

2) Сматрамо да би било целисходно изричито прописати да суд нема право доношења посебног решења којим би одлучио о трошковима поступка о којима није одлучено у пресуди којом је прихватио споразум закључен између јавног тужиоца и окривљеног;

3) Требало би апострофирати да суд може прихватити споразум којим је окривљени ослобођен од обавезе плаћања трошкова поступка само уколико окривљени уз образложену молбу достави и валидну документацију новијег датума којом би били поткрепљени наводи исте. Такође, у пракси би чешће требало користити ову могућност, јер је тренутно на нивоу пуке прокламације која се малтене не примењује.

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AGREEMENT ON THE COSTS OF CRIMINAL PROCEEDINGS - DEFINITION, CONTENTIOUS ISSUES AND POSSIBLE PROCESSUAL ABUSES

Summary

The Republic of Serbia's positive criminal procedural law foresees three types of agreements that can be concluded between the public prosecutor and the defendant: an agreement on the recognition of a criminal offense, an agreement on the testimony of the accused, and an agreement on the testimony of a convicted person. The "agreement on costs of criminal proceedings" is an obligatory component of those agreements, with the exception of the agreement on the testimony of the convicted. In the paper, the author pointed out certain legislative omissions, namely the necessity for clarification and more sufficient legislative and technical formulation of the corresponding Criminal Procedure Code sections. In this regard, the focus is on the injured party's right to file an appeal against the judgment that accepted the plea agreement concluded between the public prosecutor and the defendant, with an emphasis on the right to challenge this judgment in the section where the costs of the criminal proceedings were decided. Furthermore, a specific section of the paper is devoted to the subject of relieving the defendant from the obligation to pay the costs of criminal proceedings, as one of the possibilities when concluding an agreement on the costs of criminal proceedings. The findings of the research

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indicate that the Serbian legislator could or had to process the observed issues in a more appropriate way and suggestions were given in the final part of the paper, the implementation of which would raise the existing solutions to a qualitatively higher level. In this regard, suggestions were made in the last section of the paper, the implementation of which would elevate the existing solutions to a higher qualitative level.

Key words: *costs of criminal proceedings, plea bargain, agreement on the costs of criminal proceedings, procedural abuses, exemption from paying the costs of criminal proceedings, the right to a legal remedy, court practice.*