

EDITORIAL

Dear Readers,

The second issue of the scientific journal *Facta Universitatis*, Law and Politics, for the year 2015 includes scientific papers in the field of law and politics.

This issue includes articles dealing with a range of contemporary issues in the field of legal science, application of law, and a book review.

Nevena Vučković Šahović discusses the issue of child protection rights, pointing out that the rights-based approach to children still has a heavy odor of pure protection, primarily due to the fact that children are not perceived as human beings with inherent human dignity and worth. The 'child dignity' approach is a missing link towards full implementation of the rights of the child and change of attitudes so that children are perceived as human beings with autonomy, will, integrity and worth.

Nevena Petrušić provides a critical analysis of statutory solutions envisaged in the Serbian Family Act 2005 and the Preliminary Draft of the Civil Code regarding the legal capacity of the child. The author first focuses on childhood and the concept of the evolving capacities of the child in light of the UN Convention on the Rights of the Child. Thereupon, the author critically analyzes the regulations which define the limits of the legal capacity of the child in Serbian legislation in the context of modern trends in the field of the rights of the child.

Mile Ilić and Milan Jovanović discusses the concept of social policy and its implementation in the local community. After focusing on the United Nations Organisation as universal institutions which has laid the basic standards, institutions and grounds for international cooperation in the field of social policy, social development and social rights, the authors elaborate on the important role of the local government and communities in the monitoring and implementation of the social policy rules, in accordance with the Constitutions and the law.

Nebojša Randelović discusses the political and legal framework of the position of Serbia at the Congress of Berlin (1878). The author first discusses the geostrategic and political implications of the Treaty of San Stefano, which brought peace after the Russian-Turkish war and the second Serbian-Turkish war. Serbia, still a vassal country *de jure*, could not participate at the Berlin Congress and had to resort to an array of diplomatic activities in order to ensure that its interests were taken into account during the Congress decision-making processes.

Aleksandra Ilić discusses the legal status of civil servants in the Republic of Serbia. Their legal position is thoroughly regulated by the 2005 Civil Servants Act but, given the fact that they occupy both appointed and executive positions in different areas of social life, individual issues in subject-specific areas are regulated by a number of other legislative acts. A comprehensive understanding their position is a prerequisite for further improvement of the civil service system and the creation of a new legal discipline: civil service law.

Dejan Vučetić discusses the legal protection of electoral rights by analyzing the legal position, powers and competences, duties and responsibilities of electoral commissions (at the Republic and municipal level), Administrative Court and the Constitutional Court. The author emphasizes that the electoral right protection can be improved by increasing

transparency, clarifying the nature of "silence" of the electoral administration actions, providing the electoral administration with the power to protect electoral rights *ex officio*, expanding the scope of the Administrative Court's decisions in disputes on full jurisdiction, specifying the Constitutional Court role, and ensuring constant re-education of all participants in the electoral process.

Darko Dimovski and Jelena Stojanović analyze the position of the Balkan countries according to the Corruption Perception Index (CPI). Given the efforts of the Balkan countries to improve their level of economic development and, for some of them, to become EU members, the EU average of relevant indicators is used as a benchmark in this analysis, which aims to identify deviations of the Balkan countries in the level of corruption in relation to the EU and to each other. Ultimately, the authors provide recommendations for the possible reduction of corruption and improvement of the position of these countries with regards to the CPI.

Ujomu Philip Ogo and Olatunji Felix discuss the relationship between morality and social order. The authors first discuss the issue of morality and its role in the society, examine how modality underwrites social order and identify the key moral values through which social order can be established and sustained. This is considered important given the need to understand the fundamental roles of intolerance, prejudice, unfair actions and a lack of empathy towards other as features of almost every kind of human, political or social behaviour that results in discrimination, conflicts, hate, terrorism, and corruption.

Ivan Ilić discusses the concepts of forced and coerced sterilization, as a procedure that has been abused for the purpose of implementing eugenic policies and which constitutes a violation of basic human rights, especially the rights of women, ethnic and racial minorities, mentally impaired persons, and the HIV-infected persons. The author examines the ECtHR cases referring to forced sterilization and presents the landmark decisions in cases pertaining to the violation of Articles 3 and 8 of the European Convention on Human Rights. The author criticizes the Court attitude not to consider the applicants' discrimination claims, and argues that this issue is of crucial importance for a further development of the Convention as a "living instrument".

Marko Dimitrijević analyzes the legal and fiscal role of currency transaction taxes in reducing the financial instability of the market. In that context, the introduction of these taxes is considered to be essential, particularly in terms of tax forms, tax object, tax base, tax rate and tax incentives. The author discusses the requirements for the implementation of currency transaction taxes, benefits and shortcomings in their implementation, and makes specific proposals for improving their economic efficiency in the fiscal system.

Filip Mirić has submitted a book review on the monograph "*Crime Prevention Policy*", co-authored by Dragan Jovašević and Miomira Kostić, published by Publication Center, Faculty of Law, University of Niš, Niš, 2012, 458 pages. The book review provides an overview of the book structural organization, contents and its overall relevance not only as a significant contribution to the academic literature on this subject matter but also as a valuable textbook for law students and reference book for legal practitioners.

We hope you will enjoy reading the results of scientific research on the law and politics issues that the contributing authors have chosen to discuss in their theoretical and empirical research.

The multidisciplinary nature of the submitted papers and the authors' choice of current legal and political issues indicate that our scientific journal *Facta Universitatis: Law and Politics* is

open to different approaches to legal and political issues under observation and committed to publishing scientific articles across a wide range of social sciences and humanities. In that context, we invite you to submit research articles on topics of your professional interest.

In line with the publication plan for the year 2016, the Editor-in-Chief is pleased to announce that the **topic** of the first thematic issue of *Facta Universitatis: Law and Politics* in 2016 will be:

**EXTREME FORMS OF EXPRESSION IN THE 21ST-CENTURY
DEMOCRACIES AND MODERN INTERNET-BASED TECHNOLOGIES.**

The papers intended for this thematic issue have to be submitted by **1st March 2016** at the latest.

In addition, authors are most welcome to submit articles on different topics in the field of law and politics, book reviews and selected papers written by PhD students. These contributions are not subject to strict deadlines but they should be submitted by 1st October 2016 at the latest. The submitted papers will be published in the second issue of *Facta Universitatis: Law and Politics series*.

For further information on our thematic issues, please refer to the front page of our scientific journal *Facta Universitatis: Law and Politics series*:

<http://casopisi.junis.ni.ac.rs/index.php/FULawPol/announcement>

Wishing you a Merry Christmas and a Happy New Year,

Editor-in-Chief

Prof. Miomira Kostić, LL.D.

Niš, 18th December 2015