

1. Evaluation of the judicial systems (2016-2018 cycle)



Monaco

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Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[37550]

Comments

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	1215332769 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Il faut noter qu'à l'instar des quatre exercices précédents, l'exercice budgétaire 2016 affiche un excédent de recettes s'élevant à 35 866 124 €, soit une hausse de +22% par rapport à 2015. Ce résultat s'explique par une augmentation marquée des recettes et d'une croissance moindre des dépenses, et notamment des dépenses ordinaires. Dans le cadre de la présente évaluation, l'augmentation des dépenses publiques paraît conséquente en pourcentage mais à l'échelle d'un petit Etat elle est justifiée et financée par des recettes importantes, la notion d'équilibre budgétaire prévalant toujours.

003. Per capita GDP (in €) in current prices for the reference year

[72091]

Comments Dans le cas de la Principauté, la population salariée est notamment composée de « travailleurs journaliers », ne résidant pas sur le territoire monégasque. Compte tenu de leur poids économique et de leur participation quotidienne à la création de richesse, il est apparu nécessaire pour le calcul du PIB « per capita » que soit déterminée une population de référence pour ce calcul.

La population de référence retenue comprend donc deux composantes: la population résidente et celle non résidente, salariée sur le territoire économique. La même référence avait été prise pour le cycle d'évaluation 2014-2016

004. Average gross annual salary (in €) for the reference year

[42012]

NA

Comments

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering questions 1 to 5

Sources: Source questions 1, 3 et 4: Institut Monégasque de la Statistique et des Etude Economiques (IMSEE) Source question 2: Direction du Budget et du Trésor

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	5665100 [] NA [] NAP	5298146 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	3670000 [] NA [] NAP	3503302 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	156000 [] NA [] NAP	149252 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	1000000 [] NA [] NAP	937954 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	206200 [] NA [] NAP	122912 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	0 [] NA [] NAP	0 [] NA [] NAP
6. Annual public budget allocated to training	58800 [] NA [] NAP	49947 [] NA [] NAP
7. Other (please specify)	574100 [] NA [] NAP	534779 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences:

007. (Modified question) If you cannot answer question 6 because you cannot isolate the budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts and legal aid together	[] NA [X] NAP	[] NA [X] NAP

Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comments:

008. Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	(X) Yes () No
for other than criminal cases	(X) Yes () No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions? En cas de bénéfice du régime de l'assistance judiciaire, aucune somme n'est à consigner pour engager une procédure judiciaire.

008-1. Please briefly present the methodology of calculation of court taxes or fees:

- En matière pénale, en cas de plainte avec constitution de partie civile, une instruction ou information judiciaire est ouverte et le montant de la consignation est fixée par le juge d'instruction dans une ordonnance. Ce magistrat peut selon les circonstances dispenser le plaignant de verser toute consignation.

008-2. The amount of court fees to commence an action for 3000€ debt recovery:

[80]
 NA
 NAP

Comments les montants de la consignation en matière civile sont fixes, 80 euros.

009. Annual income of court taxes or fees received by the State (in €)

[]
 NA
 NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	370000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

12.1 for cases brought to court	370000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	369850 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court	369850 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main differences: le budget annuel approuvé et alloué à l'aide judiciaire pour les affaires portées devant les tribunaux correspond à la somme totale puisque, comme il sera répondu à la question n°16, l'aide judiciaire à Monaco (assistance judiciaire et commission d'office) ne concerne que la seule représentation devant les cours et tribunaux.

013. Total annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	116400 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1078067 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences: il a été possible d'isoler le budget du ministère public pour cet exercice

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	(X) Yes () No <input type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP
Other ministry	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP

Parliament	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP
Supreme Court	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
High Judicial Council	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Courts	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Inspection body	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Other	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify:

A2. Please indicate the sources for answering questions 6 to 14:

Sources: question 6, 7 et 13: Direction du Budget et du Trésor, questions 8, 9, 12 et 14: Direction des Services Judiciaires

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	11618000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11714800 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences:

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	(X) Yes () No [] NAP
Legal aid (see question 12)	(X) Yes () No [] NAP
Public prosecution services (see question 13)	(X) Yes () No [] NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	(X) Yes () No [] NAP
Probation services	(X) Yes () No [] NAP
Council of the judiciary	(X) Yes () No [] NAP
Constitutional court	(X) Yes () No [] NAP
Judicial management body	(X) Yes () No [] NAP
State advocacy	(X) Yes () No [] NAP
Enforcement services	(X) Yes () No [] NAP
Notariat	() Yes (X) No [] NAP
Forensic services	(X) Yes () No [] NAP
Judicial protection of juveniles	() Yes (X) No [] NAP

Functioning of the Ministry of Justice	(X) Yes () No [] NAP
Refugees and asylum seekers services	() Yes (X) No [] NAP
Immigration Service	() Yes (X) No [] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	(X) Yes () No [] NAP
Other	() Yes (X) No [] NAP

Comments - If "other", please specify:

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: question 15-1: Direction du Budget et du Trésor,
question 15-2: Direction des Services Judiciaires.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice	() Yes (X) No [] NA [] NAP	() Yes (X) No [] NA [] NAP

Comments

017. Does legal aid include the coverage of or the exemption from court fees?

(X) Yes

() No

Comments - If yes, please specify:

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No

Comments - If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify:

2.1.2. Quantitative information on legal aid



020. (Modified question) Please indicate the number of cases for which legal aid has been granted:

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	807 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In criminal cases	164 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In other than criminal cases	643 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please specify when appropriate:

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

Yes

No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	20000 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid for other than criminal cases	20000 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for other than criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: le montant de 20.000 euros est fixé par Ordonnance Souveraine n°3.388 du 3 août 2011, précisant les modalités d'admission au bénéfice de l'assistance judiciaire. Entrent notamment dans le calcul des revenus des demandeurs : les salaires, les revenus locatifs, les revenus financiers, les retraites et pensions complémentaires, les pensions alimentaires, parts contributives et prestations compensatoires, les pensions d'invalidité, les allocations handicapés, les rentes d'accident du travail. A l'appréciation du bureau d'assistance judiciaire, le revenu de référence fait l'objet de corrections en fonction des charges particulières ou de famille pesant sur le requérant. Il n'y a pas de montant pour le patrimoine prévu par la loi

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

() No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: question 20: Greffe général, secrétariat du bureau d'assistance judiciaire et greffe du service des accidents du travail.
question 23: Président du bureau d'assistance judiciaire.

2.2. Users of the courts and victims

2.2.1. Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may have free of charge access to the following:

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) www.legimonaco.mc	()
case-law of the higher court/s	(X) www.legimonaco.mc	()
other documents (e.g. downloadable forms, online registration)	(X) www.gouv.mc	()

Comments - Please specify what documents and information the addresses for "other documents" include: Le site gouv.mc s'enrichit régulièrement de nouvelles rubriques pour les services au particuliers et professionnels et une actualisation est réalisée pour proposer des informations pertinentes ainsi que des formulaires à jour des réformes.

029. (Modified question) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

() Yes, always

(X) No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims of crime?

Yes

No

Comments - If yes, please specify:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Disabled persons	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Juvenile offenders	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other vulnerable person" and/or "other special arrangements", please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.):

032. Does your country allocate compensation for victims of crime?

Yes, please specify for which kind of offences:

No

Comments

032-1. (New question) Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments La Commission des spoliations agit dans le cadre d'un dispositif avec des fonds publics. La décision appartient à la seule Commission. Quant aux dommages et intérêts, une décision de justice est nécessaire.

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments La Commission des spoliations agit dans le cadre d'un dispositif avec des fonds publics. La décision appartient à la seule Commission. Quant aux dommages et intérêts, une décision de justice est nécessaire.

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

Yes

No

Comments - If yes, please specify:

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify: La législation monégasque en matière de classement sans suite a été modifiée par la loi n°1.394 du 9 octobre 2012 portant réforme du Code pénal et du Code de procédure pénale. Il est désormais prévu que le Procureur peut classer une affaire, en notifiant sa décision au plaignant en mentionnant les motifs de fait et de droit qui le justifie. Toute personne ayant dénoncé les faits au Procureur Général peut former un recours, dans le délai de deux mois à compter de la notification de la décision de classement sans suite auprès du Directeur des Services Judiciaires. Celui-ci peut enjoindre au Procureur Général d'engager des poursuites par instructions écrites versées au dossier de la procédure. S'il estime le recours infondé, il en informe l'intéressé en indiquant les motifs de fait et de droit qui le justifient. Le plaignant peut alors se constituer partie civile dans les conditions prévues par le code de procédure pénale.

2.2.2. Confidence of citizens in their justice system



037. (Modified question) Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	1 [] NA [] NAP	1 [] NA [] NAP	10000 [] NA [] NAP
Excessive length of proceedings	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
Non-execution of court decisions	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
Wrongful arrest	1 [] NA [] NAP	1 [] NA [] NAP	10000 [] NA [] NAP
Wrongful conviction	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): 1/ Depuis 2007, une commission ad hoc judiciaire est en charge de l'indemnisation en raison des détentions provisoires suivies de relaxes, acquittements ou non-lieu. Elle apprécie souverainement le préjudice subi.

2/ un principe de responsabilité de la puissance publique du fait du fonctionnement défectueux de la justice, pour faute lourde, déjà consacré par la jurisprudence, est inscrit dans la loi n°1421 du 1er décembre 2015. Une commission judiciaire ad hoc apprécie le préjudice subi. Elle n'a été saisie pour la première fois qu'en 2017.

3/ Une inexécution particulièrement fautive d'une décision de justice peut entrer dans le champ d'application de la loi du 1er décembre 2015. Cela n'a cependant pas été le cas durant ce cycle, d'où le chiffre 0.

038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	[] Annual [] Other regular [] Ad hoc	[] Annual [] Other regular [] Ad hoc
2. (Satisfaction) surveys aimed at court staff	[] Annual [] Other regular [] Ad hoc	[] Annual [] Other regular [] Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	[] Annual [] Other regular [] Ad hoc	[] Annual [] Other regular [] Ad hoc
4. (Satisfaction) surveys aimed at lawyers	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc

5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: L'association d'aide aux victimes existante à Monaco peut être un instrument de mesure de la satisfaction des plaignants.

040. Is there a national or local procedure for making complaints about the functioning of the judicial system? (for example the handling of a case by a judge or the duration of a proceeding)

Yes

No

Comments Un principe de responsabilité de la puissance publique du fait du fonctionnement défectueux de la justice, pour faute lourde, déjà consacré par la jurisprudence, est inscrit dans la loi n°1;421 du 1er décembre 2015. Une commission judiciaire ad hoc apprécie le préjudice subi. Elle n'a été saisie pour la première fois qu'en 2017.

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Council of the Judiciary	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Council of the Judiciary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: Toute personne se prétendant victime d'un crime ou d'un délit peut en citer directement l'auteur, serait-il magistrat, devant le Tribunal compétent, aucun filtre n'existe donc en droit monégasque.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	1 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	4 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	1 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Concernant le point 42.3, en 2010 et 2012, seul le Tribunal de 1ère instance a été comptabilisé, tandis que le chiffre indiqué pour 2014 inclut les juridictions spécialisées de première instance, la Cour d'appel de Monaco, la Cour de révision et le Tribunal Suprême. Les bâtiments dévolus aux juridictions sont attenants les uns aux autres et regroupés en un espace unique. Il existe donc une concentration géographique.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	4 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Labour courts	1 [] NA [] NAP
Family courts	0 [] NA [] NAP
Rent and tenancies courts	2 [] NA [] NAP
Enforcement of criminal sanctions courts	0 [] NA [] NAP
Fight against terrorism, organised crime and corruption	0 [] NA [] NAP
Internet related disputes	0 [] NA [] NAP
Administrative courts	0 [] NA [] NAP
Insurance and / or social welfare courts	0 [] NA [] NAP
Military courts	0 [] NA [] NAP
Other specialised 1st instance courts	1 [] NA [] NAP

Comments - If "other specialised 1st instance courts", please specify:

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

() Yes

(X) No

Comments - If yes, please specify: Pas de réforme envisagée sur la question.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	1 [] NA [] NAP
a dismissal	1 [] NA [] NAP
a robbery	1 [] NA [] NAP

Comments

045-1. (New question) Is your definition for small claims the same as the one in the Explanatory note?

Yes

No, please give your definition for small claims:

Comments

045-2. (New question) Please indicate the value in € of a small claim:

[4600]

Comments

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: greffe des juridictions

3.2. Court staff

3.2.1. Judges and non-judge staff



046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	37 [] NA [] NAP	21 [] NA [] NAP	16 [] NA [] NAP
1. Number of first instance professional judges	15 [] NA [] NAP	6 [] NA [] NAP	9 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	6 [] NA [] NAP	2 [] NA [] NAP	4 [] NA [] NAP
3. Number of supreme court professional judges	16 [] NA [] NAP	13 [] NA [] NAP	3 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	8 [] NA [] NAP	5 [] NA [] NAP	3 [] NA [] NAP
1. Number of first instance court presidents	5 [] NA [] NAP	3 [] NA [] NAP	2 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP
3. Number of supreme court presidents	2 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	16 [] NA [] NAP
In full-time equivalent	[X] NA [] NAP

Comments - If necessary, please provide comments to explain the answer provided: Il s'agit des magistrats de la Cour de révision (10 en 2014) et du Tribunal suprême (6 en 2014). les chiffres sont les mêmes en 2016

048-1. (New question) Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

() Yes, please give specifications on the types of cases and an estimate in percentage.

(X) No

Comments voir questions 99, les volumes sont faibles en comparaison avec ceux des Tribunaux de Première Instance et la Cour d'appel

049. (Modified question) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges and “juges consulaires”, but not arbitrators and persons sitting in a jury):

	Figure
Gross figure	148 [] NA [] NAP
In full time equivalent	[X] NA [] NAP

Comments

049-1. If such non-professional judges exist in first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
in criminal law cases	()	()	(X)
- severe criminal cases	()	()	(X)
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()
in civil cases	()	(X)	()
in labour law cases	()	()	(X)
in social law cases	()	()	(X)
in commercial law cases	()	()	(X)
in insolvency cases	()	(X)	()
other	()	()	(X)

Comments - If "other", please specify: Il s'agit: -des membres du tribunal du travail: 48 assesseurs (24 employeurs et 24 salariés) -des 30 assesseurs de la commission arbitrale des loyers commerciaux
 -des 46 assesseurs de la commission arbitrale des loyers d'habitation
 -des 2 juges non professionnels titulaires et des 2 juges non professionnels suppléants de la commission de la Caisse autonome des retraites, -des 4 juges non professionnels titulaires et des 4 juges non professionnels suppléants de la caisses des retraites des travailleurs indépendants, -des 12 jurés populaires ayant siégé lors de 4 sessions du Tribunal criminel.

050. Does your judicial system include trial by jury with the participation of citizens?

(X) Yes

() No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[X] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[12]

[] NA

Comments

052. Number of non-judge staff who are working in courts (on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	46 [] NA [] NAP	10 [] NA [] NAP	36 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	20 [] NA [] NAP	1 [] NA [] NAP	19 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	14 [] NA [] NAP	2 [] NA [] NAP	12 [] NA [] NAP
4. Technical staff	10 [] NA [] NAP	6 [] NA [] NAP	4 [] NA [] NAP
5. Other non-judge staff	2 [] NA [] NAP	1 [] NA [] NAP	1 [] NA [] NAP

Comments - If "other non-judge staff", please specify:

053. (Modified question) If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases

Comments - Please briefly describe their status and duties: il n'existe pas de fonction de Rechtspfleger.

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

() Yes

(X) No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

[] IT services

[] Training of staff

[] Security

[] Archives

[] Cleaning

[] Other types of services (please specify):

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Direction des Services Judiciaires

3.3. Public prosecution

3.3.1. Public prosecutors and staff



055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	5 [] NA [] NAP	3 [] NA [] NAP	2 [] NA [] NAP
1. Number of prosecutors at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of prosecutors at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of prosecutors at supreme court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of heads of prosecution offices at supreme court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please provide any useful comment for interpreting the data above:

057. Do other persons have similar duties to public prosecutors?

(X) Yes, please specify their number (in full-time equivalent):1

() No

Comments - If yes, please specify their title and functions: Officier du Ministère Public, intervenant devant le Tribunal de Simple Police (affaires de nature contraventionnelles) dont les fonctions sont exercées par un commissaire de police.

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

() Yes

(X) No

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

(X) Yes

() No

Comments

060. Number of staff (non-public prosecutors) attached to the public prosecution service (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	7 [] NA	0 [] NA	7 [] NA

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: parquet général et Direction des Services Judiciaires

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court President	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court administrative director	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Head of the court clerk office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify:

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised court staff that is entrusted with these quality standards?

Yes

No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

Yes

No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details:

3.6.2. Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify):

Comments

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

civil law cases

criminal law cases

administrative law cases

Comments

072. Do you have an evaluation process to monitor waiting time during court procedures?

Yes

No

Comments - If yes, please specify:

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

Yes

No

Comments

073-0. (New question) If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If "less frequent" or "more frequent", please specify:

073-1. Is this evaluation of the court activity used for the later allocation of means to this court?

- Yes
- No

Comments

074. Are there performance targets defined at the level of the court?

- Yes
- No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

- to increase efficiency / to shorten the length of proceedings
- to improve quality
- to improve cost efficiency / productivity
- Other (please specify):

Comments

076. Who is responsible for setting the targets for the courts?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example High Judicial Council, Higher Court)
- President of the court
- Other (please specify):

Comments

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

- Yes
- No

Comments

078. If yes, please select the main performance and quality indicators that have been defined:

- incoming cases

- length of proceedings (timeframes)
- closed cases
- pending cases and backlogs
- productivity of judges and court staff
- percentage of cases that are processed by a single sitting judge
- enforcement of penal decisions
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- judicial quality and organisational quality of the courts
- costs of the judicial procedures
- number of appeals
- other (please specify):

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

- High Council of judiciary
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):chefs de juridiction

Comments Autre : chefs de juridiction.

3.6.3. Court activity and administration

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

- Yes (please indicate the name and the address of this institution):direction des services judiciaires
- No

Comments direction des services judiciaires

080-1. Does this institution publish statistics on the functioning of each court:

- Yes, on internet
- No, only internally (in an intranet website)
- No

Comments

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

- Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. (New question) If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

082. (Modified question) Is there a process or structure of dialogue between the public prosecutor service and courts as regards the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. (Modified question) Is there a process or structure of dialogue between lawyers and courts as regards the way cases are presented before courts in other than criminal matter (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

Yes

No

Comments

083-1. Who is responsible for setting the targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

Comments Il n'existe pas de textes particulier mais un chef de juridiction peut estimer que dans un service particulier, un objectif peut être fixé. Tel a été le cas en 2016 s'agissant des contentieux liés aux licenciements, (dans un but de réduction des stocks). En conséquence une affectation en moyens matériels et humains s'effectue, mais en interne à la juridiction.

New node

4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

[26]

NA

NAP

Comments

085. Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

Yes, number of successful challenges in a year 0

No

Comments - Please could you briefly specify: Aucune demande de récusation n'a été présentée en 2016

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

	Monitoring system
For civil procedures (non-enforcement)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
For civil procedures (timeframe)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
For criminal procedures (timeframe)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations: L'agent du Gouvernement devant la Cour Européenne des Droits de l'Homme assure un suivi des décisions concernant Monaco et en concertation avec la Direction des

Services Judiciaires et les Juridictions, des adaptations sont possibles pour remédier à toute violation récurrente. Le service du droit international, des droits de l'homme et des libertés fondamentales (au sein duquel évolue l'agent du gouvernement devant la CEDH) a été renforcé en moyens humains ce qui permet une concertation plus importante au sein des différentes institutions étatiques.

D1. Please indicate the sources for answering questions in this chapter.

Sources: Direction des Services Judiciaires

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure

Comments - If yes, please specify:

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify:

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify: non

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

- Yes
- No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance

091. (Modified question) First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	958 [] NA [] NAP	2199 [] NA [] NAP	2208 [] NA [] NAP	949 [] NA [] NAP	182 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	827 [] NA [] NAP	825 [] NA [] NAP	818 [] NA [] NAP	834 [] NA [] NAP	180 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	131 [] NA [] NAP	660 [] NA [] NAP	676 [] NA [] NAP	115 [] NA [] NAP	2 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	117 [] NA [] NAP	505 [] NA [] NAP	537 [] NA [] NAP	85 [] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	14 [] NA [] NAP	155 [] NA [] NAP	139 [] NA [] NAP	30 [] NA [] NAP	2 [] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	14 [] NA [] NAP	155 [] NA [] NAP	139 [] NA [] NAP	30 [] NA [] NAP	2 [] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Other cases	0 [] NA [] NAP	714 [] NA [] NAP	714 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments S'agissant des variations des stocks, la baisse régulière pour le nombre total d'affaires a pour cause principale, dans la lignée des exercices précédents, une volonté de réduire les temps de procédure. On voit que pour les affaires contentieuses, les chiffres sont stabilisés pour l'exercice. On voit que ce sont les affaires générales non contentieuses (2.1) terminés qui sont en hausse (l'accent a été mis sur des décisions relatives aux tutelles) en 2015.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. point 2.1: affaires en chambre du conseil: demande de mise sous tutelle et curatelle et actes afférents nécessitant une autorisation (vente, taxation des gérants de tutelle) / changement de prénom / changement de régime matrimonial / administration provisoire à succession.
 point 2.2.2: contrôle du registre du commerce: radiation d'office de sociétés, quant défaut d'accomplissements de formalités impérieuses

093. Please indicate the case categories included in the category "other cases":

. point 4: -ordonnance sur requête rendues par le Président du Tribunal de Première Instance: autorisation de saisie-arrêt, blocage de fonds blanchiment, procédure de compulsoire, hospitalisation des malades mentaux
 -ordonnances du juge tutélaire: droit de visites, contribution à l'entretien et l'éducation des enfants, assistance éducative.
 Toutes ces décisions sont rendues dans des délais très brefs après saisine, de l'ordre de quelques jours, si bien que les mentions affaires pendants ont été renseignées "0".

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	218 [] NA [] NAP	656 [] NA [] NAP	662 [] NA [] NAP	212 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	206 [] NA [] NAP	545 [] NA [] NAP	552 [] NA [] NAP	199 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	12 [] NA [] NAP	111 [] NA [] NAP	110 [] NA [] NAP	13 [] NA [] NAP	0 [] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": les chiffres indiqués pour les "petites infractions" sont des contraventions prononcées par le Tribunal de Simple Police et n'incluent pas des peines privatives de libertés. Pour les "infractions graves" il s'agit des dossiers invoqués devant le Tribunal correctionnel et pour lesquels une peine d'emprisonnement était encourue, même si elle n'a pas toujours été prononcée. Sont également incluses dans les « infractions graves » 2 dossiers pour lesquels des peines privatives de liberté (de 1 à 5 jours d'emprisonnement - article



4.2.3. Case flow management – second instance

097. (Modified question) Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	177 [] NA [] NAP	213 [] NA [] NAP	206 [] NA [] NAP	184 [] NA [] NAP	4 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	171 [] NA [] NAP	151 [] NA [] NAP	147 [] NA [] NAP	175 [] NA [] NAP	4 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	6 [] NA [] NAP	62 [] NA [] NAP	59 [] NA [] NAP	9 [] NA [] NAP	0 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	6 [] NA [] NAP	61 [] NA [] NAP	58 [] NA [] NAP	9 [] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	0 [] NA [] NAP	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	0 [] NA [] NAP	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

3. Administrative law cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	153 <input type="checkbox"/> NA <input type="checkbox"/> NAP	157 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	153 <input type="checkbox"/> NA <input type="checkbox"/> NAP	157 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Pour les petites infractions, au sens de la définition CEPEJ, l'appel est possible mais il n'y a pas eu d'affaires en 2016, les condamnations contraventionnelles (peines d'amende) sont rarement contestées devant les juridictions supérieures. Concernant les variations par rapport à l'exercice précédent, il n'existe pas d'explication particulière. On constate toutefois une contestation importante des quantum de peines prononcés en 1ère instance (alors même que la jurisprudence et les pratiques n'ont pas varié).

4.2.4. Case flow management – Supreme Court



099. (Modified question) Highest instance courts (Supreme Court): number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	54 <input type="checkbox"/> NA <input type="checkbox"/> NAP	66 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Non litigious cases (2.1+2.2+2.3)	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	15 [] NA [] NAP	14 [] NA [] NAP	18 [] NA [] NAP	11 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments Affaires administratives: Dans la lignée des exercices précédents, nous avons intégré ici les chiffres du Tribunal Suprême. Cette juridiction statue sur les Recours pour excès de pouvoirs et elle a pour ce faire, constitutionnellement, une compétence d'attribution spécifique. Il s'agit donc d'un contentieux administratif dont elle a la charge et ses décisions ne sont pas susceptibles de recours en droit interne. Le Tribunal Suprême est également (et surtout) juge constitutionnel.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	11 [] NA [] NAP	11 [] NA [] NAP	14 [] NA [] NAP	8 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	11 [] NA [] NAP	11 [] NA [] NAP	14 [] NA [] NAP	8 [] NA [] NAP	0 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments

4.2.5. Case flow management – specific cases



101. (Modified question) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	37 [] NA [] NAP	18 [] NA [] NAP	28 [] NA [] NAP	27 [] NA [] NAP
Employment dismissal cases	50 [] NA [] NAP	62 [] NA [] NAP	47 [] NA [] NAP	65 [] NA [] NAP
Insolvency	[X] NA [] NAP	17 [] NA [] NAP	31 [] NA [] NAP	[X] NA [] NAP
Robbery case	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
Intentional homicide	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
Cases relating to the right of entry and stay for aliens	3 [] NA [] NAP	3 [] NA [] NAP	3 [] NA [] NAP	3 [] NA [] NAP

Comments

101-1. (New question) Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. Monaco est partie à la convention de Genève (ordonnance souveraine n°996 du 2 août 1954.

A ce jour, une trentaine de réfugiés résident en Principauté, soit un réfugié pour mille habitants sur un territoire de 2KM2. I/ S'agissant des demandes d'asile, deux cas de figure peuvent se présenter : a)- un individu formule une demande d'asile depuis son pays de résidence ou depuis Monaco. Il est à noter qu'il est extrêmement rare qu'un demandeur d'asile arrive directement à Monaco, compte tenu de la situation géographique de la Principauté, enclavée dans l'espace Schengen ; b)- un requérant d'asile peut déjà bénéficier du statut de réfugié dans le pays d'accueil dans lequel il se trouve. Si l'estime que ses conditions d'accueil ne répondent pas à ses demandes, il peut souhaiter s'établir à Monaco. Dans ce cas il s'agit d'une «réinstallation », le dossier est présenté par le HCR.

II/ S'agissant de la procédure, qu'il s'agisse d'une demande d'asile proprement dite ou d'une « réinstallation », la procédure reste la même :

a)le Ministre d'Etat saisit l'OFPRA et transmet le dossier pour instruction et avis simple, si le Gouvernement Princier juge la demande justifiée ;

b)une fois l'avis rendu, la décision Souveraine est alors notifiée aux demandeurs ;

c)la décision est notifiée par le département des Relations Extérieures et de la Coopération de Monaco au HCR et à l'OFPRA ;

d)en cas d'accord seulement, la décision est également notifiée au Département de l'Intérieur ainsi qu'à l'Ambassade de France à Monaco, en vue d'instruire la demande de visa d'établissement pour Monaco.

Dans le cas d'une demande d'asile, le voyage est organisé et est à la charge des demandeurs. Dans le cas d'une « réinstallation », le voyage est organisé par le HCR et pris en charge par Monaco. Dans les deux cas, les Départements sont informés des décisions prises. Concernant l'accueil de réfugiés sur le territoire, il revient au Secrétariat Général du Gouvernement de délivrer un titre de circulation et au Département de l'Intérieur, par le biais de la Direction de la Sûreté Publique, d'établir un titre de séjour à cet effet. Ainsi, la décision d'octroyer ou non l'asile est prise uniquement par les autorités monégasques. En cas de refus, l'intéressé peut exercer un recours devant le Tribunal Suprême monégasque, compétent en la matière. Il n'y a pas eu de recours en 2016. III/S'agissant de la procédure de coopération avec l'OFPRA, le principe de la consultation de l'OFPRA peut s'apprécier au regard des stipulations de la convention de voisinage franco-monégasque du 18 mai 1963. L'article 2 de cette convention indique que : « Le Gouvernement Princier s'engage à maintenir sa législation sur l'entrée, le séjour et l'établissement des étrangers en harmonie avec la législation française en la matière ». Il peut être également apprécié au regard de la Convention du 8 novembre 2005, destinée à adapter et à approfondir la coopération administrative dans ce domaine. Sous ce cadre général d'entraide administrative, et comme suite à l'adhésion de la Principauté à la Convention relative au statut des réfugiés de 1951, la question particulière de la gestion des demandes d'asile est régie par un échange de lettres datant de 1955, qui prévoit que la Principauté puisse solliciter l'OFPRA pour l'appuyer dans l'instruction de ces demandes. L'OFPRA est sollicité pour mener une enquête et rendre un avis consultatif, les autorités monégasques prenant la décision finale. IV/ la mesure de refoulement est prévue par l'article 22 de l'Ordonnance Souveraine n° 3.153 du 19 mars 1964 relative aux conditions d'entrée et de séjour. Cette mesure est un acte administratif individuel motivé, pris à l'encontre de toute personne étrangère, résidente ou non. En tout état de cause, le demandeur n'est pas éloigné. Dans l'absolu, il devra demander un visa de circulation C pour se maintenir et se déplacer dans l'espace Schengen auprès des autorités françaises ou solliciter l'asile. Au-delà de trois mois de séjour, il devra demander un visa D Schengen. V/S'agissant des données relatives aux nombres d'appel à des ordres d'expulsion depuis 2011, 13 recours ont eu lieu devant le Tribunal Suprême, formés contre des mesures de refoulement du territoire monégasque, dont un accompagné d'une demande de sursis à exécution.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	36 [] NA [] NAP	405 [] NA [] NAP	202 [] NA [] NAP	189 [] NA [] NAP	2 [] NA [] NAP	4 [] NA [] NAP
Employment dismissal case	44 [] NA [] NAP	791 [] NA [] NAP	259 [] NA [] NAP	190 [] NA [] NAP	9 [] NA [] NAP	15 [] NA [] NAP
Insolvency	0 [] NA [] NAP	123 [] NA [] NAP	159 [] NA [] NAP	0 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Robbery case	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
Intentional homicide	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments Pour les faillites l'outil statistique est en cours de reconfiguration et ne permet pas de renseigner, pour ce cycle, la durée moyenne en 1ère instance et le pourcentage d'affaires pendantes depuis plus de 3 ans.

Pour les divorces et les licenciements les chiffres d'affaires pendantes depuis plus de 3 ans ont pu être établis.

103. Where appropriate, please indicate the specific procedure as regards divorce cases (litigious and non-litigious):

. les procédures non contentieuses dans lesquelles le divorce peut être prononcé à la demande conjointe des époux.
Parmi les trois articles du Code civil servant de fondements aux procédures de divorce, deux mettent en place des passerelles permettant qu'un divorce pour faute se transforme en un divorce consensuel. En effet, l'article 200-9 du Code civil prévoit que les époux peuvent à tout moment de la procédure demander à la juridiction de constater leur accord pour voir prononcer le divorce sur le fondement de l'article 198 (divorce sans énonciation des motifs). Par ailleurs, l'article 202-5 du Code civil prévoit que les époux peuvent à tout moment de la procédure soumettre à la juridiction une convention réglant les conséquences du divorce.

104. How is the length of proceedings calculated for the five case categories of question 102? Please give a description of the calculation method.

. Les données relatives à la durée de traitement des procédures de divorce contentieux doivent être comprises à la lumière de quelques particularités. Tout d'abord, les chiffres ne représentent que 36 procédures pour 2016 (24 procédures pour 2014, 45 pour 2012), ce qui présente une faible proportion par rapport au nombre total de divorces prononcés chaque année, notamment les divorces consensuels traités dans des délais très rapides (quelques semaines). En outre, la spécificité de Monaco tient à la composante internationale de son environnement et aux patrimoines parfois très importants des parties, ce qui justifie des expertises financières complexes nécessitant des mois afin d'identifier des avoirs souvent détenus par des structures de droit étranger et ralentissant la procédure. De même, la pluri nationalité des couples rend plus complexes les procédures et justifie souvent le recours au droit international privé. Il est à noter aussi que sur l'ensemble des dossiers de divorce contentieux, il arrive fréquemment que le tribunal ait précédemment déjà statué sur la répartition des torts ainsi que sur les mesures extrapatrimoniales (telle l'autorité parentale) et que le seul élément restant à trancher soit la prestation compensatoire. Enfin, les délais de délibérés sont rapides puisque le Tribunal rend ses

décisions dans les deux mois environ suite aux plaidoiries étant rappelé que le contentieux relatif au droit de la famille est traité de manière prioritaire par le Tribunal. Il faut également rappeler la possibilité qu'un divorce pour faute se transforme en divorce consensuel. En matière de divorce, licenciement et faillite, la durée de procédure est calculée pour toutes les instances à compter de la saisine de la juridiction compétente jusqu'au prononcé du jugement. Dans le domaine du licenciement, les affaires sont traitées en première instance par le Tribunal du travail, juridiction paritaire et échevinale. La qualification de vol avec violence est criminelle à Monaco et relève de la compétence du Tribunal criminel.

4.2.6. Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):

Comments

106. (Modified question) Does the public prosecutor also have a role in:

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	2313 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1357 <input type="checkbox"/> NA <input type="checkbox"/> NAP	139 <input type="checkbox"/> NA <input type="checkbox"/> NAP	472 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Before the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
During the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	1357 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	427 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	775 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Discontinued by the public prosecutor for reasons of opportunity	155 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Dans le cadre de l'opportunité des poursuites, un nombre important d'affaires d'émissions de chèques sans provision (qui est toujours une infraction pénale à Monaco) ont été classées sans suite, notamment suite à des régularisations.

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Parquet Général

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

- [X] mainly through a competitive exam (open competition)
- [] mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- [X] a combination of both (competitive exam and working experience)
- [] other (please specify):

Comments

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

- () Yes
- (X) No

Comments - If yes, please specify:

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

- [] an authority made up of judges only
- [] an authority made up of non-judges only
- [X] an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

112. Is the same authority (Q111) competent for the promotion of judges?

- (X) Yes
- () No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

- () Yes
- (X) No

Comments - If yes, please specify:

113. What is the procedure for judges to be promoted? (multiple answers possible)

- [] Competitive test / Exam
- [X] Other procedure (interview or other)
- [] No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

114. (Modified question) Is there a system of qualitative individual assessment of the judges’ work?

- Yes
- No

Comments évaluation biennale

114. If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

- statutory independent
- under the authority of the Minister of justice or another central authority
- other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a prosecutor in a court.

- Yes
- No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)

other (please specify):

Comments

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

- an authority composed of public prosecutors only
- an authority composed of non-public prosecutors only
- an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

- Yes
- No

Comments - If yes, please specify:

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

- Yes
- No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

- Competitive test / exam
- Other procedure (interview or other)
- No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

- Yes
- No

Comments - If yes, please specify:

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- Subjective criteria (e.g. integrity, reputation)
- Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

Yes

No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred (to another court) without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments NAP

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):2 ans

No

NAP

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):2 ans

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the

length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?

No

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?

No, what is the length of the mandate (in years)?

Comments

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions in office (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
---	--

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

131-0. (Modified question) If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. Les magistrats monégasques sont intégrés (après une sélection organisée par les autorités monégasques) à la formation initiale de l'Ecole Nationale de la Magistrature. Ils suivent également la formation continue dispensée par cette même institution au cours de leur carrière.

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:



	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	46457 [] NA [] NAP	43850 [] NA [] NAP	46457 [] NA [] NAP	43850 [] NA [] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	95202 [] NA [] NAP	89859 [] NA [] NAP	95202 [] NA [] NAP	89859 [] NA [] NAP
Public prosecutor at the beginning of his/her career	46457 [] NA [] NAP	43850 [] NA [] NAP	46457 [] NA [] NAP	43850 [] NA [] NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	95202 [] NA [] NAP	89859 [] NA [] NAP	95202 [] NA [] NAP	89859 [] NA [] NAP

Comments

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	() Yes (X) No	() Yes (X) No
Housing	(X) Yes () No	(X) Yes () No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments

134. If “other financial benefit”, please specify:

. Les magistrats ont droit à une prime de 5% outre le versement d'un 13ème salaire. S'agissant des logements de fonction, ceux-ci ne sont proposés qu'aux magistrats français détachés et non aux magistrats nationaux monégasques.

[] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	() Yes (X) No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	() Yes (X) No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time) or cases examination?

() Yes

(X) No

Comments - If yes, please specify the conditions and possibly the amounts:

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General / State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body

- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 9)	0 [] NA [] NAP	0 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP	0 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	0 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Direction des services judiciaires

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[35]

NA

NAP

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[29]

NA

NAP

Comments

149. (Modified question) Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Dismissal cases	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Criminal cases - Defendant	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Criminal cases - Victim	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Administrative cases	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
There is no monopoly	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: 1/ En matière civile, devant le Tribunal de Première Instance, les parties peuvent comparaître en personne ou par avocat-défenseur inscrit (article 170 du Code de procédure civile). La simple assistance par un avocat étranger est possible, sous réserve de la domiciliation de la partie en cause à Monaco. En cause d'appel et en révision, le ministère d'avocat est obligatoire. 2/ En justice de paix (petits litiges) la représentation est possible par un parent ou allié agréé par le juge de paix ou par un avocat-défenseur (article 66 du Code de procédure civile) 3/Devant le Tribunal du travail (affaires de licenciement) les parties peuvent comparaître en personne, par avocat-défenseur, ou par une personne exerçant à Monaco une activité professionnelle en qualité d'employeur ou de salarié.

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Family member	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Self-representation	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Trade union	(X) Yes () No [] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Other	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the legal profession in court?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

Yes

No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general system for lawyers requiring in-service professional training?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Direction des Services Judiciaires

6.1.2. Practicing the profession



154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures



157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

the judge

the Ministry of Justice

a professional authority

other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	0 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP
5. Other	0 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons.

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned:

164. Please specify, by type of cases, the organisation of judicial mediation:

Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor

Civil and commercial cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family law cases (ex. divorce)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employment dismissals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

165. Is there a possibility to receive legal aid for judicial mediation procedures?

Yes

No

Comments - If yes, please specify:

166. Number of accredited or registered mediators who practice judicial mediation:

[1]

NA

NAP

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Family cases	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Employment dismissal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate the source:

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

mediation other than judicial mediation

arbitration

conciliation

other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: greffe des juridictions et département des affaires sociales

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

[3]

NA

NAP

Comments

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immoveable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice

- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
- No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

- a national body
- a regional body
- a local body
- NAP

Comments

174. Are enforcement fees easily established and transparent for the court users?

- Yes
- No

Comments

175. Are enforcement fees freely negotiated?

- Yes
- No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

- Yes
- No

Comments

H0. Please indicate the sources for answering question 170

Source: Huissiers et Direction des Services Judiciaires

8.1.2. Efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used?

180. If yes, who is responsible for establishing these quality standards?

a professional body

the judge

the Ministry of Justice

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

Yes

No

Comments - If yes, please specify:

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

186. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary

proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	0 [] NA [] NAP
1. For breach of professional ethics	0 [] NA [] NAP
2. For professional inadequacy	0 [] NA [] NAP
3. For criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	0 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP
5. Other	0 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: Direction des Services Judiciaires et Parquet Général.

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). autre: parquet général. Les services du parquet général (comprenant des personnels non magistrats) sont notamment en charge de l'exécution des peines. Mais le pouvoir de décision revient à un magistrat du Parquet.

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

Comments

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Number of notaries
TOTAL	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals (without control from public authorities)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals under the authority (control) of public authorities	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Public agents	0 [] NA [] NAP
Other	0 [] NA [] NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary:

- diploma
- payment of a fee (e.g. purchasing office)
- co-opting of peers
- other

Comments il est désormais admis, dans le cadre de bonnes pratiques, qu'un diplôme universitaire de droit notarial conditionne l'entrée dans la profession

192-2. (Modified question) What is the duration of appointment of a notary?

- Limited duration, please indicate it in years:
- Unlimited duration

Comments

194. Do notaries have duties (multiple options possible):

- within the framework of civil procedure
- in the field of legal advice
- to certify the authenticity of legal deeds and certificates
- in the field of mediation
- other (please specify):

Comments

194-1. Do notaries have the monopoly when exercising their profession:

- in civil procedure
- in the field of legal advice
- to authenticate deeds/certificates
- in the field of mediation
- other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with:

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

- Real estate transaction
- Settlement of estates
- Legality control of gambling activities

Authentication of documents

Translations

Signatures

Other

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

Yes

No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

a professional body

the judge

the Ministry of Justice

the public prosecutor

the Ministry of Interior

other (please specify):commission de contrôle des études notariales

Comments

196-1. Is there a system of general continuous training mandatory for all notaries?

Yes

No

Comments

I1. Please indicate the sources for answering question 192:

Sources: Direction des Services Judiciaires

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1.Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

NA

NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: greffe de la Cour d'appel

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

202. In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments

202-1. Are there lists or databases of technical experts registered?

Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?)

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the expert have an obligation of training?

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

the proceeding

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial / technical experts:

[]

NA

NAP

Comments

205-1. Who sets the expert remuneration?

- le juge chargé du contrôle de l'expertise en matière civile (articles 344 à 373 du Code de procédure civile),
- le juge d'instruction ou la juridiction de jugement en matière pénale,
- le juge tutélaire dans le cadre des demandes de mise sous protection judiciaire (tutelle, curatelle)

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge:

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of investigations?

Yes

No

Comments

K1. Please indicate the sources for answering question 205

Sources: nap

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning



of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans nap

2. Budget nap

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) nap

3.1. Access to justice and legal aid nap

4. High Judicial Council nap

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. nap

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities projet de loi n°958, relatif à la sauvegarde de justice, au mandat de protection future et à l'exercice de l'activité de mandataire de justice: en lien avec l'adhésion de Monaco à la convention de La Haye sur la protection internationale des adultes.

Projet de loi n°920 modifiant des dispositions du Code civil relatives à l'adoption (simplification des procédures judiciaires et droit d'accéder à ses origines).

adoption récente des lois suivantes: -n°1448 loi relative au droit international privé, -n°1440 modifiant les dispositions du Code civil relatives au nom et instaurant une reconnaissance anténatale de l'enfant

-n°1457 du 12 décembre 2017, relative au harcèlement et à la violence au travail

7. Enforcement of court decisions nap

8. Mediation and other ADR nap

9. Fight against crime projet de loi n°972 renforçant le dispositif de lutte contre le blanchiment de capitaux, le financement du terrorisme et la corruption.

9.1. Prison system nap

9.2 Child friendly justice nap

9.3. Violence against partners nap

10. New information and communication technologies nap

11. Other nap