D R A F T

REPORT ON REALISATION OF JUDICIAL REFORM STRATEGY 2007 – 2012

(introduction and recommendations)

Podgorica, July 2015

"Judicial Reform Monitoring Project"
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Introduction

Montenegro undertook an obligation in line with the interim benchmarks for Chapter 23 to adopt and implement new national strategy for judicial reform (2013-2018) and the accompanying action plan, and to continuously observe through the monitoring mechanism the impact of various measures and take corrective measures when necessary. The Government adopted the Judicial Reform Strategy 2014-2018 in April 2014, and in late July 2014 the Action Plan (AP) for its implementation for the period 2014-2016. In October the same year the Council for monitoring the implementation of the Strategy was established.

The new Strategy contains the same four strategic objectives as the previous one, and a number of strategic guidelines are the same or substantially the same, suggesting that **substantial reform objectives have not been achieved**, and that it was necessary to again plan their implementation in the next four years.

Considering the fact that Montenegro embarked on the path of judicial reform fifteen years ago - in 2000 with the Project of judicial reform, it would be necessary to identify and analyze the current effects in order to ensure successful completion of the reform in the next four years.

However, **the new Judicial Reform Strategy 2014-2018 and AP for its implementation have not been based on a thorough assessment of the achievements of the previous strategy**. Chapter of the new Strategy 2014-2018 entitled "Analysis of the effects of the Judicial Reform Strategy for the period 2007-2012" does not provide sufficient information to measure and evaluate earlier effects, or the reports of the Commission for the implementation of Action Plan for implementing the Judicial Reform Strategy 2007-2012.

The main objection to the content of this chapter and the Strategy 2014-2018 as a whole is that observations about the shortcomings or successes have not been based on any analysis, but given in an arbitrary manner, as was the case in the Strategy that preceded it. Our main recommendation is to **change this approach and in the future have more attention and funds invested in qualitative, thorough analyses of progress made in the reform steps, which would be published and discussed**. We believe that the funds invested in such analyses will pay off manifold and prevent that the effective implementation of what has long been planned is postponed once again for an uncertain future.

The aim of this report is to provide detailed insight into the effects of the previous Judicial Reform Strategy for 2007-2012 and compare them with the new planned objectives, guidelines, measures and actions of the Strategy for 2014-2018, so as to recognize whether the new Strategy and its AP encompass all necessary changes.

The Report includes an assessment of the realization of strategic goals from the Judicial Reform Strategy 2007-2012 based on: AP for its implementation,[1] new Judicial Reform Strategy 2014-2018, particularly the sections entitled "Analysis of the effects of the Judicial Reform Strategy 2007-2012" and "situation analysis", reports of the Commission for the implementation of AP for the Strategy 2007-2012[2], the first semi-annual report of the Council

[1] AP for the implementation of the Judicial Reform Strategy 2007-2012, December 2007.

[2] The Government adopted semi-annual reports of the Commission for 2007 and 2008, and annual reports for 2009, 2010 and 2011 (http://www.pravda.gov.me/biblioteka/izvjestaji?pagerIndex=2). The reports include only a

for monitoring the implementation of the new Strategy[3], Action Plans for Chapters 23 and 24, operationalizing recommendations in the reports on the screening of legislation (i.e. screening reports),[4] as well as interim benchmarks for Chapter 23, set forth by the European Commission in December 2013, serving as basis to measure progress in the rule of law that will affect the overall course of the accession negotiations[5]. Reports or opinions of the Council of Europe, the European Commission and non-governmental organizations from Montenegro were used in drafting of this report. All recommendations are also listed at the end of the report.

Adoption of Judicial Reform Strategies 2007-2012 and 2014-2018

In June 2007 the Government of Montenegro adopted the Judicial Reform Strategy (2007-2012), and in December 2007 the AP for its implementation[6], as basic documents containing directions for judicial reform. The strategy begins with an introduction reminding that in 2000 the Project of judicial reform in Montenegro was adopted, which determined the four basic directions of the reform: adoption of new laws, implementation of new laws, professional training of judicial office holders, establishment of special institutions and development of the judicial information system - JIS. It was stated that over 20 laws have been adopted governing the work of courts and prosecutors' offices, criminal and civil proceedings, etc., as well as secondary legislation, while providing a very concise assessment of the effects of those laws. Assessment of the situation that preceded the adoption of the Strategy was given under each section of the Strategy, under the heading "Current situation", but only very briefly and arbitrarily. The assessment has not been based on the results of analyses of the application of laws relevant to the judiciary, public opinion surveys, opinions of parties in court proceedings or the like.[7]

Both Strategies for the reform of judiciary (for 2007-2012 and 2014-2018) were adopted before the action plans which elaborated them. We believe that it would be better, more logical and purposeful, to concurrently develop and adopt both documents. The same was noted in commentary 1 on the Review of the first semi-annual report on monitoring the implementation of AP with the Strategy for 2014-2016, Annex 2.

Conclusion and recommendations: *It is necessary to continuously conduct periodic analyses of the effects of implementation of strategic measures. A good example is the measure from AP for Chapter 23, 1.1.5.5. "Conduct analysis of the legislative framework and effects of its*

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brief review of the implementation of strategic objectives and planned measures, as well as a tabular presentation of achieved and unachieved measures, but not relevant statistical data pertaining to the application of laws, a more detailed explanation and analysis of effects achieved or the reasons why certain measures were not implemented or have not been implemented fully.

[3] THE FIRST SEMI-ANNUAL REPORT ON IMPLEMENTATION OF THE MEASURES FROM AP FOR IMPLEMENTATION OF JUDICIARY REFORM STRATEGY 2014-2016 (for the period 1 August 2014 - 31 January 2015), Podgorica, June 2015. For Review of the methodology of this report, see Annex 2.

[4] *Note*: AP for Chapter 23 and AP for implementing the Judicial Reform Strategy contain similar or even the same measures, in so far as the priorities of the Strategy and Report on screening match. For more details see Annex 1 to this report.

[5] Enlargement Strategy and Main Challenges 2014 - 2015, COM (2014) 700, European Commission, p. 23, available at: http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-strategy-paper_en.pdf.

[6] Draft amendments to AP for implementation of the Judicial Reform Strategy 2007 -2012 were adopted in December 2011 as proposed by the Ministry of Justice.

[7] An example of this is already on page 11 of the Strategy: "Although there were no detailed analyzes of long duration of court proceedings, it is safe to say that this is due to the reasons objective and subjective in nature, as follows: ..."; see below I.4, p. 11 of this report.

application with regard to the independence of the judiciary, with recommendations for improving the system of judicial independence", however, such measure should be envisaged as a rule in relation to each strategic guideline. This measure is not contained in the Judicial Reform Strategy 2014-2018.

- Consider a change of practice and drafting of action plans together with the strategies, rather than several months after their adoption.

Establishment of a body for monitoring implementation of the strategies

In 2008 the Government of Montenegro established a commission to monitor the implementation of the Strategy for reform of judiciary 2007-2012 and its Action Plan. The commission was composed of the elders of all judicial and other relevant government bodies to which the strategy related, as well as the chairmen of the Bar Association, Association of Judges and Association of State Prosecutors.[8] The Commission, however, in addition to the aforementioned professional associations, did not include representatives of other non-governmental organizations or academic community. While establishing the Council for monitoring the implementation of Reform Strategy 2014-2018, the Government once again closed the composition of this reform monitoring body for representatives of non-governmental organizations that are not only professional associations of judges and public prosecutors.[9]

Conclusion and recommendation: *In the future it should be kept in mind that, in order to achieve successful progress in reforms, it is useful to include organizations that have proven their ability to contribute to reforms through constructive criticism as members of official monitoring bodies.* ***The government should advertise vacancies and thus allow NGOs to run for a place in official bodies that monitor implementation of reforms.***

Strategic objectives and activities towards the Judicial Reform Strategy 2007-2012

The four strategic objectives of the Judicial Reform Strategy (2007-2012) were: strengthening of independence and autonomy, efficiency, access to justice and strengthening of public confidence in the judiciary. The Strategy also listed areas where reform efforts should have been undertaken to achieve the strategic objectives: training in judicial authorities,

[8] Report on the implementation of measures under the Action Plan for implementing the Judicial Reform Strategy 2007 -2012 for the first half-year period December 2007 - July 2008, the Commission for the implementation of the Action Plan for implementing the Judicial Reform Strategy 2007-2012, Podgorica, July 2008.

[9] See letter addressed to the Prime Minister of Montenegro by representatives of NGOs Human Rights Action and CEMI of 24 November 2014 (http://www.hraction.org/wp-content/uploads/DOPIS-CeMI-i-HRA-24-nov-2014.pdf) and response of the Government of 10 December 2014 (Http://www.hraction.org/wp-content/uploads/Odgovor-Vlade.pdf). Decision on the establishment of the Council for monitoring the implementation of the Judicial Reform Strategy 2014 - 2018 was adopted in accordance with the Decree on the Government of Montenegro (*Sl. list CG*, 80/08), according to which the Government may establish a temporary working body by a decision, determining its composition and tasks, to consider certain issues within its competence and provide opinions and proposals. According to the Decree, the Government is not obliged to announce a competition for the establishment of the Council or appointment of its members from the NGO sector, but could invite on its own initiative representatives of relevant NGOs to participate in the work of this temporary body. Also, the Government adopted a Decision on the establishment of a national commission for the implementation of the Strategy for Combating Corruption and Organized Crime (*Sl. list CG*, 61/10 of 22 October 2010, 04/11 of 18 January 2011, 47/11 of 23 September 2011, 17/12 of 27 March 2012), appointing Vanja Ćalović (NGO MANS) and Zlatko Vujović (NGO Coalition Through Cooperation To Goals) as full members of this body.

international judicial cooperation, alternative dispute resolution, case law, judicial information system and prison system, envisaging 77 activities for the implementation of these strategic objectives.

The same goals are included in the new Judicial Reform Strategy (2014-2018), which also encompasses objective "Montenegrin judiciary as part of the European judiciary." Two goals from the previous Strategy (*Enhancing access of judicial bodies, i.e. access to justice* and *Strengthening public confidence in the judiciary*) have been merged into a single objective: "Enhancing the accessibility, transparency and public confidence in the judiciary".

Additionally, the new Strategy includes 18 strategic guidelines and 156 activities for their implementation, of which 53 are the same or substantially the same as the activities of the previous Strategy and mainly relate to the strengthening of independence, impartiality and accountability of judicial office holders, as well as the efficiency of the judiciary.

OVERVIEW OF THE EFFECTS OF THE STRATEGY 2007-2012 ACCORDING TO STRATEGIC GOALS

XII RECOMMENDATIONS

Adoption of Judicial Reform Strategies 2007-2012 and 2014-2018

(1) Perform periodic analyses on a regular basis of the effects of implementation of the strategic measures, as a rule, in relation to each strategic guideline.

(2) Consider the change of practice and create action plans together with the strategies, rather than several months after the adoption of strategies.

Establishment of the body for monitoring the implementation of the Strategy

(3) The Government should include NGOs who are not only professional associations of judges and state prosecutors in official body monitoring implementation of judicial reform; the Government should announce open calls to allow NGOs to compete for the place in all official bodies monitoring implementation of reforms.

I.1 Revise the Constitution and laws with regard to the selection of holders of judicial office

(4) Expand measure 1.1.5.5 prescribed by the Action Plan for Chapter 23: "Conduct analysis of the legal framework and the effects of its application with regard to independence of the judiciary, with recommendations to improve the system of judicial independence", to ensure that the analysis includes the constitutional framework, that it is carried out by an independent expert and that an expert discussion is organized about it, prior to adopting recommendations of the analysis as final.

I.3 Expand the powers of the Judicial and Prosecutorial Councils in the conduct of personnel policy in the judiciary

(5) Amend AP for the implementation of the Strategy for the period 2014-2016 and AP for Chapter 23 to include the measure "development of analysis of legislation and their implementation with regard to improving the accountability of the judiciary" and ensure that this analysis be developed by an independent expert and that an expert discussion be organized about it, prior to adopting final recommendations of the analysis.

I.4 Establish clear and objective criteria for the selection of holders of judicial office

(6) Amend AP for the implementation of the Strategy for the period 2014-2016 and AP for Chapter 23 to include measures providing for detailed definition of indicators

for assessing the criteria for the first election of judges as well, not only for promotion, as currently envisaged in the mentioned action plans.

I.5 Establish criteria for the promotion and evaluation of holders of judicial office

(7) Monitor and analyse whether the Judicial and Prosecutorial Councils apply legal provisions relating to the periodic evaluation of judges and state prosecutors in a transparent and objective manner.

I.6 Revise the existing legal framework which regulates disciplinary accountability of holders of judicial office, termination of office and dismissal, and take action towards its consistent application

(8) Within AP for implementing the Strategy for the period 2014-2016, develop strategic guideline: "continuously monitor the objectivity and transparency of actions of accountability of judges and public prosecutors."

(9) Amend AP for implementing the Strategy for the period 2014-2016 by developing an analysis within strategic guideline no. 4 - specify the grounds for dismissal of judges and public prosecutors at the level of legislation in accordance with the constitutionally prescribed grounds for dismissal or, as we propose, within guideline no. 5 - continuously monitor the objectivity and transparency of procedures for establishing the accountability of judges and state prosecutors.

(10) Amend AP for implementing the Strategy for the period 2014-2016 to include measure "development of an analysis of the reasons for reversal of judgments in cases under the special attention of local and international public."

(11) Amend AP for implementing the Strategy for the period 2014-2016 to include the obligation of drafting an analysis of the reasons of time-bar on criminal prosecution in cases establishing accountability of prosecutors or judges for untimely conduct that leads to absolution of criminal responsibility.

(12) Authorize all members of the Judicial and Prosecutorial Councils, as well as disciplinary prosecutors introduced by 2015 amendments to submit proposals for establishing the accountability of judges and prosecutors.

(13) Monitor and analyse operation of the new disciplinary commissions of the Judicial and Prosecutorial Councils and notify the public about findings.

I.7 Achieve greater autonomy in determining appropriations in the budget for the judiciary

(14) Monitor the extent of achieving the indicator (measure 1.1.4.5. of AP for Chapter 23 -identical measure 1.1.6.2. of AP for implementing the Strategy for the period 2014-2016) relating to the percentage of the budget allocated to judicial institutions, set at 0.8% - 1% of GDP in accordance with the said action plans.

II.1 Conduct an analysis of the existing number and network of courts starting from local and real jurisdiction and, depending on its results, determine the necessary number of courts while ensuring that this does not jeopardize the right to access to justice; Conduct an analysis of the existing number and network of state prosecutors in terms of local and real jurisdiction

(15) Amend the current Strategy and revise AP for its implementation for the period 2014 -2016 in accordance with the conclusions from the analyses to be implemented during 2015 in the process of rationalization of the court network, and set forth in the Strategy more detailed steps to prepare for the adoption of the Medium-Term Plan for Rationalization for the period 2017 -2019.

(16) Regarding the implementation of measure 1.2.1.3.1. (reference: 1.4.2.4.) from AP for Chapter 23, providing for the analysis of the rationalization of courts for 2015, organize a public debate to bring together all interested parties and expert public.

II.2 Achieve effective protection of the right to trial within a reasonable time

(17) When reviewing the existing action plans in the field of judiciary, prescribe drafting of a qualitative analysis on the implementation of the Law on the Protection of the Right to Trial within a Reasonable Time with the expert discussion, and continuously inform citizens about legal remedies under this Law.

II.3 Revise the criminal procedure law with respect to the concept of investigation

(18) Carry out continuous activities on monitoring the application of procedural laws and prepare research and analyses over a longer period of time that will define the directions of a more efficient implementation of specific criminal law provisions.

II.4 Review legislation pertaining to juveniles by adopting special law

(19) Amend AP for implementing the Strategy for the period 2014-2016 by introducing a measure of continuous monitoring of the implementation of the Law on the Treatment of Juveniles in Criminal Proceedings and yearly obligation of reporting on its implementation.

(20) Urgently adopt the missing secondary legislation with the Law on the Treatment of Juveniles in Criminal Proceedings: "Rules on detailed conditions for the execution of an institutional measure of referral to an educational facility of non-institutional

type" and "House Rules for juvenile imprisonment in a juvenile ward of the Administration for Execution of Criminal Sanctions".

II.9 Strengthen management in the judiciary

(21) Amend existing action plans in the field of judiciary by prescribing an obligation to update the database on employees in the justice system for the orderly management of personnel data and regular evaluation of users' views on educational programs and pilot projects.

(22) Expand pilot project for establishing Business Planning system in the courts to include a larger number of courts (given that at the moment the implementation is planned only in four courts) and regularly inform the public about the course of its implementation.

II.10 Establish a system of bailiffs

(23) Conduct regular analyses of the efficiency of enforcement system, including the impact of the reform on courts productivity after the start of operation of bailiffs and organize expert discussions on the conclusions of analyses with all those whose experience could contribute to improving the enforcement system.

II.12 Conduct continuous analyses of operation of judicial bodies

(24) Amend existing action plans in the field of judiciary to envisage continuous monitoring and analysing of operation of the judiciary and to define priority areas that these analyses should encompass, for the purpose of establishing and monitoring a system of accountability in the justice system (see Recommendation no. 5).

III.3 Adopt special rules and practices of the courts and state prosecutors to be applied to vulnerable categories (juveniles, victims of rape, terrorism, domestic violence, persons with disabilities, etc.).

(25) Amend AP for implementing the Strategy for the period 2014-2016 to include measures and activities to support effective implementation of the normative framework in relation to the treatment of vulnerable categories of persons, analysis of its implementation and its further improvement in consultation with NGO sector and expert public.

(26) Also provide for implementation of continuous training of all officials who take actions in relation to *all* categories of persons identified as sensitive categories, as is the case with strategic guideline 2.2.4, which relates to the treatment of juveniles.

(27) AP for implementing the Strategy for the period 2014-2016 to envisage the activity of making special protocols on operation of judicial bodies to protect juveniles from abuse and neglect as well as other vulnerable categories of persons under the measure (4.4.4.1) "Improving the legal framework and level of information on the rules and practices of treating vulnerable groups."

III.4 Adopt mechanisms for the protection of court and prosecutorial information and improve security of judicial facilities

(28) Amend the Strategy 2014-2018 by introducing a strategic guideline for the establishment of mechanisms for the protection of court and prosecutorial information.

(29) Amend AP for implementing the Strategy for the period 2014 -2016 by adding the measures supporting the protection of judicial and prosecutorial information and application of the provisions contained in other normative acts.

(30) Amend AP for implementing the Strategy for the period 2014-2016 to introduce an omitted strategic guideline: "Ensure implementation of a uniform security practice and control measures in all courts and prosecution offices in Montenegro", prescribe appropriate measures, activities and deadline for meeting the guideline. As one of the measures, prescribe Development of an analysis of the need to amend the Criminal Code of Montenegro to prescribe enhanced protection of lawyers and journalists, i.e. members of the profession performing public service, exposed to increased security risks.

III.5 Improve the conditions for adequate accommodation and equipment in judicial bodies and improve physical access to judicial bodies for special categories of persons

(31) Introduce concrete measures and activities into AP for implementing the Strategy for the period 2014-2016 in order to define the dynamics of activities to create conditions for adequate accommodation and equipment in judicial bodies. All courts and prosecutor's offices should create their own plans for the development of spatial capacities on the basis of which priority measures and activities will be set regarding the adaptation of judicial facilities.

(32) AP for implementing the Strategy for the period 2014-2016 to include specific measures and actions and deadlines to urgently provide access to persons with disabilities to all judicial institutions.

(33) Define strategic guideline 4.4.3. by a measure ensuring physical access for persons with disabilities to buildings of all courts and prosecutor's offices no later than mid-2016, with a preliminary development of project and planning

documentation for the execution of works on the mentioned facilities in the short term.

(34) Harmonize terminology "persons with disabilities" (activity and indicator under measure 4.4.3.1. in AP 2014-2016) with the UN Convention on the Rights of Persons with Disabilities.

IV1 Provide more comprehensive information about the role and place of judicial authorities in the legal system

(35) Amend AP for implementing the Strategy for the period 2014-2016 by introducing activities to particularly affect representatives of the academic community and trade union organizations to contribute to better informing of citizens about the work of judicial bodies.

IV.2 Establish different models of communication between judicial authorities and citizens, so that the citizens become fully acquainted with the conduct of court proceedings and all actions to be taken in order to end the procedure; Enable the participants in court proceedings and citizens to make certain objections and suggestions to improve the work of the judiciary

(36) AP for the implementation of the Strategy for the period 2014-2016 to ensure that the decisions, conclusions and information related to operation of the Judicial and Prosecutorial Councils be promptly published on their websites, to facilitate access to judicial and prosecutorial acts and decisions and to introduce the practice of organization of public and expert discussions on the reports on operation of judicial bodies.

(37) AP for implementing the Strategy for the period 2014-2016 to include a measure that was contained in the action plans from 2007 to 2012, namely the analysis of submitted comments and commendations about the work of judicial bodies, the results of which should be made public and serve as basis for other measures to improve the transparency of the judiciary. Particular attention should be paid to informing the most vulnerable categories of citizens about legal rights and judicial procedures, as outlined in the interim standards for Chapter 23.

IV.3 Make public the practical aspect of the principle of equal treatment of judicial bodies in equal matters; Improve the availability of judicial decisions to professional and general public

(38) Amend AP for implementing the Strategy for the period 2014-2016 to ensure timely disclosure of information on the selection, dismissal and disciplinary accountability of holders of judicial office, and post updated announcements and press releases concerning the sessions of the Judicial and Prosecutorial Councils.

(39) Also, it is necessary to include regular analyses of public access to court decisions in AP for implementing the Strategy for the period 2014-2016, to be based on the views of the parties (citizens), lawyers, other professional services and other employees in the judiciary.

V JUDICIAL TRAINING

(40) Centre for the training of judicial offices holders should develop and implement training programs for the implementation of EU law in civil, commercial and criminal matters, as stated in the Strategy 2014 -2018.

(41) Expert public (lawyers, scholars and NGOs) should be allowed to participate in the program committees that create annual training programs to ensure the transparency of procedures for the development of training programs.

(42) In addition to the judicial and prosecutorial personnel, continuous training should also include associates and trainees, in accordance with needs.

(43) Reporting on implemented trainings should be improved through keeping individual records of training programs for judges and prosecutors and analysis of the effects of training, while informing on it training users, as well as professional and general public.

VI ENHANCING INTERNATIONAL AND REGIONAL JUDICIAL COOPERATION

(44) Develop professional analyses of the system of judicial cooperation in civil and criminal matters to decide on the need to amend the law and include standards of the EU acquis into national legislation.

(45) Amend AP for implementing the Strategy for the period 2014-2016 to include the measure concerning the monitoring of the performance of an information system of keeping records of international legal assistance in civil and commercial matters and in the field of family law.

VIII.1 Ratify international conventions and conclude bilateral agreements

(46) Amend AP for Chapter 24 in the area of judicial cooperation in criminal matters to encompass the measure of periodic analysis of the implementation of treaties in the field of judicial cooperation in order to improve their practical application.

VIII.2 Analyse the compatibility of legislation with international standards

(47) Align AP for Chapters 23 and 24 with the strategic guideline under AP for the implementation of the Judicial Reform Strategy 2014-2016, which envisages monitoring the compliance of the criminal legislation with international standards and EU acquis.

(48) In addition to monitoring the compliance of wording of the law with international standards, it is necessary to prescribe by AP an activity implying periodic analyses on the application of legislation in practice, to determine whether the provisions are sufficiently effective or need improvement.

VIII.4 Consistently apply the Code of Ethics and provide continuous education on ethical principles for the employees in judicial bodies

(49) Specify the measure envisaged under AP for implementing the Strategy for the period 2014-2016 (1.2.3.2) and AP for Chapter 23 (1.2.4.5) to read as follows: "Develop and publish annual analysis of compliance with codes of ethics and deciding on their application with a special section on respect for the rules on conflicts of interest by judges and state prosecutors".

VIII.5 Provide ongoing education and training

(50) AP for Chapters 23 and 24 to include the measures which provide for strengthening the capacity of special public prosecutors and their associates through specialized training programs.

VIII.6 Improve working and living conditions and material status of holders of judicial office

(51) Any possible increase or reduction of salaries of judicial officials to be carried out on the basis of consultation with the Judicial Council, professional associations and judges and prosecutors.

(52) Decisions on solving the housing needs of judicial officials should be made solely by the Judicial Council, and not, as was previously the case, by the Housing Commission of the Government of Montenegro, which in the period from 2007 to 2009 adopted decisions granting housing loans to a number of judicial and constitutional office holders.

(53) Solving the housing needs of judicial officials to be carried out in a transparent manner, with the timely publication of the ad, rankings and decisions on resolving housing needs of judges and prosecutors on the websites of the Judicial and Prosecutorial Councils.

VIII.7 Depoliticize holders of judicial office

(54) Amend AP for implementing the Strategy for the period 2014-2016 and AP for Chapter 23 to include measures that will provide further depoliticisation of the Judicial and Prosecutorial Councils.

VIII.8 Provide integrity protection for holders of judicial office

(55) Publish integrity plans adopted by the courts and prosecutors' offices.

VIII.11 Introduce mechanisms for a more efficient seizure of proceeds of criminal activities

(56) Carry out an analysis of the needs and conditions for the introduction of new mechanisms for confiscation of proceeds of criminal activities - civil law and administrative law models. In this sense, consider experiences from the region (Slovenia) as well as the degree of implementation of the ratified international treaties in this segment (the UN Convention against Corruption, etc.).

VIII.12 Provide more effective protection of the injured party in criminal proceedings

(57) Amend AP for implementing the Strategy for the period 2014-2016 under measure 4.2.2.1. to include point *e) amend the Law on Free Legal Aid and ensure that this right be exercised by victims of ill-treatment, torture and discrimination as well, regardless of means testing.*

(58) AP for implementing the Strategy for the period 2014-2016 to be amended within measure "improve the legal framework and the level of awareness of the rules and practices of treating vulnerable groups", after activity: "adopt the Law on Compensation of Victims of Violent Crimes," add activity: *Analyse the application of the Law in practice and publish the analysis.*

IX JURISPRUDENCE

(59) Ensure that the training on EU law and the jurisprudence of the European Court of Justice be attended by as many judges, prosecutors and judicial associates as possible, and that the training be based on case studies, moot court and other practical methods.

XI JUDICIAL INFORMATION SYSTEM – JIS

(60) Amend AP for implementing the Strategy for the period 2014-2016 within strategic guideline 2.6.3: "further improvement and modernization of the technical component of JIS – improvement of infrastructure and equipment and introduction of new technologies and systems in all judicial bodies", measure 2.6.3.1: "improve and modernize the technical components of JIS", for activity b "continuously introduce new technological solutions in order to enhance efficiency and transparency of the judiciary", the current indicator: "implemented new technological solutions in the work of the courts," so that it reads: "implemented new technological solutions in the work of the courts which enable disclosing the name of a judge who is assigned automatically immediately upon handing over the case file to that judge." Also, add a new indicator "implemented new technological solutions in the work of the courts, which allow citizens to obtain current information about the status of their case."

(61) Amend activities in AP for implementing the Strategy for the period 2014-2016 within strategic guideline 4.3.1: "continuously improve the awareness of citizens about the possibilities of obtaining information by judicial institutions" and measure 4.3.1.1: "improve the system of informing citizens," to read as follows:

a) Develop brochures that include information about the method of addressing judicial authorities through procedural activities, free legal aid, the costs of the procedure and conditions for exemption from payment of costs and capabilities of JIS.

b) Conduct surveys on the level of satisfaction of all users with the possibilities provided by JIS, and especially of citizens with options that JIS offers (especially in connection with the proposed possibilities to immediately obtain information about the name of a judge assigned to the case and to obtain current information on the status of their cases on-line).