

GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) in Serbia

Legal Reforms in Serbia

Starting point

One of the primary objectives of Serbian foreign policy is the accession to the European Union (EU). Among the things to be done to achieve this goal is a comprehensive reform of the legal order. Serbia today is particularly speeding up the process of adjusting its commercial and civil law with European standards in order to meet preconditions for subsequent accession to EU and to support the transformation to a social market economy.

Objectives

The project supports various institutions in the creation of a modern legal framework for a free and democratic economic and social order. Legal principles of the EU should ease the integration in a single European market. The reforms include, for example, the introduction of new property rights, a modern company law and the law on obligations, but also the introduction of a notary and enforcement system.

All this will also improve the conditions for foreign direct investments and foreign trade by providing better security to investors in terms of planning and legal protection.

A further goal is to support the politically necessary and prioritized regional re-integration of Serbia in the region of former Yugoslavia.

What are the concrete actions?

The project supports the Ministry of Finance and other key ministries in their legal reform initiatives, and, with the assistance of regional and international expertise assures a participative and legally skilled legislative drafting process.

Thereby, the law drafting process is accompanied from the first idea of a new or amended law up to promulgation of those laws by the Serbian Parliament.

In a next step, the implementation of the reform laws is supported by professional counselling of judges, academics and civil servants. Materials and provisions on the enforcement of the reform laws are produced and distributed to those who practice law or are addressed by the new rules. The valuable regional exchange is expanded with seminars, publications and meetings in cooperation with various international, regional and local institutions and associations.

The project has been and is participating in a series of important legislation projects and provided support to the preparation of a great variety of laws which have come into force in the meantime, among others Law on Securities, Law on Concessions, Law on

Bankruptcy Procedure, Law on Execution Procedure, Law on Civil Procedure, Law on Leasing, Law on Pledge Rights on Registered Movables, Law on Foreign Trade, Law on Mortgages and Law on Enterprises. The subsequent implementation of these laws has been supported with countless professional publications, conferences and public presentations. The project also assists in the preparation of the drafts of important elements of legal reform, such as Law on Cadastre, Law on Property and Law on Notary, to mention only a few, and it encourages discussions about them in professional public.

Additionally, the project is engaged in the dissemination and publication of laws, regulations and the subsequent legal discussion to the Serbian society or other relevant target groups as, for example, the Serbian business community.

Target groups

The target groups of the project are the citizens of Serbia, but also relevant parts of it, as for example the business community or other beneficiaries of the reformed laws and institutions. Intermediaries are the institutions or legal professionals directly involved in the legal reform, as for example judges, the judiciary, the parliament and law schools.

Project partners

The political partner is the Serbian Ministry of Finance.

Executive organizations are the Serbian Ministries for Justice and Economy, their bodies, legal organizations, the parliament and the law schools of selected universities.

The project is closely connected to the legal community in Serbia, the region and a great variety of German, European and international cooperation partners that are engaged in the legal reform.

Time frame and outlook

Total duration of the project has been 9 years and 6 months (June 2001 – December 2010).

A new project will start in 2011 and will be built on the results achieved but also focus on the upcoming challenges in Serbia in the next years.

For further information:

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