

RESPECT NE BIS IN IDEM PRINCIPLE OF THE TRIAL FOR SIMILAR CRIMINAL OFFENSES AND MISDEMEANORS

Natasa Mrvic-Petrovic
Institute of Comparative Law, Belgrade

Summary: This paper examines influence of attitude about multiple punishment for similar criminal offenses and possible violation of prohibition of double jeopardy (ne bis in idem). The concept of multiple punishment is represented in the criminal legislation of the Republic of Serbia. This concept is contrary to the recent jurisprudence of the European Court of Human Rights. Therefore, the author analyzes the Serbian legislation and suggests ways to solve the problem in practice. The author suggests that in the future in law need to be better to separate the descriptions of similar crimes and misdemeanors, especially against public order and peace. The author suggests ways in which can be applied the relevant state authorities (police, other government bodies, courts) in order to avoid violation of procedural ne bis in idem principle.

Keywords: multiple punishment, ne bis in idem, criminal offense, misdemeanor.

Pages 27-39