SEMINAR ORGANISED BY THE ITALIAN COUNCIL OF STATE IN

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Turin, 23-24 November 2026

Responses from the Administrative Court of the Republic of Serbia

This questionnaire has been prepared in anticipation of the seminar to be held

Technological challenges, with particular attention being paid to the introduction of digital technology and artificial intelligence into the organisation of the administration and administrative justice

QUESTIONNAIRE

in Turin on 23 and 24 November 2026. In accordance with point 2 of the guiding principles adopted by the Hellenic Presidency of ACA-Europe, it aims to explore the current challenges facing administrative judges, particularly those related to technology, and more specifically the introduction of digitalisation and artificial intelligence into the organisation and functioning of the administration and administrative justice.

In order to gain an in-depth understanding of the various dimensions of these technological challenges, the survey is split into three parts:

Part A - The digitalisation of administrative proceedings, with a focus on the experience of various supreme administrative jurisdictions and the impact of this transformation on the organisation and conduct of judicial activity.

Part B - Automated administrative decision-making and judicial review by administrative courts, particularly issues of technical discretion, automation and the delimitation of judicial powers.

Part C - The role of the administrative judge and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, particularly in light of Regulation (EU) 2024/1689, known as the 'AI Act', as well as other European Union standards and regulations, such as Regulation (EU) 2016/679, known as the 'GDPR', Regulation (EU) 2022/2065, known as the 'DSA', and Regulation (EU) 2022/1925, known as the 'DMA'.

Part A

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The digitalisation of administrative proceedings and the use of artificial intelligence tools by the administrative justice system

A.I – Infrastructure and technological organisation

A.I.1 – Digital equipment and resources

1. What is the level of digital equipment available to judges and administrative staff?

☐ Non-existent
☒ Limited
☐ Intermediate
☐ High
☐ Complete
Please explain if necessary:

2. Is the technological infrastructure (networks, servers, equipment, connectivity) suited to the day-to-day operational needs of the administrative jurisdictions?

☐ Strongly disagree
☐ Somewhat disagree
☐ Neither agree nor disagree
☒ Somewhat agree
☐ Strongly agree

Please explain if necessary:

A.I.2 – Cloud solutions, remote access and interoperability

3. To what extent does your jurisdiction use cloud-based solutions for its information systems?

☒ Not at all
☐ To a limited extent
☐ Moderately
☐ Extensively
☐ Completely
Please explain, where applicable, and, in the absence of cloud solutions, specify the alternative infrastructure solutions implemented:

3a. Do the adopted technical solutions enable judges and staff to perform their duties remotely using the institutional equipment made available to them? If so, please specify any limitations.

3b. Are the applications being used interoperable with other national or cross-border judicial IT systems? If so, please specify the extent of this interoperability.

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A.II – Digitalisation and dematerialisation of judicial administrative proceedings

A.II.1 – Dematerialised administrative proceedings

4. Is a dematerialised judicial administrative proceedings system in place within your jurisdiction?

☒ No
☐ Yes, at an initial stage
☐ Yes, at an intermediate stage
☐ Yes, at an advanced stage
☐ Yes, on a fully integrated basis
Please explain if necessary:

4a. When this system exists at least at an initial stage, do judges and staff process and sign documents exclusively in digital format in their everyday working practice?

☒ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☐ Always

Please explain if necessary:

4b. Percentage of paper files prior to the implementation of dematerialised administrative proceedings that have been digitised:

☐ 0–20%

☐ 20–40%

☐ 40–65%

☐ 60–80%

☐ 80–100%

A.II.2 – Digital services for members of the public, lawyers and public authorities
5. Are digital services available for filing documents, consulting files, notifications, payments or other related services? If so, please specify which ones.

The Administrative Court has made available the use of the "eSud" application, as part of the pilot project of the Ministry of Justice. The application was developed in order to facilitate the

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case filing, administration and monitoring of its progress. The Ministry of Justice has announced the introduction of modern technologies and digitalization of judiciary during the 2026 based on the "eSud" application, since the digitalization is one of the most important steps aimed at improving the efficiency and transparency in the work of the courts. The articles 20 and 21 of the Law on Administrative Disputes ("Official Gazette of RS" No. 111/2009) stipulates possibility of submitting the claims and other documents in the form of an electronic document, in accordance with the Law on Electronic Document, Electronic Identification and Trust Services in Electronic Business ("Official Gazette of RS" No. 94/2017 and 52/2021).

Additionally, articles 157a, 157б и 157в of the Court Rules of Procedure ("Official Gazette of RS" No. 110/2009, 70/2011, 19/2012, 89/2013, 96/2015, 104/2015, 113/2015 - corrected, 39/2016, 56/2016, 77/2016, 16/2018, 78/2018, 43/2019, 93/2019 and 18/2022) regulate handling the electronic documents in the form of original electronic document which contains appropriate electronic signature and a timestamp.

6. Do these digital services guarantee an adequate level of accessibility for people with disabilities?

☐ 0–20%

☐ 20–40%

☐ 40–65%

☐ 60–80%

☐ 80 - 100%

Please see the answer to question No. 5.

7. Are lawyers involved in the design, development and implementation of digital platforms and tools intended for their use?
If so, please specify the terms of this involvement.

Please see the answer to question No. 5.

8. Are there any support and training measures in place for users outside the court system (lawyers, members of the public, government agencies) regarding the use of the digital tools available to them?

☐ YES

☒ NO

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If so, please specify which ones

Please see the answer to question No. 5.

A.III – Security of information systems and data protection

A.III.1 – Compliance with the regulatory framework

9. Do your jurisdiction's information systems comply with European and national standards on security, data protection and digital preservation?

☐ Strongly disagree
☐ Agree only slightly
☐ Indifferent
☐ Somewhat agree
☒ Strongly agree

Please explain if necessary:

A.III.2 – Incident management and business continuity

10. Are IT security incidents dealt with promptly and effectively?
☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☒ Always

The Law on Information Security ("Official Gazette of RS" No. 91/2025) regulates the measures of protection from safety risks in ICT systems, responsibilities of entities in the use and management of ICT systems, procedures and measures to obtain high general level of information safety, and determines the authorities competent for the implementation of protection measures, coordination of protection factors, monitoring of proper implementation of prescribed protection measures, as well as competence of supervisory entities in the application of his law (Article 1).

Article 28 of the Law on Information Security ("Official Gazette of RS" No. 91/2025) also provides for the establishment of the Office for Informational Security, as a separate organization in terms of this law which establishes the role of the state administration "for the purpose of prevention and protection from the security risks and incidents in the ICT systems in the Republic of Serbia".

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11. Are business continuity and disaster recovery plans regularly updated and tested?

☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☒ Always

A.III.3 – Publicity and dissemination of court decisions

12. Are court decisions available online in their entirety?

☐ Never
☐ Rarely (only for the most significant decisions)
☐ Occasionally
☒ Frequently
☐ Always

Please add any additional information and explain if necessary:

Decisions of the Administrative Court are published on its website (https://www.up.sud.rs/lat/sudska-praksa-odluke) and the Case-law Database of the Supreme Court of the Republic of Serbia (http://sudskeodluke.sud.rs), in accordance with the Rules on Replacement and Omission (Pseudonymization and Anonymization) of Data in Court Decisions (available at the Administrative Court's website). This document regulates the methods of replacement and omission of data in court decisions, which are published or made available to the public, in line with the law regulating the personal data processing. At the moment, there are 32442 decisions of the Administrative Court publicly available on its official website.

13. Where a system for publishing decisions online is in place, is there an internal policy to ensure the protection of personal data and respect for the right to be forgotten?

☐ No
☐ No formalised policy; anonymisation is carried out by the registry services on a case-by-case basis
☐ No formalised policy; anonymisation is decided on a case-by-case basis on the instructions of judges
☐ Yes, personal data are systematically anonymised

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☒ Yes, personal data are anonymised in accordance with an internal policy providing for targeted exceptions
☐ Other (please specify)

In accordance with Article 52 of the Law on the Organization of the Courts ("Official Gazette of RS" No. 116/08,104/09, 101/10, 31/11, 78/11, 101/11,101/13, 40/15,106/15, 13/16, 108/16, 113/17, 65/18, 87/18 and 88/18), and Article 7, related to Articles 28 and 139 of the Court Rules of Procedure ("Official Gazette of RS" No. 110/2009, 70/2011, 19/12, 89/13, 96/15, 104/15, 113/15, 39/16, 56/16, 77/16, 16/18 and 78/18), on 28 June, 2019 the President of the Administrative Court issued the Rules on Replacement and Omission (Pseudonymization and Anonymization) of Data in Court Decisions.

Article 1 of the Rules provides that the decisions of the Administrative Court shall be published in its entirety on the Administrative Court official website, on the condition that the data on the parties, whose identity has been determined or may be determined by the comparison with other available data, are replaced and omitted.

A.IV – Training and digital skills

14. Does your jurisdiction offer structured and regularly updated digital technology training courses for judges and staff?

If so, please specify which ones.

Trainings in the field of digital technologies for judges and court staff are conducted in cooperation with the Judicial Academy, which is, in accordance with the Law on Judicial Academy ("Official Gazette of RS" No. 104/2009, 32/2014 – decision of the CC and 106/2015), established in order to provide trainings for judges and prosecutors, as well as judicial and prosecutorial staff (articles 41–46 and 51–52). The training programs are created annually based on the current needs, relevant topics and the needs expressed by judges and judicial staff.

A.V – Involvement of judges in digital transformation

15. To what extent are judges involved in decision-making and design processes relating to technological innovation and digital transformation in the judiciary? If applicable, please provide details.

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Judges may be involved in decision-making and the process of digital transformation in the judiciary as members of working groups established for the drafting of laws in the field of digitalization or development of digital solutions and software applications.

A.VI – Use of AI systems in administrative justice

A.VI.1 – Tools and level of deployment

16. Are artificial intelligence systems currently used to assist in judicial or administrative activities?

No.

16a. If so, which ones are used? (Please tick all that apply)

☐ Chatbots

☐ Semantic search tools

☐ Automated anonymisation of decisions

☐ Text analysis and assistance with legal research

☐ Tools to assist with organisation and court management

☐ Other (please specify)

The Administrative Court does not use the AI tools in its work.

16b. Overall level of internal deployment of AI systems:

☐ Occasional or isolated use
☐ Trial phase
☐ Development phase
☐ Widespread use
☐ Full integration

Please explain if necessary:

The use of AI in the Republic of Serbia is still not regulated, but the drafting of the Law on Artificial Intelligence is in progress. Also, in line with Article 38 par. 2 of the Law on the Planning System of the Republic of Serbia ("Official Gazette of RS" No. 30/18), in January 2025, the Republic of Serbia adopted the Strategy for the Development of

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Artificial Intelligence for the period 2025–2030 ("Official Gazette of RS" No. 5 from January 17 2025) which will serve as a basis for the future Law on Artificial Intelligence.

A.VII – Governance, regulation and ethical framework for AI

A.VII.1 – Internal guidelines and regulatory compliance

17. Has your jurisdiction adopted any internal guidelines, charters or policies governing the use of AI systems, in particular in application of Regulation (EU) 2024/1689 (the AI Act), the GDPR and other relevant European instruments?

☐ YES

☐ NO

If so, please specify which ones.

In 2023, the Government of the Republic of Serbia has adopted the Ethical Guidelines for the Development, Application and Use of Reliable and Responsible of Artificial Intelligence which are aligned with international guidelines and serve as the foundation for future legislative changes in this field. The Ministry of Science, Technological Development, and Innovation of the Republic of Serbia has established the working group for the drafting of the Law on Artificial Intelligence, which will take into consideration the AI Act.

Regarding the GDPR, during the drafting of the Law on Personal Data Protection ("Official Gazette of RS" No. 87/2018), in the EU accession process, the Republic of Serbia acted in accordance with the obligation of alignment of the stated law with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and Directive 2016/680 on the protection of natural persons with regard to processing of personal data by the competent authorities for the purposes of prevention, investigation, detection, or prosecution of criminal offenses or the execution of criminal penalties, and on the free movement of such data.

18. Are AI systems subject to prior risk assessments?

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☐ YES

☐ NO

If so, please specify the terms of these assessments

Please see the answer to the question 16b.

19. Are there specific requirements in terms of transparency for the use of AI systems?

If so, please provide details.

Please see the answer to the question 16b.

20. Is the use of AI systems accompanied by human oversight mechanisms?

☐ YES

☐ NO

If so, please provide details

Please see the answer to the question 16b.

21. Are specific methodologies implemented during the design, development and deployment of AI systems to ensure their traceability, reliability, integrity and accuracy? If so, please provide details.
Please see the answer to the question 16b.

A.VIII – Innovation, prospects and future needs

A.VIII.1 – Current innovation projects

22. Are there any innovation projects currently under way in the following areas? (please tick all that apply)

☐ Process automation
☐ System interoperability
☐ Modernisation of existing systems
☐ Advanced digital services for external users
☐ AI systems
☒ Other (please specify)

Please see previous explanations.

A.VIII.2 – Barriers to digital transformation

23 What do you consider to be the main barriers to the digital transformation of administrative justice? (please tick all that apply)

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☒ Complexity of the regulatory framework
☒ Insufficient financial resources
☐ Lack of specialised human resources
☒ Organisational complexity
☐ Resistance to change and digital skills gap
☒ Cybersecurity risks and challenges
☐ Other (please specify)

A.VIII.3 – Investment priorities

24. What do you think should be the priority areas for investment over the next few years? (please tick all that apply)

☒ Modernisation of infrastructure
☒ Cybersecurity
☒ Training and skills development
☒ Deployment of AI systems
☒ Interoperability at European level
☐ Complete digitalisation of administrative procedures
☐ Other (please specify)

25. Please describe one or more good practices in digitalisation that have been implemented or are planned within your jurisdiction.

Please see the answer to question No. 5 and description of the "eSud" pilot application.

The Strategy for the Development of the Judiciary provides for further improvement of e-services within the judiciary and "further development of electronic initiation and conduct of the court proceedings for citizens and lawyers via the "eSud" application or using other commercial software applications available in the market incorporating the Application Programming Interface technology, in compliance with the prescribed standards" in order to provide the access to justice, enhanced quality of case management and decision-making, efficient case administration, statistical tracking and reporting on the work of judiciary, as well as transparency in the work of judicial institutions. The development of Judicial Information System, along with eSud, eZIO and PRONEP, is also in progress.

The Strategy provides for the establishment of "ePravda" ("e-justice") system which is composed of a set of business processes and procedures in the judiciary of the Republic of Serbia, information system, ICT infrastructure, change and risk management, as well as the development and implementation of "ePravda" system.

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This system shall include, as primary information and data producers and consumers, the Ministry of Justice, judicial institutions, public prosecution authorities and institutions for the execution of criminal sanctions. The "ePravda" system should also include other stakeholders, particularly the authorities and institutions which are legally related to the judiciary and prosecution, as well as parties in judicial procedures and users of information related to judicial subject matter, including the lawyers, notaries public, legal persons, law faculties, state authorities and citizens.

The development of this system provides for cooperation between all the stakeholders.

Part B
Automated administrative decisions and judicial review

B.I – Automated administrative decisions: substantive legality and procedure

1. Are there provisions in your legal system that authorise public administrations to use digital or algorithmic technologies in the exercise of their powers?

☐ YES

☒ NO

In the Republic of Serbia there are no regulations on the use of digital or algorithmic technologies in the decision-making process.

The use of technologies in the Republic of Serbia in administrative activities is regulated by the Law on General Administrative Procedure ("Official Gazette of RS" No. 18 from 1 March 2016; No. 95 from 8 December 2018 – authentic interpretation; No. 2 from 13 January 2023 – CC) which prescribes electronic communication with the parties, data exchange between the state authorities and the use of information systems in the proceedings.

Also, the Republic of Serbia has passed the Law on Electronic Administration ("Official Gazette of RS" No. 27 from 6 April 2018), which, inter alia, regulates information and communication systems of the administration bodies, e-Uprava portal, data exchange between the registries and automatization of administrative procedures.

If so:

1.a. According to these provisions, what are the authorised tools and the objectives pursued by their use?

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1.b. What types of acts can be adopted using these technologies?
In particular, is the use of algorithms permitted for the adoption of administrative decisions involving discretionary powers?

2. Are there provisions in your legal system governing the design, deployment and use of artificial intelligence systems employed by public administrations?

☐ YES

☒ NO

If so,

2.a. what type of implementation measures are these? (for example, legislative or soft law):

2.b. Is there an obligation for public administrations to inform the public or individuals about the use of AI systems?

2.c. Are any authorities or bodies responsible for developing general rules or standards for the use of artificial intelligence within public administrations?

3. What conditions must be met to ensure the legality of administrative procedures involving the use of artificial intelligence systems?

In particular:

3.a. Is the decision-making administration required to indicate the type of algorithmic system used and its principal characteristics?

3.b. At what stage of the procedure must the administration provide information about the use of an algorithmic system and its characteristics?

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3.c. Does the interested party have the opportunity to comment on or challenge the use or operation of the AI system before the final decision is made?

4. Are specific areas of administrative law in your country subject to express authorisation for the use of administrative decisions based on artificial intelligence systems?

5. Are there specific areas of administrative law in which the use of artificial intelligence systems for issuing administrative decisions is expressly prohibited?

B.II – Judicial review of automated administrative decisions

6. Does national case-law recognise the legality of automated administrative decisions?

☐ YES

☒ NO

Please explain if necessary:

If so:

6.a. What principles and conditions have been identified by national case-law as necessary for these decisions to be legally valid?

6.b. Have any limitations been identified with regard to the possibility of delegating the administration's decision-making power to algorithmic systems?

6.c. In particular, which of the following principles must be respected, according to national case-law, when adopting an automated administrative decision? (Please tick all that apply)

☐ Principle of transparency
☐ Principle of non-exclusivity of human intervention ('human in the loop')
☐ Principle of non-discrimination
☐ Principle of knowledge and comprehensibility of algorithmic functioning
☐ Principle of attributing the decision to an authority vested with power
☐ Other (please specify)

7. Has national case-law ruled on the nature and legal classification of the algorithm or AI system used for administrative decision-making?

8. What are the limits of the judicial review that administrative judges can exercise over automated administrative decisions?

9. According to national case-law, is the right of access to the algorithmic process that led to the automated administrative decision recognised?

☐ YES
☒ NO

If so:
9.a. What information relating to the AI system (data, logic, key parameters) must be made available to the party concerned?

Part C
Administrative judges and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, in light of Regulation (EU) 2024/1689 (the 'AI Act') and other European Union standards and regulations, such as the GDPR, the DSA, the DMA, etc.

1. Does your country recognise, at constitutional level, principles that expressly refer to the use of artificial intelligence in the performance of judicial functions?

☐ YES

☒ NO

If so, please specify which ones

2. Has your country adopted or is it in the process of adopting national measures to implement Regulation (EU) 2024/1689 (the AI Act) concerning the use of artificial intelligence to support judicial decision-making, which is classified as a 'high-risk' activity (Annex III, point 8(a))?

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☒ YES

☐ NO

Please see the answer to question No. 16b.

If so:

2.a. What is the nature of these measures (legislative, regulatory, guidelines, soft-law instruments)?

2.b. For what purposes is the use of AI permitted? (Please tick all that apply)

☐ Research and interpretation of the law

☐ Research and assessment of the facts

☐ Application of the law to a specific factual situation

☐ Administrative activities that are purely ancillary (recital 61 of Regulation (EU) 2024/1689)

Please explain if necessary:

2.c. What measures are taken to ensure human oversight (Article 14 of Regulation (EU) 2024/1689)? In particular, under what conditions is the user able to ignore, cancel or override the result produced by the artificial intelligence system (Article 14(4)(d) of the AI Act), or to suspend or interrupt its use (Article 14(4)(d) of the AI Act)?

2.d. What regulatory measures have been adopted to ensure the transparency, accuracy and robustness of the artificial intelligence system used (Articles 13 and 15 of Regulation (EU) 2024/1689 – the AI Act)?

3. Are there any official forms of testing or use of artificial intelligence systems for decision-making or generating judicial decisions currently in place in your country?

☐ YES

☐ NO

Please explain if necessary:

If so:

3.a What do they consist of?

3.b. What data sets are used?

3.c. Is the software used publicly owned or provided by private operators?

3.d. Have any biases been identified in its operation? If so, what kind?

4. Are measures planned in your country to ensure a sufficient level of artificial intelligence literacy specifically for judges (Article 4 of Regulation (EU) 2024/1689)?

☐ YES

☐ NO

If so:

4.a. What do these measures consist of?

4.b. Is specific training planned to prevent or limit the phenomenon known as 'automation bias' (Article 14(4)(b) of the AI Act)?

☐ YES

☐ NO

Please explain if necessary:

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5. Is the use of generative or agentic artificial intelligence systems permitted in your country to assist in the drafting of procedural documents or court decisions?

To help you understand the question better: **generative artificial intelligence (AI)** is a category of AI models which, thanks to machine learning and training on vast amounts of data, are capable of creating original content (text, images, videos, music, etc.). **Agentic AI** is described as a system capable of autonomously planning, making decisions and executing complex tasks with minimal human intervention to achieve a defined objective [source: OECD].

6. Has the national case law of your country addressed issues concerning the interpretation and application of EU Regulation 2024/1689?

☐ YES

☒ NO

Please explain if necessary:

6.a. If yes, which principles have been established?

7. Have national courts of your country submitted preliminary rulings to the Court of Justice of the European Union regarding EU Regulation 2024/1689?

☐ YES

☒ NO

Please explain if necessary:

7.a. If yes, which questions were referred? What answers has the Court of Justice of the European Union provided?

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