

ACTION PLAN

I STRENGTHENING THE INDEPENDENCE AND THE AUTONOMY OF THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|---|------------------------|--|-------|
| 1. Revise laws with regard to the selection of judicial office holders in accord with the Constitution | Adopt the The Law on the Judicial Council defining and strenghtening the role and the competence of the Judicial Council as an independent and autonomous authority responsible for human resources policy and oversight of the work of courts and judges. | MoJ, GoM and the Parliament | I quarter 2008 | The Law on the Judicial Council adopted in accord with the EU regulations and reccommendations | |
| | Develop transparent, objective and clear criteria for the selection and dismissal of Judicial Council members based on standards, transparency and capacities | MoJ, GoM and the Parliament | I quarter 2008 | Transparent, objective and clear criteria for the selection of Judicial Council members established via The Law on the Judicial Council, in accord with the best international and European standards and practice and Council of Europe recommendations. | |
| | Develop work rules and procedures for the Judicial Council so as to ensure professionalism, responsibility and transparency of this authority`s work. | GoM, Parliament and the Judicial Council | I – III quarter 2008 | The Law on the Judicial Council and the related by-laws (Rules for the work of the Judicial Council and others) which regulate the rights and procedures for the Judicial Council`s work in accord with the recommendations of the Council of Europe adopted | |
| | Provide budget funds for the work of the Judicial Council. | Judicial Council, GoM and the Parliament | from 2008 continuously | The Law on the Budget which defines the Judicial Council as the budget unit adopted | |
| | Provide adequate premises and office and technical equipment for the Judicial Council`s work. | Judicial Council and the GoM | II quarter 2008 | Adequate premises and equipment for the Judicial Council`s work provided | |
| | Selection of Judicial Council members and hiring servants and employees for the Judicial Council`s Administrative Office. | Court Conference, President of the Republic, The Parliament, Judicial Council | I – III quarter 2008 | Selection of Judicial Council members conducted; Rule-book on job organization adopted; Beginning of work | |

| | | | | | |
|--|---|------------------|----------------------------------|---|--|
| | Establish an appropriate reporting model on the work of courts which the courts should deliver to the Judicial Council and regularly draw up a report in accord with the established model. | Judicial Council | IV quarter 2008 and continuously | Adequate model for courts reports submitting to the Judicial Council established; Regular reporting and drawing up of reports realized according to the established model | |
|--|---|------------------|----------------------------------|---|--|

I STRENGTHENING THE INDEPENDENCE AND THE AUTONOMY OF THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|--|-----------------------------------|--|-------|
| | Define the role and competences of the Prosecutorial Council through the Law on Public Prosecutor's Office Define the role and the competence of the Prosecutorial Council through the Law on Public Prosecutor's Office | MoJ, GoM and the Parliament | I quarter 2008 | The Law on Public Prosecutor's Office regulating the role of the Prosecutorial Council adopted in accord with the Council of Europe recommendations | |
| | Develop work rules and procedures for the Prosecutorial Council so as to ensure the professionalism, responsibility and transparency of this authority. | GoM, The Parliament and The Prosecutorial Council | I – III quarter 2008 | The Law on Public Prosecutor's Office adopted with the related by-laws which regulate rules and procedures of the Judicial Council's work in accord with the best international and European standards and the Council of Europe recommendations. | |
| 2. Establish clear and objective criteria for the selection of judicial office holders | Define clear and objective criteria for the selection of judicial office holders so as to increase the quality and transparency of the selection process, and thereby professionalism and reliability of those taking the office. | MoJ, GoM, The Parliament, Judicial Council and The Prosecutorial Council | I – III quarter 2008 | The Law on Courts, The Law on the Judicial Council and The Law on Public Prosecutor's Office and the related by-laws with clearly defined objectives and transparent criteria adopted in accord with the best international and European standards and the Council of Europe recommendations | |
| | Conduct the selection of judicial office holders in accord with the established criteria. | Judicial Council and The Prosecutorial Council | III quarter 2008 and continuously | The selection of judicial office holders begun in accord with established criteria which are continuously applied | |

| | | | | | |
|--|--|---|-----------------------------|--|--|
| <p>3. Establish the criteria for the promotion and valuation of judicial office holders</p> | <p>Establish clear and objective criteria for a quantitative and qualitative appraisal of judicial office holders` work in accord with international standards .</p> | <p>MoJ, GoM, The Parliament, Judicial Council and The Prosecutorial Council</p> | <p>I – III quarter 2008</p> | <p>The Law on the Judicial Council, The Law on Public Prosecutor`s Office and by-laws adopted, with clearly defined, objective and transparent criteria for a quantitative and qualitative appraisal of work of judicial office holders in accord with international standards</p> | |
|--|--|---|-----------------------------|--|--|

I STRENGTHENING THE INDEPENDENCE AND THE AUTONOMY OF THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|-----------|---|--|--|--|-------|
| | <p>Prescribe in the Law on Courts and the Law on Public Prosecutor`s Office the criteria for the promotion of judicial office holders and ensure transparent procedures for a consistent application of established criteria.</p> | <p>Judicial Council and The Prosecutorial Council</p> | <p>III quarter 2008 and continuously</p> | <p>The Law on Courts and The Law on Public Prosecutor`s Office and the by-laws which prescribe the criteria for the promotion of judicial office holders adopted. Criteria presented and available to the public, whereby providing for the transparency and procedures of appraising and promoting judges.</p> | |
| | <p>Normatively regulate and establish the central database on the selection, appraisal and promotion of judicial office holders.</p> | <p>MoJ, Judicial Council and The Prosecutorial Council</p> | <p>2009 and continuously</p> | <p>The Law on Judicial Council and The Law on Public Prosecutor`s Office adopted, which normatively regulate the setting up of the central data base on the selection, appraisal and promotion of judicial office holders. Central data base set up. Reports containing data from the central database periodically available to the public.</p> | |

I STRENGTHENING THE INDEPENDENCE AND THE AUTONOMY OF THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|-----------------------------------|--|-------|
| 4. Revise the existing normative framework which defines the disciplinary responsibility of judicial office holders, termination of office and dismissal | Establish a normative framework for the disciplinary responsibility, termination of judicial office and dismissal procedures in accord with international standards. | MoJ, GoM and the Parliament | I quarter 2008 | The Law on Judicial Council, The Law on Courts and The Law on Public Prosecutor's Office adopted, establishing the normative framework for the disciplinary responsibility, termination of judicial office and dismissal procedures in accord with international standards | |
| | Establish and implement objective internal and external controls of judicial office holders' work (in courts by the Court President, within the Public Prosecutor's office by the Public Prosecutor, outside of the court and the prosecutorial office by the Judicial and Prosecutorial Council). | Courts, Public Prosecutors, Judicial Council and The Prosecutorial Council | III quarter 2008 and continuously | The Law on Judicial Council, The Law on Courts and The Law on Public Prosecutor's Office adopted and the by-laws establishing the system of internal and external control of judicial office holders' work in accord with international standards. Competent authorities conducting affairs of internal and external control of work of judicial office holders and reporting manners established. | |
| | Consider the existing normative framework on the oversight of the judicial administration and conduct oversight of the judicial administration's work in accord with European standards and experience. | MoJ, Judicial Council and The Prosecutorial Council | III quarter 2008 and continuously | Conducted analysis of the existing normative framework on the oversight of the judicial authorities' work which does not impair the principle of the judiciary's independence and autonomy in accord with the best international standards and practice. Conducted analysis of the existing normative framework on the oversight of the judicial authorities' work which does not impair the principle of the judiciary's independence and autonomy. Analysis conclusions are being applied. | |

I STRENGTHENING THE INDEPENDENCE AND THE AUTONOMY OF THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|-----------------|---|-------|
| | Keep records on conducted disciplinary proceedings, dismissal and termination of office proceedings; draw up reports and analyse them. | Judicial Council and The Prosecutorial Council | Continuously | Record keeping on the conducted disciplinary proceedings, dismissal and termination of office proceedings set up with the Judicial and the Prosecutorial Council Regular analysis of the filed documents conducted and periodic reports available to the public drawn up | |
| | Adopt the Ethical Codex for the judges | Judicial Council Association of Judges Court conference | IV quarter 2008 | Ethical Codex for judges adopted in accord with the Council of Europe recommendations | |
| | Establish regulatory mechanisms for compliance and punishing the non-observance of Ethical Codexes. | Judicial Council and The Prosecutorial Council Association of Judges and Association of Prosecutors | IV quarter 2009 | System for controlling the compliance of the Ethical Codex established in the Ethical Codex | |
| | Monitor the observance of Ethical Codexes within the judicial authorities and keep records on the non-observance of the Ethical Codex. | Judicial Council and The Prosecutorial Council | Continuously | Record keeping on the compliance of the Ethical Codex set up with the Judicial and the Prosecutorial Council Regular analysis of the filed documents conducted and periodic reports which are publicly available composed | |
| 5. Achieve greater independency in establishing budget allocations for the judiciary | Normatively regulate the manner of planning, proposing and managing budget allocations needed for the judicial authorities` work | MoJ, Judicial and The Prosecutorial Council, GoM and the Parliament | I quarter 2008 | The Law on the Judicial Council and The Law on Public Prosecutor`s Office adopted, which normatively regulate the manner of planning, proposing and managing budget allocations needed for the judicial authorities` work | |

I STRENGTHENING THE INDEPENDENCE AND THE AUTONOMY OF THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|---------------------|-----------------|--|-------|
| 6. Entrust the process of state representation in property relations to another special authority | Conduct an analysis of the existing conditions with regard to state representation in property disputes | MoJ and the GoM | IV quarter 2007 | Analysis of the existing condition with regard to state representation in property disputes conducted. | |
| | Normatively regulate state representation in property disputes | MoJ and the GoM | I quarter 2008 | Regulation which normatively lays down state representation in property disputes adopted in accord with the Council of Europe recommendations | |
| | Provide material and technical conditions for the work of the authority in charge of state representation | GoM | I quarter 2008 | Provided premises, office and technical equipment for the work of the authority in charge of state representation | |
| | Selection and employment of the needed personnel for work in representation affairs | GoM | II quarter 2008 | Head of the state representing authority nominated; Rule-book on job organization adopted; Employment of the envisaged number of servants and employees; | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.1. Rationalisation of judicial and public prosecution network

| | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|--|------------------|--|-------|
| 1. Rationalisation of judicial and public prosecution network | Conduct an analysis of the existing network of judicial authorities regarding the competences of the personnel capacities, accommodation conditions and technical equipment, etc. (especially with regard to the concentration of competences - field of corruption, organized crime, proceedings towards minors, etc.) | MoJ | IV quarter 2008 | Analysis of the existing network of judicial authorities regarding the competences of the personnel capacities, accommodation conditions and technical equipment, etc. with a proposal of the new organizational scheme of the said authorities conducted (especially with regard to the concentration of competences - field of corruption, organized crime, proceedings towards the minors, etc) | |
| | Draft a new Law on Courts based on the analysis` results and The Law on Public Prosecutor`s Office | MoJ, The Supreme Court, the public prosecution service and the Parliament | III quarter 2009 | Law on Courts and The Law on Public Prosecutor`s Office adopted in accord with EU regulations and the Council of Europe recommendations | |
| | In accord with the newly adopted regulations, conduct the needed restructuring within the judicial authorities | MoJ, Judicial Council and The Prosecutorial Council, The Supreme Court, The public prosecution service | IV quarter 2009 | Restructuring within the judicial authorities conducted in accord with the Law on Courts and The Law on Public Prosecutor`s Office | |
| | Adopt normative acts for establishing the needed number of judicial office holders and administrative personnel for work in judicial authorities | MoJ, Judicial Council and The Prosecutorial Council | IV quarter 2009 | Indicative benchmarks for establishing the needed number of judicial office holders and administrative personnel for the work in the judicial authorities adopted | |
| | Render a decision on the number of judicial office holders | Judicial Council and The Prosecutorial Council | IV quarter 2009 | Decision rendered on the number of judicial office holders | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.1. Rationalisation of judicial and public prosecution network

| | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|---|----------------------------------|--|-------|
| | Adopt an act on the internal job organization of judicial authorities | Courts, The public prosecution service and GoM | IV quarter 2009 | Act on the internal job organization of the judicial authorities adopted | |
| | Conduct the personnel selection (judicial office holders and other employees) | Judicial Council and The Prosecutorial Council, Presidents of courts and The public prosecution service | I quarter 2010 | Personnel (judicial office holders and employees) hired in accord with the Act on the internal job organization of the judicial authorities | |
| 2. Reform of misdemeanor legislation | Conduct an analysis of the work of the authority competent for conducting misdemeanor proceedings | MoJ | III quarter 2008 | Analysis of the work of the authority competent for conducting misdemeanor proceedings finished | |
| | Based on the conducted analysis adopt the Law on Misdemeanors | MoJ GoM and the Parliament | IV quarter 2009 | Law on Misdemeanors adopted in accord with the conclusions of the analysis and in accord with the best international and European standards and practice and the Council of Europe recommendations | |
| | Adopt an Implementation Plan for the new Law on Misdemeanors which relates to: -Reorganization of the system for solving misdemeanor cases - nominating judges - establishment of a new system for collecting fines - the Fines Register - Development of a special training curriculum and education in accord with the special programme | MoJ, Judicial Council and The Prosecutorial Council, JTC | IV quarter 2009 and continuously | Implementation Plan of the Law on Misdemeanors adopted System for solving misdemeanor cases reorganized in accord with the Implementation Plan Misdemeanor judges appointed in accord with the Implementation Plan The Fines Register established in accord with the Implementation Plan Special training curriculum adopted in accord with the Implementation Plan Continuous education in accord with the Implementation Plan begun | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.2. Reducing case backlog and shortening the length of court proceedings

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|---|----------------------------------|---|-------|
| 1. Secure a more efficient protection of the right to trial within a reasonable time | Adopt The Law on the Protection of the Right to Trial within a Reasonable Time | MoJ, GoM and the Parliament | IV quarter 2007 | The Law on the Protection of the Right to Trial within a Reasonable Time adopted in accord with the best international and European standards and the Council of Europe recommendations | |
| | Implement The Law on the Protection of the Right to Trial within a Reasonable Time | Courts, Judicial Council and JTC | Continuously | Implementation of The Law on the Protection of the Right to Trial within a Reasonable Time | |
| | Set up and maintain records on legal remedies submitted on basis of The Law on the Protection of the Right to Trial within a Reasonable Time and set up reporting mechanisms | Judicial Council, The Supreme Court, courts | II quarter 2008 Continuously | Records set up on the legal remedies submitted to the Judicial Council Records on the submitted legal remedies are regularly submitted to the Judicial Council by every court | |
| | Provide a special budget item for the payment of equitable satisfaction | Judicial Council, GoM and the Parliament | Continuously | Budget item for the payment of equitable satisfaction | |
| | Develop a special training curriculum on The Law on the Protection of the Right to Trial within a Reasonable Time and realize education on basis of a special training curriculum on The Law on the Protection of the Right to Trial within a Reasonable Time | JTC | IV quarter 2007, continuously | Training curriculum on The Law on the Protection of the Right to Trial within a Reasonable Time adopted Continuous implementation of the Training curriculum on The Law on the Protection of the Right to Trial within a Reasonable Time begun | |
| | Make the European Human Rights Court`s case law relating to the protection of the right to trial within a reasonable time available to courts | JTC, Montenegrin representative before the European Human Rights Court | I quarter 2009, continuously | The European Human Rights Court`s case law available on the Supreme Court`s web site and via the regular publications | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.2. Reducing case backlog and shortening the length of court proceedings

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|---|------------------|---|-------|
| 2. Conduct a review of criminal proceedings | Adopt the new Criminal Procedure Code (hereinafter: CPC) | MoJ, GoM and the Parliament | II quarter 2008 | CPC adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Adopt the Implementation Plan for the CPC as regards: CPC's influence on the need to amend other regulations (Criminal Code, Law on Courts and Law on the Public Prosecutor), instructions for restructuring the judicial system in the investigation domain, instructions for the appraisal of personnel needed, necessary trainings, procurement of necessary technical equipment, introducing the professional and general public with the possible effects of the new CPC's implementation | MoJ, GoM, Judicial Council and The Prosecutorial Council | III quarter 2008 | The Implementation Plan for the CPC adopted as regards: CPC's influence on the need to amend other regulations (Criminal Code, Law on Courts and Law on the Public Prosecutor), instructions for restructuring the judicial system in the investigation domain, instructions for the appraisal of personnel needed, necessary trainings, procurement of necessary technical equipment, introducing the professional and general public with the possible effects of the new CPC application | |
| | Provide adequate premises and equipment for the judicial authorities' work in accord with the new CPC | GoM, MoJ, The Supreme Court and the public prosecution service and the Police Directorate | II quarter 2010 | Provided premises, office and technical equipment for the work of the competent authorities | |
| | Initiate the implementation of the new CPC | Courts, the public prosecution service | III quarter 2010 | The implementation of the new CPC initiated | |
| | Make an analysis of the existing normative framework in the areas of criminal and misdemeanor responsibility of minors, execution of criminal sanctions towards minors and competences' concentration | MoJ | III quarter 2008 | Analysis of the existing normative framework in the areas of criminal and misdemeanor responsibility of minors, execution of criminal sanctions towards minors and competences concentration made | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.2. Reducing case backlog and shortening the length of court proceedings

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|---|------------------|---|-------|
| Conduct a review of juvenile judicial system | Adopt the Law on the Juvenile Judicial System | MoJ, GoM, The Parliament | II quarter 2009 | Law on Juvenile Judicial System adopted in accord with the Council of Europe recommendations and UN conventions | |
| | Adopt Implementation Plan of the Law on the Juvenile Judicial System with regard to the education and specialization of personnel, material and technical conditions for the implementation of laws and the needed by-laws | MoJ, Courts, The Supreme Court and the public prosecution service, JTC | III quarter 2009 | Implementation Plan adopted for the Law on Juvenile Judicial System with regard to the education and specialization of personnel, material and technical conditions for the implementation of laws and the needed by-laws | |
| | Adopt by-laws for the implementation of the new law | MoJ | IV quarter 2009 | By-laws adopted | |
| | Provide adequate premises and equipment for the work of judicial office holders in accord with Law on the Juvenile Judicial System | GoM MoJ, The Supreme Court and the public prosecution service and the Police Directorate | II quarter 2010 | Provided premises, office and technical equipment for the work of competent authorities | |
| | Develop a special education and specialization programme in accord with the special programme in the field of the juvenile judicial system | JTC | II quarter 2010 | Training curriculum on the Law on Juvenile Judicial System adopted Specialization programme in the area of juvenile judiciary adopted Continuous implementation of the training curriculum on the Law on Juvenile Judicial System | |
| | Start the implementation of the Law on the Juvenile Judicial System | Courts, the public prosecution service, The Police Directorate, Institute for The Execution of Criminal Sanctions | III quarter 2010 | Implementation of the Law on Juvenile Judicial System begun | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.2. Reducing case backlog and shortening the length of court proceedings

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|--|-------------------------------|---|-------|
| Regulate obligations | Adopt the Law on Obligations | MoJ, GoM, The Parliament | II quarter 2008 | The Law on Obligations adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Develop a special training curriculum on the Law on Obligations | JTC | III quarter 2008 continuously | Training curriculum on the Law on Obligations adopted Training begun | |
| Stimulate alternative manners of solving disputes | Strengthen the application and the efficiency of alternative resolution of civil, criminal and commercial disputes solving, according to measures stipulated in Chapter VII | MoJ, Courts, the public prosecution service and Center for Mediation | Continuously | Recorded number of solved cases through alternative dispute resolution on the annual level | |
| Delegate certain competences from courts to other service authorities | Adopt The Law on Amendments to The Law on the Notaries | MoJ, GoM, The Parliament | I quarter 2008 | Law on Amendments to The Law on the Notaries adopted in accord with the Council of Europe recommendations | |
| | Adopt the by-laws for the implementation of The Law on the Notaries | MoJ | II quarter 2008 | By-laws for the implementation of The Law on the Notaries adopted. | |
| | Form a commission for the notary exam and organize the notary exam | MoJ | III quarter 2008 | Commission formed for the sitting for the notary exam Notary exam organized | |
| | Appoint notaries | MoJ | IV quarter 2008 | Notaries appointed | |
| | Establish the Notary Chamber | Notaries and the MoJ | IV quarter 2008 | The Notary Chamber established | |
| | Strengthen the capacities of the MoJ and courts with regard to the oversight of the notaries` work | MoJ and courts | IV quarter 2008 continuously | Competent officer at the MoJ for the oversight of the notaries` work designated | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.2. Reducing case backlog and shortening the length of court proceedings

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|------------------------------------|--|-------|
| Develop a program for solving case backlog in courts | Establish the annual framework programme of solving case backlog (delegating judges, delegating workload and the alike) | The Supreme Court Judicial Council | I quarter 2008 and continuously | Annual framework programme of solving Supreme Court's backlog established in accord with international and European standards | |
| | Establish special annual programme of solving case backlog within courts in accord with the framework programme | Presidents of courts | I quarter 2008 and continuously | Special annual programme of solving case backlog in accord with the Supreme Court framework programme established | |
| | Establish the reporting methodology on proceeding upon the defined programme | Judicial Council, The Prosecutorial Council | II quarter 2008 | Reporting methodology on proceeding upon the defined programme established | |
| | Adopt a plan for unburdening judges from administrative work in judicial proceedings (efficient use of professional associates and trainee assistants) | Judicial Council, The Supreme Court, courts | III quarter 2008 continuously | Plan for unburdening judges from administrative work in judicial proceedings by efficiently using professional associates and trainee assistants adopted | |
| Strengthen human resources within the judiciary | Consistent implementation of the Law on Judicial Training with regard to the education of Courts' Presidents and Public Prosecutors in the areas of authority management, specialization of judicial office holders and permanent specialized education of administrative personnel for certain types of affairs | JTC, The Human Resources Management Authority | Continuously | JTC reports and statistics of the Human Resources Management Authority | |
| | Set up and continuously update a database on the employees within the judicial authorities | Judicial Council, The Prosecutorial Council | III quarter 2008. | Database on the employees within the judicial authorities in the Judicial Council set up JTC reports and statistics of the Human Resources Management Authority | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.2. Reducing case backlog and shortening the length of court proceedings

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|--|-----------------|---|-------|
| Improve efficiency of proceeding and case flow, backlogs, complaints and the alike | Develop an adopt a programme which establishes sustainable measures for efficient case management and the judicial authorities | Judicial Council and The Prosecutorial Council, courts and the public prosecution service | IV quarter 2008 | Programme established which prescribes sustainable measures for efficient case management and the judicial authorities | |
| | Monitor and manage case flow more efficiently within the judicial authorities | Presidents of courts and the public prosecution service | Continuously | Statistics for measuring the reduction of case backlog | |
| | Keep records on the submitted citizen complaints and regularly report to the Judicial Council and The Prosecutorial Council on their merits | Presidents of courts, Judicial Council and The Prosecutorial Council, | Continuously | Record keeping of the submitted complaints of the citizens Regular reporting to the Judicial and Prosecutorial Council on their merits conducted | |
| | More efficient implementation of procedural laws with regard to the prevention of unnecessary prolongations of procedures | Courts and the public prosecution service | Continuously | Statistics for measuring the reduction of case backlog | |
| | Provide personnel and technical conditions for the shorthand, audio-visual keeping of Minutes on the course of court proceedings | GoM, Judicial Council and The Prosecutorial Council, The Supreme Court, the public prosecution service | I quarter 2010 | Personnel and technical conditions for shorthand, audio-visual keeping of Minutes provided Statistics relating to the duration of proceedings | |

II STRENGTHENING THE EFFICIENCY OF THE JUDICIARY

2.2. Reducing case backlog and shortening the length of court proceedings

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|--|-----------------|--|-------|
| Establish an adequate system of court bailiffs | Conduct an analysis of the number, structure and length of unenforced decisions in basic and commercial courts, of the number of acting judges and bailiffs | MoJ | IV quarter 2008 | Analysis of the number, structure and length of unenforced decisions in basic and commercial courts, the number of acting judges and bailiffs conducted | |
| | Amend The Law on Enforcement Proceedings in accord with the conducted analysis | MoJ, GoM and the Parliament | II quarter 2009 | Amendments to The Law on Enforcement Proceedings adopted in accord with the conclusions of analysis and the Council of Europe recommendations | |
| | Make an Implementation Plan for amendments to The Law on Enforcement Proceedings with the aim to have a more efficient and professional enforcement | MoJ | II quarter 2009 | Implementation Plan for amendments of the Enforcement Proceedings Act adopted with the aim to have a more efficient and professional enforcement | |
| | Start the implementation of The Law on Enforcement Proceedings | Courts | IV quarter 2009 | Implementation of the The Law on Enforcement Proceedings started | |
| Improve the methodology of conducting the judicial statistics | Adopt an instruction on the keeping of statistics in all judicial authorities, defining objective criteria and indicators for appraisal of work of the judicial authorities | Judicial Council, The Prosecutorial Council, The Supreme Court and The Supreme Public Prosecutor | IV quarter 2008 | Adopt an instruction on statistics keeping in all judicial authorities which defines objective criteria and indicators for appraisal of work of the judicial authorities | |

III INCREASING THE ACCESSIBILITY OF THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|--|------------------|--|-------|
| Create a normative framework for establishing the free legal aid system and provide sustainability of the system | Conduct an analysis of the existing normative legal aid framework and establish a final draft model of free legal aid | MoJ Bar chamber NGOs | IV quarter 2008 | Analysis of the existing normative legal aid framework conducted Final draft model of free legal aid established | |
| | Establish a programme for the implementation of campaign for the purpose of informing the public on the free legal aid institution and establish cooperation with NGOs in this area | MoJ NGOs | II quarter 2009 | Programme for the implementation of campaign for the purpose of informing the public on the free legal aid institution and agreements on cooperation with respective NGOs in this area developed | |
| | Adopt The Law on Free Legal Aid | MoJ, GoM and the Parliament | III quarter 2009 | The Law on Free Legal Aid adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Adopt an Implementation Plan for The Law on Free Legal Aid with regard to the education and specialization of personnel, material and technical conditions for the implementation of laws | MoJ, courts and authority in charge of free legal aid | IV quarter 2009 | Implementation Plan of The Law on Free Legal Aid established with regard to the education and specialization of personnel, material and technical conditions for the implementation of laws | |
| | Start the implementation of The Law on Free Legal Aid | Courts Authority in charge of free legal aid Bar chamber | II quarter 2010 | Implementation of The Law on Free Legal Aid | |
| | Set up mechanisms for quality oversight of granted free legal aid | MoJ, NGO sector, courts | Continuously | Authority designated to perform oversight over the quality of granted legal aid Oversight over the granting of free legal aid established by a designated authority | |
| | Analyze the results of the established monitoring system and records regarding the efficiency of those providing the services of free legal aid | MoJ, courts and NGOs | Continuously | Oversight reports on an annual basis | |

III INCREASING THE ACCESSIBILITY OF THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|----------------------------------|-----------------|---|-------|
| Enable the parties to receive information for undertaking certain actions in court proceedings and regarding the amount of necessary costs for those actions | Draw up standardized forms for the briefs of parties and make them available | Courts, JTC | IV quarter 2009 | Standardized forms for the briefs of parties made available to citizens on the Supreme Court website and on information desks in courts | |
| | Ensure the provision of information to parties on the current phase of the procedure they requested | Courts and the Public Prosecutor | I quarter 2009 | Information available to citizens on the Supreme Court website | |
| | Set up information desks in judicial authorities equipped with information material on the judicial authority's work | Courts and prosecutors | I quarter 2009 | Information desks equipped with information material on the judicial authority's work set up in the judicial authorities | |
| | Draw up information bulletins and leaflets encompassing data on the manner of the party's addressing a judicial authority, procedural activities, free legal aid, procedure costs and terms for releasing from paying costs | Judicial authorities | IV quarter 2009 | Information bulletins and leaflets encompassing data on the manner of the party's addressing a judicial authority, procedural activities, free legal aid, procedure costs and terms for releasing from paying costs drawn up Distribution to parties ensured via information desks | |
| | Adopt The Law on the Protection from Domestic Violence | MoJ, GoM and the Parliament | II quarter 2008 | The Law on the Protection from Domestic Violence adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Adopt the Implementation Plan for The Law on the Protection from Domestic Violence with regard to the personnel training and specialization, material and technical conditions for the implementation of law | MoJ, courts | IV quarter 2008 | The Implementation Plan for The Law on the Protection from Domestic Violence with regard to the personnel training and specialization, material and technical conditions for the implementation of law adopted | |

III INCREASING THE ACCESSIBILITY OF THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|--|----------------------------------|---|-------|
| Adopt special rules and practice for treating vulnerable groups | Adopt rules for treating vulnerable groups appearing before the judicial authorities (minors, rape victims, terrorism, domestic violence, persons with disabilities etc.) | MoJ and judicial authorities | IV quarter 2009 | Rules for treating vulnerable groups appearing before the judicial authorities (minors, rape victims, terrorism, domestic violence, persons with disabilities, etc.) established in accord with international and European standards and practice | |
| | Monitor the application of rules of treating vulnerable groups adequately | Judicial Council, The Prosecutorial Council, judicial authorities | IV quarter 2009 continuously | Analysis of application of rules of treating vulnerable groups adequately conducted | |
| | Education of judicial office holders and administrative personnel within the judicial authorities on the rules and practice of treating vulnerable groups | JTC, the Human Resource Management Authority | IV quarter 2009 continuously | JTC's special programme The Human Resource Management Authority's statistics | |
| Strengthen the security of the judicial authorities | Draw up an analysis of security needs of the judicial authorities and establish which authorities have the need for enhancing security | MoJ, MOI and Public Administration, Public Works Directorate, Judicial and The Prosecutorial Council | III quarter 2008 | Analysis of the judicial authorities' security needs conducted. Established which authorities have the need for enhancing security | |
| | Undertake necessary measures for the implementation of established security needs and for the installation of necessary security equipment so as to increase security within the judicial authorities | MoJ, MoI and Public Administration, Public Works Directorate | IV quarter 2008 and continuously | Necessary security equipment installed within the judicial authorities | |
| | Train the security staff on the use of equipment and manner of treating persons and things | MoI and Public Administration | I quarter 2009 and continuously | MoI and Public Administration's statistics on the trained personnel | |

III INCREASING THE ACCESSIBILITY OF THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|--|----------------------------------|--|-------|
| Improve the conditions for accommodating and accessing judicial authorities | Make an analysis of the existing condition of judicial authorities` buildings and their equipment with office and technical equipment | MoJ, GoM, The Supreme Public Prosecutor, The Supreme Court, Public Works Directorate | II quarter 2008 | Analysis of the existing condition of judicial authorities` buildings and their equipment with office and technical equipment | |
| | Develop an adaptation plan of the existing facilities and construction of new facilities for the needs of the judicial authorities, based on the conducted analysis | MoJ, GoM, The Supreme Public Prosecutor, The Supreme Court, Public Works Directorate | IV quarter 2008 | Adaptation plan of the existing facilities and the construction of new facilities for the needs of the judicial authorities, based on the conducted analysis developed | |
| | Construct a building for the use of judicial authorities in Podgorica – Palace of Justice | MoJ, Public Works Directorate, GoM | IV quarter 2010 | Building location defined Material funds for the construction of building provided Construction begun | |
| | Based on the conducted analysis and plan, provide office and technical equipment for the judicial authorities | Courts | Continuously | Premises, office and technical equipment provided based on the conducted analysis and established plan | |
| Improve orientation in judicial authorities` buildings and establish the behavior rules for all the persons entering the judicial authorities` buildings | Make and place orientation boards in all judicial authorities | Courts and the public prosecution service | III quarter 2008 | Orientation boards placed in all judicial authorities | |
| | Adopt rules of conduct in all judicial authorities and monitor its compliance | Courts and the public prosecution service | II quarter 2008 and continuously | rules of conduct in all judicial authorities adopted Authority designated to implement its compliance and oversight | |
| | Place important excerpts from the rules of conduct relating to the citizens in visible place in judicial authorities` buildings | Courts and the public prosecution service | I quarter 2008 | Important excerpts from rules of conduct placed in judicial authorities in visible places | |

IV STRENGTHENING PUBLIC TRUST IN THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|-----------------------------------|---|-------|
| Ensure a better dissemination of information on the work of judicial authorities | Holding regular press conferences to present the judicial authorities` work | Courts and Public Prosecutors | Continuously | Regular reporting on the work of the judicial authorities to the general public via press conferences held at least twice a year | |
| | Designate a person within the Judicial and the Prosecutorial Council to be responsible for public relations | Judicial Council and The Prosecutorial Council | III quarter 2008 | Persons within the Judicial and the Prosecutorial Council responsible for public relations designated | |
| | Designate responsible persons for public relations in all judicial authorities | Courts and Public Prosecutorial service | III quarter 2008 | Responsible persons for public relations in all judicial authorities designated | |
| | Provide appropriate trainings for the person responsible for public relations in the judicial authorities | Courts and Public Prosecutors JTC | III quarter 2008 | JTC reports containing data on the trained persons responsible for public relations | |
| Establish various communication models of judicial authorities with the citizens | Ensure the development of information material on the work of judicial authorities and make it publicly available | Courts and Public Prosecutors | III quarter 2009 and continuously | Information material developed on the judicial authorities` work Information material available to the public through information desks | |
| | Organize »Open Doors« days in courts according to the defined plan, for citizens and students in order to introduce them to the work of judicial authorities | Courts | Continuously | Plan for the organization of »Open Doors« days for each judicial authority developed Annual citizen surveys done on their satisfaction with the work of judicial authorities | |

IV STRENGTHENING PUBLIC TRUST IN THE JUDICIARY

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|--|---------------------------------|--|-------|
| Enable the participants in court proceedings and citizens to give certain objections and suggestions for the purpose of improving the work of the judiciary | Place boxes for objections, suggestions and recommendations to the judicial authorities` work in all judicial authorities and a link on the website for the same purpose | Courts and Public Prosecutors | III quarter 2008 | Boxes for objections, suggestions and recommendations to the judicial authorities` work in all judicial authorities placed in all judicial authorities and a link on the Supreme Court`s website | |
| | Analyze the submitted objections and commendations for the work of the judicial authorities, inform the public on the results of the analysis and undertake measures for the improvement of work | Courts and Public Prosecutors, Judicial Council, The Prosecutorial Council | I quarter 2009 and continuously | Annual analysis conducted on the submitted objections and commendations The public informed through a press conference on the objections and commendations after each conducted analysis | |
| Make the practical aspect of the principle on the equal proceedings of the judicial authorities in equal matters publicly accessible | Make legal attitudes, hypothetical legal attitudes and hypothetical legal opinions available by drawing up a bulletin and placing it on the websites of courts | The Supreme Court | I quarter 2009 and continuously | Bulletins containing legal attitudes, hypothetical legal attitudes and hypothetical legal opinions developed on an annual level and placed on the Supreme Court`s website | |
| Increase the accessibility of court decisions to the professional and general public | Develop and publicize collections of court decisions | Courts | Continuously | Collections of court decisions developed and publicized on an annual level | |
| | Publicize court decisions | The Supreme Court | Continuously | Court decisions publicized on the Supreme Court`s website on an annual basis | |

V EDUCATION WITHIN THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|---------------------------------|--|-------|
| Implement the Law on Judicial Training with the aim to train judicial office holders in the best possible manner | Provide quality education on the newly adopted laws and bylaws for all judicial office holders | JTC and NGOs | Continuously | Annual JTC programmes Number of attendees | |
| | Conduct an analysis of modalities for increasing the participation of judicial office holders in education | JTC, Judicial Council and The Prosecutorial Council | III quarter 2008 | Analysis of modalities for increasing the participation of judicial office holders in education conducted in accord with the best international and European standards | |
| | Organize a conference of Court Presidents and Public Prosecutors for the purpose of adjusting modalities for higher education`s efficiency | Courts and Public Prosecutors and The JTC of judicial office holders | III quarter 2008 | A conference of Court Presidents and Public Prosecutors organized for the purpose of harmonizing the modalities of higher education efficiency | |
| | Improve the manner of selecting candidates for initial training and the transparency of this process | JTC | III quarter 2008 | Criteria and procedure for the selection of candidates for initial training defined. | |
| | Make ads and invitations to candidates for attending initial training available | JTC | Continuously | Ads and invitations to candidates for attending initial training publicized on the Supreme Court`s website and on the JTC website | |
| | Develop exam tests for initial education | JTC and the examination commission | IV quarter 2008 | Exam tests for initial education developed | |
| | Set up efficient oversight by the Judicial Council and Prosecutorial Council on basis of delivered reports on previous trainings | Judicial Council and The Prosecutorial Council | I quarter 2008 and continuously | Supervisory body or supervisory bodies in the Judicial and Prosecutorial Council established | |

V EDUCATION WITHIN THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|-----------|---|--|---|--|-------|
| | <p>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 next year`s training curriculum</p> <p>This analysis should encompass the following:</p> <ol style="list-style-type: none"> 1. Considering the laws and the by-laws which were adopted or which should be adopted during the next year, 2. appraisal of qualitative and quantitative training needs, 3. contracts, agreements and conventions ratified by Montenegro, 4. Supreme Court decisions, Higher Court decisions and important decisions of other courts, 5. significant decisions of the European Human Rights Court and the European Court of Justice | <p>JTC of judicial office holders, courts and the public prosecution service</p> | <p>IV quarter 2008 and continuously</p> | <p>Annual analysis on the education needs for the purpose of developing an training curriculum for the following year.</p> <p>Conducted analysis contains:</p> <ol style="list-style-type: none"> 1. Considering the laws and the by-laws which were adopted or which should be adopted during the next year, 2. appraisal of qualitative and quantitative training needs, 3. contracts, agreements and conventions ratified by Montenegro, 4. Supreme Court decisions, Higher Court decisions and important decisions of other courts, 5. significant decisions of the European Human Rights Court and the European Court of Justice | |

V EDUCATION WITHIN THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|--|----------------------------------|--|-------|
| | Develop annual and special curricula needed for the provision of quality education of judicial office holders and employees within the judicial authorities | Coordination and Programme Committee | IV quarter and continuously | Annual and special programmes needed for the provision of quality education of judicial office holders and employees within the judicial authorities developed | |
| | Coordinate the development of training curriculum conducted by the JTC and The Human Resource Management Authority and increase the cooperation between these two authorities | JTC and the Human Resource Management Authority | continuously | Designate a person in charge of monitoring and harmonizing the cooperation between the JTC and the Human Resource Management Authority and programme development Cooperation reports between the JTC and the Human Resource Management Authority on an annual level | |
| | Establish the number of lecturers and trainers for education based on training curriculums and make a plan for the following year | Coordination Committees and JTC | IV quarter 2008 and continuously | The number of lecturers and trainers for education based on training curricula and plan for the following year established at the end of each calendar year | |
| Strengthen the capacities of special authorities in charge of implementing education as well as the administrative and technical capacities of the Center | Analyze the influence of the administrative structure of the Center to its efficiency | JTC, Judicial and The Prosecutorial Council | II quarter 2008 | Analysis of the administrative structure influence of the Center to its efficiency conducted | |
| | Consider undertaking measures so as to relocate the Center from the Supreme Court's competence in order to increase its efficiency | MoJ, Judicial and The Prosecutorial Council | II quarter 2008 | Decision on (non)relocating the Center adopted by the competent authorities | |
| | Provide special budget funds for the implementation of trainings | Judicial and The Prosecutorial Council, GoM and the Parliament | IV quarter 2008 and continuously | Budget funds for the implementation of education provided | |

V EDUCATION WITHIN THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|---|-----------------|---|-------|
| | Organize obligatory trainings for a certain number of judicial office holders through the trainers` training programme | Coordination Committee and JTC | Continuously | Special trainers` training programme established and realized on an annual level | |
| | Stimulate law professors and retired judicial office holders to be engaged as trainers for education | Coordination Committee and JTC | Continuously | JTC reports | |
| | Establish costs compensations and rewards for the work of trainers and lecturers | Judicial and The Prosecutorial Council JTC | IV quarter 2008 | Decision on the amount of compensation for the costs and rewards for the work of trainers and lecturers brought by the Judicial and the Prosecutorial Council | |
| | Ensure a continuous procurement of legal literature | JTC | Continuously | Records on the number of legal books and other literature at the JTC`s library JTC reports | |
| | Strengthen the human resources capacities of the JTC | Judicial Council, The Prosecutorial Council and GoM | IV quarter 2008 | Reports on the work of the Center Annual and special programmes are realized within the envisaged time framework | |
| Improve the cooperation with the European network for exchange of information between persons and institutions responsible for training | Participate in seminars and workshops organized by the Lisbon network and other international organizations and associations | JTC | Continuously | Reports from seminars and workshops organized by the Lisbon network and other international organizations and associations | |
| | Ensure regular reporting from seminars and conferences and make reports available | JTC | Continuously | Reports from seminars and workshops organized by the Lisbon network and other international organizations and associations developed after each seminar and conference that were attended | |
| | Ensure the participation of foreign experts for specific training areas | JTC | Continuously | JTC reports | |

V EDUCATION WITHIN THE JUDICIAL AUTHORITIES

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|--|----------------------------------|--|-------|
| Establish appropriate transparent procedures for the development of education programmes of implementation, selection of lecturers and the alike. | Enable judicial office holders to give proposals and suggestions for the development of training curricula | Courts and the public prosecution service | IV quarter 2008 and continuously | JTC reports | |
| | Make training curricula accessible to all judicial office holders and employees | JTC nosilaca pravosudnih funkcija, courts and the public prosecution service | Continuously | The Center`s plans and programmes distributed to judicial office holders via publications on an annual level | |
| | Establish the criteria for the selection of lecturers and provide the transparency of their selection | Coordination Committee, JTC | II quarter 2008 | Criteria for the selection of lecturers established and transparency of their selection provided | |
| | Conduct the selection of judicial office holders as lecturers in a transparent manner | Coordination Committee, JTC | IV quarter 2008 and continuously | The selection of judicial office holders as lecturers conducted on an annual level | |

VI STRENGTHENING INTERNATIONAL AND REGIONAL JUDICIAL COOPERATION

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|--|-----------------|--|-------|
| Establish an appropriate normative framework for a more efficient and effective realization of international judicial cooperation | Adopt the Law on International Legal Assistance in Criminal Matters | MoJ, GoM and the Parliament | I quarter 2008 | The Law on International Legal Assistance in Criminal Matters adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Adopt the Law on International Legal Assistance in Civil Matters | MoJ, GoM and the Parliament | I quarter 2009 | The Law on International Legal Assistance in Civil Matters adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Adopt the Law on Resolving Law Conflicts with the Regulations of Other States | MoJ, GoM and the Parliament | IV quarter 2008 | The Law on Resolving Law Conflicts with the Regulations of Other States adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Adopt the Law on Cooperation with International Criminal Court | MoJ, GoM and the Parliament | IV quarter 2008 | Law on Cooperation with International Criminal Court adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Implementation of newly adopted laws | MoJ, The Supreme Court and The Supreme Public Prosecutor | Continuously | Implementation of laws begun | |
| | Draw up publications of regulations and conventions to be used as basis for conducting international cooperation | MoJ, The Supreme Court and The Supreme Public Prosecutor | IV quarter 2008 | Publications of regulations and conventions to be used as basis for conducting international cooperation drawn up Updating the publications of regulations and conventions on an annual level | |
| | Draw up handbooks with standardized forms in several languages | MoJ, The Supreme Court and The Supreme Public Prosecutor | IV quarter 2009 | Handbooks with standardized forms in several languages drawn up | |

| | | | | | |
|--|---|---|------------------------|--|--|
| | <p>Drawing up schemes with a diagram of competent authorities for certain areas and lists of names and addresses of persons for international cooperation affairs</p> | <p>MoJ, The Supreme Court and The Supreme Public Prosecutor</p> | <p>IV quarter 2008</p> | <p>Schemes with a diagram of competent authorities for certain areas and lists of names and addresses of persons for international cooperation affairs drawn up Scheme distributed to competent authorities and updated on an annual level</p> | |
|--|---|---|------------------------|--|--|

VI STRENGTHENING INTERNATIONAL AND REGIONAL JUDICIAL COOPERATION

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|--|----------------------------------|--|-------|
| Strengthen regional cooperation by accessing the relevant regional and international associations and networks and actively participating therein | Sign and ratify the European Convention on the International applicability of criminal judgments | MoJ, GoM and the Parliament | II quarter 2009 | Convention ratified | |
| | Ratify the Second Additional Protocol to the European Convention on International Legal Assistance in Criminal Matters | MoJ, MoI and Public Administration, GoM and the Parliament | II quarter 2008 | Protocol ratified | |
| | Consider the need to conclude bilateral agreements and conclude bilateral agreements on the cooperation with the regional countries | MoJ, GoM and the Parliament | II quarter 2008 and continuously | Decisions on the need to conclude bilateral agreements adopted Bilateral agreements concluded | |
| | Designate representatives in all regional and international judicial networks and associations in a transparent manner | MoJ and the GoM | I quarter 2008 and continuously | Representatives in all regional and international judicial networks and associations designated | |
| | Monitor the implementation of ratified international agreements | MoJ, GoM and the Parliament | I quarter 2008 and continuously | Regular monitoring of the implementation of ratified international agreements and drawing up of reports | |
| | Monitor the newly adopted international instruments and begin their ratification | MoJ, GoM and the Parliament | Continuously | Regular monitoring of the newly adopted international instruments and their ratification | |
| Organize continuous trainings in the area of international judicial cooperation | Organize trainings for judges and public prosecutors on the introduction to international conferences and laws pertaining to the international legal assistance field | Coordination Committee, JTC | II quarter 2008 and continuously | Continuous trainings for judges and public prosecutors on the introduction to international conferences and laws pertaining to the international legal assistance field JTC reports | |
| | Specialization of judges and public prosecutors in the international cooperation field | Courts and Public Prosecutorial service | IV quarter 2008 and continuously | Specialization of judges and public prosecutors in the international cooperation field conducted | |
| | Organize foreign languages trainings in courts and in the Public Prosecutor's Office | Coordination Committee, JTC | I quarter 2008 and continuously | Continuous trainings in foreign languages organized for judges and state prosecutors JTC reports | |

VI STRENGTHENING INTERNATIONAL AND REGIONAL JUDICIAL COOPERATION

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|-----------------------------------|---|-------|
| Strengthen the capacities of the MoJ with regard to the harmonization of regulations with the EU legislation as well as with regard to international legal assistance and cooperation with international judicial institutions | Improve technical conditions regarding the procurement of computer and other equipment for facilitating and speeding up international legal assistance affairs | MoJ | I quarter 2008 and continuously | Procured appropriate computer and other equipment | |
| | Hire the needed number of employees and engage domestic and international experts | MoJ, GoM | I quarter 2008 | The established number of staff employed The needed number of domestic and international experts engaged | |
| | Trainings and specialization of employees regarding the harmonization of regulations with EU legislation and international legal assistance | Human Resources Management Authority and JTC | IV quarter 2008 | Trainings and specialization of employees regarding the harmonization of regulations with EU legislation and international legal assistance conducted JTC reports Human Resources Management Authority's statistics | |
| | Based on the needs established, organize foreign languages trainings | MoJ Human Resources Management Authority | III quarter 2008 and continuously | Continuous foreign languages trainings organized for employees Human Resources Management Authority's statistics | |

VII ALTERNATIVE DISPUTE RESOLUTION

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|---|-----------------------------------|--|-------|
| Organize training of judges and lawyers and introduce the citizens with the institution of mediation and its advantages | Analyze results (successes, challenges and costs) of the ADR disputes/mediation pilot programme in Podgorica Basic Court | Center for Mediation, Association of Mediators, Podgorica Basic Court | I quarter 2008 | Analysis of results (successes, challenges and costs) of the ADR disputes/mediation pilot programme in Podgorica Basic Court conducted | |
| | Apply »lessons learnt« to the enlargement of the ADR disputes/mediation pilot programme on the national level | MoJ, Center for Mediation, Association of Mediators and courts | II quarter 2008 and continuously | Analysis results applied to the enlargement of the ADR disputes/mediation pilot programme on the national level | |
| | Finalize material and technical terms for the establishment and inauguration of the Mediation Center. Sub-measures: -draw up a work plan, training curricula and rules, -develop criteria for employment and terms of reference for employees which need to be hired | MoJ, Association of Mediators, The Central Bank and international organizations | II quarter 2008 | Work plan, training curricula and rules of Mediation Center drawn up Criteria for employment and terms of reference for employees of the Mediation Center developed | |
| | Organize seminars for judges regarding the procedures for referring cases to mediation, and pay special attention to domestic cases (obligatory mediation from September 1, 2007) | MoJ, Center for Mediation, international organizations and JTC | III quarter 2008 and continuously | Seminars for judges regarding the procedures for referring cases to mediation continuously organized | |
| | Designate a person as »information coordinator« (within the staff of the Mediation Center or among the mediators), so that mediators have a person to turn to when they have questions related to the procedure | Center for Mediation, Association of Mediators | III quarter 2008 | Person/information coordinator designated | |
| | Organize seminars for lawyers on their role in the mediation procedure | Center for Mediation, Association of Mediators Bar chamber | III quarter 2008 and continuously | Seminars for lawyers on their role in the mediation procedure organized continuously | |
| | | | | | |

VII ALTERNATIVE DISPUTE RESOLUTION

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|---|------------------|--|--------------|
| Monitor and the development of ADR and undertake measures for further strenghtening of these institutions | Keep records on the conducted mediation procedures | Center for Mediation, courts | III quarter 2008 | Record keeping established on the conducted mediation procedures at the Mediation Center Records regularly updated | |
| | Create a mechanism (monitoring and evaluation scheme) for the collection of quantitative and qualitative data on the types and efficiency of mediation procedures | Center for Mediation, courts | III quarter 2008 | Mechanism (monitoring and evaluation scheme) for collecting quantitative and qualitative data on the types and efficiency of mediation procedures established | |
| | Keep records on the conducted settlement procedures between the damaged and the guilty party and conduct their analysis | Center for Mediation and the public prosecution service | I quarter 2009 | Records on the conducted settlement procedures between the damaged and the guilty party established at the Mediation Center Conduct records analysis on an annual level | |
| | Keep records on the appointed mediators and make it available to the general public by placing it on the mediation website and by distrubiting brochures, through desks in all courts and at The Mediation Center, etc. | MoJ Center for Mediation | continuously | Records on the appointed mediators established at the Mediation Center Records placed on the website of the Mediation Center Information material available at information desks in all courts and at the Center for Mediation | |
| | Analyze the existing number of mediators and establish the needs for increasing their number | Center for Mediation, Association of Mediators MoJ | I quarter 2009 | Analysis of the existing number of mediators conducted with the data on the need for raising their number | |

VII ALTERNATIVE DISPUTE RESOLUTION

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|---|----------------------------------|--|-------|
| | Monitor the work of mediators Set up a mechanism for monitoring the mediators` work and provide a consistent application of clear and quality-led approach while managing their work. Set up clear and appropriate criteria for the evaluation of performance and quality | Center for Mediation, Association of Mediators MoJ | IV quarter 2008 and continuously | Mechanisms for monitoring the mediators` work set up Clear and appropriate criteria for the evaluation of performance and quality of mediators` work set up | |
| | Education and specialization of mediators, so that they are trained in many areas, including domestic issues, minors, commercial and criminal matters. | Center for Mediation and The Association of Mediators | I quarter 2009 and continuously | Reports and statistics of the Center for Mediation | |
| | Providing technical assistance for the institution of mediation by drawing up manuals, leaflets, etc. | Center for Mediation | IV quarter 2008 and continuously | Manuals, leaflets and other information material being printed and distributed | |
| | Ensure the needed support and oversight of mediation cases between the victims and perpetrators-minors | Center for Mediation, the public prosecution service and courts | II quarter 2008 and continuously | Oversight of mediation cases between the victims and perpetrators-minors ensured | |
| | Monitor the harmonization of regulations with new international standards and practice | Center for Mediation MoJ | continuously | Center for Mediation`s regular monitoring of harmonization of regulation pertaining to the mediation area with new international standards and practice | |
| Stimulate the management structures in enterprises to solve their disputes in arbitration | Conduct an analysis of the existing state in the field of arbitration | Chamber of Economy | IV quarter 2008 | Analysis of the existing state in the field of arbitration conducted | |
| | Promoting arbitration in the public (ads, internet, leaflets, billboards etc.) Promoting mediation in the public and between the parties included into the business-commercial activities | Center for Mediation and Chamber of Economy | II quarter 2009 and continuously | Public information campaign on arbitration developed and realized | |
| | Education and specialization of arbiters to manage commercial cases more efficiently | Center for Mediation and Chamber of Economy | Continuously | Center for Mediation and Chamber of Economy`s reports and statistics | |
| | Strengthen the capacities of foreign trade arbitration | Center for Mediation and Chamber of Economy | IV quarter 2008 and continuously | The capacities of foreign trade arbitration strengthened by promoting this institution and implementing it more Chamber of Economy`s statistics | |

VII ALTERNATIVE DISPUTE RESOLUTION

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|---|-----------------|---|-------|
| Stimulate further implementation of legal provisions on alternative dispute resolution | Review the criminal legislation regarding mediation in criminal matters in accord with international recommendations and standards | MoJ, GoM and the Parliament | I quarter 2010 | Criminal legislation regarding mediation in criminal matters reviewed in accord with EU regulations and the Council of Europe recommendations | |
| | Review the programme for training mediators in civil and criminal matters | MoJ, Center for Mediation | II quarter 2010 | Programme for training mediators in civil and criminal matters developed | |
| | Adopt the mediators` Ethical Codex | Center for Mediation and The Association of Mediators | IV quarter 2010 | The mediators` Ethical Codex adopted in accord with the Council of Europe recommendations | |

VIII FIGHT AGAINST CRIME, ESPECIALLY CORRUPTION, TERRORISM AND ORGANIZED CRIME

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|--------------|--|-------|
| Monitor and ensure the compliance to EU requests and standards in fight against crime, organized crime, corruption and terrorism and ensure the ratification and implementation of the relevant international agreements | Ratify the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime on the Terrorism Financing (CETS No. 198) | MoJ, MOI and Public Administration, GoM and the Parliament | 2008 | The Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime on the Terrorism Financing (CETS No. 198) ratified | |
| | Ratify the Convention on the Prevention of Terrorism (CETS No. 196) | MoJ, MOI and Public Administration, GoM and the Parliament | 2008 | Convention on the Prevention of Terrorism (CETS No. 196) ratified | |
| | Ratify the Convention on Combating Trafficking in Humans (CETS 197) | MoJ, MOI and Public Administration, GoM and the Parliament | 2008 | The Convention on Combating Trafficking in Humans (CETS 197) ratified | |
| | Ratify the Convention on Combating Terrorism (ETS 190) | MoJ, MOI and Public Administration, GoM and the Parliament | 2008 | The Convention on Combating Terrorism (ETS 190) ratified | |
| | Ratify the Convention on Cyber Criminal and its Additional Protocols (ETS 189) | MoJ, MOI and Public Administration, GoM and the Parliament | 2009 | The Convention on Cyber Criminal and its Additional Protocols (ETS 189) ratified | |
| | Sign and ratify the Convention for the Compensation of Victims of Crime (ETS 116) | MoJ, MOI and Public Administration, GoM and the Parliament | 2009 | The Convention for the Compensation of Victims of Crime (ETS 116) ratified | |
| | Sign and ratify the European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes (ETS 082) | MoJ, MOI and Public Administration, GoM and the Parliament | 2009 | The European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes (ETS 082) signed and ratified | |
| | Publicizing the ratified international agreements on the MoJ and the judicial authorities` website | MoJ, courts and the public prosecution service | Continuously | Ratified international agreements are being publicized on the MoJ and Supreme Court`s website | |
| | Continuously monitor the newly adopted international instruments and their ratification, that is, implementation on the national level | MoJ, MOFA, GoM and the Parliament | Continuously | The newly adopted international instruments and their ratification, that is, implementation on the national level are continuously monitored MoJ and MOFA reports | |

| | | | | | |
|--|---|--|--------------|---|--|
| | Draw up and distribute publications of international agreements Montenegro has accessed | MoJ, The Supreme Court and The Supreme Public Prosecutor | Continuously | Publications of international agreements Montenegro has accessed drawn up and distributed Publications of international agreements Montenegro has accessed are being regularly updated | |
|--|---|--|--------------|---|--|

VIII FIGHT AGAINST CRIME, ESPECIALLY CORRUPTION, TERRORISM AND ORGANIZED CRIME

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|-------------------------------|----------------|--|-------|
| Implementation of international instruments and standards | Conduct a review of the Criminal Code so as to harmonize it with international instruments dealing with fight against organized crime, corruption and terrorism, and especially regarding the enlargement of the institution `seizure of material gain` | MoJ, GoM, The Parliament | I quarter 2009 | Review of the Criminal Code so as to harmonize it with international instruments dealing with fight against organized crime, corruption and terrorism, and especially regarding the enlargement of the institution `seizure of material gain` conducted in accord with EU regulations and the Council of Europe recommendations | |
| | Conduct a review of The Criminal Procedure Code with regard to secret surveillance measures and the possibility of their application to the criminal offences with elements of corruption and organized crime as well as regarding the procedure of seizing illicit proceeds | MoJ, GoM, The Parliament | I quarter 2009 | Review of The Criminal Procedure Code with regard to secret surveillance measures and the possibility of their application to the criminal offences with elements of corruption and organized crime as well as regarding the procedure of seizing illicit proceeds conducted in accord with EU regulations and the Council of Europe recommendations | |
| | Adopt the Law on Managing the Seized Illicit Proceeds | MoF, MoJ, GoM, The Parliament | I quarter 2009 | The Law on Managing the Seized Illicit Proceeds adopted in accord with EU regulations and the Council of Europe recommendations | |
| | Amend The Law on Courts regarding the concentration of competences and the establishment of specialized departments for trials for the criminal offences of corruption and organized crime | MoJ, GoM, The Parliament | I quarter 2008 | Amendments to The Law on Courts regarding the concentration of competences and the establishment of specialized departments for trials for the criminal offences of corruption and organized crime adopted in accord with the Council of Europe recommendations | |

VIII FIGHT AGAINST CRIME, ESPECIALLY CORRUPTION, TERRORISM AND ORGANIZED CRIME

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|--|-------------------------------|---|-------|
| | Amend the Law on the Public Prosecutor with regard to extending the competences of the Department for Combating Organized Crime for the criminal offences with elements of corruption | MoJ, GoM, The Parliament | I quarter 2008 | Amendments to the Law on the Public Prosecutor adopted with regard to the extension of competences of the Department for Combating Organized Crime for the criminal offences with elements of corruption in accord with the Council of Europe recommendations | |
| Strengthening the human resources capacities within the judiciary | Analyze the number and the structure of corruption and organized crime related cases and the existing and needed personnel | MoJ, The Supreme Court and The Supreme Public Prosecutor | III quarter 2008 | Analysis of the number and the structure of corruption and organized crime related cases and the existing and needed personnel conducted. | |
| | Render a decision on the number of Deputies of the Special Public Prosecutor | The Supreme Public Prosecutor, Minister of Justice and The Prosecutorial Council | III quarter 2008 | Decision on the number of Deputies of the Special Public Prosecutor rendered | |
| | Establish the necessary number of judges in specialized departments for combating organized crime | Judicial Council, Minister of Justice | III quarter 2008 | The necessary number of judges in specialized departments for combating organized crime established | |
| | Deploy, that is, hire, appropriate staff within the judicial authorities in accord with the newly established needs | Courts and Public Prosecutors | IV quarter 2008 | Appropriate staff deployed and hired within the judicial authorities in accord with the newly established needs | |
| Strengthening the integrity of judges and Public Prosecutors and improving working and material conditions within the judiciary | Draw up special training curricula for public prosecutors and judges in charge of organized crime and corruption cases | JTC, Coordination and Programme Committee | IV quarter 2008, Continuously | JTC reports | |
| | Carrying out trainings under an established special curriculum | JTC, Center`s Coordination and Programme Committee | Continuously | JTC reports | |

VIII FIGHT AGAINST CRIME, ESPECIALLY CORRUPTION, TERRORISM AND ORGANIZED CRIME

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|---|-----------------|---|-------|
| | Define the personal protection needs of judicial office holders in charge of organized crime, corruption and terrorism cases | Judges and the public prosecution service and the Police Directorate | IV quarter 2008 | The personal protection needs of judicial office holders in charge of organized crime, corruption and terrorism cases defined | |
| | In accord with the defined needs, provide the personal protection of judicial office holders | the Police Directorate | Continuously | When needed, personal protection of judicial office holders provided | |
| | Furnish the judicial authorities` buildings with adequate equipment for activities in organized crime and corruption cases | Courts, public prosecution service, GoM | Continuously | Technical and office equipment provided for the judicial authorities for their activities in organized crime and corruption cases | |
| | Strengthen the material position of judicial office holders | GoM | Continuously | | |
| Provision of efficient protection of the damaged parties and witnesses in the criminal procedure | Ensure efficient implementation of the Law on the Protection of Witnesses and of the Criminal Procedure Code regarding witnesses` protection | The Supreme Court, The Supreme Public Prosecutor, the Witness Protection Unit and the Witness Protection Commission, and the Police Directorate | Continuously | Efficient implementation of the Law on the Protection of Witnesses and of the Criminal Procedure Code regarding witnesses` protection ensured | |
| | Ensure coordination between the judicial authorities in charge of witness protection and a relevant police authority | The Supreme Court, The Supreme Public Prosecutor, the Witness Protection Unit and the Police Directorate | Continuously | Coordination between the judicial authorities in charge of witness protection and a relevant police authority ensured | |
| | Provide human, material and technical conditions for the work of judicial authorities in charge of witness protection | The Supreme Court, The Supreme Public Prosecutor and the Witness Protection Commission | Continuously | Human, material and technical conditions for the work of judicial authorities in charge of witness protection provided | |

VIII FIGHT AGAINST CRIME, ESPECIALLY CORRUPTION, TERRORISM AND ORGANIZED CRIME

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|-----------|--|--|-------------------------------|---|-------|
| | Introduce special manners of summoning and interviewing witnesses and damaged parties under special protection in the criminal procedure | Courts | I quarter 2009, Continuously | Special manners of summoning and interviewing witnesses and damaged parties under special protection in the criminal procedure introduced in accord with international standards | |
| | Provide for special premises for the damaged parties and witnesses, preserving the integrity of judicial proceedings and the safety and privacy of the damaged parties and witnesses | Courts | I quarter 2009, Continuously | Special premises for the damaged parties and witnesses, preserving the integrity of judicial proceedings and the safety and privacy of the damaged parties and witnesses provided for | |
| | Draw up special training curricula for judicial office holders on the implementation of The Law on the Protection of Witnesses and the provisions of CPC on the protection of witnesses during the procedure | JTC, The Center's Coordination and Programme Committee | IV quarter 2008, Continuously | JTC reports | |

IX PRISON SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|--------------|--|-------|
| Set up probation service, with the aim to create conditions for conducting oversight over the execution of suspended sentence, conditional release and community sentence | Amendments to the Law on the Execution of Criminal Sanctions | MoJ | (March) 2008 | Law Amending the Law on the Execution of Criminal Sanctions adopted in accord with the Council of Europe recommendations | |
| | Amend MoJ's act on job organization | MoJ | 2008 | MoJ's act on job organization amended | |
| | Employing the needed staff (five persons) which will be supervising the execution of: suspended sentence, conditional release and community sentence | MoJ | 2008 | No. of employees | |
| | Training the staff which will be supervising the execution of: suspended sentence, conditional release and community sentence | MoJ | 2007 | MoJ reports | |
| Create conditions for separating the categories of sentenced persons or persons in detention, and especially for separating sentenced minors or minors in detention and provide accommodation and human resources capacities for the execution of juvenile imprisonment, as well as for the execution of prison sentences towards minors | Refurbishing the facility for minors (<i>sentenced-detained</i>), women and aliens, as well as the facility for the execution of short imprisonment sentences (<i>of up to 6 months</i>) | Institute for the Execution of Criminal Sanctions (ZIKS) | 2007 | Facilities refurbished and put into service | |

IX PRISON SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|---|-----------|--|-------|
| Ensure continuity in the activities on the reconstruction and adaptation of existing facilities, as well as on the construction of new facilities | Reconstruction and adaptation of Podgorica prison unit | Institute for the Execution of Criminal Sanctions | 2008 | Reconstruction and adaptation completed | |
| | Reconstruction and adaptation of Bijelo Polje prison unit | Institute for the Execution of Criminal Sanctions | 2008 | Reconstruction and adaptation completed | |
| | Reconstruction and adaptation of the ex prison restaurant building for the needs to accommodate the prison kitchen | Institute for the Execution of Criminal Sanctions | 2008 | Reconstruction and adaptation completed | |
| | Construction and refurbishment of facility for detention on remand and the execution of long imprisonment sentences | Institute for the Execution of Criminal Sanctions | 2008-2010 | Facility constructed, refurbished and put into service | |
| | Construction and refurbishment of a facility for the prisoners` religious needs | Institute for the Execution of Criminal Sanctions | 2008-2010 | Facility constructed, refurbished and put into service | |
| | Construction and refurbishment of a prison unit for the southern region, the capacities of which would be used, apart from the execution of detention on remand and short imprisonment sentences (<i>up to six months</i>), for the execution of security measures-obligatory psychiatric treatment and keeping, obligatory treatment of alcoholics and drug addicts | Institute for the Execution of Criminal Sanctions | 2008 | Facility constructed, refurbished and put into service | |
| | Construction and refurbishment of facility for the management of Institute for the Execution of Criminal Sanctions | Institute for the Execution of Criminal Sanctions | 2008-2009 | Facility constructed, refurbished and put into service | |
| | Putting boiler-room into service | Institute for the Execution of Criminal Sanctions | 2008-2009 | Boiler-room put into service | |

IX PRISON SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|---|----------|--------------------|-------|
| Refurbish a special hospital and create special conditions for psychiatric restraint and expertise of persons subject to a criminal procedure, as well as for the execution of security measures-obligatory psychiatric treatment and keeping, obligatory treatment of alcoholics and drug addicts | Measure already defined within measures referred to in item 10.2.f. | Institute for the Execution of Criminal Sanctions | 2008 | | |

IX PRISON SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|---|--------------------|---|-------|
| Improve the security system by procuring modern technical means, especially video surveillance devices | Procurement and installment of video surveillance equipment | Institute for the Execution of Criminal Sanctions | 2008 | Video surveillance equipment installed | |
| | Procurement of special prison vehicles | Institute for the Execution of Criminal Sanctions | 2008 | Special prison vehicles procured | |
| | Procurement of special equipment for the security staff | Institute for the Execution of Criminal Sanctions | 2008 | Special equipment procured | |
| Organize continuous professional training, vocational education and verification of Institute`s employees | Implementation of professional training in accord with the regular work programme | Institute for the Execution of Criminal Sanctions | Permanent activity | Number of conducted trainings and number of training attendees | |
| | Organize various forms of professional trainings (<i>workshops, seminars, round tables, study visits...</i>) | Institute for the Execution of Criminal Sanctions | 2008-2012 | Type and number of conducted trainings, as well as the number of training attendees | |
| | Improvement of training curricula | Institute for the Execution of Criminal Sanctions | Permanent activity | New types of training | |
| Improve the treatment of sentenced persons through the introduction of various programmes of educational, work, cultural, sport and other types of treatment | Construction of a hall for sports activities | Institute for the Execution of Criminal Sanctions | 2009 | Sports hall constructed | |
| | Construction of outdoor grounds for sports activities | Institute for the Execution of Criminal Sanctions | 2008 | Outdoor grounds constructed | |
| | Procurement of clothes and shoes for the prisoners | Institute for the Execution of Criminal Sanctions | 2008 | Procured shoes and clothes | |
| | Refurbishing and putting into service the workshops | Institute for the Execution of Criminal Sanctions S | 2008-2009 | Workshops refurbished and put into service | |
| | Increasing the number of books intended for the prisoners | Institute for the Execution of Criminal Sanctions | 2008-2012 | The number of books increased | |
| | Ensure that the certificate the sentenced person acquires for professional competences gained via the prison treatment, has the same validity as certificates acquired in the mainstream education system (<i>in cooperation with the Ministry of Education and Science</i>) | Institute for the Execution of Criminal Sanctions | 2008 | The procedure of recognition of acquired professional knowledge established | |
| | Extend the education and training possibilities for the prison population | Institute for the Execution of Criminal Sanctions | 2008-2012 | New types of education and training introduced | |

X CASE LAW

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|---|---|-------------------------------|--|-------|
| Publication of the courts` decisions which are important for case law so as to introduce the general public to the work of courts | Establish the Case Law Department at the Supreme Court | The Supreme Court | I quarter 2008, Continuously | The Case Law Department at the Supreme Court established | |
| | Consistently implement the court Rules of Procedure with regard to the establishment of classification methodology, analysis and updating of court practice | The Supreme Court and the Case Law Department | I quarter 2009 | Methodology of classification, analysis and updating of court practice established in accord with the court Rules of Procedure | |
| | Adjust the PRIS (Judicial Information System) to the needs of case law for record keeping and electronic publicizing of case law | The Supreme Court and The Judicial Council | I quarter 2009 | PRIS adjusted to the needs of case law for record keeping and electronic publicizing of case law | |
| | Publicizing decisions important for case law and the drawing up of publications | The Supreme Court and the Case Law Department | III quarter 2008, | Decisions important for case law being publicized on the Supreme Court`s website Decisions important for case law being publicized as publications on an annual level | |
| | Provide budget funds for the needs of maintaining and publicizing case law | The Supreme Court and the Case Law Department | IV quarter 2008, Continuously | Budget funds for the needs of maintaining and publicizing case law provided | |
| Publicize excerpts from the decisions of The European Human Rights Court on the internet page | Prpeare, in cooperation with the Montenegrin representative before The European Human Rights Court, a selection of relevant decisions of that court | The Supreme Court and the representative | Continuously | Selection of relevant decisions of The European Human Rights Court | |
| | Publicize relevant decisions of European Human Rights Court on the Supreme Court`s website | The Supreme Court and the Case Law Department | IV quarter 2008, Continuously | Relevant decisions of The European Human Rights Court are regularly publicized on the Supreme Court`s website | |

X CASE LAW

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|----------------------------|-----------------|---|--------------|
| Introduce the judicial office holders and the wide public to the most important decisions of the European Court of Justice | Establish the competences of the Supreme Court for authentic interpretation of national regulations in the procedures before lower instance courts on the model of the EU legislation interpretation by the European Court of Justice | MoJ | I quarter 2009 | Supreme Court competences for authentic interpretation of national regulations in the procedures before lower instance courts on the model of the EU legislation interpretation by the European Court of Justice | |
| | Make a selection of European Court of Justice`s relevant decisions and publicize them on the Supreme Court`s website | The Supreme Court | I quarter 2009 | Selection of The European Court of Justice`s relevant decisions made and they are publicize regularly on the Supreme Court`s website | |
| | Publicize all final decisions of Montenegrin courts adopted on basis of the implementation of The Stablization and Association Agreement and relevant regulations on the Supreme Court`s website | The Supreme Court, courts | I quarter 2009 | All final decisions of Montenegrin courts adopted on basis of the implementation of The Stablization and Association Agreement and relevant regulations are being regularly publicized on the Supreme Court`s website | |
| Provide education of judges on the EU legislation and on the role of the European Court of Justice | Envisage case simulation related to the violation of The Stablization and Association Agreement in training programmes and exercise the bringing of decisions along with analysis of EU legislation interpretation based on relevant decisions of the European Court of Justice in similar situations | JTC | Continuously | JTC reports | |

JUDICIAL INFORMATION SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|--|------------------------------------|--|-------|
| Establishing all procedures in the MoJ, the judiciary and sector for execution of criminal sanctions on basis of a modern and integrated IT system. | Develop information on the assessment of the readiness of PRIS users to accept the implementation. The information is to include the following: activities that have to be conducted by users, selected software company, equipment to be purchased, and trainings prior to putting PRIS into operation. | MoJ and the Secretariat for Development. | IV quarter 2007 and I quarter 2008 | Information adopted by GoM | |
| | Establish a new coordinating body for finalizing the PRIS Project. The body will be composed of the representatives of users, Secretariat for Development, and a selected software company. | GoM | IV quarter 2007 | Adopting of a document on establishing a coordinating body | |
| | Installation of the PRIS software on a server infrastructure (storage system) that is located in the Secretariat for Development. | Secretariat for Development and a selected software company. | I quarter 2008 | Activating Data-Base server and applicative servers | |
| | Develop the Project of WAN network for the PRIS needs and obtain necessary equipment for the implementation of the WAN connection. | Secretariat for Development. | I quarter 2008 | Verifying project documentation and putting the WAN network into operation | |
| | Development of LAN infrastructure – locations of nine basic courts; consolidation of the existing internet networks. | Secretariat for Development, Supreme Court, Misdemeanour Council, Institute for the Execution of Criminal Sanctions (ZIKS) | I quarter 2008 | Putting the LAN network into operation and achieving appropriate technical parameters within all LAN networks that are necessary for PRIS functioning. | |
| | Licensing of the PRIS' Oracle platform for the required number of users. | GoM and the Secretariat for Development | II quarter 2008 | Agreement signed between the GoM and an authorized Oracle representative | |

JUDICIAL INFORMATION SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|-----------|--|---|-------------------------|---|-------|
| | Implementation of the software at users' locations and initial training of the personnel that will use the software - authorized individuals of a body within which implementation and training is conducted. | Selected software company | I II quarter 2008 | Report on the accomplished training that has been conducted by the authorized representatives of the Hermes Soft Lab, and the initiation of the trial work | |
| | Develop proposal of changes and amendments to the Decree on Organization and Method of Work of Public Administration by defining the competences regarding PRIS maintenance (Ministry of Internal Affairs and Public Administration in cooperation with the users and bodies and institutions of PRIS users) | Ministry of Internal Affairs and Public Administration | I quarter 2008 | Decree adopted by GoM | |
| | Launching PRIS on all users' locations and rounding off of PRIS. | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council, Institute for the Execution of Criminal Sanctions, Secretariat for Development and Hermes Soft Lab | I and II quarter 2008 | Joint report on the introduction and implementation of the standards that allow full operability of the PRIS information, together with the GoM conclusions on the developed report | |
| | Procurement of the new hardware infrastructure for the users, that is, replacement of the hardware infrastructure that has been obsolete for more than four years. | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council, Institute for the Execution of Criminal Sanctions | II and III quarter 2008 | Procurement tender carried out and equipment installed | |
| | Selection of a software company for the long-term maintenance and upgrade of the PRIS software. | MoJ, Secretariat for Development | II and III quarter 2008 | Publicizing and carrying out of the tender; concluding the contract with the selected company | |
| | PRIS maintenance in the software area and upgrade of the existing software solution in the period 2007 – 2012 | Selected software company | Permanent | Verification by the MoJ and Secretariat for Development of the report on accomplished contractual obligations related to maintenance and upgrading of software | |

JUDICIAL INFORMATION SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|---|--|-------------------------------------|--|-------|
| | PRIS maintenance in the area of hardware equipment (procurement of the new equipment, repair and replacement of the existing equipment); maintenance of LAN and WAN networks | Information technology departments within PRIS and Secretariat for Development | Permanent | Adopted annual reports of PRIS users and Secretariat for Development related to PRIS maintenance | |
| Improved management of judicial bodies and Institute for the Execution of Criminal Sanctions | Develop an analysis of the status of administrative capacities and a training plan necessary for strengthening the administrative capacities with an aim to improve the management in judicial bodies and Institute for the Execution of Criminal Sanctions through the use of information technology | JTC, Human Resources Management Authority, and PRIS users | I quarter 2008 | Analysis developed, plan defined | |
| | Conduct training in accordance with the plan of strengthening the administrative capacities of judicial office holders, civil servants and employees, and PRIS users in using information technology related to management improvement | JTC, Human Resources Management Authority, and PRIS users | Permanent | Developed report on conducted training and acquired certificates | |
| Improved users' (citizens, institutions, etc.) access to judicial bodies | Finalize the legislation on electronic operations in the areas of judiciary and public administration | Secretariat for Development | 2008 – 2009 | Relevant legislation adopted | |
| | Development of bylaws related to electronic operations with respect to the processes within the Institute for the Execution of Criminal Sanctions | MoJ, Ministry of Internal Affairs, and Secretariat for Development | 2008 – 2009, permanently afterwards | Bylaws adopted | |

JUDICIAL INFORMATION SYSTEM

| OBJECTIVE | MEASURES | COMPETENT AUTHORITY | DEADLINE | SUCCESS INDICATORS | FUNDS |
|--|--|---|---|---|-------|
| | Creation of technical conditions for the citizens to use the PRIS resources through electronic devices | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council, Secretariat for Development, selected software company | IV quarter 2008 | Established communication between the institutions and citizens through PRIS by means of electronic devices, and acting upon electronically submitted citizens' requests | |
| | UPGRADE – WEB pages of PRIS users | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council, Institute for the Execution of Criminal Sanctions, and a selected software company | III quarter 2008 – permanently afterwards | Created web pages with installed indicators of the number of visits and the mechanism for quality evaluation of the web pages by visitors | |
| | Establishing info-pool sections within the PRIS-using bodies and institutions for the needs of citizens | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council | II quarter 2009 | Provided working space and administrative capacities | |
| Improved administrative capacities of judicial bodies for the use and enhancement of IT | Changing and amending the Bylaw on Internal Organization and the system of Rulebooks of the PRIS bodies, establishing special organizational units for its development and maintenance | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council, and Institute for the Execution of Criminal Sanctions | III quarter 2008 | Adopted and enforced bylaws on internal organization and job description; employed civil servants and employees in the organizational units for the development and maintenance of PRIS | |
| | Specialization and training of the personnel responsible for the maintenance and administration of IT | JTC and Human Resources Management Authority | permanent | Granting diplomas and certificates on accomplished education, that is, specialization | |
| Accessibility of case law to other judicial office holders, experts and the public | Developing a special web page, with the updated case law within the Supreme Court web site | Supreme Court | II quarter 2008 | Created web page with installed indicators of the number of visits and the mechanism for quality evaluation of the web page by visitors | |
| | Creation of an e-mail address book of users | Secretariat for Development | II quarter 2008 | Developed information framework for e-mail addresses, with the possibility of extension through entering any of the PRIS users' addresses | |

JUDICIAL INFORMATION SYSTEM

| OBJECTIVES | MEASURES | COMPETENT AUTHORITIES | DEADLINE | SUCCESS INDICATORS | FUNDS |
|---|--|--|--|---|-------|
| Improved efficiency and higher quality of work in judicial authorities, and consequently, reduced administrative costs of IT use | Consolidation and centralization of data, entry of current data bases and their further regular updating | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council | I and II quarter 2008 permanently afterwards | Entered data bases that had not been booked in IT, and regular reports on data updating | |
| | Standardization of entering data and printing of documents, with the use of appropriate language and alphabet | MoJ, Secretariat for Development and a selected software company | II quarter 2008 | Software developed | |
| Improved efficiency of the court system | Reduction of case backlog through the use of Case Management software | MoJ, Supreme Court, Supreme Public Prosecutor and Misdemeanour Council | Permanently | Reduction of case backlog | |
| | Possibility for judicial office holders to access the decisions (of other courts) by using IT technology, without the possibility of changes | MoJ, Supreme Court, Supreme Public Prosecutor, and Misdemeanour Council | II quarter 2008 | Entered decisions in data base | |
| | Efficient and accurate monitoring of the work of PRIS users by using IT | MoJ, Supreme Court, Supreme Public Prosecutor, and Misdemeanour Council | II quarter 2008 | Developed report, analyses and statistical data based on users' data bases | |
| International cooperation in the areas of the judiciary and criminal sanctions by using information technologies and networks | Development of a compatible software solution that allows data exchange with existing networks or networks that are planned in the judiciary of EU countries or countries of the region with which there is international cooperation and exchange of data | MoJ, Supreme Court, Supreme Public Prosecutor, Misdemeanour Council, and a selected software company | 2009 | Carried out the tender for the selection of a software company that is to develop the software. Implementation of the software and accomplishment of the electronic data exchange with other countries. | |