

Accountability of the Judicial System in Montenegro

As part of the European Union and the Council of Europe programmatic framework “Horizontal Facility for the Western Balkans and Turkey” (Horizontal Facility), the Council of Europe will implement the Action “Accountability of the Judicial System” in Montenegro.

The Action foresees a series of activities addressed to the Judicial and Prosecutorial Councils of Montenegro, as well as its Judicial Training Centre. The main partners of the Action, together with the two Councils and the Training Centre, will be the Ministry of Justice, the Office of the Supreme State Prosecutor, the Supreme Court and the Bar association of Montenegro.

The Action focuses on strengthening the overall capacities of the Judicial and Prosecutorial Councils, and of the Judicial Training Centre in line with European standards.

This will be achieved through a series of training and outreach events targeting judges, prosecutors, staff of the Judicial and Prosecutorial Councils and of the Judicial Training Centre, and the general public:

- ✓ Secondary legislation will be reviewed to improve recruitment, promotion and assessment of judges and Judicial Council's capacities will be strengthened through transmitting knowledge and skills in this regard;
- ✓ Mechanisms for strengthening the implementation of the code of ethics for judges and prosecutors will be identified, and capacity building activities and awareness raising campaigns will be implemented to make judges, prosecutors and the public aware of the new ethical standards;
- ✓ Mechanisms for ensuring objective and transparent implementation of disciplinary procedures will be identified and capacities of supervisory judicial bodies to apply these procedures will be improved;
- ✓ Judicial and Prosecutorial Council's rules, procedures, tools and working methods will be improved and become more transparent, while professional capacities of the secretariats and of the members of the two Councils for monitoring and evaluation of national justice strategies and human resources/budgetary planning will be enhanced;
- ✓ A strategy for the implementation of the 2015 Law on the Centre of Training of Judiciary will be drawn up and introduced by the Judicial Training Centre and a training programme based on the actual needs of judges and prosecutors will be in place.

The Action, which started on 1 November 2016 and will finish on 31 October 2018, has an overall budget of 750.000 Euro.

Horizontal Facility for Western Balkans and Turkey

Funded
by the European Union
and the Council of Europe



Implemented
by the Council of Europe



HORIZONTAL FACILITY FOR WESTERN BALKANS AND TURKEY

Impact and outcomes of the Action

The **impact** of the Action will be strengthening the capacity of the Judicial and Prosecutorial Councils and the accountability of the whole judicial system in Montenegro.

The Action will achieve the following **outcomes**:

- ✓ Strengthened capacity of the Judicial Council to recruit, assess and promote judges based on transparent, merit-based and non-discriminatory criteria;
- ✓ Enhanced accountability of the judicial system through support to the implementation of the Code of Ethics for judges and prosecutors;
- ✓ Enhanced accountability of the judicial system through support of the implementation of disciplinary procedures for judges and prosecutors;
- ✓ Strengthened institutional capacity of the Judicial and the Prosecutorial Councils;
- ✓ Judicial Training Centre empowered to implement the 2015 Law on the Centre of Training of Judiciary.

Background information

On 11 April 2016, the Secretary General of the Council of Europe, Thorbjørn Jagland, and the European Union's Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Johannes Hahn, announced a new co-operation initiative of the two organisations aimed at supporting South-East Europe and Turkey in their efforts to comply with European standards. The initiative is called the European Union/Council of Europe Horizontal Facility for Western Balkans and Turkey (Horizontal Facility). It is a three-year programme (May 2016 – May 2019), focusing on three themes: ensuring justice, fighting economic crime as well as combating discrimination and protecting the rights of vulnerable groups. It has a budget of €25 million, of which €20 million has been provided by the European Union and €5 million by the Council of Europe. Through the Horizontal Facility, the European Union and the Council of Europe will assist beneficiaries in South-East Europe and Turkey to comply with Council of Europe standards and the European Union *acquis*, through a complementary two-fold approach of technical co-operation and the provision of expertise. The Horizontal Facility relies on the Council of Europe's unique working methods, whereby tailor-made technical co-operation activities are based on conclusions and recommendations of the Council of Europe's monitoring bodies, which highlight areas where improvements are needed in legislation and policies of the beneficiaries to comply with the Organisation's standards.

Council of Europe Programme Office in Podgorica
Blvd. Dzordza Vasingtona 98, floor I, Capital Plaza
81000 Podgorica, Montenegro
Phone: +382 20 673 868



<http://horizontal-facility-eu.coe.int>



horizontal.facility@coe.int



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The Council of Europe is the continent's leading human rights organization. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

The European Union is a unique economic and political partnership between 28 democratic European countries. Its aims are peace, prosperity and freedom for its 500 million citizens – in a fairer, safer world. To make things happen, EU countries set up bodies to run the EU and adopt its legislation. The main ones are the European Parliament (representing the people of Europe), the Council of the European Union (representing national governments) and the European Commission (representing the common EU interest).

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