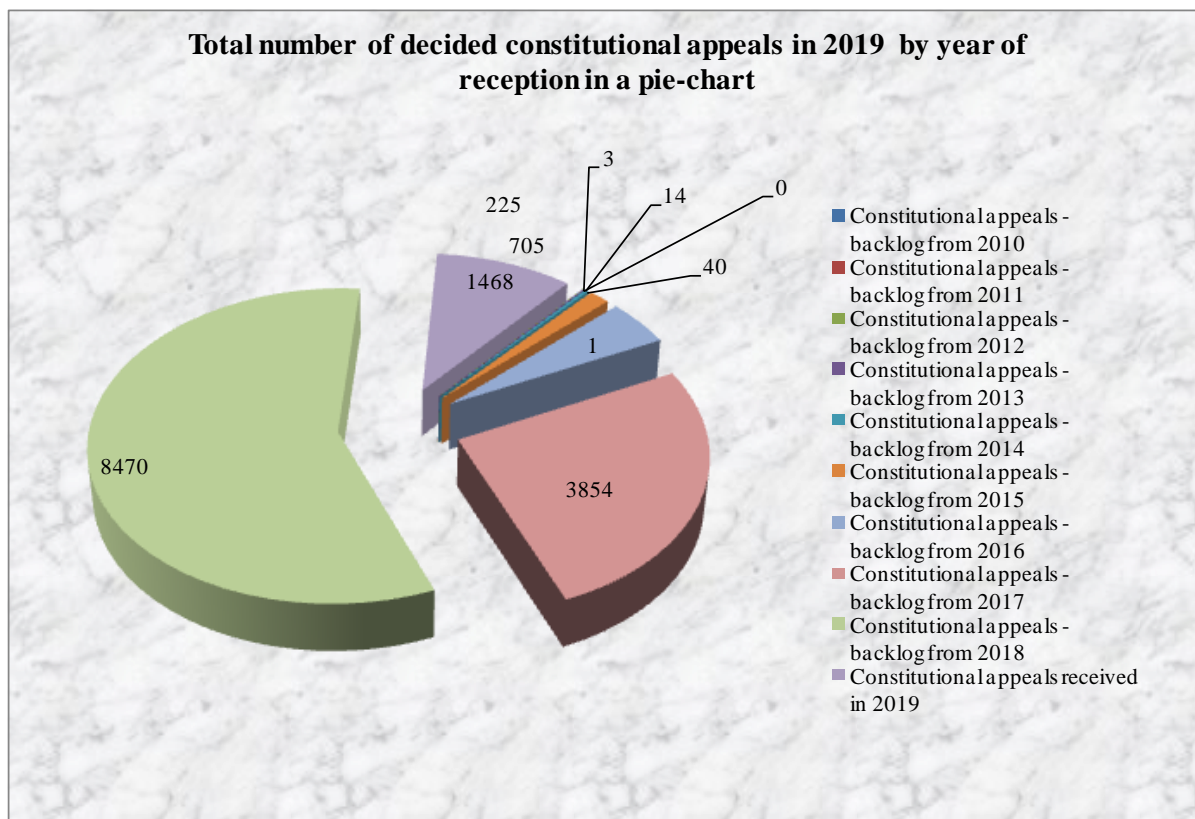
Appeals against HJC decisions on termination of a judicial function and appeals against SCP decisions on termination of a public prosecutor's function	Number of decided appeals in 2019	Number of pending appeals in 2019
Judges	2	2
Prosecutors	1	0
Total:	3	2



	Constitutional appals processed by year
2010	1
2011	1
2012	4
2013	30
2014	59
2015	297
2016	906
2017	5889
2018	14992
2019	14112

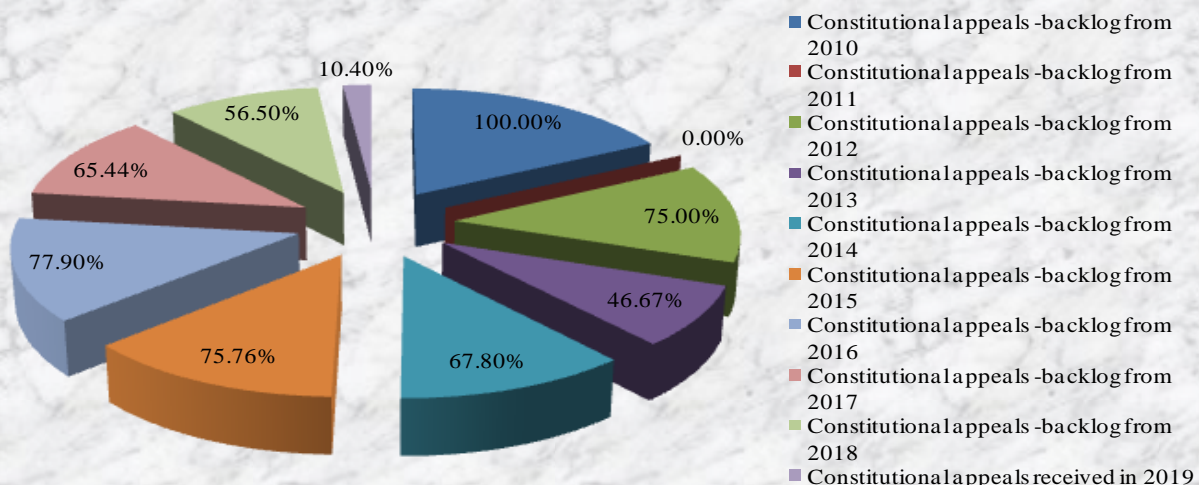


	Number of pending constitutional appeals	Number of pending constitutional appeals in relation to the total number of cases processed expressed in percentage form.
Pending constitutional appeals - backlog from 2010	1	0,00%
Pending constitutional appeals - backlog from 2011	1	0,00%
Pending constitutional appeals - backlog from 2012	4	0,01%
Pending constitutional appeals - backlog from 2013	30	0,08%
Pending constitutional appeals - backlog from 2014	59	0,16%
Pending constitutional appeals - backlog from 2015	297	0,82%
Pending constitutional appeals - backlog from 2016	906	2,50%
Pending constitutional appeals - backlog from 2017	5889	16,23%
Pending constitutional appeals - backlog from 2018	14992	41,31%
Constitutional appeals received in 2019	14112	38,89%
Total number of constitutional appeals processed in 2019	36291	100,00%

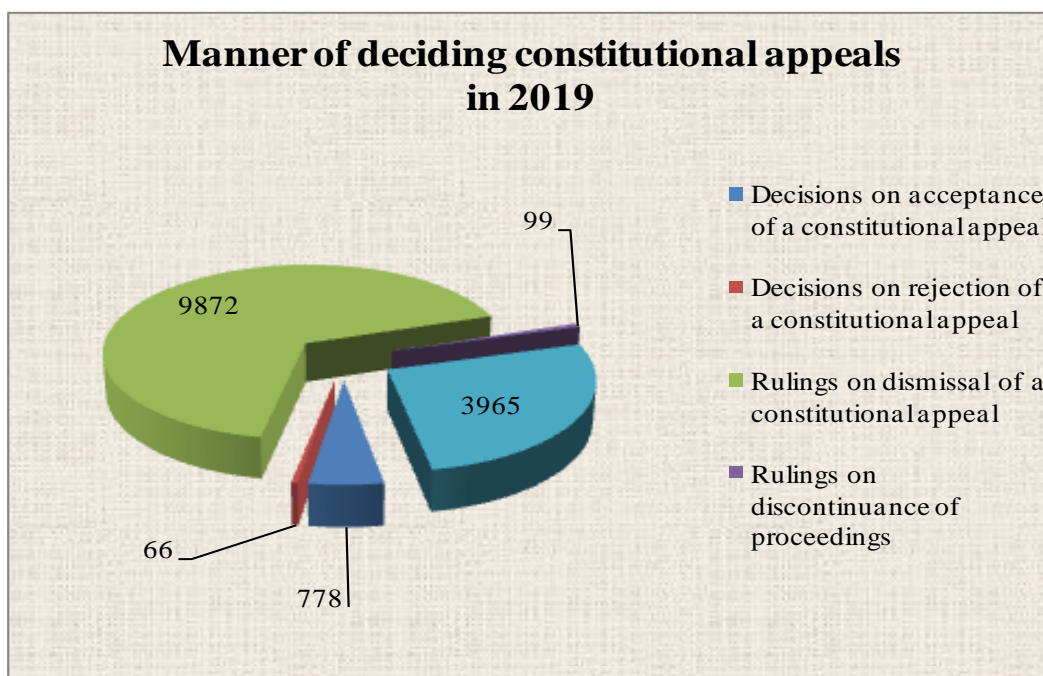


	Number of decided constitutional appeals in 2019
Constitutional appeals - backlog from 2010	1
Constitutional appeals - backlog from 2011	0
Constitutional appeals - backlog from 2012	3
Constitutional appeals - backlog from 2013	14
Constitutional appeals - backlog from 2014	40
Constitutional appeals - backlog from 2015	225
Constitutional appeals - backlog from 2016	705
Constitutional appeals - backlog from 2017	3854
Constitutional appeals - backlog from 2018	8470
Constitutional appeals received in 2019	1468

Number of decided constitutional appeals expressed in percentage form in relation to the total number of cases processed in 2019 by year of reception in a pie-chart

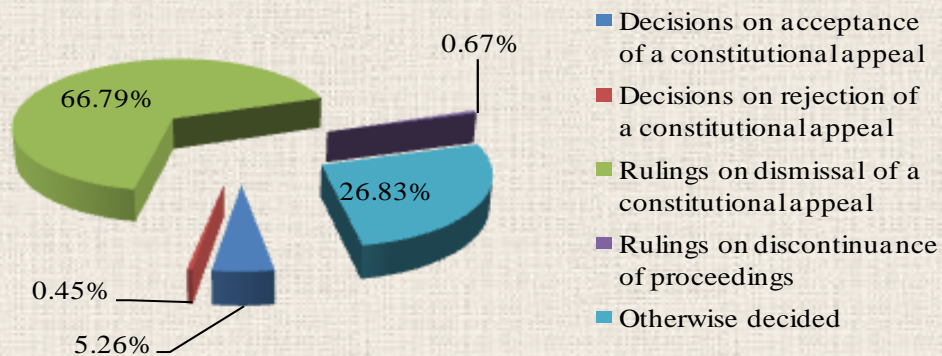


	Total number of constitutional appeals processed in 2019	Number of decided constitutional appeals	Number of decided constitutional appeals expressed in percentage form in relation to the total number of cases processed
Constitutional appeals -backlog from 2010	1	1	100,00%
Constitutional appeals -backlog from 2011	1	0	0,00%
Constitutional appeals -backlog from 2012	4	3	75,00%
Constitutional appeals -backlog from 2013	30	14	46,67%
Constitutional appeals -backlog from 2014	59	40	67,80%
Constitutional appeals -backlog from 2015	297	225	75,76%
Constitutional appeals -backlog from 2016	906	705	77,81%
Constitutional appeals -backlog from 2017	5889	3854	65,44%
Constitutional appeals -backlog from 2018	14992	8470	56,50%
Constitutional appeals received in 2019	14112	1468	10,40%
Total:	36291	14780	40,73%



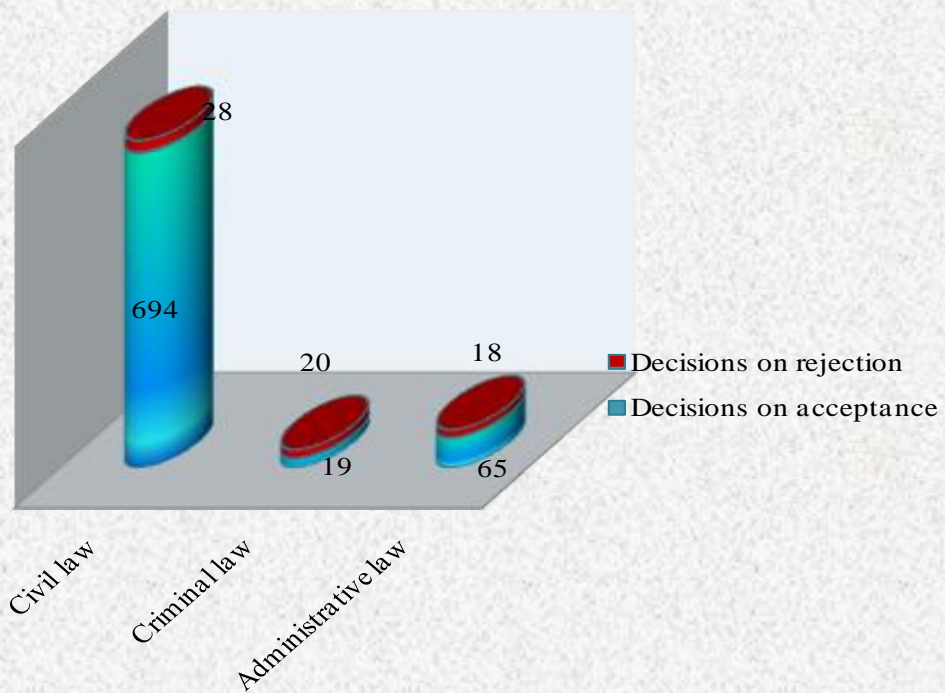
	Manner of deciding constitutional appeals in 2019
Decisions on acceptance of a constitutional appeal	778
Decisions on rejection of a constitutional appeal	66
Rulings on dismissal of a constitutional appeal	9872
Rulings on discontinuance of proceedings	99
Otherwise decided	3965

**Manner of deciding constitutional appeals in 2019
expressed in percentage form in a pie-chart**



	Manner of deciding constitutional appeals in 2019 expressed in percentage form
Decisions on acceptance of a constitutional appeal	5,26%
Decisions on rejection of a constitutional appeal	0,45%
Rulings on dismissal of a constitutional appeal	66,79%
Rulings on discontinuance of proceedings	0,67%
Otherwise decided	26,83%

Number of decisions on constitutional appeals in 2019 by area of law in a graph



Areas of law	Decisions on acceptance	Decisions on rejection	Decisions according to the area of law in 2019
Civil law	694	28	722
Criminal law	19	20	39
Administrative law	65	18	83
Total of decided constitutional appeals in 2019	778	66	844

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