

Program: Doctoral Academic Studies –			
Course title: THE LAW ON ENFORCEMENT PROCEDURE			
Teachers: prof. dr Aleksandar Jakšić, prof. dr Dragor Hiber, prof. dr Nikola Bodiroga			
Course status: mandatory for Civil law area- module III			
Number of ECTS: 10			
Requirements: /			
Aims of the course: Acquiring wide and in depth knowledge and competences about law on enforcement proceedings.			
Course result: Student should obtain such a level of knowledge and skill which would enable him or her to independently, critically and professionally reflect on the most important issues of enforcement proceedings and independently conduct research which could result in a thesis.			
Course content: I INTRODUCTION 1. Sources of enforcement proceedings, 2. European Convention on Human Rights 3. Application of European Convention on Human Rights in enforcement proceedings, 3.1. Consequences of failure to enforce judgments 3.1.1. violation of art. 6 (1) ECHR, 3.1.2. violation of art. 1 Additional protocole I, 4. Application of ECHR to the enforcement proceedings in Serbia, 5. Enforcement proceedings and access to the court, 6. Analysis of violation of ECHR in the enforcement proceedings in Serbia. II COMPARATIVE REVIEW OF ENFORCEMENT PROCEEDINGS 1. German legal system 2. Francophone legal systems 3. Terminology 4. Conduct of enforcement proceeding by court and by bailiff, 5. Position of bailiff in serbian legal system- competence and responsibilities III ENFORCEMENT PROCEEDINGS CONDUCTED BY COURT 1. Enforcement of judgments as a reflection of rule of law rinciple 2. Enforcement as part of judicial function, 3. Suppressing te role of courts in enforcement proceedings, 4. Reduction of legal remedies in enforcement proceedings, 5. From court conducted enforcement proceedings to the enforcement. IV OUT OF COURT PROCEEDINGS 1. Relation between court and out of court proceedings, 2. Application of Law on Enforcement and Security in the out of court enforcement proceedings, 3. Out of court enforcement proceedings and waiver of right to the court, 4. Priority of enforcement in relation to litigation. V ENFORCEMENT IN EUROPEAN UNION LAW: 1 Notion and importance, 2. European enforcement order. VI SECURITY: 1. Comparative review, 2. Provisional measures, 3. Provisional measures and claim.			
Literature: Aleksandar Jakšić, Građansko procesno pravo, 7.issue, Belgrade, 2017, Nikola Bodiroga, Theory of enforcement proceedings, Belgrade, 2012, Aleksandar Jakšić, Evropska konvencija o ljudskim pravima- komentar, Beograd, 2006, Mihajlo Dika, Građansko ovršno pravo, Zagreb, 2007, Gaul/Schilken/Becker/Eberhard, Zwangsvollstreckungsrecht, 12. Auflage, 2010. W.H.Rechbeger/P.Oberhammer, Exekutionsrecht, Wien 2009. H. Brox, W. D. Walker, Zwangsvollstreckungsrecht, Muenchen 2008. Stöber K., Zwangsvollstreckung in das unbewegliche Vermögen, 8., neubearbeitete Auflage, München, 2007; Stöber K., Forderungspfändung, 14., neu bearbeitete Auflage, Bielefeld, 2005.			
Number of lectures – active classes	Theoretical classes: 75	Practical classes :	
Instruction method: lectures, consultations.			
Grading system (maximum number of points 100)			
Pre-exam obligations	Points	Final Exam	points
Activities during lectures	30		70
Activities during practical classes			
Tests			
Seminar classes			