



U-I-114/11-13  
9 June 2011

**The Partially Dissenting and Partially Concurring Opinion  
of Judge Mag. Jadranka Sovdat**

1. I voted against the first three points of the operative provisions of the Decision. Not, however, because I disagree with the positions regarding the binding legal nature of Constitutional Court decisions. I voted against for the same reasons for which I already voted against Decision No. U-I-137/10, dated 26 November 2010 (Official Gazette RS, No. 99/10). I have fully presented the reasons for my opposition to the mentioned Decision in my dissenting opinion with regard to that Decision. Exactly for the reasons stated therein, which do not have to be repeated, I can agree even less with the majority Decision at hand by which the manner of implementation of Decision No. U-I-137/10 has been altered.

2. I did, however, vote for point 4 of the operative provisions of the Decision, but not for the reasons stated in its reasoning. I voted for this point for the same reasons due to which I believed that already Decision No. U-I-137/10 entailed an inadmissible interference with the right to vote (I also presented these [reasons] in the dissenting opinion to that Decision). The reasons why in such a situation the challenged act is not unconstitutional are also well stated in Constitutional Court Decision No. U-I-163/99, dated 23 September 1999 (Official Gazette RS, No. 80/99, and OdlUS VIII, 209). I agree with them and there is no need to repeat them as they are well known to the public.

Mag. Jadranka Sovdat  
Judge