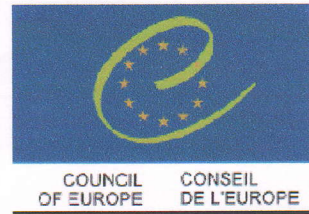




**Republic of Serbia  
Ministry of Justice**



**Protocol on co-operation between  
the Ministry of Justice of the Republic of Serbia  
and  
the Council of Europe – Directorate General for Legal Affairs**

This Protocol has been signed in Belgrade on October 8<sup>th</sup>, 2004 as a result of the agreement on the implementation of the legislative reform programme concluded between the Ministry of Justice of the Republic of Serbia and the Council of Europe (Directorate General of Legal Affairs).

The Protocol's objective is to contribute to the fulfillment of the relevant commitments undertaken by Serbia and Montenegro upon accession to the Council of Europe on 3 April 2003.

The Ministry of Justice accepts with pleasure the expert assistance provided by the Council of Europe as well as the political support for the reform of the judicial system.

### ***Status assessment***

Pursuant to the enactment of the Constitutional Charter of Serbia and Montenegro the relevant legislative powers have been transferred to the Republic of Serbia.

Considering the commitments resulting from the accession of Serbia and Montenegro to the Council of Europe on 3 April 2003 and the commitments undertaken in the Constitutional Charter in respect of the of the European Convention on the Protection of Human Rights and Fundamental Freedoms,

Considering the intention of the Ministry of Justice to harmonise current legislation with the above commitments in both legislative and institutional terms,

Bearing in mind the need for comprehensive and coherent revision of legislation, and the objective to achieve European standards,

The Ministry of Justice of the Republic of Serbia and the Council of Europe – Directorate of Legal Affairs define in this Protocol the following areas of co-operation in the process of creating a stable legislative framework.

### ***Co-operation***

The priority areas whereby the objectives of signatories to this Memorandum shall be achieved are:

- 1) Co-operation in drafting and expert assessment of relevant legislation proposed by the Ministry of Justice, by extending expertise and all other support;
- 2) Co-operation through expert assessment of enacted legislation;
- 3) Co-operation relating to constitutional issues through assistance and collaboration with the Working Group of the Justice Ministry's Judicial Reform Commission, in

drafting the fundamental constitutional principles of the judicial system, with participation of the experts from the Venice Commission;

- 4) Co-operation in drafting judicial-organisational regulations, including all necessary assistance by the Venice Commission;
- 5) Co-operation and assistance in organising international conferences with the aim to support the independence of the judiciary and the rule of law;
- 6) Co-operation and joint efforts in all other relevant fields not covered by items 1 – 5 hereof, and which may appear as necessary during its implementation.

### *Action Plan*

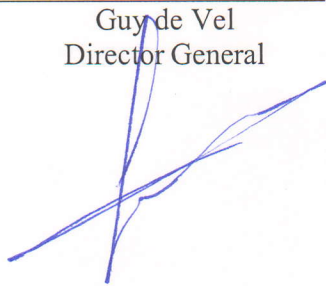
Within the framework of the action plan for implementing this Protocol it is envisaged to proceed in all relevant areas of co-operation in the shortest possible timeframe.

This Protocol on Co-operation has been concluded in Serbian and English, both versions equally valid. This Protocol comes into force upon its signature.

On behalf  
the Ministry of Justice

  
\_\_\_\_\_  
Zoran Stojkovic  
Minister

For the Council of Europe  
Directorate for Legal Affairs

  
\_\_\_\_\_  
Guy de Vel  
Director General