

THE ROLE OF CONSTITUTIONAL COURT IN THE PROCESS OF ACCUSATIONS AGAINST THE HIGHEST STATE OFFICIALS

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Summary: One of the jurisdictions of the constitutional court in some countries is to decide about accusations against high state officials and their liabilities, i.e. to participate in those proceedings. This corpus of constitutions establishing such jurisdiction of the constitutional court is further enlarged by the constitutions of former socialist countries (Bulgaria, Slovakia, Czech Republic, Poland, Russia and Romania). Regarding newly-founded former SFRY countries, the constitutions of all these countries, except Bosnia and Herzegovina, have envisaged such jurisdiction of the constitutional court. This study of such specific jurisdictions of the constitutional court considers three issues: which high state officials can be tried before the constitutional court and on which grounds; basic procedural rules of deciding about accusations against high state officials; the role of the constitutional court in deciding about those accusations, i.e. what is the legal effect of the constitutional court decisions. These issues are studied in the form of comparative constitutionality with the accent on the Republic of Serbia and other countries constituted through the dissolution of Yugoslavia.

Keywords: constitution, constitutional court, liability, accusation, state officials, the head of state.

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