



The Government of Montenegro

Action Plan for the Strategy for the Reform of the Judiciary 2007-2012.

Podgorica, december 2011

I STRENGTHENING THE INDEPENDENCE AND AUTONOMY OF THE JUDICIARY

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
1. Revise laws regarding the selection of judicial stakeholders in accordance with the Constitution	1.1. Adopt amendments to the Constitution concerning the judiciary in order to strengthen its independence and autonomy, including a change in the selection of the President of the Supreme Court, the composition of the Judicial Council, the selection of Public Prosecutors and the composition and selection of the Prosecutorial Council.	Parliament.	I quarter 2012.	Amendments to the Constitution from 2007. adopted.	
	1.2. Amend the Law on the Judicial Council in accordance with the constitutional changes in the composition of the Judicial Council, the selection process of members of the Judicial Council, and the selection of the President of the Supreme Court.	Ministry of Justice, the Government and the Parliament.	III quarter 2012.	Harmonized Law on the Judicial Council with the Constitution adopted and the political influence on the selection of judges removed.	
	1.3. Amend the Law on Courts in accordance with the constitutional changes.	Ministry of Justice, the Government and the Parliament.	III quarter 2012.	Harmonized Law on Courts with the Constitution adopted and the political influence on the selection of judges removed.	

	1.4 Amend the Law on the Public Prosecution Office in accordance to the constitutional changes to the selection process of Public Prosecutors and the composition of the Prosecutorial Council.	Ministry of Justice, the Government and the Parliament.	III quarter 2012.	Harmonized Law on the Public Prosecution Office with the Constitution adopted and the political influence on the selection of prosecutors removed.	
	1.5. Establish the Judicial Council as an independent body in accordance with the changes to the laws and the Constitution.	President of the State, the Parliament, Conference of Judges and the Supreme Court.	III quarter 2012.	Judicial Council established.	
	1.6. Establish the Prosecutorial Council as and independent body in accordance with the changes to the laws and the Constitution.	President of the State, the Parliament and the Public Prosecution Office.	III quarter 2012.	Prosecutorial Council established.	
	1.7. Harmonize the Rules of Procedure of the Judicial Council with the changes to the Law on Judicial Council set in measure 1.2.	Judicial Council.	Iv quarter 2012.	Rules of Procedure of the Judicial Council adopted.	
	1.8. Harmonize the Rules of Procedure of the Prosecutorial Council with the changes to the Law on Prosecutorial Council set in measure 1.4.	Prosecutorial Council.	IV quarter 2012.	Rules of Procedure of the Prosecutorial Council adopted.	

	1.9. Provide budgetary resources for the work of the Judicial and Prosecutorial Council.	Judicial Council, the Government and the Parliament.	As of 2008 Continuously.	The Law on Budget which determines the Judicial Council as a separate budgetary unit adopted and the means for the work of the Prosecutorial Council provided.	
	1.10. Establish an appropriate reporting model on the work of courts which the courts should deliver to the Judicial Council and regularly draw up reports in accordance with the established model.	Judicial Council.	IV quarter of 2008 and Continuously.	Appropriate reporting model of the courts to the Judicial Council established. Regular drawing up of reports and reporting is being conducted in accordance with the established model.	
2. Determine clear and objective criteria for the selection of judicial stakeholders	2.1. Carry out the selection of judges and prosecutors in accordance with the defined criteria.	Judicial Council.	Continuously.	The procedure and criteria set forth by the Law on Amendments to the Law on Judicial Council (July 2011) and the Rules of Procedure of the Judicial Council are consistently applied in the selection of judges.	

	2.2. Carry out the selection of Public Prosecutors in a transparent and objective manner in accordance with the criteria laid down in the regulations.	Prosecutorial Council.		The procedure and criteria set forth by the Law on Amendments to the Law on Prosecutorial Council (July 2011) and the Rules of Procedure of the Prosecutorial Council are consistently applied in the selection of prosecutors.	
	2.3. Carry out the selection of the judicial stakeholders in accordance with defined criteria.	Judicial Council and Prosecutorial Council.	III quarter 2008. and continuously.	Carry out the selection of the judicial stakeholders in accordance with defined criteria which is applied continuously.	
3. Determine criteria for the promotion and evaluation of the judicial stakeholders	3.1. Prescribe in the Law on Courts and in the Law on Public Prosecution Office the criteria for the promotion of judicial stakeholders and ensure transparent procedures for a consistent implementation of established criteria.	Judicial Council and Prosecutorial Council.	IV quarter 2011 and continuously.	The Law on Courts and the Law on Public Prosecution Office and the bylaws prescribing criteria for the promotion of the judicial stakeholders adopted. Criteria is presented and available to the public which ensures transparency in the selection procedure of the judicial stakeholders who are being promoted.	

	3.2. Normatively regulate the central database on the selection and promotion of judicial stakeholders.	Ministry of Justice.	III quarter 2011.	The Law on the Judicial Council and the Law on Public Prosecutor's Office that normatively regulate the establishment of a central database on the selection and promotion of judicial stakeholders adopted.	
	3.3. Set up a central database on the selection and promotion of judicial stakeholders.	Judicial Council and Prosecutorial Council.	IV quarter 2011.	Central database established. Reports with information from the central database periodically available to the public.	
4. Revise the existing legislative framework which regulates the disciplinary accountability of judicial	4.1. Conduct the procedures for determining liability of judicial stakeholders in a transparent and objective manner in accordance with the regulations.	Judicial Council and Prosecutorial Council.	Continuously.	Reports on disciplinary proceedings and imposed disciplinary measures.	

stakeholders, termination of office and removal from office	4.2. Establish and implement objective internal and external controls of judicial stakeholders' work (in courts by Court Presidents, within Public Prosecution Offices by Public Prosecutors, out of courts and Prosecution offices by the Judicial and Prosecutorial Council).	Courts, Public Prosecutors, the Judicial Council and the Prosecutorial Council.	III quarter 2008. and continuously.	<p>The Law on the Judicial Council, Law on Courts and the Law on Public Prosecution Office and bylaws that establish a system of internal and external oversight of judicial stakeholders adopted in accordance with international standards.</p> <p>Bodies responsible for carrying out tasks of internal and external oversight of the work of the judicial stakeholders and the manners of reporting established.</p>	
	4.3. Conduct an analysis of the controls of judicial authorities' work once a year.	Ministry of Justice.	I quarter 2012 and continuously.	Analysis conducted and delivered to the Judicial and Prosecutorial Council.	

	<p>4.5. Set up a Commission for monitoring the Code of Ethics for judges and prosecutors and keep records of the lack of respect for the Code of Ethics.</p>	<p>Judicial Council, Prosecutorial Council and the Commission for the Code of Ethics.</p>	<p>Continuously.</p>	<p>Commissions established in accordance to the new regulations (July 2011).</p> <p>Records of compliance with ethical codes established with the Judicial Council and the Prosecutorial Council.</p> <p>Regular records analysis being conducted and periodical reports are being drawn up and made available to the public.</p>	
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II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
1. Rationalization of the judicial and the state prosecutorial network	1.1. Conduct an analysis of existing network of judicial authorities with regard to competence, productivity, human resource capacity, accommodation requirements and technical equipment, and of the impact of the implementation of new laws on the basis of the Conclusions of the Analysis for the rationalization of the judicial network, which was adopted in December 2009.	Ministry of Justice.	III quarter 2012.	Analysis of existing network of judicial authorities with regard to competence, productivity, human resource capacity, accommodation requirements and technical equipment, etc. conducted which includes a proposition for a new organizational scheme of judicial authorities.	
	1.2. Based on the results of the analysis adopt a plan for the reorganization of the judicial network.	Ministry of Justice, the Supreme Court, Public Prosecution Office and the Government.	III quarter 2012.	Plan for the rationalization of judicial authorities adopted.	
	1.3. In accordance with the adopted plan prepare the draft regulations for the needs of the rationalization of the judicial network and organize an expert discussion.	Ministry of Justice, the Government and the Parliament.	IV quarter 2012.	Draft regulations prepared. Expert discussion organized.	

	1.4. Adopt regulations to reorganize the judicial network and conduct the reorganization of judicial authorities.	Ministry of Justice, the Government and the Parliament.	2013.	Regulations adopted and reorganization completed.	
2. The reform of the misdemeanor legislation	2.1. Conduct an analysis of the application of the new Law on Misdemeanors and of the functioning of the bodies responsible for conducting misdemeanor proceedings.	Ministry of Justice.	III quarter 2012.	Analysis of the functioning of bodies responsible for conducting misdemeanor proceedings completed.	
	2.2. Monitor the functioning of the established Register of Fines.	Ministry of Justice .	Continuously.	Register of Fines which was established in III quarter 2011. Is functioning.	
	2.3. Organize a continuous training on the Law on Misdemeanors and on the Register of Fines.	Human Resources Administration and the Ministry of Justice.	Continuously.	Training Program adopted and trainings are being conducted in accordance with the Program.	
3. Realize an efficient protection of the right to a trial within a reasonable time	3.1. Monitor the implementation of the Law on the Protection of the Right to a Trial within a Reasonable Time.	Courts, the Judicial Council and the Judicial Training Center.	Continuously.	The application of the Law on the Protection of the Right to a Trial within a Reasonable Time has begun.	

<p>3.2. Set up and maintain records on legal remedies submitted on basis of the Law on the Protection of the Right to a Trial within a Reasonable Time and set up reporting mechanisms.</p>	<p>Judicial Council, the Supreme Court and courts.</p>	<p>II quarter 2008. and continuously.</p>	<p>Records on submitted legal remedies set up with the Judicial Council.</p> <p>Reports on submitted legal remedies are being delivered regularly by all courts to the Judicial Council.</p>	
<p>3.3. Provide a special item in the budget allotment for the payout of equitable satisfaction.</p>	<p>Judicial Council, the Government and the Parliament.</p>	<p>Continuously.</p>	<p>Budget item for the payout of equitable satisfaction provided.</p>	
<p>3.4. Develop a special training curriculum on the Law on the Protection of the Right to a Trial within a Reasonable Time and realize education on basis of the existing Training Curriculum on the Law on the Protection of the Right to a Trial within a Reasonable Time.</p>	<p>Judicial Training Center.</p>	<p>IV quarter 2007, continuously.</p>	<p>Special training curriculum on the Law on the Protection of the Right to a Trial within a Reasonable Time adopted.</p> <p>Continuous implementation of the training Program on the Law on Protection of the Right to a Trial within a Reasonable Time commenced.</p>	
<p>3.5. Make accessible to courts case law of the European Court of Human Rights which refers to protection of the right to a trial within a reasonable time.</p>	<p>Judicial Training Center, Representative of Montenegro before the European Court of Human Rights.</p>	<p>I quarter 2009, continuously.</p>	<p>Case law of the European Court of Human Rights made available on the Supreme Courts' website and via continuous publications.</p>	

4. Revise criminal procedure legislation	4.1. Provide adequate space and equipment for the work of judicial authorities in accordance with the new Criminal Procedure Code.	Ministry of Justice, the Government, the Supreme Court, the Public Prosecution Office and the Police Directorate.	III quarter 2011 and continuously.	Adequate space, office and technical equipment for the work of competent bodies provided.	
	4.2. Monitor the application of the new Criminal Procedure Code by reporting and organizing expert discussions. On the basis of the monitoring perceive the need for changes.	Commission for the Monitoring of the Implementation Plan.	IV quarter 2011 and Continuously.	Full application of the new Criminal Procedure Code commenced.	
5. Revise juvenile legislation	5.1. Adopt a Law on the Treatment of Juveniles in Criminal Proceedings.	Ministry of Justice, the Government and the Parliament.	IV quarter 2011.	Law on the Treatment of Juveniles in Criminal Proceedings adopted in accordance with the Council of Europe's recommendations and the UN conventions.	
	5.2. Adopt by-laws for the implementation of the new law.	Ministry of Justice.	I quarter 2012.	Bylaws adopted.	
	5.3. Set up expert services to support the work of courts and Public Prosecutors offices in the juvenile proceedings.	Supreme Courts and the Supreme Public Prosecution Office.	II quarter 2012.	Services set up.	

	5.4. Develop a Special Training and Specialization Program in the field of Juvenile Justice.	Judicial Training Center.	I quarter 2012 and continuously.	Training Program on the Law on the Treatment of Juveniles in Criminal Proceedings adopted. Specialization Program in the field of Juvenile Justice adopted. Continuous implementation of the Training Program on the Law on the Treatment of Juveniles in Criminal Proceedings commenced.	
	5.5. Begin the application of the Law on the Treatment of Juveniles in Criminal Proceedings.	Courts, the Public Prosecution Office and the Institution for Enforcement of Criminal Sanctions.	II quarter 2012.	Application of the Law on the Treatment of Juveniles in Criminal Proceedings commenced.	
6. Regulate obligation regulations	6.1. Develop a special Training Program on the Law on Obligations.	Judicial Training Center.	III quarter 2008. and continuously.	Training Program on the Law on Obligations adopted. Training started.	
	6.2. Conduct training in accordance with established training program.	Judicial Training Center.	Continuously.	A number of trainings conducted.	

7. Promote alternative manners of dispute resolution	7.1. Strengthen the enforcement and efficiency of alternative manners of resolving civil, criminal and commercial disputed in accordance with measures envisaged in chapter VII.	Ministry of Justice, courts, Public Prosecution Office and the Mediation Center.	Continuously.	A number of cases solved via alternative dispute resolution annually.	
8. Transfer certain competencies from courts to other instances	8.1. Monitor the work of notaries and initiate the amending of regulations which regulate the operating of notaries if there is a justified need for this.	Ministry of Justice, the Government and the Notary Chamber.	III quarter 2011 and continuously.	Reports on the notaries' work being delivered and the analysis for the amending of regulations completed.	
	8.2. Strengthen the capacities of the Ministry of Justice and courts with regard to supervision over the notaries' work.	Ministry of Justice and the courts.	III quarter 2011 and continuously.	An officer within the Ministry of Justice designated for the oversight of the notaries' work.	
9. Develop a backlog reduction program	9.1. Conduct an analysis of the case backlog reduction program and based on the results of the analysis determine the guidelines and measures that need to be taken for addressing the backlog in order to maintain the efficiency of the courts.	The Supreme Court and the Judicial Council.	IV quarter 2011.	Analysis completed and guidelines for addressing the backlog set.	

	9.2. Establish a methodology to solve the backlog (identify what is considered a backlog case and develop a mechanism for monitoring of the solving of backlog cases).	The Supreme Court and courts.	I quarter 2012.	Methodology established.	
	9.3. In accordance with the established methodology report on the solving of backlog cases and on the maintaining of the courts' efficiency.	The Supreme Court and courts.	I quarter 2012 and continuously.	Reports being delivered.	
10. Strengthen human resources within the judiciary	10.1. Implement training of Courts' Presidents and Public Prosecutors in the area of authority management, and permanent specialized training of secretaries and administrative personnel in the areas of judicial administration.	Judicial Training Center and the Human Resources Administration.	Continuously.	Reports from the Judicial Training Center and the Human Resources Administration on implemented trainings being delivered.	

	10.2. Updating of the Central Personnel Records of officers and employees in judicial bodies.	Courts, public prosecution offices and the Human Resources Administration.	Continuously.	Database on the personnel in judicial authorities and in the Judicial Council established. Reports from the Judicial Training Center and statistics from the Human Resources Administration.	
11. Promote activities related to the effectiveness of the case procedure and movement, backlog, complaints and the like	11.1. Establish a program for efficient case management in the judicial authorities (in terms of scheduling of cases, referring the parties and other measures necessary for the uniform conduct of judicial authorities of the same actual and territorial jurisdiction).	Judicial Council, the Prosecutorial Council, courts and the Public Prosecution Office.	I quarter 2012.	A program which determines sustainable measures for an efficient case management within the judicial authorities established.	
	11.2. Monitor the implementation of the established program and manage cases more effectively in the judicial bodies.	Courts' Presidents and the Public Prosecution Office.	Continuously.	Statistics which measures the reduction of backlog.	
	11.3. Keep records on the submitted citizen complaints and regularly report to the Judicial Council and the Prosecutorial Council on their merits.	Courts' Presidents, the Judicial Council and the Prosecutorial Council.	Continuously.	Records of submitted citizen complaints established. Regular reporting on their merits is conducted by the Judicial and the Prosecutorial Council.	

	11.4. More efficient enforcement of procedural laws with reference to preventing unnecessary delays in proceedings.	Courts and the Public Prosecution Office.	Continuously.	Statistics which measures the reduction of backlog in place. Statistics pertaining the duration of the proceedings in place.	
	11.5. Provide personnel and technical conditions for the shorthand, audiovisual keeping of minutes of judicial proceedings in accordance with the Criminal Procedure Code.	The Government, the Judicial Council, The Prosecutorial Council and the Public Prosecution Office.	I quarter 2012 and continuously.	Personnel and technical conditions for the shorthand, audiovisual keeping of minutes of judicial proceedings provided.	
12. Establish an adequate system of enforcement officers	12.1. Monitor the application of the Law on Enforcement	Ministry of Justice and the courts.	Continuously.	Reports on the application of the Law on Enforcement.	
	12.2. Adopt the Law on Public Enforcement Officers.	Ministry of Justice, the Government and the Parliament.	IV quarter 2011.	Law on Public Enforcement Officers adopted.	
	12.3. Create conditions for the beginning of work of public enforcers.	Ministry of Justice.	III quarter 2012.	Public enforcers started working.	

13. Improve the methodology concerning the judicial statistics	13.1. Determine the need for statistical reporting on the work of judicial bodies according to the guidelines for reporting established by international organizations (UN / UNODC, Council of Europe / CEPEJ, European Commission), and at the national level (organized crime and corruption, human trafficking, consumer protection, protection against discrimination).	Judicial Council, the Prosecutorial Council, the Supreme Court, the Supreme Public Prosecutor and the Ministry of Justice.	I quarter 2012. and continuously.	The list of statistical data made. Reports of the judicial authorities completed according to the list.	
	13.2. Establish a system, the terms and a form for submission of data, as well as the methods to be used in the processing and data analysis in accordance with the established reporting requirements from Section 13.1.				

14. Monitor the work productivity of judicial authorities	14.1. Based on the statistical and work reports establish objective criteria and indicators against which to assess / monitor the work results for different needs (efficiency, length of procedures, the required number and structure of the judicial bodies and the judicial stakeholders, evaluation of their work, etc.).	Judicial Council, the Prosecutorial Council, the Supreme Court and the Supreme Public Prosecutor.	I quarter 2012 and continuously.	Objective criteria established.	
	14.2. Record-keeping and case management in judicial bodies supported by the Judicial Information System.	Judicial Council, the Prosecutorial Council, the Supreme Court and the Supreme Public Prosecutor.	I quarter 2012 and continuously.	Cases being documented in the Judicial Information System.	

III STRENGTHENING THE ACCESSIBILITY OF JUDICIAL AUTHORITIES

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
1. Create a legislative framework for the establishment of free legal aid system and ensure the sustainability of said	1.1. Adopt bylaws for the application of the Law on Free Legal Aid.	Ministry of Justice.	IV quarter 2011.	Adopted bylaws.	
	1.2. Organize service for the provision of free legal aid within courts and create space, personnel and technical conditions for the commencement of the work.	Courts.	IV quarter 2011.	Services established and equipped for work.	

system	1.3. Organize training on the application of the Law on Free Legal Aid (courts' presidents, counselors and administrative staff).	Ministry of Justice and the Human Resources Administration.	IV quarter 2011.	Trainings completed.	
	1.4. In accordance with the law oversee the provision of free legal aid.	Courts and the Ministry of Justice.	Continuously.	The provision of free legal aid being overseen by the competent authority.	
	1.5. Analyze the results of the established system of free legal aid and keep records on the free legal aid as stipulated by law.	Ministry of Justice, the courts and the NGO sector.	III quarter 2012 and continuously.	Oversight reports on annual basis.	
2. Enable the parties to obtain information to take certain actions in court proceedings and on the amount of expenditure needed for undertaking those actions	2.1. Develop information bulletins and brochures which include data on the manner of the party's address to the judicial authority via procedural actions, on free legal aid, procedural costs and conditions for exemption from the costs' payment.	Judicial Authorities.	II quarter 2012.	Information bulletins and brochures which include data on the manner of the party's address to the judicial authority via procedural actions, on free legal aid, procedural costs and conditions for exemption from the costs' payment developed. Distribution to the parties established via info-desks.	

3. Adopt special rules and practice for the treatment of vulnerable groups	3.1. Draw up a draft Law on the Protection of Victims of Serious Crimes.	Ministry of Justice and the Government.	IV quarter 2012.	Draft law drawn up.	
	3.2. Adopt the Law on the Protection of Victims of Serious Crimes.	The Parliament.	I quarter 2013.	Law adopted.	
	3.3. Provide training on the application of the Law on the Protection of Victims of Serious Crimes.	Human Resources Administration.	II quarter 2013 and continuously.	Trainings completed.	
4. Strengthen the security of judicial authorities	4.1. Take necessary measures for the establishment of security needs and for the installation of necessary security equipment so as to increase security within judicial authorities.	Police Directorate, the courts and the Public Prosecution Office.	Continuously.	Necessary security equipment installed in the judicial authorities.	
	4.2. Train the security staff with reference to application of equipment and proceeding with persons and things.	Police Directorate.	Continuously.	Reports on completed trainings delivered.	

5. Improve the conditions of the facilities of judicial authorities and the access to those facilities	5.1. Based on the adaptation plan of the existing facilities of judicial authorities conduct the reconstruction of the buildings and offices and provide office and technical equipment for the judicial authorities.	Courts and the Public Prosecution Office.	Continuously.	Space and the office and technical equipment provided on the basis of the conducted analysis and the established plan.	
	5.2. Conduct an analysis of access to the judicial authorities of persons with special needs.	Courts and the Public Prosecution Office.	II quarter 2012.	Analysis conducted.	
	5.3. Based on the results of the analysis of the possibility of physical access to the judicial authorities of persons with disabilities work on creating the conditions for their unimpeded access.	Courts and the Public Prosecution Office.	II quarter 2012 and continuously.	Access to the judicial authorities for persons with disabilities provided.	

6. Improve orientation in the judicial authorities' buildings and set rules of conduct for all individuals who enter the buildings of judicial authorities	6.1. Monitor the compliance with the rules of conduct in all judicial authorities.	Courts and the Public Prosecution Office.	Continuously.	Rules of conduct adopted in all judicial authorities. Reports on the breach of rules of conduct kept.	
	6.2. Maintain the placed orientation boards in judicial authorities and provide informational material for better orientation in judicial authorities.	Courts and the Public Prosecution Offices.	Continuously.	Orientation boards and the informational material provided.	

IV STRENGTHENING PUBLIC TRUST IN THE JUDICIARY

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
1. Provide better information on the work of judiciary	1.1. Holding regular press conferences to present the judicial authorities' work.	Courts and the Public Prosecution Offices.	Continuously.	Regular reporting on the work of the judiciary to the public through press conferences at least once in 6 months.	
	1.2. Designate persons within the Judicial and the Prosecutorial Council to be responsible for public relations.	Judicial Council and the Prosecutorial Council.	I quarter 2012.	Persons designated within the Judicial and the Prosecutorial Council to be responsible for public relations.	
	1.3. Designate persons within all judicial authorities to be responsible for public relations.	Courts and the Public Prosecution Offices.	I quarter 2012.	Persons designated within all judicial authorities to be responsible for public relations.	
	1.4. Provide appropriate training for persons responsible for public relations in judicial authorities.	Courts, the Public Prosecution Offices and the Judicial Training Center.	Continuously.	Completed reports of the Judicial Training Center on persons responsible for public relations in judicial authorities.	
2. Establish different models of communication between the judicial authorities and the	2.1. Ensure the development of information material on the work of judicial authorities and make it publicly accessible.	Courts and Public Prosecutors.	III quarter 2009 and continuously.	information material on the work of judicial authorities developed. Information material available to the public via info-desks.	

<p>citizens</p>	<p>2.2. Organize »Open door« days in courts according to the defined plan, for citizens, students and pupils in order to introduce them to the work of judicial authorities.</p>	<p>Courts.</p>	<p>Continuously.</p>	<p>The plan for organizing the "Open Door" days for all judicial authorities completed.</p> <p>Surveys of citizens' satisfaction with the work of judicial authorities conducted annually.</p>	
<p>3. Enable the parties in court proceedings and the citizens to give certain suggestions in order to improve the work of judiciary</p>	<p>3.1. Place boxes for objections, suggestions and recommendations for the judicial authorities' work in all judicial authorities and a link on the website for the same purpose.</p>	<p>Courts and Public Prosecutor.</p>	<p>IV quarter 2011.</p>	<p>Boxes for objections, suggestions and recommendations on the judicial authorities' work placed in all judicial authorities as well as a link on the Supreme Courts' website for the same purpose.</p>	
	<p>3.2. Analyze the submitted objections and praises for the judicial authorities' work. Inform the public of the results of the analysis and take measures for the improvement of work.</p>	<p>Courts, Public Prosecutors and the Prosecutorial Council.</p>	<p>Continuously.</p>	<p>Analysis on the submitted objections and praises conducted annually.</p> <p>After each analysis the public is informed on its results via press conferences.</p>	

<p>4. Make available to the public the practical aspect of the principle on equal treatment by the judicial authorities</p>	<p>4.1. Make accessible legal positions, legal positions of principle and legal opinions of principle by drawing up a bulletin and placing it on the website of courts.</p>	<p>Courts and the Supreme Court.</p>	<p>Continuously.</p>	<p>Bulletins containing legal positions, legal positions of principle and legal opinions of principle developed and placed on the websites of all courts.</p>	
<p>5. Improve the availability of court decisions to the expert and general public</p>	<p>5.1. Develop and publicize collections of judicial decisions.</p>	<p>Courts.</p>	<p>Continuously.</p>	<p>Collections of judicial decisions developed and publicized annually.</p>	
	<p>5.2. Publicize judicial decisions.</p>	<p>Courts.</p>	<p>Continuously.</p>	<p>Judicial decisions posted on the Supreme Courts' website annually.</p>	

V TRAINING IN JUDICIAL AUTHORITIES

CILJ	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
	<p>1.1. Provide quality training on newly adopted laws and bylaws for all judicial stakeholders.</p>	<p>Judicial Training Center.</p>	<p>Continuously.</p>	<p>Annual programs of the Judicial Training Center. Number of participants.</p>	

1. Implement the Law on Training in Judicial Authorities in order to achieve a higher quality training for the judicial stakeholders	1.2. Organize a meeting of courts' presidents, Public Prosecutors and the Coordination Board for agreeing on the modalities for a more efficient training.	Courts, Public Prosecutors and the Judicial Training Center.	IV quarter 2012.	Meeting organized and the modalities for a more efficient training agreed upon.	
	1.3. Make ads and invitations to candidates for attending initial training available.	Judicial Training Center.	Continuously.	Ads and invitations to candidates for attending initial training posted on the Supreme Courts' and the Judicial Training Centers' websites.	
	1.4. Develop tests for examinations for initial training.	Judicial Training Center and the Testing Commission.	Continuously.	Examination test for initial training developed.	
	1.5. Establish efficient supervision by the Judicial Council and the Prosecutorial Council on basis of delivered reports on trainings that were conducted.	Judicial Council and Prosecutorial Council.	Continuously.	Supervisory body or supervising individuals in the Judicial Council and the Prosecutorial Council determined.	

	<p>1.6. Improve the modalities of creating training curricula by conducting an analysis at the end of each calendar year so as to define the training needs to be used for developing the next year's training program.</p> <p>This analysis should include the following:</p> <ol style="list-style-type: none"> 1. review of the law and bylaws that have been adopted or that should be adopted during the next year, 2. assessment of qualitative and quantitative training needs, 3. treaties, agreements and conventions ratified by Montenegro, 4. Supreme Court decisions, decisions of High Courts and significant decisions of other courts, 5. significant decisions of the European Court of Human Rights and the European Court of Justice. 	<p>Judicial Training Center, courts and the Public Prosecution Office.</p>	<p>Continuously.</p>	<p>Annual analysis on the training needs for the following year conducted.</p> <ol style="list-style-type: none"> 1. review of the law and bylaws that have been adopted or that should be adopted during the next year, 2. assessment of qualitative and quantitative training needs, 3. treaties, agreements and conventions ratified by Montenegro, 4. Supreme Court decisions, decisions of High Courts and significant decisions of other courts, 5. significant decisions of the European Court of Human Rights and the European Court of Justice. 	
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	<p>1.7. Develop annual and special curricula and plans needed for ensuring quality training of judicial stakeholders and judicial authorities' employees.</p>	<p>Coordination Board and Program Board.</p>	<p>Continuously.</p>	<p>Annual and special curricula and plans needed for ensuring quality training of judicial stakeholders and judicial authorities' employees developed.</p>	
	<p>1.8. Coordinate the development of training curricula conducted by the Judicial Training Center and the Human Resources Administration and increase cooperation between these two authorities.</p>	<p>Judicial Training Center and the Human Resources Administration.</p>	<p>Continuously.</p>	<p>Designate a person responsible for the monitoring and coordinating the cooperation of the Judicial Training Center, judicial stakeholders and the Human Resources Administration.</p> <p>Reports on the cooperation between the Judicial Training Center and the Human Resources Administration done annually.</p>	
	<p>1.9. Establish the number of lecturers and trainers for conducting training based on training curricula for the following year.</p>	<p>Coordination Board and the Judicial Training Center.</p>	<p>Continuously.</p>	<p>The number of lecturers and trainers for conducting training based on training curricula for the following year established at the end of each calendar year.</p>	

2. Strengthen the capacity of special bodies responsible for providing trainings, as well as administrative and technical capacity of the center	2.1. Analyze the capacities of the Judicial Training Center and its organizational position.	Judicial Training Center, Judicial Council and Prosecutorial Council.	IV quarter 2012.	Analysis completed.	
	2.2. Ensure special budgetary resources for the implementation of training.	Judicial Council and Prosecutorial Council, the Government and the Parliament.	Continuously.	Budgetary resources for the implementation of training ensured.	

	2.3. Organize obligatory trainings for a certain number of judicial stakeholders through the "Train the Trainers" program.	Coordination Board and the Judicial Training Center.	Continuously.	Special "Train the Trainers" program established and realized annually.	
	2.4. Stimulate law professors and retired judges and prosecutors to be engaged as trainers for the conduct of training.	Coordination Board and the Judicial Training Center.	Continuously.	Judicial Training Centers reports completed.	
	2.5. Ensure continuous procurement of legal literature.	Judicial Training Center.	Continuously.	Records on the quantity of legal literature kept with the Judicial Training Center. Judicial Training Centers reports.	

3. Improve cooperation with the European network for information exchange between individuals and institutions responsible for training	3.1. Participate in seminars and conferences organized by the Lisbon Network and other international organizations and associations.	Judicial Training Center.	Continuously.	Reports from the seminars and conferences organized by the Lisbon network and other international organizations and associations.	
	3.2. Ensure regular reporting from seminars and conferences and make reports available.	Judicial Training Center.	Continuously.	Reports from the seminars and conferences in the organization of the Lisbon Network and other international organizations and associations completed after each seminar and conference attended.	
	3.3. Ensure the participation of foreign experts for certain training fields.	Judicial Training Center.	Continuously.	Judicial Training Centers reports.	

4. Establish adequate transparent procedures for	4.1. Enable judicial stakeholders to give proposals and suggestions for the development of training curricula.	Courts and the Public Prosecution Office.	Continuously.	Judicial Training Centers reports.	
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developing programs, conducting trainings, selecting lecturers, etc.	4.2. Make training curricula accessible to all judicial stakeholders and judicial employees.	Judicial Training Center, courts and the Public Prosecution Office.	Continuously.	Plans and programs of the Center distributed to the judicial stakeholders through annual publications.	
	4.3. Establish the criteria for the selection of lecturers and ensure transparency of their selection.	Coordination Board, Judicial Training Center.	Continuously.	The selection criteria for lecturers determined and the transparency of their selection ensured.	
	4.4. Conduct the selection of judges and prosecutors as lecturers in a transparent manner.	Coordination Board, Judicial Training Center.	Continuously.	Judicial stakeholders selected as lecturers on an annual level.	

VI STRENGTHENING INTERNATIONAL AND REGIONAL JUDICIAL COOPERATION

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
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1. Establish an appropriate legislative framework for a more efficient and effective achievement of international judicial cooperation	1.1. Adopt the Law on Mutual Legal Assistance in Civil Matters.	Ministry of Justice, the Government and the Parliament.	III quarter 2012.	The Law on Mutual Legal Assistance in Civil Matters adopted in accordance with the EU regulations and the recommendations of the Council of Europe.	
	1.2. Adopt the Law on the Implementation of International Private Law.	Ministry of Justice, the Government and the Parliament.	IV quarter 2012.	Law on the Resolution of the Conflict of Legislation with the Regulations of Other Countries adopted in accordance with the EU regulations and the Council of Europe's recommendations.	
	1.3. Monitor the implementation of newly adopted laws regulating the judicial cooperation.	Ministry of Justice, the Supreme Court and the Supreme Public Prosecutor.	Continuously.		
	2.1. Consider the need to conclude bilateral agreements and conclude bilateral agreements on cooperation with countries of the region.	Ministry of Justice, the Government and the Parliament.	Continuously.	The decision on the need for concluding bilateral agreements was made. Bilateral agreements concluded.	

2. Strengthen regional cooperation including joining and actively participating in relevant regional and international associations and networks	2.2. In a transparent manner appoint the representatives in the working bodies of international organizations, regional and international judicial networks and associations, publish on the website who are the representatives and request reporting of their involvement.	Ministry of Justice and the Government.	Continuously.	Representatives in all regional and international judicial networks and associations were appointed. Work reports.	
	2.3. Monitor the enforcement of international treaties that have been ratified.	Ministry of Justice, the Government and the Parliament.	Continuously.	Regular monitoring of the ratified international treaties and reports prepared.	
	2.4. Monitor newly adopted international instruments and begin their ratification.	Ministry of Justice, the Government and the Parliament.	Continuously.	Regular monitoring of the newly adopted international instruments and their ratification.	
3. Organize continuing training in the field of international judicial cooperation	3.1. Organize trainings for judges and Public Prosecutors on acquaintance with international conventions and laws pertaining to the mutual legal assistance field.	Coordination Board and the Judicial Training Center.	Continuously.	Continuous trainings for judges and Public Prosecutors on acquaintance with international conventions and laws pertaining to the mutual legal assistance field organized. Judicial Training Centers reports.	
	3.2. Specialization of judges and Public Prosecutors in the international cooperation field.	Courts and Public Prosecution Offices.	Continuously.	Specialization of judges and Public Prosecutors in the international cooperation field completed.	

	3.3. Organize foreign languages trainings in courts and Public Prosecution Offices.	Coordination Board and the Judicial Training Center.	Continuously.	Constant foreign languages trainings of judges and prosecutors organized. Judicial Training Centers reports.	
4. Strengthen the capacity of the Ministry of Justice in the area of harmonizing regulations with the EU law as well as in the view of mutual legal assistance and cooperation with international judicial institutions	4.1. Improve technical conditions regarding the procurement of computer and other equipment for facilitating and speeding up mutual legal assistance affairs.	Ministry of Justice.	Continuously.	Suitable computer and other equipment provided.	
	4.2. Establish an electronic database for following the proceedings in the cases concerning mutual legal assistance	Ministry of Justice and the Government.	I quarter 2012.	Database established.	
	4.3. Trainings and specialized trainings of employees regarding the harmonization of regulations with EU legislation and mutual legal assistance.	Human Resources Administration.	Continuously.	Trainings and specialized trainings of employees regarding the harmonization of regulations with EU legislation and mutual legal assistance completed. Judicial Training Centers reports. Human Resources Administrations statistics.	

	4.4. Organize foreign languages trainings on the basis of established needs.	Ministry of Justice and the Human Resources Administration.	Continuously.	Foreign languages trainings organized. Human Resources Administrations statistics.	
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VII ALTERNATIVE DISPUTE RESOLUTION

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
1. Organize trainings for judges and lawyers and introduce the public with the benefits of the institute of mediation	1.1. Organize seminars for training judges for referring cases to mediation procedure and pay special attention to domestic cases (obligatory mediation as of 1 September 2007).	Ministry of Justice, Center for Mediation, international organizations and the Judicial Training Center.	Continuously.	Seminars for training judges for referring cases to mediations continuously organized.	
	1.2. Organize seminars for attorneys-at-law on their role in the mediation procedure.	Center for Mediation, Association of Mediators and the Bar Association.	III quarter 2008 and continuously.	Seminars for attorneys-at-law on their role in the mediation procedure continuously organized.	

2. Monitor and analyze the development of alternative dispute resolution and take measures to further strengthen these institutions	2.1. Keep records on the conducted mediation procedures.	Center for Mediation and the courts.	Continuously.	Database on the conducted mediation procedures set up within the Center for Mediation. Records regularly updated.	
	2.2. Create a mechanism (monitoring and evaluation scheme) for the collection of qualitative and quantitative data on the types and effectiveness of mediation procedures.	Center for Mediation and the courts.	IV quarter 2011.	Mechanism (monitoring and evaluation scheme) for the collection of qualitative and quantitative data on the types and effectiveness of mediation procedures created.	
	2.3. Keep records on the conducted settlement procedures between the damaged and the accused party and conduct its analysis.	Center for Mediation and the Public Prosecution Office.	Continuously.	Records on the conducted settlement procedures between the damaged and the accused party being kept at the Center for Mediation. Analysis of the records is being conducted annually.	

	<p>2.4. Keep records on appointed mediators and make it accessible to the general public by placing it at the website for mediation and distributing leaflets, via desks in all courts and via the Centre for Mediation, etc.</p>	<p>Ministry of Justice and the Center for Mediation.</p>	<p>Continuously.</p>	<p>Records on appointed mediators are being kept by the Center for Mediation.</p> <p>Records are placed on the Center for Mediations website.</p> <p>Information material is available in all courts and the Center for Mediation via info-desks.</p>	
	<p>2.5. Based on the results of the Analysis adopted by the Government on June 2nd 2011. adopt amendments to the Law on Mediation.</p>	<p>Ministry of Justice, the Government and the Parliament.</p>	<p>IV quarter 2011.</p>	<p>Law amending the Law on Mediation adopted.</p>	
	<p>2.6. Analyze the current number of mediators and their work and consider the needs to revise the status of mediators.</p>	<p>Center for Mediation and the Ministry of Justice.</p>	<p>I quarter 2011.</p>	<p>Analysis of the current number of mediators completed.</p>	

	<p>2.7. Monitor the work of mediators.</p> <p>Set up a mechanism for monitoring the work of mediators and provide a consistent application of clear and quality-led approach while managing their work. Set up clear and accountable criteria for evaluation of performance and quality.</p>	<p>Center for Mediation, Association of Mediators and the Ministry of Justice.</p>	<p>Continuously.</p>	<p>Mechanism for monitoring the work of mediators set up.</p> <p>Clear and accountable criteria for evaluation of performance and work quality of mediators set up.</p>	
	<p>2.8. Training and specialization of mediators, so that they are trained in various fields including domestic matters, juveniles, commercial and criminal matters.</p>	<p>Center for Mediation and Association of Mediators.</p>	<p>Continuously.</p>	<p>Reports and statistics of the Center for Mediation.</p>	
	<p>2.9. Provision of professional support to the mediation institution by developing guides, brochures and alike.</p>	<p>Center for Mediation.</p>	<p>Continuously.</p>	<p>Guides, brochures and other informational material is printed and distributed.</p>	
	<p>2.10. Provide special support and supervision of mediation cases between the victims and juvenile criminal offenders.</p>	<p>Centre for Mediation, Public Prosecution Offices and courts.</p>	<p>Continuously.</p>	<p>Supervision of mediation cases between the victims and juvenile criminal offenders is provided.</p>	
	<p>2.11. Monitor the harmonization of regulations with new international standards and practice</p>	<p>Center for Mediation and the Ministry of Justice.</p>	<p>Continuously.</p>	<p>Center for Mediation continuously monitors the harmonization of regulations in the area of mediation with new international standards and practice</p>	

3. Encourage managerial structures in commercial entities to resolve their disputes through arbitration	3.1. Promoting arbitration in the public (advertisements, Internet, brochures, billboards and alike). Promoting mediation in the public and among the parties involved in business and commercial activities.	Chamber of Commerce.	Continuously.	Public information campaign on arbitration is designed and realized.	
	3.2. Training and specialization of arbiters to manage commercial cases more effectively.	Chamber of Commerce.	Continuously.	Reports and statistics of Center for Mediation and the Chamber of Commerce.	
	3.3. Strengthening the capacities of foreign trade arbitration.	Chamber of Commerce.	Continuously.	The capacities of foreign trade arbitration strengthened through its promotion and increased application. Chamber of Commerce's statistics.	
4. Promote further implementation of provisions on alternative dispute resolution	4.1. Harmonize bylaws with the amendments to the Law on Mediation.	Ministry of Justice.	I quarter 2012.	Bylaws harmonized.	
	4.2. Revise the training program for mediators in civil and criminal matters.	Ministry of Justice and the Center for Mediation.	I quarter 2012.	Training program for mediators in civil and criminal matters developed.	
	4.3. Promote mediation in commercial disputes.	Center for Mediation and commercial courts.	Continuously.	Increased the number of commercial disputes solved through mediation.	

	4.4. Promote mediation in disputes where the State is one of the parties.	Protector of property-legal interests and the Center for Mediation.	Continuously.	The number of disputes resolved through mediation is increased.	
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VIII FIGHT AGAINST CRIME; ESPECIALLY ORGANIZED CRIME, CORRUPTION AND TERRORISM

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
1. Monitor and ensure compliance with EU requirements and standards in the fight against crime, organized crime, corruption and terrorism and ensure the ratification and	1.1. Publicizing ratified international treaties at the website of the Ministry of Justices and judicial authorities.	Ministry of Justice, courts and the Public Prosecution Office.	Continuously.	Ratified international treaties are published on the Ministry of Justices' and the Supreme Courts' websites.	

implementation of relevant international agreements	1.2. Continuously monitor the enforcement of newly adopted international instruments and their ratification, that is, implementation on the national level.	Ministry of Justice, Ministry of Foreign Affairs, the Government and the Parliament.	Continuously.	The ratification and implementation of international instruments on a national level is being continuously monitored. Reports of the Ministry of Justice and the Ministry of Foreign Affairs.	
	1.3. Draw up and distribute publications of international treaties accessed by Montenegro.	Ministry of Justice, the Supreme Court and the Supreme Public Prosecutor.	Continuously.	Izradjene i distribuirane Publikacije međunarodnih ugovora kojima je Crna Gora pristupila. Publikacije međunarodnih ugovora kojima je Crna Gora pristupila se redovno ažuriraju	
2. Implementation of international standards and instruments	2.1. Monitor compliance of the criminal legislation with the international standards in the areas of fight against organized crime, corruption and other forms of serious crime.	Ministry of Justice.	Continuously.	Analysis of compliance.	
3. Strengthening of human resources capacities in the judiciary	3.1. Analyze the number and structure of cases in the area of corruption, organized crime and the existing organization and personnel structure in the judicial authorities responsible for dealing with these cases.	Ministry of Justice, the Supreme Court and the Supreme Public Prosecutor.	Continuously.	Analysis of the number and structure of cases in the area of corruption, organized crime and the existing organization and personnel structure completed.	

	3.2. Employ appropriate staff in the judicial authorities in accordance with identified needs.	Courts and Public Prosecutors.	Continuously.	Appropriate staff in the judicial authorities employed in accordance with identified needs.	
4. Strengthening the integrity of judges and Public Prosecutors and improving working conditions and material conditions for the work in judicial authorities	4.1. Draw up special training curricula for Public Prosecutors and judges in charge of organized crime and corruption cases.	Judicial Training Center, Coordination Board and Program Board.	Continuously.	Reports of the Judicial Training Center.	
	4.2. Conducting trainings in line with the adopted special curriculum.	Judicial Training Center, the Coordination Board and the Program Board.	Continuously.	Reports of the Judicial Training Center.	

	4.3. Monitor the need for personal protection for the judicial stakeholders who handle cases of organized crime, corruption and terrorism.	Court, the Public Prosecution Office and the Police Directorate.	Continuously.	The need for personal protection for the judicial stakeholders who handle cases of organized crime, corruption and terrorism determined.	
	4.4. In accordance with established needs, set up personal protection for judicial stakeholders who handle cases of organized crime, corruption and terrorism.	Police Directorate.	Continuously.	Personal protection of judicial stakeholders is provided where needed.	
	4.5. Furnish judicial authorities with adequate equipment for handling organized crime and corruption cases.	Courts, Public Prosecution Offices and the Government.	Continuously.	Judicial authorities are furnished with adequate technical and office equipment for handling organized crime and corruption cases.	
5. Ensuring efficient protection of damaged parties and witnesses in the criminal proceedings	5.1. Ensure efficient application of the Law on the Protection of Witnesses and of the Criminal Procedure Code regarding witness' protection.	The Supreme Court, Supreme Public Prosecutor, Witness Protection Unit, Witness Protection Commission and the Police Directorate.	Continuously.	Efficient application of the Law on the Protection of Witnesses and of the Criminal Procedure Code regarding witness' protection ensured.	
	5.2. Ensure coordination between the judicial authorities in charge of witness protection and the relevant police authority.	The Supreme Court, Supreme Public Prosecutor, Witness Protection Unit and the Police Directorate.	Continuously.	Coordination between the judicial authorities in charge of witness protection and the relevant police authority ensured.	

	5.3. Provide personnel, material and technical conditions for the work of judicial authorities in charge of witness protection.	The Supreme Court, Supreme Public Prosecutor and Witness Protection Commission.	Continuously.	Personnel, material and technical conditions for the work of judicial authorities in charge of witness protection provided.	
	5.4. Draw up special training programs for judicial stakeholders on the application of the Law on the Protection of Witnesses and the provisions of Criminal Procedure Code on the protection of witnesses while proceedings are in progress.	Judicial Training Center, Coordination Board and Program Board of the Center.	Continuously.	Reports of the Judicial Training Center.	

IX CASE LAW

OBJECTIVE	MEASURES	COMPETENT AUTHORITY	DEADLINE	SUCCESS INDICATORS	RESOURCES
1. Publication of court decisions relevant to the case law so that the	1.1. Establish rules for the case law regarding the processing and publication of court decisions and their categorization by area, applied substantive law, legal positions, etc.	The Supreme Court.	I quarter 2012.	Rules regarding the processing and publication of court decisions established.	

general public would be acquainted with the courts' work	1.2. Establish departments or appoint persons responsible for processing and publication of case law in all courts depending on the size.	All courts and the Supreme Court.	IV quarter 2012.	Departments or persons responsible for case law established.	
	1.3. Adapt the judicial information system to the needs of the case law for record keeping and electronic publication of case law.	The Supreme Court and the Judicial Council.	I quarter 2012.	Judicial information system adapted to the needs of the case law for its record keeping and electronic publication.	
	1.4. Prepare printed publications of court decisions and bulletins with excerpts from court decisions.	Courts.	Continuously.	Bulletins and publications published.	
2. Monitor and make available the practice of the European Court of Human Rights	2.1. Perform selection of relevant decisions of the European Court of Human Rights and make them available to the judicial authorities by publishing them on the website of the relevant institution.	The Supreme Court and the Representative of Montenegro to the European Court of Human Rights.	Continuously.	Relevant decisions of the European Court of Human Rights selected.	
3. Inform the judicial stakeholders and the general public on the most important decisions of the European	3.1. Determine the jurisdiction of the Supreme Court for an authentic interpretation of national regulations in proceedings before lower instance courts modeled on the interpretation of EU law by the European Court of Justice.	Ministry of Justice.	IV quarter 2011.	The jurisdiction of the Supreme Court for an authentic interpretation of national regulations in proceedings before lower instance courts modeled on the interpretation of EU law by the European Court of Justice determined.	

court of Justice	3.2. Perform selection of relevant decisions of the European Court of Justice protecting the rights guaranteed by the Stabilization and Association Agreement and publish them on the website of the Supreme Court.	The Supreme Court.	Continuously.	Selection of relevant decisions of the European Court of Justice is preformed and the decisions are being regularly published on the Supreme Courts' website.	
	3.3. Publish on the website of the Supreme Court all final decisions of Montenegrin courts made on the basis of the implementation of the Stabilization and Association Agreement and the applicable regulations.	The Supreme Court and courts.	Continuously.	All final decisions of Montenegrin courts made on the basis of the implementation of the Stabilization and Association Agreement and the applicable regulations are regularly published on the Supreme Courts' website.	
4. Provide training for judges on the EU law and on the role of the European Court of Justice	4.1. In the training program envisage training on the EU law, EU institutions and special training programs on the role of the European Court of Justice.	Judicial Training Center.	Continuously.	Reports of the Judicial Training Center.	
	4.2. Envisage in training programs simulation of cases related to violations of the Stabilization and Association Agreement and exercise decision making with analysis of the interpretation of EU law on the basis of applicable decisions of the European Court of Justice in similar	Judicial Training Center.	Continuously.	Reports of the Judicial Training Center.	

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SUMMARY

Based on the Strategy for the Reform of the Judiciary adopted in June 2007 the Government of Montenegro adopted in December 2007 the **Action Plan for the Implementation 2007-2012 Strategy for the Reform of the Judiciary**, and on its sitting of 27 March 2008 the Government issued a Decision on the establishment of the **Commission for the implementation of the Action Plan**, which was amended by a Decision on amending the Decision of the establishment of the Commission ("Official Gazette" No. 14/11). Members of the Commission are the President - the Deputy Prime Minister and the Minister of Justice; members: Minister of Finance, President of the Supreme Court, Supreme Public Prosecutor, President of the Misdemeanor Panel, Director of the Institution for Enforcement of Criminal Sanctions, President of the Bar Chamber, President of the Association of Judges and the President of the Association of Prosecutors. The task of the Commission is to organize and synchronize the activities of public administration authorities, public bodies and other competent institutions in implementing the Action Plan, to follow the priorities, pace and terms of implementation and evaluate the results achieved in implementing the Action Plan, as well as to deliver to the Government of Montenegro a report reviewing the situation, including an evaluation and proposal of measures, at least twice a year.

So far the Commission for the implementation of the Action Plan has proposed, and the Government has adopted two semi-annual reports for the period January-June 2008 and July-December 2008 and two annual reports for years 2009 and 2010. While considering the report for the year 2010 the Government commissioned the Ministry of Justice to review the Action Plan and the timetable for the realization of certain measures that have not yet been achieved, and should be made realized in the strategic documents' timeframe. In accordance with this conclusion the Ministry of Justice took the current Action Plan and the level of realized measures into consideration and prepared a draft of amendments and additions which was forwarded for response to all competent bodies, which are responsible for realization of certain measures that the Action Plan prescribes. After reviewing the submitted comments and suggestions we have prepared a Draft amendment to the Action Plan for the Implementation of the Strategy of the Reform of the Judiciary.

Based on the monitoring of the implementation of the Action Plan and the adopted reports it can be seen that the measures are mostly being realized and that there is a delay with the realization of some measures in relation to deadlines for

their realization that were predicted in the Action Plan. So if we observe the the level of realization according to the adopted reports, it shows that in the period from January to June 2008 the implementation of 121 measures was planned. Of this number 71% or 86 measures were envisaged as a one-time activity, and 29% or 35 measures are of a continuous character. There were 42 one-time measures (34.7%) realized, and continuously 35 measures are being realized, which means that 77 or 63.63% of the measures are realized. Partially realized were 35 measures or 29%, and unrealized 9, or 7.5% of the measures. During the reporting period from July to December 2008 the implementation of 152 measures was planned. Of these, 48.02% or 73 measures are predicted as a single activity, and 51.97% or 79 measures are of a continuous character. There've been 61.18% or 93 measures realized, partly realized 25.65% or 39 measures, and unrealized 13.15% or 20 measures. During the reporting period for 2009 implementation of 209 measures was planned. Of this number 131 measures are designed as a one-time activity, and 78 measures were of a continuous character. There were 62% or 130 measures realized, partially realized 24% or 50 measures, and unrealized was 14% or 29 measures. According to the report for 2010 198 measures were supposed to be implemented. Of these, 76 measures were measures from previous years, 110 measures were of a continuous character and 12 measures were from 2010. Of 76 measures from previous years 31 were realized, 31 measures were partially achieved and 14 measures were not realized. Of the 110 measures which are of a continuous character, 90 measures were realized, 14 partially realized, and 6 measures were not realized. Of the 12 measures whose implementation was planned for the year 2010, 5 measures were realized, three measures have been partially realized, and 4 measures were not realized. So, out of the total of 198 measures, 126 measures were realized, 48 measures were partially realized, and 24 measures remained unrealized. In percentage, the realization of measures shown in this report is as follows: out of the total of 198 measures, 63.63% of the measures were realized; partially realized were 24.24% measures and 12.12% measures were not realized. Therefore, it can be concluded that the reporting periods have shown a satisfactory level of realization of the measures and that the percentage of unrealized measures ranged from 7.5% to 13.15%. Also, it can be concluded that there was a delay with the realization of certain measures but they are achievable and activities for their implementation are taken. It should also be noted that after the adoption of the Strategy for the Reform of the Judiciary and of the Action Plan

for its implementation there were adoptions of other sectoral strategic documents such as the Strategy for Combating Organized Crime and Corruption, Strategy for the Information-Communication Technology in Judiciary, so these strategies include the development and implementation of certain measures in order to achieve strategic objectives.

If we analyze the realization of strategic goals based on the level of realization of the measures from the Action Plan according to the goals, then the following can be concluded:

- to strengthen the independence and the autonomy of the judiciary 26 measures were planned, of the planned measures all have been realized except for one that is being partially realized and the that will be implemented in its entirety in the time frame of strategic documents. However, when it comes to this goal, we should keep in mind the considerable activities that have been accomplished and the activities that should be undertaken and accomplished in accordance with the Opinion of the European Commission on Montenegro's application for membership in the European Union and with the Progress Report for year 2011. Accordingly, in the revised action plan there are measures envisaged to be carried out in accordance with the recommendation to strengthen the rule of law especially through depoliticized and merit-based appointment of the Judicial and the Prosecutorial Council members and the state prosecutors, and strengthening the independence, autonomy, efficiency and accountability of judges and the prosecutors.

- for strengthening efficiency, there was a total of 52 measures planned. In the realization of this goal there was a delay in realization of certain measures relating to rationalization of the court network, the adoption of the Law on Juvenile Justice, the Law on Execution of the Application of the new Criminal Procedure Code and the Law on Misdemeanor. In the coming period the revised measures envisage that the activities should be focused on the adoption of the Law on Treatment of Juveniles in Criminal Proceedings, Law on Public Enforcement Officers and on the creation of conditions and the successful implementation of the new Criminal Procedure Code, Law on Misdemeanor, Law on Notaries and the Law on Enforcement. Also, it is necessary to continue the realization of measures which are continuous, such as the realization of annual work programs and the

elimination of backlog cases, the establishment of judicial information system to support the work of judicial authorities and the statistical reporting on the work of judicial authorities with the help of the judicial information system.

- in the area for strengthening the availability of judicial authorities 26 measures were planned and 6 were not realized. So, revised measures plan for activities that need to be undertaken in future to create conditions for the beginning of the application of the Law on Free Legal Aid from January 1st 2012. It also provides that the judicial authorities need to design newsletters and brochures with information that provide the parties with the basic data for better access to these bodies in order to realize or protect any of their rights. Also, it is necessary to continue with physical and the technical upgrading of buildings which house the judicial authorities and with the creation of conditions for physical access to the judicial authorities for persons with special needs.

- to strengthen public confidence in the judiciary, a total of 11 measures were planned, and only one measure is not achieved. Revision retained the continuous measures and an adjustment of deadlines was made in order to realize the unrealized measure and certain measures that should have been realized in the year 2011. So, in the coming period it is necessary to develop information materials on the work of judicial authorities in order to strengthen public trust and resume the realization of continuous measures.

- within the strategic goals of conducting training in the judicial authorities, there were 26 measures planned for and only one measure not realized. The measure, which was not realized, relates to the obligation of the organization of the Conference for courts' presidents and public prosecutors for greater training efficiency, and it was not realized due to lack of funds. It was revised in terms of holding meetings, instead of conferences which requires large resources financially, and also meetings can be more purposeful and for their organization large financial funds are not required. Other measures are maintained to be realized continuously and a measure was planned used to analyze the existing legislative and organizational framework for the implementation of training so that the activities could be undertaken in order to improve the training in the judicial authorities.

- within the objective of strengthening the regional and international cooperation, 21 measures were planned, and there are no unrealized measures, but there are measures with whose realization is being late, so the timetables for their realization were revised. Partially realized measures are related to the legislation regulating mutual assistance in civil matters, which is being prepared in order to achieve the highest possible level of harmonization with EU legislation, so it is necessary to take action on the adoption of the planned legislation regulating judicial cooperation in civil matters. A new measure is planned for establishing a database for processing and tracking of mutual assistance cases in order to achieve a more efficient work of the Ministry of Justice in matters of international judicial cooperation.

- for alternative dispute resolution 23 measures were planned, and all measures were realized or are being realized continuously. Through revision, measures that are being realized continuously were kept, and a new measure that envisages the amendment of the Law on Mediation and the harmonization of bylaws with the amended law was planned.

- to strengthen the fight against organized crime and corruption 31 measures were planned. There is no unrealized measures and one measure was partially realized. The measure that is not fully realized is the need to introduce special modes of interrogation for the victims and the witnesses under special protection in criminal proceedings. Revision has retained measures which are continuously realized, and otherwise this is an area for which there is a specific Action Plan to Combat Corruption and Organized Crime which has provided a range of measures to be realized in order to improve the fight against crime, so the measures provided by the amendments to the Action Plan are mostly related to the judicial authorities and the criminal legislation.

- in the area of case law 11 measures were planned. Some measures were partially implemented and they are related to the recording and processing of court decisions through the judicial information system, and the unrealized measure relates to the establishment of the jurisdiction of the Supreme Court to authentically interpret the regulations. This was not realized because its practical sustainability was not observed. Revision has provided a more intensive activation of the Case Law Department of the supreme Court and the creation of departments in all high

courts or the appointment of staff to be responsible for case law, and has retained measures that are being realized continuously and a measure that has not been realized except that the deadline for its realization was postponed.

- for the prison system a total of 27 measures was planned. In order to improve the prison system the Government adopted at its session of 29 September 2011 the special Action Plan for Improving the Prison System, so it's not necessary for the part that refers to the prison system to be an integral part of this Action Plan.

- for the judicial information system a total of 30 measures was planned. However, in the meantime a separate strategic document for the development of the information system in the field of judiciary and the Strategy for Information and Communication Technology in the Judiciary were adopted, as an expression of the need for this document to define in a comprehensive manner all measures and actions for further improvement of the judicial information system. Thus, Amendments to the Action plan did not require further planning measures related to the judicial information system.