

**УСТАВНОМ СУДУ РЕПУБЛИКЕ СРБИЈЕ**

ПРИМЉЕНО  
у Уставном суду  
Републике Србије  
Број: 10-4/2025 гл.

На основу члана 167. став 1. тачка 4. Устава Републике Србије, у вези са чланом 55. став 5. Устава Републике Србије, подносилац предлога народни посланик **Владимир Ђукановић**, кога заступају **Југослав Тивтор** и **Горан Петровијевић**, адвокати из Београда, подноси:

**ПРЕДЛОГ ЗА ЗАБРАНУ ДЕЛОВАЊА НЕРЕГИСТРОВАНОГ УДРУЖЕЊА**

против: Нерегистрованог удружења Пленуми универзитета у блокади из Београда, Новог Сада, Ниша, Крагујевца и Новог Пазара, са предлогом

да Уставни суд Републике Србије донесе одлуку којом се (1) **утврђује** да је нерегистровано удружење Пленуми универзитета у блокади из Београда, Новог Сада, Ниша, Крагујевца и Новог Пазара, које делује на територији целе Републике Србије основано супротно Уставу и да делује мимо закона, (2) **забрањује** његово даље деловање на територији Републике Србије и (3) **налаже** надлежним државним органима да предузму све мере у циљу извршења те одлуке, са следећим

**Образложење**

Нерегистровано удружење Пленуми универзитета у блокади из Београда, Новог Сада, Ниша, Крагујевца и Новог Пазара делује на територији целе Републике Србије као тајно и противуставно удружење, које својим деловањем нарушава јавни поредак, подстиче на нерегуларно понашање, те угрожава основна права и слободе грађана.

Према члану 55. став 5. Устава Републике Србије удружење се не може основати тајно, нити може имати циљеве супротне Уставу, нити се његово деловање може заснивати на насиљу. Уставни суд је надлежан да одлучује о забрани деловања удружења, укључујући и нерегистрована удружења, у складу са чланом 167. став 1. тачка 4. Устава и чланом 62. Закона о Уставном суду.

Нерегистровано удружење делује ван институционалног система Републике Србије, без регистрације, без правног субјективитета, а са јасно дефинисаном структуром, механизмима одлучивања и политичким циљевима, што се документује следећим доказима:

- Извештаји БИА од Стр. пов. бр. 1/25 до бр. 27/25, о резултатима вишемесечног надзора
- Пресек саопшта 3. управе БИА, саопштен 01. априла 2025. године Стр. пов. 122-0034/25
- Записник о саслушању сарадничких веза дана 05. априла 2025. године
- Чланци портала Информер од бр. 1 до бр 77, који извештавају о инцидентима, насиљу, упадима у просторије универзитета, ометању наставе, претњама професорима и политичким порукама које се промовишу на скуповима наведеног удружења
- Транскрипт изјава проф. др. Петров Владана у емисији „Утисак недеље“ од 16. марта 2025. године
- видео и фото материјал од бр. 1 до бр. 66 са јавних окупљања у просторијама универзитета и на јавном месту, где чланови пленума иступају у име нерегистровано структуре

У пракси овог суда, предмети бр. ИУо-45/2011 и ИУо-27/2009, заузет је став да уставном надзору подлеже и може бити предмет забране и удружење које није регистровано, а делује са организованом структуром, у континуитету и са циљевима противним Уставу, те да се као елементи који укључују на потребу за заштитом уставног поретка и јавне безбедности може тумачити деловање мимо правног оквира и подстицање на противправна понашања

# Sbornik Postanovlenii Plenuma Vybhego Arbitrazhnogo Suda Robiiskoi Federatsii 19922001

**Peipei Pang**



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