

Project “Towards efficient judiciary - enhancing development of legal professions related to judiciary in Montenegro”

Human Rights Action (HRA) and Centre for Monitoring and Research (CeMI) with the support of the Kingdom of the Netherlands

1 April 2016 – 31 May 2017

DESCRIPTION OF THE ACTION

The judicial system of Montenegro includes a range of professions related to judiciary - attorneys at law, notaries, public bailiffs, mediators and court experts, which ensure the successful functioning of the judicial system.

The Judicial Reform Strategy for the period 2014-2018 within its special chapter provides measures for further development of these judicial institutions. So far, judicial reform process was mainly focused on strengthening the role of judiciary and prosecutors' office, while development of legal and other professions related to judiciary remained limited. Public bailiffs and notaries have been recently introduced into the judicial system, while decades long work of court experts and years long of mediators was not subject of sufficient debate beyond those professions. The lack of a public debate about the role and position of these professions is obvious.

The project allows Human Rights Action (HRA), in cooperation with the Centre for Monitoring and Research (CeMI), to monitor the work, achievements and limitations in the organization of these professions, to organize an open debates

and come up with conclusions and recommendations that support reform.

Five thematic research about existing performances and practices of the above mentioned professions will be executed, as well as public opinion poll. Also, five public debates on the conclusions of the research papers will be organized in order to contribute to a greater efficiency and quality of the judicial system in Montenegro.

Specific objectives of the Pproject are:

- to assess general performance of professions related to judiciary - attorneys at law, notaries, public bailiffs, mediators and court experts;
- to stimulate public debate about the role of professions related to judiciary - attorneys at law, notaries, public bailiffs, mediators and court experts within judicial reform process in Montenegro;
- to come about with concrete recommendations for improvement of rules of operation, legal framework or management of courts to the end of increasing efficiency of overall performance of the judicial system and advocate with the competent authorities to commit to their implementation.

The project will be implemented in cooperation with Bar Association, Notary Chamber, Chamber of Bailiffs, Mediation Centre, Association of Court Experts, and the Ministry of Justice.

Expected results of the project:

- Activity: *To assess general performance of professions related to judiciary - attorneys at law, notaries, public bailiffs, mediators and court experts.*

indicators: 5 thematic researches conducted; app. 100 conducted interviews with attorneys at law, notaries, public bailiffs, mediators and court experts; 5 research papers on existing practices developed and presented in advance of debate; at least 50 conclusions developed; at

least 50 policy recommendations proposed.

- Activity: *To stimulate public debate about the role of professions related to judiciary - attorneys at law, notaries, public bailiffs, mediators and court experts within judicial reform process in Montenegro.*

indicators: 5 round tables organized; minimum 100 representatives of professions related to judiciary participated; minimum 50 representatives of state institutions, judiciary, cso's and international organization participated; media presence ensured.

- Activity: *Advocacy campaign for further institutional (reform action plans' amendments) and legislative changes based on research conclusions and recommendations launched.*

indicators: at least 20 proposals for the legislative changes proposed to the Parliament and /or to the Government proposed.

- Activity: *Public opinion poll to measure public perception about the role, performances and practice of professions related to judiciary - attorneys at law, notaries, public bailiffs, mediators and court experts.*

indicators: 1 general public opinion poll conducted; around 1000 citizens of Montenegro reached; Results of the public opinion poll presented at press conference, and/or round tables; At least 5 info graphics prepared in accordance with results of the public opinion poll.



Kingdom of the Netherlands

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