

The Republic of Serbia  
The High Judicial Council  
No. 071-00-1657/2016-01  
Date: 8 December 2016  
Belgrade

ILIJA DEVIĆ

[andjelkadevicbg@gmail.com](mailto:andjelkadevicbg@gmail.com)

On the occasion of your complaint sent to the High Judicial Council by e-mail on 6 December 2016, in which you have expressed your discontent because of the decision made on 23 March 2016 by the Commercial Court of Appeal as well as the decision Rev 58/13 made on 9 May 2013 by the Supreme Court of Cassation, we would like to inform you that the High Judicial Council, within its jurisdiction regulated by the Law on the High Judicial Council, is not authorized to reconsider and change the decisions made by the court and it is also not authorized to estimate legality and regularity of the court decisions.

Namely, provision of the Article 1, Paragraph 1 of the Law on Judges, regulates that a judge is independent in their work and in decision making, and the provision of the Article 5, Paragraph 1 states that a judge cannot be called to account for their expressed opinion or voting in the procedure of a court decision making, unless there is a criminal act of breaking the law by the judge. In that case, it is part of the jurisdiction of the competent Public Prosecutor's Office.

According to the provision of the Article 3, Paragraph 3 of the Court Structure Law, a court decision can be reconsidered only the competent court in the legally prescribed procedure.

Best regards,

MEMBER  
OF THE HIGH JUDICIAL COUNCIL  
Ivan Jovičić, judge