

DIFFERENT VIEWS ON THE POSITION
AND ROLE OF THE PROTECTOR OF CITIZENS
IN THE REPUBLIC OF SERBIA

Dragana Petković

Vladimir Milošević

The Protector of Citizens of the Republic of Serbia

Summary: The first law on the Protector of Citizens in the Republic of Serbia was passed in 2005, in order to undergo certain amendments in 2007 to be harmonized with the Constitution of Serbia. The position and role of the Protector of Citizens in the legal system of the Republic of Serbia are defined by the 2006 Constitution of the Republic of Serbia. The position, role, selection, jurisdiction and behaviour of the Protectors of Citizens of the RS are regulated based on the characteristic features of the Ombudsman of the countries in the region with certain modalities. Regarding the position and role, the institution of the Protector of Citizens of the RS was made based on the Danish model, but some modern solutions were also added. The normative regulation of the jurisdiction and position of the Protector of Citizens deserves detailed processing, with a special review of the legal practice with the aim of examining the proposal de lege ferenda of the amendment of legal regulation. In his short ten-year history, the Protector of Citizens of the RS applied and developed the various powers through various and diverse procedures and in different fields of action. With the help of the symbiosis of the normative and the experiential, the authors intend to point out the necessary legal amendments and the way in which the further evolution of this young institution in our legal system could be directed.

Keywords: the Protector of Citizens, human and minor rights and freedoms, control of the work of the administrative bodies, legislative initiative.