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CONTENT

INTRODUCING REMARKS.....	5
MEMBERS OF THE JUDICIAL COUNCIL ON 31.12.2014.	6
1. JUDICIAL COUNCIL.....	8
1.1 Constituting the Judicial Council.....	9
1.2 Transparency of work of the Judicial Council.....	9
1.3 Presenting the Annual report on the work of courts for 2013.....	10
1.4 Nomination of the Working group for measuring the time of treatment in cases.....	10
2. SESSIONS OF THE JUDICIAL COUNCIL.....	10
3. ACTIVITIES O THE JUDICIAL COUNCIL AND SUPREME COURT ON INTERNATIONAL PLAN.....	10
3.1 International cooperation of the Judicial Council.....	10
3.2 Visit of the President of High Judicial Council of Republic of Serbia.....	11
3.3 Letter of gratitude to Judicial Council.....	11
3.4 International cooperation of the Supreme Court.....	12
3.5 Cooperation with NGOs and international organizations and Embassies.....	13
3.6 Days of “Opened doors”	13
3.7 Signed memorandums.....	14
3.8 European integrations.....	14
3.9 About reports of Montenegro before the Committees of UN in Geneva.....	15
4. STRATEGY OF THE REFORM OF JUDICIARY 2014-2018.....	15
5. PROJECT OF EU SUPPORT IN THE RULE OF LAW.....	16
6. DAYS OF MONTENEGRIN JUDICIARY.....	16
7. NORMATIVE ACTS.....	16
8. ACTIVITIES UPON SUBMITTED COMPLAINTS.....	17
9. COMMISSIONS OF THE JUDICIAL COUNCIL.....	18
9.1 Decisions of Disciplinary Commission and disciplinary proceedings.....	18
9.2 Commission for Code of Ethics of judges.....	19
10. ELECTIONS OF THE PRESIDENTS OF COURTS AND JUDGES.....	20
10.1 Elections of the presidents of courts.....	20
10.2 Election of judges.....	22
10.3. State on 31.12. 2014.....	25
10.4 Presidents of the courts in Montenegro on 31.12.2014.....	25
10.5. Age and gender structure of the presidents and judges on 31.12.2014.....	26
11. TERMINATION OF JUDICIAL OFFICE IN THE PERIOD OF 1.1. to 31.12.2014.....	28
11.1 Termination of office on personal request.....	28
11.2 Eligibility for retirement.....	29
11.3 Election to another position.....	29
12. TEMPORARY REMOVAL FROM OFFICE.....	29

13. TEMPORARY TRANSFER OF JUDGES.....	29
14. COURTS EXPERTS.....	32
15. SECRETARIAT OF THE JUDICIAL COUNCIL.....	32
15.1 Activities of ICT Department and i multimedia.....	33
15.2 Funds for the operation and review of the budget for 2014.....	33
15.2.1 Review of approved funds.....	34
15.2.2 Structure of execution of Budget - spending unit Judiciary	
in 2014. upon expenditures.....	35
Overview of total costs of the courts, with an overview of the number of judges and other administrative staff.....	36
15.3 Free legal aid.....	38
16. EDUCATION.....	38
17. INSTRUCTION ON PREPARATION OF STATISCICAL REPORT ON THE WORK OF COURTS.....	41
18. OVERVIEW OF THE WORK OF ALL COURTS IN 2014.....	42
19. RIGHT TO A TRIAL IN THE REASONABLE TIME.....	45
19.1 Overview of the cases upon claim for just satisfaction	
19.2 Data on control requests.....	46
20. STATISTICAL OVERVIEW OF THE WORK OF COURTS IN 2014.....	47
20.1 Efficiency of the work of courts in 2014. upon CEPEJ indicators.....	48
20.2 Overview of resolution of old cases.....	49
20.3 Quantity and quality of the work of courts.....	50
20.4 Overview of the work of Basic courts.....	51
Efficiency of the work of Basic courts.....	53
20.5 Overview of the work of Basic courts upon case types.....	54
20.6 Overview of the work of High courts.....	56
20.7 Efficiency of the work of High courts.....	56
20.8 Overview of the work of High courts upon case types.....	57
20.9 Overview of the work of commercial courts.....	58
20.10 Efficiency of the work of Commercial courts.....	58
20.11 Overview of the work of Commercial courts upon case types.....	59
20.12 Overview of the work of Appellate, Administrative and Supreme court of Montenegro.....	59
20.13 Overview of the work of Appellate courts upon case types.....	60
20.14 Efficiency of the work of Appellate court.....	60
20.15 Overview of the work of Administrative courts upon case types.....	61
20.16 Efficiency of the work of Administrative court.....	61
20.17 Overview of the work of Supreme courts upon case types.....	62
20.18 Efficiency of the work of the Supreme court in 2014. upon CEPEJ indicators.....	62
20.19 Overview of the sentences.....	63
20.20 Seized objects of crimes upon non-binding judgements.....	64
20.21 Seized objects of crimes upon binding judgements.....	65
20.22 Overview of duration of procedure per courts.....	66
21. CONCLUSIONS AND GUIDELINESS.....	67



INTRODUCING REMARKS

The Judicial Council during 2014, seeking to improve the efficiency and functioning of the judicial system, gave up a special emphasis to develop a methodology for analysis of the judicial system, based on statistical data and their processing, by means of specific indicators of the European Commission for the Efficiency of Justice (CEPEJ).

In order to meet the European Commission's recommendations relating to the provision of reliable and consistent judicial statistics, the adoption of regulations on procedures, the methods and deadlines for the collection of statistical data in accordance with the guidelines of the CEPEJ has been envisaged.

So this year's Report was prepared for the first time on the basis of Instruction on preparing statistical reports on the work of the courts, relying on the Guidelines for statistical data in the judicial system, adopted by the CEPEJ in 2008. In this manner, we have promoted the quality, transparency, accountability and accessibility of judicial statistics in Montenegrin courts and ensured for making standardized reports that are consistent with the methodology of the CEPEJ, and for which there is a growing need in the process of accession of Montenegro to the European Union. At the same time, we have ensured a greater visibility and readability of the data, thus fulfilling the request of the parliamentary debate on which the Annual Report for the year 2013 was considered.

Instructions were issued for the purpose of understanding the functioning of the judicial system, identification of possible defects and designing appropriate measures to remedy these deficiencies.

At the same time, we have facilitated the comparison of data on the functioning of the judicial system in Montenegro with European standards, thus fulfilling the obligations from Chapter 23 of the Action Plan: Judiciary and fundamental rights.

1. MEMBERS OF THE JUDICIAL COUNCIL ON 31.12.2014.



PROF. DR MLADEN VUKČEVIĆ
President
Mandate 2.7.2014 - 2.7.2018.



VESNA MEDENICA
Mandate 2.7.2014 - 2.7.2018.
Exercises the function of the President of the
Supreme Court of MNE



RADOJE OROVIĆ
Mandate 2.7.2014 - 2.7.2018.
Exercises the function of the judge of
the Supreme Court of MNE



MILIĆ MEĐEDOVIĆ
Mandate 2.7.2014 - 2.7.2018.
Exercises the function of the judge of the
Appellate Court of MNE



NATAŠA BOŽOVIĆ
Mandate 2.7.2014 - 2.7.2018.
Exercises the function of the judge of the High court
in Podgorica



DUŠKO MARKOVIĆ
Mandate 2.7.2014 - 2.7.2018.
Minister of justice of MNE



ŽELJKA JOVOVIĆ
Mandate 2.7.2014 - 2.7.2018.
Exercises the function of the judge of the
Basic Court in Podgorica



DR VESNA SIMOVIĆ-ZVICER
Mandate 2.7.2014 - 2.7.2018.
Elected by the Assembly of Montenegro among
prominent lawyers



DOBRICA ŠLJIVANČANIN
Deputy of President
Mandate 2.7.2014 - 2.7.2018.
Elected by the Assembly of Montenegro among prominent
lawyers



LORO MARKIĆ
Mandate 2.7.2014 - 2.7.2018.
Elected by the Assembly of Montenegro among prominent lawyers

JUDICIAL COUNCIL

The Annual report for 2014, is the seventh report of the Judicial Council since its constitution on 19 April 2008, which is submitted to the Parliament, the Government and the President of Montenegro.

The report includes information on the work of Judicial Council, the description and analysis of the situation in the judiciary, detailed informations for each court, relating to the number of cases received and resolved during the year for which the report is made, the problems and shortcomings in their work, as well as measures to be undertaken to remedy identified deficiencies.

In accordance with the responsibilities defined by the Constitution, the Judicial Council: elects and dismisses the President of the Supreme Court; elects and dismisses the President of the Judicial Council; submits to the Assembly Annual reports on the work of the Judicial Council on the overall state of the judiciary; elects and dismisses the judges, court presidents and lay judges; considers the report on the work of Court, complaints against the court and takes positions upon them; determines the termination of judicial office; determines the number of judges and lay judges; proposes to the Government the amount of funds for the work of the courts, and performs other tasks prescribed by Law.

In addition to the competences set out in the Constitution, according to the Law on Judicial Council (Official Gazette of Montenegro, no. 13/08, 39/11, 31/12, 46/13 and 51/13), the Judicial Council: decides on disciplinary responsibility of judges; gives opinions on draft regulations in the field of justice; provides implementation, sustainability and uniformity of the Judicial Information System in the part related to the courts; ensures the training of judicial function holders in cooperation with the Prosecutors' Council; maintains records on judges; investigates complaints of judges and takes positions regarding threats to their independence and autonomy; proposes guidelines for determining the number of judges and other officers and employees of the courts; establishes the methodology for preparing reports on the work of the courts and annual work schedules, and other tasks prescribed by Law.

The Judicial Council was established by the Constitution of Montenegro (Official Gazette no. 1/07) and the Law on the Judicial Council as an independent body that ensures the independence and autonomy of courts and judges.

Pursuant to Article 127 of the Constitution of Montenegro, which has been replaced by Amendment VIII, the Judicial Council has a president and nine members.

Judicial Council members are:

- President of the Supreme Court;
- four judges appointed and dismissed by the Conference of judges, taking into account the equitable representation of courts and judges;
- four prominent lawyers appointed and dismissed by the Assembly on the proposal of the competent working body of the Assembly by public tender; and
- Minister of Justice.

President of the Judicial Council is appointed by the Judicial Council from amongst its members who are not holders of judicial function, by a two-thirds majority of the members of the Judicial Council.

The composition of the Judicial Council is declared by the President of Montenegro. The mandate of the Judicial Council is four years.

Members of the Judicial Council from among the judges are judges of the Supreme Court of

Montenegro, the Appellate Court of Montenegro, the Administrative Court of Montenegro, High and Commercial court, who have at least 10 years of experience, and a judge of the Basic Court, who must have at least five years of experience.

Election of members of the Judicial Council is arranged in such a manner that members of the Judicial Council from among judges are elected from a list of candidates for the election of members of the Judicial Council, established in accordance with Article 11 of the said Law, at the Conference of judges, except that from one court only one candidate can be chosen. If there are more candidates with the same number of votes, on the basis of which they could go to a second round of voting, a list of the candidates is constituted, except that from one court only one candidate can be elected and voting shall be repeated. For members of the Judicial Council three candidates from the list of the said Article 11, paragraph 2 will be elected, except that from one court only one candidate can be elected from the list referred to in paragraph 4 of the same article or paragraph 5, who received the highest number of votes at the Conference of Judges.

The proposal for the election of a member of the Judicial Council from among eminent lawyers is submitted to the Assembly by the competent working body within eight days from the expiration of the deadline for candidate's application and contains a number of candidates to be elected for the members of the Judicial Council. In the event of termination of mandate of a Council member who was elected before the expiration of the term for which he/she was elected, the Assembly will elect a new member.

Constitution of the Judicial Council

After the legally prescribed procedure for the election of members of the Judicial Council, pursuant to Article 127 of the Constitution of Montenegro, the President of Montenegro, Mr Filip Vujanovic, on July 1, 2014, declared the composition of the Judicial Council of Montenegro, which consists of: the President of the Supreme Court of Montenegro Vesna Medenica, Judge of the Supreme Court of Montenegro Radoje Orović, Judge of the Appellate Court of Montenegro Milić Međedović, Judge of the High Court in Podgorica Nataša Božović and judge of the Basic Court in Podgorica Željka Jovović, elected by the Conference of Judges, then, four eminent lawyers elected by the Assembly of Montenegro, at the proposal of the competent working body: Dobrica Šljivančanin, Loro Markić, prof. Dr. Mladen Vukčević and Dr. Vesna Simović Zvicer and Minister of Justice, Duško Marković.

The inaugural session, which was scheduled by the President of the Supreme Court Vesna Medenica, was held on 2. July 2014. At the session, for the President of the Judicial Council was elected prof. Dr. Mladen Vukčević.

At the I session of the Judicial Council, held on 4 July 2014, at the proposal of the President of the Judicial Council, as Vice-president of the Judicial Council was appointed Dobrica Šljivančanin, eminent lawyer, who replaces the president in case of his absence or disability.

1.2 Transparency of the work of the Judicial Council

The Judicial Council shall inform the public by publishing statements, holding press conferences, answers to questions from journalists and publishing agendas, and conclusions from the sessions of the Council.

The Council has published 25 press releases from the sessions, on the website of the Council, as well as all decisions on the election of judges and presidents of courts, the decisions adopted in the disciplinary procedures and the procedures of establishing a violation of the Code of Ethics of Judges.

The President of the Judicial Council gave three informant interviews: 06.11.2014 in the daily news "Vijesti"; 18/12/2014 in "Dnevne novine" and 12/30/2014. to the news agency MINA, in which he presented the current issues relating to the status and functioning of the Judicial Council.

The Judicial Council and the Montenegrin courts are firmly committed to developing and improving transparency of its work, which confirms the existence of the web page sudovi.me, within which there are websites of Judicial Council and all regular courts in Montenegro.

On the websites of the courts a final court decisions are published, the trial schedules, important information about the work of the internal acts of the courts, while within the website of the Supreme Court can be found also translated judgments of the European Court of Human Rights in Strasbourg (ECHR) against Montenegro, selected judgments and publications, information, guides, memorandums and protocols on cooperation with non-governmental and

international organizations, the conclusions of the meetings of the presidents of all courts, legal and other regulations.

1.3 Presenting the Annual report on the work of courts for 2013.

The press conference, which is a traditional public presentation of Annual reports on the work of the courts for 2013, which presented the results achieved by the courts, strategic priorities and objectives, was held on 23.04.2014. The report was presented by Vesna Medenica, President of the Supreme Court and former President of the Judicial Council of Montenegro, Dusko Markovic, Minister of Justice and a member of the Judicial Council.

1.4 Nomination the Working group for measuring the time of treatment in cases

By the Judicial Council Decision of 05.26.2014. a Working Group was appointed in order to measure the time that judges need to act in certain types of cases, and the latter is composed of 13 representatives of the courts, the Ministry of Justice, as well as representatives of the prosecution.

The aim of the Working Group is implementation of obligations from the Action Plan for Chapter 23, Judiciary and Fundamental Rights, with the task of developing indicators for measuring the productivity of the work of judges and the average length of time for resolving certain types of cases, old cases, the backlogs and the costs of procedures (measure 1.4.1.2) as well as the establishment of appropriate standards for the workload of judges and the standard deadlines for dealing with certain types of cases and / or certain courts (measure 1.4.1.3).

2. SESSIONS OF THE JUDICIAL COUNCIL

The Judicial Council in 2014. held a total of 24 regular sessions, of which 16 were held by a new convocation. At the sessions of the Judicial Council it shall be decided by majority vote, and the President of the Judicial Council shall have a casting vote in the event of a tie.

3. ACTIVITIES OF THE JUDICIAL COUNCIL AND SUPREME COURT AT INTERNATIONAL PLAN

INTERNATIONAL COOPERATION OF THE JUDICIAL COUNCIL

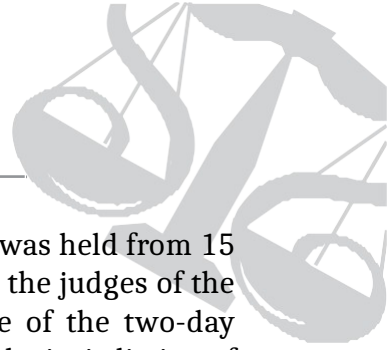
The Judicial Council during 2014 have cooperated with the Judicial Councils of member countries and observers of the European Network of Judicial Councils.

In Bucharest, on May 13. 2014, a member of the Judicial Council, Miodrag Pesic, attended the Balkan and Euro-Mediterranean Network of the Judicial Councils, which adopted the Statute of the Network of Judicial Councils.

The Judicial Council at the VI meeting held on 26.05.2014., gave its approval to the extension of the

internship of a judge of the Basic Court in Niksic, Jelena Ružičić in the European Court of Human Rights in Strasbourg.

Council member Dr. Vesna Simovic Zvicer attended the first meeting in the framework of the European Network of Judicial Councils (ENCJ), which was held from 18-19. September 2014. in Madrid. The theme of the two-day meeting, " Assessing the independence and accountability of the judiciary", was aimed at discussions on the planned activities, methodology of work and commitments, of the Member States, as well as those who have an observer status.



At the second annual Conference about the courts and communication, which was held from 15 - 17 October 2014, in Budapest, the Judicial Council of Montenegro instructed the judges of the Basic Court in Podgorica, Snežana Armenko and Miodrag Pesic. The theme of the two-day conference was "Legal heritage and new trends in communications regarding the jurisdiction of the courts", and 104 participants from 24 countries have participated.

The President of the Judicial Council, prof. Dr. Mladen Vukcevic, attended the Conference "Regional cooperation in the Western Balkans on the implementation of the system in the judiciary", held in Budva 29-31. October 2014.

In Podgorica on 11.06.2014. a panel discussion on "Civil Society and negotiations in Chapters 23 and 24", was held, on which, Dr. Vesna Simovic Zvicer attended as a representative of the Judicial Council.

In Brussels, at a II meeting of Working Group in the framework of the European Network of Judicial Councils for the 2014/15 year, entitled "Assessment of the independence and accountability of the judiciary" on 01 and 02 December 2014, Dr. Vesna Simovic Zvicer attended as a representative of the Judicial Council.

The Secretariat has prepared answers to questions of the European Network of Judicial Councils (ENCJ) and judicial councils of other countries, on topics how the exchange of experiences on different and very important issues in the field of judicial independence is done. Thus, we have sent the replies to questionnaires from the Judicial councils of Poland, Lithuania, Hungary, Bulgaria and Romania, which related to the method of establishing and achieving international cooperation, the election procedure, disciplinary bodies, termination of judicial function and other matters relating to the functioning of the the judiciary.

3.2 Visit of the President of the High Judicial Council of the Republic of Serbia

President of the Supreme Court and the Judicial Council of Montenegro, Vesna Medenica met on June 30. 2014, the President of the Supreme Cassation Court and the High Judicial Council of the Republic of Serbia, Mr Dragomir Milojevic.

At the meeting, they exchanged experiences on the completed and ongoing reform of the judicial system, the results of the work, strengthening the efficiency and transparency of the courts, education and accountability of judges and application of alternative manner of dispute resolution.

They agreed that it is necessary to continue the successful judicial cooperation between Montenegro and the Republic of Serbia, which will in the future primarily relate to professional help to colleagues in Serbia in the EU accession process.

3.3 Letter of gratitude to the Judicial Council

Ambassador of the Republic of Serbia in Montenegro prof. Dr. Zoran Bingulac, handed a letter of gratitude to the Judicial Council for generous help in donating funds for the rehabilitation of the consequences of floods in the Republic of Serbia.

ANNUAL REPORT 2014.

Specifically, for the flooded areas in Serbia and Bosnia and Herzegovina, the employees of the judiciary have given the amount of a one day's pay, totaling \$ 27,407.85 € according to the decision of the Judicial Council from 26.5.2014.



International cooperation of the Supreme Court

The Supreme Court have realized active international cooperation with European and regional judicial authorities during 2014, by participation of its representatives in numerous professional trainings, seminars, congresses and conferences:

- 26.01.2014, Strasbourg, the official opening of the new judicial year and the Seminar of the European Court of Human Rights.
- 24-27.02.2014, Ankara, official visits to the Supreme Court and the judicial authorities in the organization of the Office of International management group in Podgorica (IMG) and the Ministry of Justice of the Republic of Turkey.
- 17/03/2014, Luxembourg, the Joint meeting of the Network of Presidents of the Supreme Courts of the European Union with the European Court of Justice (CJEU).
- 7-16.04.2014, The Hague, training "Integrity of civil servants", organized by the Hague Academy for Local Governance in the Netherlands - Matra Partol program, the Ministry of Foreign Affairs of Netherlands and TMC Asser Institute.
- 8-9.04.2014, Bucharest, Regional Conference on the promotion of best practices in the fight against high-level corruption and property restitution, organized by the Ministry of Justice of Romania, the National Office for the Prevention of Crime and restitution of the property, with the support of the British Embassy in Bucharest, Konrad Adenauer Foundation and the Regional Council for Cooperation (RCC).
- 9.05.2014, Brussels seminar "Asylum seekers and nationals of third countries through EU law and the Convention on Human Rights", organized by the Council of State of France and ACA Europe.
- 12-13.06.2014, Rome, Coloquium of Network of the presidents of the Supreme Courts of the European Union, "The relations between the Supreme Courts and lower courts."
- 23-25.06.2014, Tbilisi, IV Conference of Presidents of the Supreme Courts of Central and Eastern Europe, organized by the Supreme Court of Georgia and the CEELI Institute in Prague.
- 8-9.07.2014, Cetinje, Symposium on International Law and Human Rights, organized by the Supreme Court of Montenegro and the Inter-Alliance for Human Rights and Global Peace-ICD Berlin
- 6-15.09.2014, United States, study visits to the judicial authorities in the organization of the US Embassy in Montenegro.
- 9-12.09.2015, Tallinn, XVII Symposium of European Patent Judges.
- 19-29.10.2014, The Hague, training "Administration of justice", organized by the Ministry of Foreign Affairs of the Netherlands and the TMC Asser Institute - Matra Patrol program.
- 20-24.10.2014, London, study visit of the Montenegrin national team for implementation of the LGBT Strategy.
- 24-25.10.2014, Baku, International Conference of Presidents of the Supreme Courts of the EU.
- 7-11.11.2014, Berlin, Annual Conference on Cultural Diplomacy.
- 10-13.12.2014, Vienna, study visit dedicated to the identification and protection of victims of trafficking, organized by the US Embassy in Podgorica, the State Department's bureau for the fight against international drug trafficking and law enforcement.

3.5 Cooperation with NGOs and International organizations and embassies

The Supreme Court of Montenegro continued successful long-term cooperation with the OSCE Mission in Montenegro, the UNDP, the US Embassy in Montenegro and the British Embassy.

The cooperation with the Civic Alliance, Centre for Monitoring (CEMI), Action for Human Rights, was continued, and the cooperation was established with LGBT Forum Progress.

OSCE Mission to Montenegro, presented on 24. April 2014. the final report of trial monitoring and thematic report "Implementation of the Law on protection of the right to a trial in the reasonable time in civil cases."

The project was implemented in partnership with the Center for Monitoring and Research (CEMI), with financial assistance from six countries: France, Germany, Luxembourg, the Netherlands, Great Britain and the United States.

UNDP Office in Montenegro and the British Embassy organized a study visit to anti-corruption authorities in Serbia, as part of a project to strengthen the integrity of the judiciary.

The US Embassy in Montenegro, together with the Bureau of the State Department for fight against international drug trafficking and law enforcement (INL), in September 2014, organized a two-week visit of Montenegrin delegation to judicial authorities of the United States, which was marked by the meeting of the President of the Supreme Court of Montenegro with the President of the Supreme Court of USA, Mr John Roberts.

XIII generation of the School of Democratic Leadership on 19.12.2014. visited the Supreme Court of Montenegro, as part of the final seminar on the theme "Rule of Law".

3.6 Days of "Opened doors"

Continuing the successful tradition in this judicial year, in April, the ambassadors of the countries that have permanent offices in Montenegro visited the Supreme Court, while on the 6th and 30th of May, the Supreme Court opened its doors to students of the Faculty of Law, University of Montenegro and Faculty of Legal Sciences University of Donja Gorica.

Through the activity of "Open Doors" diplomats and law students had the opportunity to get to know the mode of operation of the Montenegrin court system, the results achieved by the courts, strategic objectives and challenges in the functioning of the judicial branch, and get direct answers to many questions that the ambassadors and future qualified lawyers have set.

Head of the EU Delegation to Montenegro, Ambassador Mitja Drobnič on behalf of the delegation paid admission to the Supreme Court for the results achieved in 2013 and the work of all judicial authorities in enforcing the necessary reforms.

US Ambassador to Montenegro Sue K. Brown praised the state of the judiciary in the process of reform of the judicial system in Montenegro.

Official visit to the Bar Association of Montenegro

The highest representatives of Montenegrin judiciary, headed by the President of the Supreme Court Vesna Medenica visited on 05/11/2014. the Bar Association of Montenegro, continuing the successful cooperation and dialogue between the Supreme Court and the Bar Association, which was established in 2013.

3.7 Signed memorandums

The Supreme Court of Montenegro and the Faculty of Law, University of Donja Gorica signed a Memorandum of Understanding on 01.10.2014., which aims to better and more comprehensively based legal education of the teaching staff of Faculty of Law and the acquisition of professional practice in the courts.

The Supreme Court of Montenegro and NGO "LGBT Forum Progress" in March 2014, have signed a Memorandum on cooperation, which has expressed its intention to actively contribute to the promotion of national and international standards and practices in the field of human rights and protection from discrimination; promotion of the rule of law and an independent and autonomous judiciary, and the promotion of transparency, access to justice and access to the courts.

National Conference on "LGBT rights in Montenegro: the judicial and police practice" was held on 30.06.2014. in organization of the Supreme Court and the LGBT Forum Progres.

3.8 European integrations

During 2014, the Judicial Council submitted reports on compliance with the recommendations and realization of measures foreseen in the Action Plan for meeting the recommendations of the European Commission, which are within the jurisdiction of the Judicial Council, while developing good cooperation with other state bodies and institutions that are actively involved in the negotiation process.

In the reporting year, the Supreme Court was dedicated to realizing the commitments and objectives set out in the Action Plans for chapters 23 and 24, which relates to the judiciary and fundamental rights, freedom and security.

By decisions of the Government of Montenegro on establishing of the Working Group for the preparation and conducting of negotiations on Montenegro's accession to the European Union, in the field of the Acquis that relates to the negotiating chapter 23 - Judiciary and Fundamental Rights and Chapter 24 - Justice, freedom and security, we carried out a change in the composition of the working groups, so now, in addition to members who are representatives of the judiciary, we have appointed coordinators for specific areas.

As coordinator for the area of organized crime and a member of the Working Group for Chapter 24 we have appointed a judge of the Appellate Court of Montenegro Milenka Žižić.

In addition to the obligation of regular and semi-annual reports, representatives of the judiciary were involved in the work on the revision of the Action Plans for Chapter 23 and 24.

Progress Report on Montenegro in 2014, under political criteria and the results obtained in Chapter 23, showed that the European Commission recognizes the progress made by the Montenegrin courts during the reporting period. The same was noted in terms of the efficiency of the courts, which in 2013, managed to solve much larger number of cases than in the previous year and at the same time reduced the number of cases older than three years.

In the anti-corruption repressive policies the establishment of a system for the statistical monitoring of criminal offenses involving elements of corruption in all criminal procedures through the Judicial Information System (PRIS) was supported and the importance of strengthening the legal framework in this area was highlighted.

In the Progress report of Montenegro, the European Commission emphasized the need for reforms related to recruitment, promotion and disciplinary responsibility of the judicial function holders.

The current negotiation process involves regular, timely and detailed reporting of the courts on the manner of realization of the measures from the action plans. Also, bilateral meetings are held with experts from the European Commission (EC) through the Subcommittee on Justice, Freedom and Security, where representatives of the European Commission have the opportunity to ask direct questions, get answers and explanations about the most important issues in the legal system of Montenegro judicial reform, anti-corruption policy, the fight against organized crime and human rights.

Maintenance of Subcommittee in 2014 showed a high-quality preparation of representatives of the judiciary and measurable results, that would have been unthinkable without coordination of courts, timely Reporting Standards and the great work of judges and court administration.

Montenegro's accession process to the European Union imposes the need for harmonization of the domestic legislation with the EU acquis. In 2014, the Montenegrin judges, took part in the drafting of new legislation and legal acts that will contribute to strengthening the independence, efficiency, accountability and transparency of the courts, all in accordance with the dynamics determined by measures from the Action plans for chapters 23 and 24.

3.9 About Reports of Montenegro before Committees of UN in Geneva

In 2014, Montenegro, as a member of the United Nations, had a duty to defend three reports before the Committee of the United Nations in Geneva, Switzerland.

Representatives of the Supreme Court were members of state delegations which, in April, October, and November 2014 have successfully defended report of Montenegro before the Committee against Torture (CAT), Initial Report of Montenegro on the implementation of the International Pact on Civil and Political Rights and Report of Montenegro on the implementation of the International Pact on Economic, Social and cultural Rights (ICESCR), giving detailed answers to questions of Rapporteurs and members of the UN Committee.

4. JUDICIAL REFORM STRATEGY 2014-2018

By the adoption of the Judicial Reform Strategy 2014-2018 we opened a new stage in implementing the reform activities, aimed at further development of the judicial system in Montenegro, in the aim of efficient realization and protection of the rights and freedoms of citizens. Judicial institutions in the forthcoming coming period are to implement the adopted legal framework, strengthening of the institutional and professional planning capacities and their active contribution to the process of European and Euro-Atlantic integration of Montenegro.

Documents that, among others, have served as the basis of preparation of the strategy are: the Reports on progress of Montenegro of the European Commission; Reports on the screening of the legislation in Montenegro with EU legislation in Chapters 23 (Judiciary and fundamental rights) and 24 (justice, freedom and security); Reports of the UN Committee (UNCAC, CEDAW, HRC) and the Committee of the Council of Europe (CEPEJ, MONEYVAL, GRECO, GRETA, HATE CRIME).

In the process of European integrations, the priority of Montenegro is strengthening the independence, impartiality and accountability of the judiciary, with the transparency and availability of judicial institutions aiming to attain a higher degree of confidence in the judiciary.

The adoption of the Judicial Reform Strategy 2014-2018. is one of the preconditions for improving the system of justice and shows a willingness of the state to fully answer the demands of the domestic and international public for respect of the rule of law and an independent, accountable and efficient judiciary.

5. PROJECT OF EU SUPPORT TO THE RULE OF LAW

Within the project EUROL - European Union support the rule of law, and with the support of the Judicial Council of Montenegro, in the period from 17.11 - 19.11. 2014., the participants visited the courts in order to continue the implementation of business plans in the courts in Montenegro.

In the Basic courts in Rozaje, Berane, Bijelo Polje, Kolasin, Ulcinj and Bar, during the tour, activities have been undertaken for Case Study Weighting in order to start the measurements of complexity of cases.

The President of the Judicial Council, prof. Dr. Mladen Vukcevic and his associates, on 21/11/2014., met with Allen Bakareze, Head of Component 1 of the Project of EU support the rule of law, Ivona Dragutinović, project manager of IMG and Maja Grubišin, EU expert.

The theme of the meeting was to refine the upcoming activities related to the promotion of JIS, with the support of EUROL in cooperation with the project funded by the Norwegian Government, which will focus on improving the JIS in statistical reporting purposes, through the involvement of two experts of ORACLE company.

6. DAYS OF MONTENEGRIN JUDICIARY

Ceremony to celebrate the 29th of October, Day of Montenegrin judiciary was held in Cetinje, organized by the Supreme Court of Montenegro and the Association of Judges of Montenegro.

The participants of the ceremony were greeted by the president of the Supreme Court of Montenegro Vesna Medenica, who had a presentation entitled "The rule of law, the judiciary today and European challenges", President of the Judicial Council prof. Dr. Mladen Vukcevic, as well as the President of the Parliament of Montenegro Ranko Krivokapić and Minister of Justice Dusko Markovic.

President of the Parliament Ranko Krivokapic concluded that the independence of the judiciary as a branch of government must be unquestionable, as well as its responsibility. He also pointed that it is the duty of all responsible in the state, to indicate to the key processes of which our way to the Euro-Atlantic family of developed countries depends on.

The President of the Judicial Council prof. Dr. Mladen Vukcevic said, among other things, that through the annual report on the state of the judiciary, which by amendments became a constitutional obligation, we should have a dialogue about the work of this branch of government, but that it should be done according to the objective criteria, such as prescribed by international standards.

President of the Supreme Court Vesna Medenica, among others, has pointed out that Montenegrin judges were fully committed to strengthening the rule of law, human rights and promoting the rule of law, as evidenced by the successfully completed and already started a new five-year reform cycle.

7. NORMATIVE ACTS

Pursuant to Article 25 of the Law on Judicial Council of Montenegro ("Official Gazette of Montenegro", no. 13/08, 39/2011, 46/2013 and 51/2013), the Judicial Council, at the second meeting held on 22.01.2014.,

passed the Decision on Amendments to the Rules of Procedure of the Judicial Council.



The Judicial Council at the IX meeting, held on 11.12.2014., rendered a Decision on the increase of the existing number of judges for one position in the Supreme Court of Montenegro, on the basis of proposals of the Minister of justice, who adopted the initiative of the President of the Court.

Pursuant to Article 26 paragraph 2 of the Law on Housing and Maintenance of Residential Buildings ("Off. Gazette of Montenegro", no. 4/2011, 40/2011, 1/2014 and 6/2014), the Judicial Council at its XI session held on 26.11. 2014. adopted the Ordinance on the method and criteria for solving the housing needs of judges.

At XIV session of the Judicial Council, held on 18.12.2014., in accordance with Article 23, paragraph 3 of the Law on Judicial Council, some suggestions on the draft Law on Judicial Council and the rights and duties of judges were made, to review the model of election of judges and the entire system of evaluation of judges.

8. ACTIVITIES UPON SUBMITTED COMPLAINTS

Any natural or legal person is entitled to file a complaint about the work and conduct of judges, which can be anonymous.

The complaint is submitted to the Judicial Council.

In order to verify the complaint the Judicial Council shall submit the latter to the President of the court where a judge against whom the complaint was filed is working. In order to verify the allegations of the complaint, the president may ask any person or organization for all documents or other informations considered as necessary, may examine the person who filed the complaint and the judge against whom the complaint is filed, and any other person who may provide useful informations and take such other actions as deemed necessary to thoroughly investigate the complaint.

After the checks are carried out, if determines that there are grounds for disciplinary responsibility, the president of the court is obliged to put a proposal to initiate disciplinary proceedings. On his decision to initiate disciplinary proceedings, the president of the court shall notify the complainant and the judge against whom the complaint was filed. If, however finds that there were no grounds for initiating disciplinary proceedings, the court president shall submit the entire case files to the Judicial Council, with an explanation why he/she estimates that there are no grounds for disciplinary action. In this case, the Judicial Council has to decide on complaints and informs the complainant and the judge against whom the complaint was filed thereof.

Office for reporting corruption in the Judicial Council has recorded 69 complaints in 2014. Once verified allegations of the complaint, pursuant to Article 51 and 52 of the Rules of Procedure of the Judicial Council, the Judicial Council in 59 cases took the position and informed the complainant and the judge to whom the complaint relates about it, while for the remaining complaints, which were filed in December of the current year, the procedure is in progress. One complaint was submitted to the Commission on Judicial Ethics Code, as it was estimated that the allegations of the complaint disclosed a violation of the provisions of the Code of Ethics of Judges.

The complaints were mainly related to dissatisfaction of the parties with the first and second-instance decisions, because they were made at their expense, while one part relates to the tardiness of acting judges and long procedures. Acting on complaints, no violation of the Law

on Protection of the right to a trial within a reasonable time in any of the cases was found.

It is evident that some applicants are abusing this right in a manner that after every hearing they lodge complaints on any action of a judge, not to allow the session to end, by passing the decision against which regular and extraordinary legal remedies can be filed, and they lodge complaints in which they state arguments that are not related to the subject matter of the dispute, but have personal and political qualifications.

9. COMMISSIONS OF THE JUDICIAL COUNCIL

The Judicial Council at its meeting held on 4 July 2014, pursuant to Article 51, paragraph 1, 2 and 3 of the Law on Judicial Council ("Off. Gazette" no. 13/08, 39/2011, 31/12, 46/13 and 51 / 13) appointed the Disciplinary Committee, consisting of: President Dr. Vesna Simovic Zvicer, members: Stanka Vucinic and Radojka Nikolić, judges of the Supreme Court, whose deputies are Loro Markić, a member of the Judicial Council, Ratko Ćupić, Judge of the Appellate Court of Montenegro and Branimir Femić, judge of the Supreme Court of Montenegro, appointed at the session held on 12.11.2014.

At the meeting held on 4 July 2014, the Commission for testing was appointed, consisting of: Chairman Orović Radoje and members Milic Međedović and Natasa Bozovic, as well as their deputies Zeljka Jovović, Dr. Vesna Simovic Zvicer and Loro Markić, while in the composition of the Commission for Legislative Activity there are: President Stanka Vucinic and members Radule Kojović and Julka Badnjar, judges of the Supreme Court of Montenegro. On the third session of the Judicial Council, held on 23 July 2014, the representatives of the Judicial Council in the Coordinating Board of the Center for Education of Judicial function holders Zeljka Jovovic and Natasa Bozovic were elected as representatives in Court of pharmaceutical chambers.

At Conference of Judges, held on 03.09.2014. by the secret ballot as President of the Commission for ethical code, a candidate Dobrica Šljivančanin was elected, who is a member of the Judicial Council from among eminent lawyers. Within the same Commission, members are: Dusanka Radovic, Judge of the Supreme Court of Montenegro and Hasnija Simonovic, a judge of the High Court in Podgorica and president of the Association of Judges of Montenegro. Members of the Judicial Council, at the XII meeting held on 11.12.2014., have appointed Commission to address the housing needs of judges, consisting of: President Stanka Vucinic, Judge of the Supreme Court of Montenegro and members, Ratko Ćupić judge of the Appellate Court of Montenegro, Jadranka Ćulafić, Judge of the High Court in Bijelo Polje, Ljiljana Soskic judge of the Basic Court in Podgorica, Gazmend Kalabrezi, judge of the Basic Court in Ulcinj. For their deputies are determined; Vasiljka Mijatović, judge of the Basic Court in Niksic, Vesna Pavišić, judge of the Basic Court in Cetinje and Ajša Međedović, judge of the Basic Court in Berane.

At the XIV session of the Judicial Council held on 18.12.2014., as a member of the Disciplinary Committee to determine the disciplinary responsibility of public bailiffs, was elected Marotić Milorad, Judge of the High Court in Podgorica.

9.1 Decisions of the Disciplinary Commission and Disciplinary proceedings

Responsible work of judicial function holders is a prerequisite for successful performance of functions. The grounds for disciplinary action are prescribed by law and in an exhaustive way disciplinary responsibility is defined, in terms of the disciplinary authority, the offense, as well as the position of judicial function holders in the process.

Disciplinary Commission is appointed by the Judicial Council for a period of two years. President of the Disciplinary Commission shall be appointed from among the members of the Judicial Council who are not judges, and two members from among the judges who are not members of the Judicial Council, and have at least 15 years of experience.

The proposal for the establishment of disciplinary responsibility may be submitted by the President of the court where the judge works, the president of the immediately higher court and the President of the Supreme Court, and for the President of the Supreme Court General session of the Supreme Court.

Proposal for the establishment of disciplinary responsibility of a judge may be filed by the Commission for Code of Ethics.

In disciplinary proceedings a judge has the right to respond in writing to the allegations of proposals, to

submit the presentation of evidences, to hire a counsel, to present his/her allegations at the hearing.

¹ Elected at a Session of the Judicial Council on 27.12.2013. and did not take his function by 31.12.2013.

Disciplinary measures are a warning and a reduction of salary, which may be imposed in the amount of 20% up to six months.

Against the decision of the Disciplinary Commission, a Judge, his counsel and the petitioner may file a complaint to the Judicial Council within eight days, and against the decision of the Judicial Council administrative dispute may be initiated before the Administrative Court of Montenegro.

In 2014 three disciplinary proceedings were launched, for negligent performance of judicial functions. The Disciplinary Commission adopted the proposal of the President of the Basic Court in Herceg Novi and for disciplinary offenses referred to in Article 33a, item 5 of the Law on Courts - negligent performance of judicial functions, abandoning the decision drafting within the statutory time, they imposed to a judge a disciplinary measure reduction of salary in the amount of 20% for two months. Adopted was also the proposal of the President of the Basic Court in Niksic and for disciplinary offenses referred to in Article 33 b, paragraph 1, item 2 of the stated law - inappropriate relationship with the participants in court proceedings and court staff, imposed measures to a judge - a warning, which decision is still not final.

In course is the disciplinary proceedings on the proposal of the President of the Commercial Court in Podgorica for a disciplinary offense under Article 33 of the Law on Courts - negligent exercise of judicial functions - failure to take cases in the order they are received, not-scheduling hearings in the cases that are assigned and the otherwise, as well as delay in the proceedings.

The proposal for dismissal of a judge may be submitted by the President of the court where the judge performs a judicial function, the President of the immediately higher court, President of the Supreme Court, the Minister of Justice and a member of the Judicial Council.

Proposal for dismissal is submitted to the Judicial Council, which within 30 days of receiving the proposal decides whether there are grounds for conducting the procedure for dismissal.

The Judicial Council shall refuse or reject a proposal for dismissal if it determines that there are no grounds for the conduct of the proceedings, that the proposal is submitted by an unauthorized person or that it is untimely.

If the Judicial Council finds that grounds for conducting the procedure for dismissal exists, it shall forward a copy of the proposal to the judge to whom the proposal relates, with the announcement that he/she has the right to retain a counsel and to a Disciplinary Commission.

The Disciplinary Commission collects data and evidences to test the merits of the proposal, a judge whose removal is sought shall have the right to attend the work of the Disciplinary Commission.

After collecting data and evidences, the Disciplinary Commission shall submit a report to the Judicial Council within determined deadline.

A copy of the report of the Disciplinary Commission shall be submitted to the judge whose dismissal is sought.

On the dismissal of a judge, the Judicial Council decides on a session where the judge whose dismissal is sought shall have the right to attend, and the right to a counsel.

During 2014, there were no dismissals from judicial office. Specifically, the presidents of Basic courts in Ulcinj and Herceg Novi submitted each a proposal for dismissal, but the judges during the proceedings, filed a request for termination of judicial office.

9.2 Commission for Code of Ethics of judges

At the Conference of judges held on 22.03.2014., a new Code of Ethics of judges was passed, which is fully compliant with the Opinion of the Consultative Council of European Judges, Bangalore Principles of behavior in the judiciary, the Recommendation CM / Rec (2010) 2012 of the Council of Europe on judges adopted by the Committee of Ministers in 2010 and other relevant legislation.

Conference of Judges elects a Commission to monitor the implementation of the Code of Ethics of Judges, which has a president and two members. The president is elected from among the members of the Judicial Council who are not from the ranks of judges, one member is elected by the enlarged session of the Supreme Court from among the judges, and the other member is the Chairman of the Association of Judges of Montenegro.

Code of Ethics of Judges established ethical principles and rules of behavior that judges must adhere to, for maintaining, improving and affirming the dignity and reputation of judges and judiciary.

The Code of Ethics of judges in particular regulates in detail the principles of legality in the work, independency, efficiency and impartiality of judges, their expertise, professionalism and dedication to work, equal treatment of all parties in the process and fair trial. It also regulates the procedure for determining violations of the Code of Ethics, which implies that the initiative to start the procedure for determining violations of the Code shall indicate the name and surname of the judge against whom the initiative is submitted, describe the behavior of a judge, which is a violation of the Code, where and when this behavior was manifested.

The procedure for determining breaches of the Code can be initiated by any person, whether a violation of the Code exists, is established by the Commission for Code of Ethics of judges. If in the process of deciding the commission considers that in the actions of a Judge there are elements of a disciplinary offense, it shall suspend the procedure for determining breaches of the code and submit a proposal for the establishment of disciplinary responsibility of a judge to the competent authority - the Disciplinary Committee of the Judicial Council.

To Commission for Code of Ethics of judges during 2014 eight initiatives for violations of the Code of Ethics of judges were filed and after the procedure, it was established that judges did not commit violations specified in initiatives.

10. ELECTIONS OF THE PRESIDENTS OF THE COURTS AND JUDGES

In accordance with the Constitution and the Law on Judicial Council, the Judicial Council is responsible for appointing judges, presidents of courts and lay judges. Existing regulations recognize the transparency of the election of judicial function holders, and the election and advancement is achieved through elaborated criteria, which will be upgraded and fully comply with European Union standards.

10.1 Elections of the presidents of the courts

After the constitution of the Judicial Council, pursuant to the constitutional amendments, the vacancy of the President of the Supreme Court of Montenegro was advertised in the "Official Gazette of Montenegro" and one of the print media based in Montenegro.

List of applicants who are eligible for the President of the Supreme Court, the Judicial Council submitted to the General Session of the Supreme Court, which invited candidates for an interview, and then by a secret ballot determined proposal of a candidate for President of the Supreme Court of Montenegro.

The Judicial Council at the fourth session by secret ballot, on the unanimous proposal of the general session of the Supreme Court of Montenegro, elected the President of the Supreme Court of Montenegro, Mrs Vesna Medenica.

Election of the President of the Supreme Court was conducted in accordance with the constitutional amendments, the Law on Courts and the Judicial Council, by which the President of the Supreme Court is elected by the Judicial Council of Montenegro for the first time, by a two-thirds majority.

The Judicial Council during 2014 advertised 14 tenders for purpose of filling 12 vacancies for court presidents. The election of two presidents was carried out, by advertisements that were published in December 2013.

During 2014, 14 presidents of courts were elected: the Supreme Court of Montenegro, the High Court in Podgorica, the High Court in Bijelo Polje, the Commercial Court in Podgorica and 10 Basic courts in Podgorica, Bar, Kotor, Plav, Niksic, Bijelo Polje, Pljevlja, Danilovgrad and Zabljak.


Elected presidents in the period from 1.1. to 31. 12.2014.

No.	First and last name	Position prior election	Position after election	Decision	Day of taking the office
1.	Boris Savić	Basic state prosecutor in Kotor	President of the High court in Podgorica	24.2.2014. at III session of Judicial Council	25.2.2014.
2.	Goran Šćepanović	president of the Basic court in Bar	president of the Basic court in Bar	24.2.2014. at III session of Judicial Council	25.2.2014.
3.	Blažo Jovanić	Judge of the Basic court in Podgorica	President of the Commercial court in Podgorica	25.4.2014. at V session of Judicial Council	28.4.2014.
4.	Zoran Radović	President of the Basic court in Podgorica	President of the Basic court in Podgorica	25.4.2014. na V sjednici Sudskog savjeta	28.4.2014.
5.	Branko Vučković	President of the Basic court in Kotor	President of the Basic court in Kotor	25.4.2014. at V session of Judicial Council	28.4.2014.
6.	Zahit Camić	President of the Basic court in Rožaje	President of the Basic court in Rožaje	25.4.2014. at V session of Judicial Council	28.4.2014
7.	Hilmija Sujković	President of the Basic court in Plav	President of the Basic court in Plav	25.4.2014. at V session of Judicial Council	28.4.2014
8.	Vukota Vujačić	Judge of the Basic court in Nikšić	President of the Basic court in Nikšić	23.7.2014. at III session of Judicial Council	28.7.2014
9.	Vesna Medenica	President of the Supreme court of Montenegro	President of the Supreme court of Montenegro	26.7.2014. at IV session of Judicial Council	28.7.2014
10.	Tofil Žujović	President of the High court in Bijelo Polje	President of the High court in Bijelo Polje	30.9.2014. at IV session of Judicial Council	7.10.2014



11.	Radule Piper	President of the Basic court in Bijelo Polje	President of the Basic court in Bijelo Polje	30.9.2014. at VI session of Judicial Council	7.10.2014
12.	Radinka Gačević	President of the Basic court in Pljevlja	President of the Basic court in Pljevlja	30.9.2014. at VI session of Judicial Council	7.10.2014
13.	Milica Jovović	President of the Basic court in Danilovgrad	President of the Basic court in Danilovgrad	30.9.2014. at VI session of Judicial Council	7.10.2014
14.	Mihailo Anđelić	President of the Basic court in Žabljak	President of the Basic court in Žabljak	25.12.2014. at XV session of Judicial Council	29.12.2014

10.2 Election of judges

During 2014, 20 judges were elected, as follows: one in Supreme Court of Montenegro and one in the Administrative Court, two in the Appellate Court of Montenegro, three in the High Court in Podgorica and 13 judges in Basic courts: one in Danilovgrad, Herceg Novi, Ulcinj, Niksic, Berane, two in Bar and three in Podgorica and Kotor.

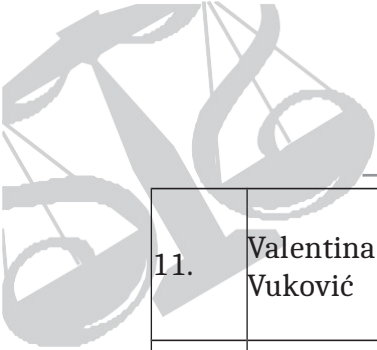
We conducted six tests for 55 candidates registered for the position of a judge of the Basic courts, with the purpose of quality personnel strengthening in the judicial system and satisfaction of legality and legitimacy during the election. It is evident that the largest number of candidates applying for positions that represent an "entry in the justice system" consists of advisors from the courts, possibly prosecutor's offices, and candidates from the administration. The Judicial Council makes every efforts to make all phases of the election of judges as objective as possible, for which we introduced anonymous testing of candidates, so that tests of the candidates are identified with numbers that they show after evaluating, and immediately before the commencement of the interviewing of candidates. In this way, only during the interview, the Judicial Council, on the basis of the number, identifies the candidate who did the test and informs him/her about the test results.

Anonymity of testing is arranged in Article 38 of the Rules of Procedure of the Judicial Council ("Official Gazette", no. 57/11, 17/13 and 4/14), which in details precised criteria and procedures, written exam, interview, transparent assessment systems, evaluation of candidates and the election of candidates, the public, and the appointment of judges and authorities of the body that appoints them, all in order to provide the most qualified candidates for judicial office. The Judicial Council Decision on the election of judges, which shall be taken by secret ballot is final and an administrative dispute may be initiated against this decision. The judge takes office on the day of taking the oath, no later than 15 days after the election.



**Elected judges
in the period of 1.1. to 31. 12.2014.**

No.	First and last name	Position prior election	Position after election	Decision	Day of taking the office
1.	Nevenka Popović	Judge of the Commercial court in Podgorica	Judge of the Appellate court	24.2.2014.	25.2.2014
2.	Vladimir Novović	Judge of the Basic court in Danilovgrad	Judge of the High court Podgorica	24.2.2014.	25.2.2014
3.	Biljana Krgović	Advisor of the Basic court Podgorica	Judge of the Basic court in Podgorica	24.2.2014.	25.2.2014
4.	Miljana Erić	Advisor of the Basic court Kotor	Judge of the Basic court in Kotor	24.2.2014.	25.2.2014
5.	Sonja Keković	Advisor of the High court Podgorica	Judge of the Basic court in Danilovgrad	25.4.2014.	28.4.2014
6.	Dijana Dragišić	Advisor of the Basic court Podgorica	Judge of the Basic court in Herceg Novi	25.4.2014.	28.4.2014
7.	Ratko Ćupić	Judge of the High court Podgorica	Judge of the Appellate court of Montenegro	23.7.2014.	28.7.2014
8.	Milorad Marotić	Advisor in the Supreme court of Montenegro	Judge of the High court Podgorica	23.7.2014.	28.7.2014.
9.	Ana Delić	Advisor of the Basic court Podgorica	Judge of the Basic court in Podgorica	23.7.2014.	28.7.2014
10.	Sabina Ličina	Advisor in Advocates office	Judge of the Basic court in Bar	23.7.2014.	28.7.2014



11.	Valentina Vuković	Advisor of the High court Podgorica	Judge of the Basic court in Bar	23.7.2014.	28.7.2014
12.	Marija Bilafer	Advisor of the Basic court Kotor	Judge of the Basic court in Kotor	23.7.2014.	28.7.2014
13.	Andrijana Zečević	Advisor of the Basic court Berane	Judge of the Basic court in Kotor	23.7.2014.	28.7.2014
14.	Zoran Šćepanović	Judge of the Basic court in Podgorica	Judge of the High court Podgorica	30.9.2014. at VI session of Judicial Council	07.10.2014
15.	Miraš Radović	Judge of the Constitutional court of Montenegro	Judge of the Supreme court of Montenegro	26.11.2014. at XI session of Judicial Council	01.12.2014
16.	Muzafer Hadžajlić	President of the Commercial court Bijelo Polje	Judge of the Administrative court of Montenegro	26.11.2014. at XI session of Judicial Council	01.12.2014
17.	Jelena Vulović	Advisor of the Basic court Podgorica	Judge of the Basic court in Podgorica	18.12.2014. at IVX session of Judicial Council	29.12.2014
18.	Jovan Jovanović	Advisor of the Basic court in Bar	Judge of the Basic court in Ulcinj	18.12.2014. at IVX session of Judicial Council	29.12.2014
19.	Violeta Mitrović	Judge of the Basic court in Plav	Judge of the Basic court in Berane	18.12.2014. at IVX session of Judicial Council	29.12.2014
20.	Marko Blagojević	Judge of the Basic court in Herceg Novi	Judge of the Basic court in Nikšić	25.12.2014. at XV session of Judicial Council	29.12.2014

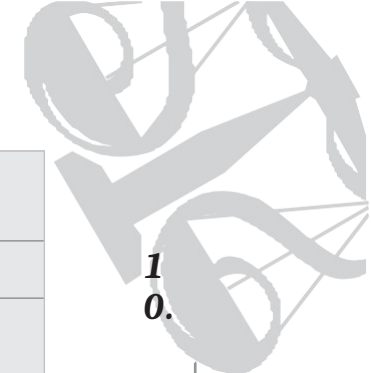


10.3. State on 31.12.2014.

From the total number of 264 judges' positions, by Decision on the number of judges in Montenegro, on the day 31.12.2014. there were 254 judicial positions filled.

10.4 Presidents of the courts in Montenegro on 31.12.2014.

SUPREME COURT	VESNA MEDENICA
APPELLATE COURT	MUŠIKA DUJOVIĆ
ADMINISTRATIVE COURT	BRANISLAV RADULOVIĆ
HIGH COURT PODGORICA	BORIS SAVIĆ
HIGH COURT BIJELO POLJE	TOFIL ŽUJOVIĆ
COMMERCIAL COURT PODGORICA	BLAŽO JOVANIĆ
COMMERCIAL COURT BIJELO POLJE	SENADA HASANAGIĆ, deputy president
BASIC COURT PODGORICA	ZORAN RADOVIĆ
BASIC COURT CETINJE	GORAN VRBICA (temporary removed from duty) JELENA PEROVIĆ KOVAČEVIĆ
BASIC COURT HERCEG NOVI	ZORICA DABETIĆ
BASIC COURT BERANE	DRAGAN DAŠIĆ
BASIC COURT BIJELOPOLJE	RADULE PIPER
BASIC COURT ULCINJ	LIRIJA BUZUKU
BASIC COURT KOTOR	BRANKO VUČKOVIĆ
BASIC COURT DANILOVGRAD	MILICA JOVOVIĆ
BASIC COURT NIKŠIĆ	VUKOTA VUJAČIĆ
BASIC COURT ROŽAJE	ZAHIT CAMIĆ
BASIC COURT PLAV	HILMIJA SUJKOVIĆ
BASIC COURT BAR	GORAN ŠĆEPANOVIĆ
BASIC COURT ŽABLJAK	MIHAILO ANĐELIĆ
BASIC COURT PLJEVLJA	RADINKA GAČEVIĆ
BASIC COURT KOLAŠIN	ARSEN POPOVIĆ



2

Age

and

gender

structure

and

function

COURT	JUDGES	GENDER STRUCTURE						AGE STRUCTURE							
		WOMEN		MEN		>30		>40		>50		>60			
		number	%	number	%	number	%	number	%	number	%	number	%		
1 SUPREME COURT	18	10	55,56	8	44,44	0	0,00	0	0,00	12	66,6	6	33,33		
2 ADMINISTRATIVE COURT	11	5	45,45	6	54,55	0	0,00	0	0,00	8	72,73	3	27,27		
3 APPELLATE COURT	13	6	46,15	7	53,85	0	0,00	0	0,00	11	84,62	2	15,38		
4 COMMERCIAL COURT	14	9	60,00	6	40,00	0	0,00	4	26,67	9	60,00	2	13,33		
5 COMMERCIAL COURT	4	1	25,00	3	75,00	0	0,00	1	25,00	3	75,00	0	0,00		
COMMERCIAL COURTS	18	19	10	52,63	9	47,37	0	0,00	5	26,32	12	63,16	2		
6 HIGH COURT PODGORICA	34	25	73,53	9	26,47	1	2,94	11	32,35	22	64,71	0	0,00		
7 HIGH COURT BIJELO POLJE	17	7	38,89	11	61,11	0	0,00	4	22,22	12	66,67	2	11,11		
HIGH COURTS	51	51	61,54	20	38,46	1	1,92	15	28,85	34	65,38	2	3,85		
8 BASIC COURT PODGORICA	38	27	71,05	11	28,95	23	60,53	10	26,32	5	13,16	0	0,00		
9 BASIC COURT NIKŠIĆ	17	9	52,94	8	47,06	7	41,18	4	23,53	4	23,53	2	11,76		
10 BASIC COURT KOTOR	14	8	57,14	6	42,86	9	64,29	4	28,57	1	7,14	0	0,00		
11 BASIC COURT BAR	11	5	45,45	6	54,55	0	0,00	6	54,55	4	36,36	1	9,09		

10.

12	BASIC COURT HERCEG NOVI	6	4	66,67	2	33,33	4	66,67	1	16,67	0	0,00	1	16,67
13	BASIC COURT ULCINJ	4	2	50,00	2	50,00	2	50,00	1	25,00	1	25,00	0	0,00
14	BASIC COURT CETINJE	5	3	60,00	2	40,00	3	60,00	0	0,00	2	40,00	0	0,00
15	BASIC COURT DANILOVGRAD	4	2	50,00	2	50,00	2	50,00	0	0,00	2	50,00	0	0,00
16	BASIC COURT BIJELO POLJE	13	7	53,85	6	46,15	7	53,85	1	7,69	5	38,46	0	0,00
17	BASIC COURT BERANE	11	6	54,55	5	45,45	1	9,09	3	27,27	4	36,36	3	27,27
18	BASIC COURT PLJEVLJA	7	6	85,71	1	14,29	0	0,00	1	14,29	4	57,14	2	28,57
19	BASIC COURT KOLAŠIN	3	2	66,67	1	33,33	1	33,33	1	33,33	1	33,33	0	0,00
20	BASIC COURT ROŽAJE	5	1	20,00	4	80,00	2	40,00	0	0,00	3	60,00	0	0,00
21	BASIC COURT PLAV	2	1	50,00	1	50,00	1	50,00	0	0,00	1	50,00	0	0,00
22	BASIC COURT ŽABLJAK	3	0	0,00	3	100,00	0	0,00	0	0,00	2	66,67	1	33,33
BASIC COURTS		143	83	58,04	60	41,96	62	43,36	32	22,38	39	27,27	10	6,99
TOTAL		254	144	56,69	110	43,31	65	25,59	51	20,08	112	44,09	26	10,24



11. TERMINATION OF JUDICIAL FUNCTION IN THE PERIOD OF 1.1. TO 31.12.2014.

The judicial function, in accordance with the constitutional system, terminates if a judge requests him/herself, when he/she meets the conditions for retirement and, if sentenced to imprisonment unconditionally.

The Judicial Council, during 2014, adopted 14 decisions on termination of judicial office at his/her own request, and one due to the fulfillment of conditions for retirement and two for the election to another office.

11.1 Termination of judicial function at personal request

no.	First and last name	Court where exercised the function	Date of termination of function
1.	Zorica Marsenić	Basic court Berane	3.1.2014. at I session of Judicial Council
2.	Irina Jakovljević	Basic court Herceg Novi	24.2.2014. at III session of Judicial Council
3.	Ranko Šćekić	Basic court Kotor	3.4.2014. at IV session of Judicial Council
4.	Sveto Stanišić	Basic court Kotor	26.5.2014. at VI session of Judicial Council
5.	Veselin Šćepanović	Basic court Bar	26.5.2014. at VI session of Judicial Council
6.	Olivera Marković	Basic court Bar	26.5.2014. at VI session of Judicial Council
7.	Dragan Rakočević	Commercial court Podgorica	1.10.2014. at VII session of Judicial Council
8.	Radomir Sekulić	Basic court Ulcinj	1.10.2014. at VII session of Judicial Council
9.	Rade Perišić	Basic court Nikšić	12.11.2014. at IX session of Judicial Council
10.	Dragica Vujanović	Commercial court Podgorica	12.11.2014. at IX session of Judicial Council
11.	Ljiljana Lalićević	High court Podgorica	11.12.2014. at XII session of Judicial Council
12.	Snežana Pavličić	Commercial court Podgorica	11.12.2014. at XII session of Judicial Council
13.	Slavica Stjepčević	Basic court Herceg Novi	18.12.2014. at IVX session of Judicial Council
14.	dr Čedomir Bogićević	Supreme court of Montenegro	31.12.2014. at XVI session of Judicial Council

11.2 Fulfilling conditions for retirement



no.	First and last name	Court where exercised the function	Date of termination of function
1.	Vladimir Radulović	Administrative court of MNE	30.9.2014. at VI session of Judicial Council

11.3 Election to another function

no.	First and last name	Court where exercised the function	Date of termination of function
1.	Ivica Stanković	Supreme court of Montenegro	7.10. 2014. at VIII session of Judicial Council
2.	Dragana Đuranović	High court Podgorica	31.12.2014 at XVI session of Judicial Council

12. TEMPORARY SUSPENSION FROM FUNCTION

The Law on the Judicial Council, the provision of Article 69 stipulates that Judicial Council brings a decision on temporary suspension from function, if a judge is ordered a custody, while it runs, if criminal proceedings is initiated against a judge for an offense that makes him/her unworthy of judicial function and after the Judicial Council accepts the proposal to institute proceedings for dismissal.

During 2014, the Judicial Council has not made any decision on temporary suspension from function.

13. TEMPORARY TRANSFER OF JUDGES

The Judicial Council, in accordance with Article 42 of the Law on Judicial Council, may refer a judge, with his consent, up to one year, to another court of the same or lower level, if for exemption or inability of a judge of this court to perform judicial function or other justified reasons, regularly exercise of the court in which the judge is referred to is to be questioned, as well as to the higher court, if in that court there is a temporarily increased workload or when there are a large number of pending cases, which can not be solved with the existing number of judges, but a judge who is referred must meet the requirements prescribed for the election of a judge of the court in which the reference is made.

In accordance with the foregoing provisions, the Judicial Council adopted 13 decisions on temporary transfer of judges, for temporarily increased workload and the existence of a large number of pending cases in courts where the judges were transferred. Two decisions relating to

temporarily transfer of judges in the Basic Court in Cetinje, in order to perform the functions of the President of the court, as the President of that court was temporarily suspended from duty. In accordance with the provisions of Article 43 of the said Act, which stipulates that the Judicial Council may refer a judge, with his consent, for a period of three years to the Ministry of Justice, at its meeting held on 26.07.2014. the Judicial Council issued a decision on sending Smailović Ibrahim, a judge of the Basic Court in Podgorica in the Ministry of Justice for a period of two years, in order to participate in activities related to the promotion of international standards in the courts.

No.	First and last name	Court where performs function	Court transferred to	Date and time of transfer	Date of termination of work in the court transferred to
1.	Zoran Ašanin	Commercial court Bijelo Polje	High court Bijelo Polje	7.4.2014. for a period of one year, decided at IV session	
2.	Marina Jelovac	Basic court Pljevlja	High court Bijelo Polje	7.4.2014. for a period of one year, decided at IV session	
3.	Radinka Gačević	Basic court Pljevlja	High court Bijelo Polje	7.4.2014. for a period of one year,	
4.	Radojka Marjanović	Basic court Pljevlja	High court Bijelo Polje	7.4.2014. for a period of one year, decided at IV session	
5.	Milica Popović	Commercial court Podgorica	High court Podgorica	7.4.2014. for a period of one year, decided at IV session	

6.	Željka Jovović	Basic court Podgorica	Basic court Cetinje	25.4.2014. for a period of one year, decided at V session	30.11.2014. (on personal request)
7.	Bojana Bojović	Basic court Bijelo Polje	Basic court Bar	26.5.2014. for a period of three months, decided at VI session	
8.	Dragan Mrdak	Basic court Bijelo Polje	Basic court Bar	26.5.2014. for a period of three months, decided at VI session	
9.	Milovan Spasović	Basic court Podgorica	Basic court Bar	26.5.2014. for a period of three months, decided at VI session	
10.	Dragan Šćepanović	Basic court Berane	Basic court Bar	26.5.2014. god. for a period of three months, decided at VI session	
11.	Ibrahim Samilović	Basic court Podgorica	Ministry of Justice MNE	26.07.2014. god. for a period of two years, decided at IV session	
12.	Jelena Perović Kovačević	Basic court Podgorica	Basic court Cetinje	26.11.2014. for a period of one year, decided at XI session	
13.	Muzafer Hadžajlić	Administrative court of Montenegro	Commercial court Bijelo Polje	25.12.2014. for a period of one year, decided at XV session	

Note:

Judges of the Supreme Court of Montenegro, who, by the decision of the Judicial Council of 27.12.2013. are referred to the High Court in Podgorica, for a period of one year, transfer terminated after the expiry of the time they were transferred to.

EXPERT WITNESSES

The provision of Article 9 of the Law on Expert Witnesses ("Official Gazette of Montenegro", no. 79/04) envisages that in the process of appointment of experts, technical and administrative services are performed by the Administrative Office of the Supreme Court of Montenegro, and since the Office ceased to work on the day of constituting the Secretariat of the Judicial Council, it has continued with these activities.

Commission for appointment and dismissal of expert witnesses, deciding upon tenders published on 28.1. 8.7. and 16/10/2013., in sessions held on 5.7, 18.7, 14.10. , 17.12.2013. and 24.04.2014. adopted a decision on the appointment of 142 expert witnesses, to whom the Secretariat prepared the legitimacies.

Deciding on tenders published 20.2. and 17.06.2014., the Commission at its meetings held on 16, 20. and 30.05. 2014., as well as in the sessions of 29.9., 6. and 13/10/2014., have passed 129 decisions on the appointment of expert witnesses.

The newly appointed and reappointed experts, 271 of them, have passed the oath on 8.5. and 03.11.2014. when they were awarded with the legitimacies followed by placing a list of expert witnesses on the website of the Judicial Council.

The records of experts is kept by the Secretariat in the Register of Expert Witnesses, while records of legal persons is kept in the Register of Legal Persons for the exercise of expertise. So far it is elected or re-elected (after the expiration of the six-year term of office) in total 1,351 expert witness.

SECRETARIAT OF THE JUDICIAL COUNCIL

The Secretariat of the Judicial Council is established for the discharge of professional, financial, administrative, IT, analytical and other tasks of the Judicial Council, and activities of mutual interest to the courts. The Secretariat shall be headed by a Director who is responsible to the Council. Director of the Secretariat has a deputy to assist him/her in the work and replaces him/her in the absence.

Regulations on internal organization and systematization of the Judicial Council Secretariat, in accordance with Article 80 paragraph 1 of the Law on the Judicial Council regulates the implementation of tasks of Secretariat, its internal organization, number of staff, and other issues.

Regulations, which came into force on 16. 09.2013., envisages that the Secretariat shall consist of four organizational units:

1. Department of normative activities, status issues of judges and their training;
2. Department of Information - Communication technologies and Multimedia;
- 3 Department of Internal Audit;
4. The General Affairs office and
 - 4.1-Bureau of Finances.

This organizational structure clustered the affairs for their efficient performance and thus the functions of the Secretariat of the Judicial Council.

The Judicial Council at the XII session, held on 11 December 2014, appointed Miroslava Raičević, independent advisor in the Secretariat, as the deputy director of the Secretariat of the Judicial Council, in accordance with Article 77, paragraph 2 of the Law on Judicial Council, on a proposal of the Director.

On the day of 31.12.2014. in the Secretariat there were 33 employees. Regulations on internal organization and systematization of positions in the Secretariat, have systematized 46 positions, with 58 employees.

Bearing in mind the scope of work and prescribed jurisdiction of the Judicial Council, it is necessary to fill the vacancies. Particularly a need is showed to increase the number of employees in the ICT Department, as well as legal matters. Thus, the Judicial Council in the coming period, will pay a special attention to strengthening the capacity of the Secretariat for the collection, processing and analysis of statistical data requested by the courts and to the European integration process, given the role and responsibilities that the Council has in the process of negotiation in the field of justice.

15.1 Activities of the Department for ICT and multimedia

In 2014, the Department for ICT and multimedia carried out a number of activities:

- Regular maintenance of all ICT equipment in the judiciary and customer support in the work of JIS;
- In the reporting year, a team of the department for ICT regularly maintained all the information and communication equipment in all courts in Montenegro, which includes about 1,000 computers, 700 printers and 150 communication devices. Officials in charge of maintenance of computers and network systems have responded to 1,809 requests;
- daily support to the work of all users of JIS is provided, where officials of JIS responded to 1,393 requests from users.
- with the supported of IMG, the funds for the implementation of Oracle BI statistical system are provided, which significantly improved the reporting system for all stakeholders. This system was developed according to the CEPEJ guidelines and complete statistics obtained was made according to EU standards. Access to this system will be provided to all courts, the Judicial Council and the Ministry of Justice.
- during the reporting year server infrastructure in the data center was enhanced;
- In line with the growing needs of the system, the enlargement of STORAGE system was purchased and additional blade servers and a platform for a stable growth of the system in the future period was provided. Also, regular maintenance is done on server and communication equipment in the data center, as well as the maintenance of related systems (cooling system, a system of continuous power, antifire system, burglar alarm system, etc.).
- Regular activities were carried out to provide multimedia services to courts.

In 2014, the department was engaged in the presentation of evidence at the 213 main trials, at five hearings video links with Slovenia, Switzerland and France were set up and at four trials the support to court hearings in separate rooms was provided (three victims of sexual violence and one minor). Fifteen cases with measures of secret surveillance (MTN) were processed, and accompanied were all the major activities of the Supreme Court, the Judicial Council and the Association of Judges (receptions of foreign delegations, technical support to organization "Days of the judiciary," the oath of judges, conferences of judges).

15.2 Funds for work and overview of the budget for 2015.

The proposed budget is determined in accordance with the applicable systematization of positions of the Council, the Centre for Education and the courts, as well as their real needs, and within the limits assigned by the Ministry of Finances, as well as on the basis of the financial plans, thereby analyzing the data relating to human resources, cases pending and status of equipment, accommodation capacities and more.

Key assumptions underlying the estimates of resources necessary for the functioning of the courts:

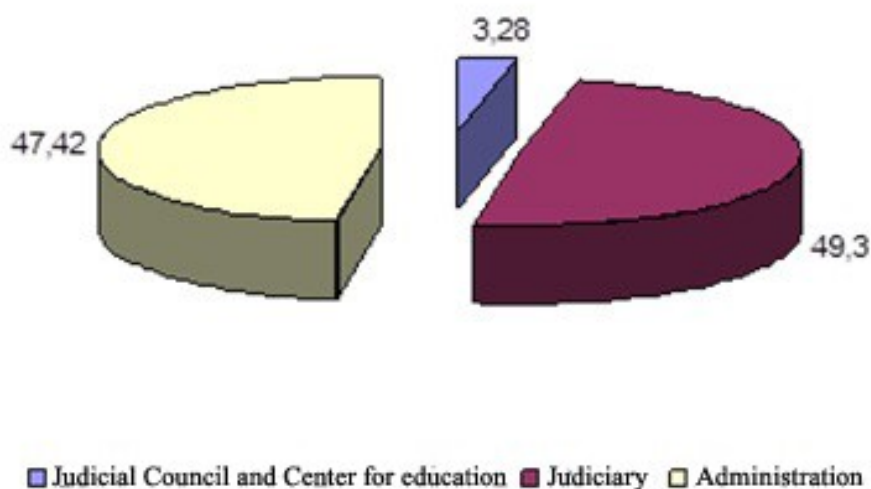
- the staffing of the courts, as well as the accompanying administrative and support staff;
- estimating the necessary funds for the purchase of ICT equipment due to the proper functioning of the established information system, and

- estimation the necessary funds for expenditures for materials and services was done on the bases of using data on the costs incurred in the previous year, data on the number of criminal cases to estimate the costs of criminal proceedings.

15.2.1 Overview of the approved funds

In accordance with the Law on Budget of Montenegro for 2014, to consumer unit "judiciary" were granted funds in the amount 20.583.916.58 €, which were realized through three programs:

1. Program - Judicial Council and Center for	- 675.600.72€
2. Program -Judiciary	- 10.146.655.82€
3. Program - Administration	- 9.761.660.14€

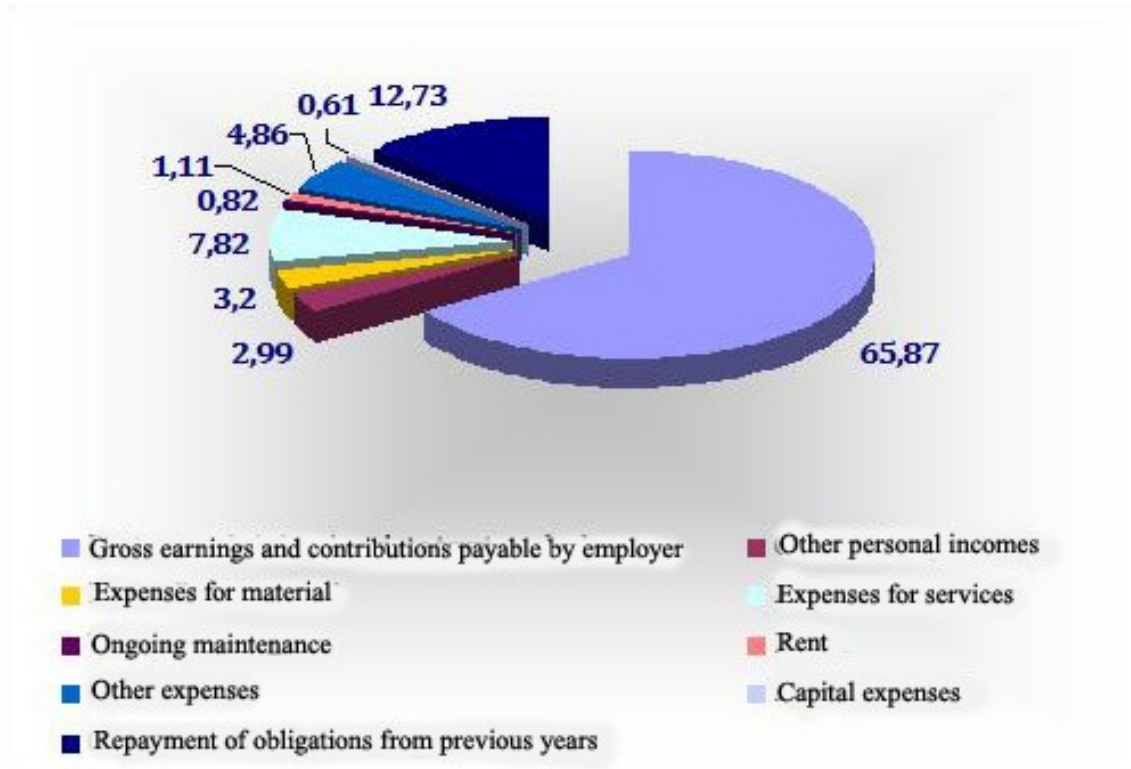


The largest share of the approved budget has a program Judiciary (49.30%), followed by Administration (47.42%) and the Judicial Council (3.28%).

In addition to funds planned in the budget, the Government of Montenegro from the current budget reserve funds allocated amount of 50.000,00 € for the needs of the Commercial Court in Podgorica.

The provision of Article 40, paragraph 5 of the Law on Bankruptcy procedure provides that in cases when from the bankruptcy estate the costs of the bankruptcy proceedings can not be settled, the remuneration and expenses of a Trustee shall be paid from a fund established specifically in the Budget of Montenegro. This means that when there is not enough money that can be used from advanced costs of bankruptcy proceedings, costs incurred in the bankruptcy proceedings (in particular the publication of advertisements) shall be borne by the budget of Montenegro, and after the sale of bankruptcy assets, this money will be paid to the budget.

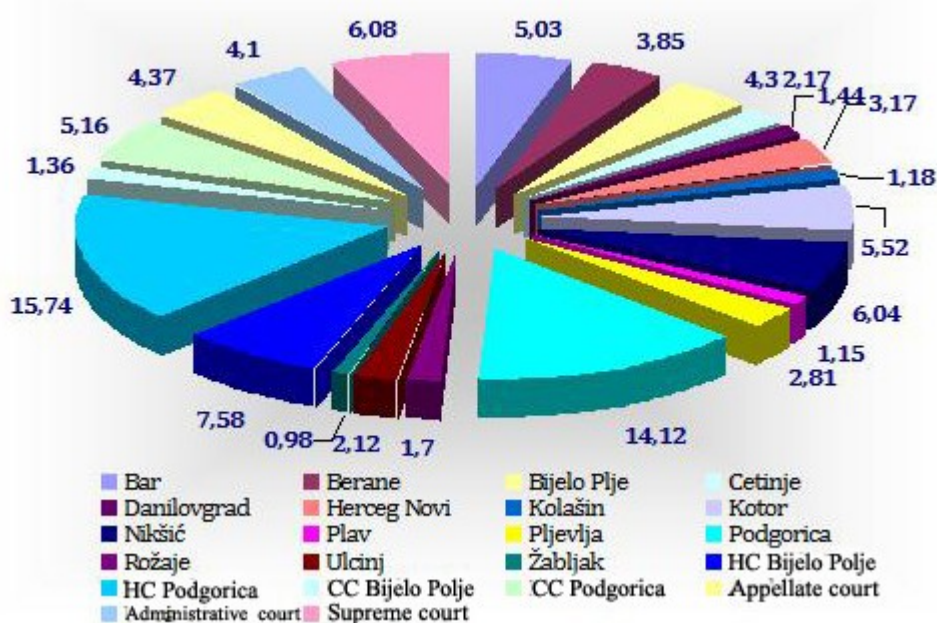
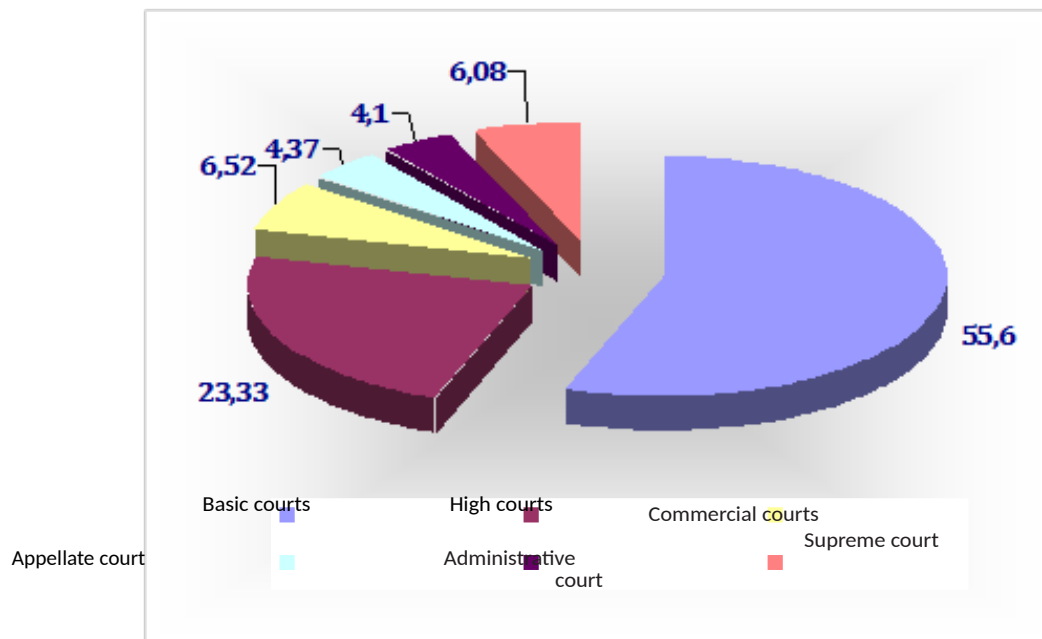
15.2.2 Structure of execution of Budget - spending unit "Judiciary" in 2014. upon expenditures



The largest share in the execution of the budget of the judiciary have the gross earnings (65,87%), repayments of debts from previous years 12.73% (execution proceedings), expenses for services 7,82% (expenses for business trips, representation, consulting and legal services, professional development services), other expenditures 4.86% (costs of court proceedings, development and software maintenance, insurance costs, expenditures for payment of contracts on work), expenses for materials 3.20% (administrative supplies, materials for special purposes, expenses for energy, fuel and other expenses for materials), other personal incomes 2.99% (severance pay, other benefits and allowances for housing of judicial function holders), annuity 1.11% (for the premises of the Judicial Council, the Administrative Court of Montenegro, offices used by the Commercial Court in Podgorica, the Basic courts in Kotor, Herceg Novi, Zabljak, Pljevlja, parking spaces for the Judicial Council, the Supreme Court of Montenegro, Court of Appeal, the High and the Basic Court in Podgorica, as well as renting an optical cable for all courts in Podgorica), current maintenance 0.82% (current maintenance of equipment and buildings), capital expenditures 0.61% (expenditures for equipment).

15.2.3 Overview of the total expenses, with an overview of the number of judges, advisors and other administrative staff

Court	Total number of judges	Total number of advisors	Other administrative staff	Total expenses in 2014.	% from total expenses of courts of the same competence	% from total expenses of all courts
Bar	11	5	48	1.025.610,85	9,06	5,03
Berane	10	2	33	784.039,08	6,92	3,85
Bijelo Polje	13	6	51	875.444,45	7,73	4,30
Cetinje	5	5	16	441.505,14	9,29	2,17
Danilovgrad	4	2	13	294.250,20	2,60	1,44
Herceg Novi	6	2	30	646.540,13	5,71	3,17
Kolašin	3	1	11	240.934,81	2,13	1,18
Kotor	16	8	39	1.124.888,74	9,93	5,52
Nikšić	17	9	64	1.229.550,19	10,86	6,04
Plav	2	1	15	234.963,19	2,07	1,15
Pljevlja	7	3	31	573.345,50	5,06	2,81
Podgorica	38	24	126	2.877.022,00	25,40	14,12
Rožaje	5	1	16	346.530,69	3,06	1,70
Ulcinj	6	3	16	431.567,20	3,81	2,12
Žabljak	3	1	9	199.861,57	1,76	0,98
Total Basic courts	146	73	518	11.326.053,74		55,60
Bijelo Polje	17	10	39	1.545.105,72	32,52	7,58
Podgorica	34	27	55	3.206.614,54	67,48	15,74
Total High courts	51	37	94	4.751.720,26		23,33
Bijelo Polje	4	1	14	277.613,16	20,89	1,36
Podgorica	13	8	43	1.051.398,30	79,11	5,16
Total Commercial courts	17	9	57	1.329.011,46		6,52
Appellate court	13	4	24	890.502,56		4,37
Administrative court	9	10	17	835.591,05		4,10
Supreme court	17	12	21	1.238.741,73		6,08
TOTAL	254	145	731	20.371.620,80		



Overview of expenses upon courts

The Secretariat of the Judicial Council - Bureau of Finances achieves adequate communication with the Ministry of Finances and State Treasury Directorate. Employees in the Bureau during 2014 attended several training programs in the field of planning and budget execution. Activities of the Bureau of Finances relate to proposal of budget for the work of the Judicial Council, the Centre for education of judicial function holders and courts, overhead expenses, and supervision of the proper use of budget funds.

15.3 Free legal aid

In the reporting year, a total of 700 applications for free legal aid were submitted, of which 570 have been adopted, whereby to lawyers for legal assistance provided to applicants we have disbursed funds in the amount of 64,860.33 euros, of registered 84390.82 euros.

16. EDUCATION

Also in 2014, the Center for Education of Judicial function holders gave its contribution to the improvement of the training system in the Montenegrin judiciary. To this end, the Center has carried out activities of initial and continuing education for Montenegrin judges.

According to the records on the participation of the Judicial Center's activities during 2014, a total of 246 representatives of the judiciary were involved, and 109 representatives of the prosecution.

We conducted 96 training activities, which were implemented through 72 activities related to the continuing education of Montenegrin judges and prosecutors and 24 activities related to the initial education program for individuals who are preparing to perform judicial or prosecutorial functions.

The novelty which was introduced in 2014 and which will continue in the coming years, is related to the modern ways of professional development and acceptance thereof by the final users.

So, for the first time this year, judicial officials had the opportunity to acquire and enhance their knowledge through distance learning methodology, meaning. e-learning courses. In cooperation with the Council of Europe HELP Programme (Human Rights Education for Lawyers), via their platform of distance learning, we organized two courses, one of which was completed successfully in 2014, and the second was launched in 2014 and will be completed in 2015.

When it comes to criminal law and procedure, we conducted a total of 24 activities of continuing education, and in trainings in the field of criminal law 193 representatives of the judiciary participated, of which 96 representatives of the judiciary and 97 representatives of the prosecution.

According to the Law on the treatment of juveniles in criminal proceedings, which provides for the specialization of all official actors in the proceedings with juvenile offenders and minors as participants in the criminal proceedings, ie. Judges, prosecutors, police officers and lawyers, trainings were conducted in 2014 through the Project "Justice for children" which was implemented by the Ministry of Justice of Montenegro, together with the Ministry of Labour and Social Welfare of Montenegro, in cooperation with the UNICEF Office for Montenegro, and funded by the European Union through Delegation of EU in Montenegro.

In total 13 trainings in the field of "juvenile justice", 87 representatives of the judiciary attended, of which 51 representatives of the judiciary and 36 representatives of the prosecution.

When it comes to civil and commercial area, continuing education activities were related to: mutual legal assistance in civil matters; civil aspects of intellectual property rights; competition policy, abuse of dominant position and restrictive agreements; registered partnership; bankruptcy proceedings; Maritime law; Consumer protection; the use of tax measures and state interventions under market conditions; Family Law of MNE - application of legal institute of temporary representative. In the activities dedicated to civil and commercial areas 107 representatives of the judiciary were involved.

As in previous years, during 2014 we have continued with the continuing education in the field of European law, ie. knowledge of the provisions of the European Convention for the Protection



ANNUAL REPORT 2014.

of Human Rights and Fundamental Freedoms (ECHR) and the practise of European Court of Human Rights.

Also, activities were implemented in the field of EU law, notably through the review of the case law of European Court of Justice in certain areas of law including: judicial cooperation in civil and criminal matters, protection of competition policy, intellectual property, consumer protection.

In 2014, we continued the implementation of continuing education in the field of judicial integrity, ethics and anti-corruption.

In order to modernize, improve the work of the courts, increase the productivity and affirmation of the judiciary within the IPA EUROL Project "Support of EU to the rule of law", workshops were organized for the presidents of courts, which were related to the management of the judiciary - the introduction of a business planning in the courts and calculating the actual productivity of judges in accordance with the standards and guidelines of the CEPEJ.

Also, due to the need for improving the knowledge of judges on the legal nature and effect of the decision of the Constitutional Court on constitutional appeals, in cooperation with the German IRZ Foundation we have organized a training for the regular courts, where, with the presence of the judges of the Constitutional Court, they have discussed the aforementioned topic.

One of the important aspects of continuing education conducted by the Centre for many years is facilitating the participation of representatives of the Montenegrin judiciary in regional and international conferences, where they have the opportunity to exchange experiences with their counterparts from other countries and enhance their knowledge through a comparative legal approach.

The Center in 2014 had significant activities on an international level. In early June 2013, at the XVI General Assembly of the European Judicial Training Network, the Center was unanimously granted an observer status in the European Judicial Training Network (EJTN), becoming the third Montenegrin judicial institution which has acquired the status of observer in the European judicial networks, in accordance with the recommendation of the European Commission's report on screening for negotiating Chapter 24. Membership in the EJTN enabled additional monitoring of European standards concerning the development of the program, methodology, needs analysis, planning, evaluation, training in the judiciary. In 2014, at the XVII General Assembly of the European Judicial Training Network, which was organized in Thessaloniki, two representatives of the Center have participated. Representatives of the Center participated in the annual Conference 2014 of HELP Network (Network for Education on Human rights for legal professionals), whose theme was: "From a good training to a good judgment. The challenges, methodologies and perspectives".

Furthermore, the Center in 2014 continued to cooperate with the European Institute of Public Administration - European Centre for Judges and Lawyers / EIPA, and after 2012. when the Technical assistance which EIPA together with the Ministry of Foreign affairs of Luxembourg, is providing to Montenegro, entered to a qualitatively different phase, so in addition to providing training in the field of EU Law, this support was expanded to a cooperation in order to strengthen the institutional capacity of the Centre.

In April 2014, EUROL IPA project "Support of the European Union to the rule of law" was officially opened. The project is funded by the EU, the expected duration is 36 months and implemented by Northern Ireland Cooperation Overseas (NI-CO) from the United Kingdom in partnership with T.M.C. Asser Institute in the Netherlands. The aim of this project is to support the rule of law in Montenegro in accordance with the standards and EU best practices. Part of the Project relating to the Center is linked to the strengthening of the role of the Center for Education of Judicial function holders, through capacity building and assistance in training.

Collaboration and Support to the Center from the American Embassy in Montenegro, ie. Bureau of the State Department to combat international drug trafficking and law enforcement (INL) - Program of Resident Legal Advisor, is not only reflected in the provision of financial and technical assistance during the implementation of activities of continuous education in criminal justice, but also in ensuring the participation of representatives of the Montenegrin judiciary on regional meetings, within Programme of a Resident Legal Advisor of the US Embassy and in the donation of office supplies and technical equipment necessary for the operation of the Centre.

The role of the Center for Education of Judicial function holders, which is part of the organizational unit of the Supreme Court, has emphasized importance of education

of judges and their knowledge of international standards in the field of human rights. Only a judge who is knowledgeable and understands the importance of human rights, has the opportunity to use the knowledge to contribute to ensuring the protection of guaranteed rights and fundamental freedoms, provide adequate judicial protection, and in the final to contribute to the general democratization of society and the establishment of the legal system in which the principle of equality of all before the law is inviolable, regardless of their specialties or personal characteristics.

17. INSTRUCTION ON PREPARATION OF STATISCICAL REPORT ON THE WORK OF COURTS

In the Action Plan for Chapter 23, in order to fulfill the recommendations of the European Commission on providing reliable and consistent judicial statistics, the activity of making regulations on procedures, methods and deadlines for the collection of statistical data was anticipated, in accordance with the guidelines of the European Commission for the Efficiency of Justice (CEPEJ). Ministry of Justice of Montenegro, in accordance with the planned activities, have formed the working group involving a representative of the Secretariat of the Judicial Council, so that in cooperation with the project "Support of the EU to the rule of law" (EUROL) and with the support of experts, have realized this activity.

Instruction on preparing statistical reports on the work of the courts in accordance with the guidelines of the European Commission for the Efficiency of Justice, which was adopted by the Judicial Council of Montenegro, arranges the collection and processing of statistical data and preparation of standardized reports with the standards of the Guidelines of CEPEJ. In this manner, quality, transparency, accountability and accessibility of judicial statistics will be promoted.

Instruction aims to enable tracking of resolving cases by categories and subcategories, as well as the duration of proceedings in these cases, as a whole, but also in the individual phases. In this regard, Instruction identified basic categories of cases - civil, criminal, commercial and administrative, which are then sorted on the detailed subcategories. This will ensure us to know that within each category, how many cases were received, how many of them have been resolved or unresolved, and how they were resolved.

The instruction sets to measure the duration of all stages of the proceedings in defined categories and subcategories of cases which will enable obtaining data on the duration of the procedure from filing the initial document initiating proceedings, til passing a decision, as well as the duration of the proceedings until the final decision.

The provisions on the method of data collection and entry into the Judicial Information System (JIS), are based on the past practice.

Instruction stipulates the obligation of making standardized reports on the aforementioned data, on a monthly, quarterly, semi-annual and annual basis by the Judicial Council, in a manner accessible to the public. Standardized report implies that the report contains tables that are an integral part of the Instruction, as well as the processing of statistical data, through a series of indicators developed by the CEPEJ, which have the formula and explanation, as integral part of the Instruction.

A significant part of standardized reports are data on the financial and human resources, expenditures and level of computer facilities in the courts, which will, in contrast to previous parts of the report, be published annually.

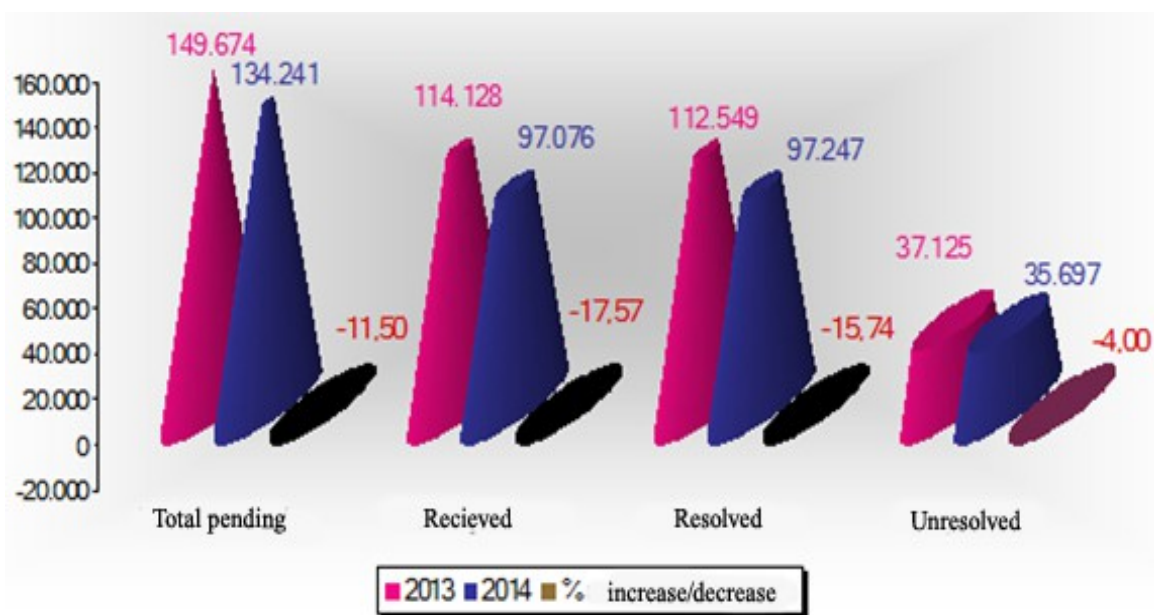
All data and indicators relevant to the Instruction are already known to the courts and they are transmitted by the CEPEJ within the evaluation of judicial systems, which is conducted by CEPEJ every two years, by submitting the questionnaire to the Member States.

It is important to emphasize that the Instruction does not aim at prescribing general rules on data collection and processing and compiling statistical reports, but is aimed at prescribing rules that aim to provide the drafting of standardized reports that are consistent with the methodology of the CEPEJ, and for which there is a greater need in the process of accession of Montenegro to the European Union.

In accordance with the Rules of procedure of the Court ("Official Gazette" 26/11, 44/12 and 2/14) and the Instruction, to the extent that there were indicators measuring the efficiency of labor, an overview of the work of the courts in 2014 was made. All required indicators will be included in the report for 2015, after realizing the remaining activities of the Action Plan of Chapter 23, which affect the statistical reporting on the work of the courts.

17. OVERVIEW OF THE WORK OF ALL COURTS IN 2014.

Montenegrin courts began the reporting year with 37,125 cases, received 97 076, completed 97 247, but 35,697 cases remained unresolved or 26.59%. By CEPEJ indicators timeliness rate is 100.18% and efficiency rate 86.14%.



The influx of cases was lower compared to the previous year for 17.57%, while the number of resolved cases was also lower than in the previous year for 15.74%.

The average monthly influx per judge was 31.60 cases, which at the annual level represents an average workload of judges of 379.2 cases. Judges have completed in average 379.87 cases, and 139.44 remained uncompleted, which is for 4.46% cases less than in 2013.

During 2014, it was questioned upon legal remedies a total of 11,308 decisions of which 66.13% were affirmed, 4.66% were modified, 6.15% partially confirmed / modified / revoked, while 22.86% were revoked. As in the previous year the percentage of confirmed decisions amounted to 64.76 %, we noticed an increase in the quality of the work of courts.

During the reporting period, courts, in the complex types of cases brought the total number of 27,977 judgments and 23,659 decisions, while 1,856 cases were completed by court settlement. It is evident that in 2014, only 1.65% of the decisions were made after the legal deadline have expired, as compared to last year, it is a decrease for 3.38%.

The number of cases referred to mediation (except labor disputes) in 2014 amounted to 1,722, of which an agreement was reached in 869 cases. The number of labor disputes referred to mediation to the Agency for peaceful settlement of labor disputes was 89 cases.

Regarding the duration of the procedure in complex cases in all basic courts in Montenegro, up to three months 54.05% of all cases were completed, up to six months 18.56%, up to nine months 9.88%, up to one year 5.05 %, and more than one year 12.46% of cases were completed.

Decisions were made in a timely manner, within the legal deadline, and of all of the decisions that were made in the basic courts only 1,69% of the decisions were not done in a timely manner, or in criminal cases 2,18% and 2,39% in civil cases, which is one of the indicators of the efficiency and effectiveness, with respecting the trial within a reasonable time.

In basic courts there is a larger number of civil cases in relation to the previous year for 16.63%, ie less influx of criminal cases for 5.98%.

Penal policy of basic courts can be assessed as appropriate to the type and severity of the crimes before these courts. Thus, from the number of convictions 56.60% were the suspended sentences, which is less than in the previous year for 2.23%, for fines 6.12% or 1.30% less than in 2013, while the prison sentences were imposed in percentage of 27.73% i.e. 5.41% less than in the previous year. When it comes to sentencing the work in the public interest, we have noticed an increase from 24 to 95, or for 395.83%.

The High Court in Bijelo Polje began the reporting year with 240 backlog cases, received 5,042, resolved 5,148 and 134 cases were left unresolved or 2.54%.

The High Court in Podgorica began the reporting year with 3,064 cases, received 10,181 and had pending a total number of 13,245 cases, resolved 9,690, while 3,104 cases remained unresolved or 23.44%.

So, the high courts in relation to the influx have completed 97.47% and the total number of pending cases has decreased for 66 cases, compared to the number of pending cases at the end of 2013.

In the High Courts in 72.35% procedures were completed within three months, meaning all pending cases.

Regarding two Specialized departments in high courts, which decides in cases of organized crime, corruption and war crimes, they had a total number of 56 pending cases, 32 cases were resolved, 23 cases or 41.07% remained unsolved. The influx was equal to the influx of the previous year and the number of resolved cases decreased for 21 cases compared to the number of resolved cases in the last year.

Commercial courts were completely efficient this year, because they resolved 113.43% compared to the influx, in relation to the total number of pending cases, only 19.16% remained unresolved.

From 976 pending bankruptcies 591 were resolved, and 39.45% remained unresolved, while from civil cases 49.62% remained unresolved. The quality of work is good because 21,03% of all examined decisions were revoked.

The Administrative Court in this year compared to the previous one, had a greater influx of 12.96% and resolved 90.73% of all pending cases. The quality of work of the Administrative Court: 12.35% of the decisions were revoked, which was less than in 2013, when it was 17.45% of the decisions revoked.

The Appellate Court had 102 pending cases less than in the previous year, resolved 105.65% of cases in relation to influx. The quality of decisions is showed through 17,14% of revoked decisions, which is a good quality.

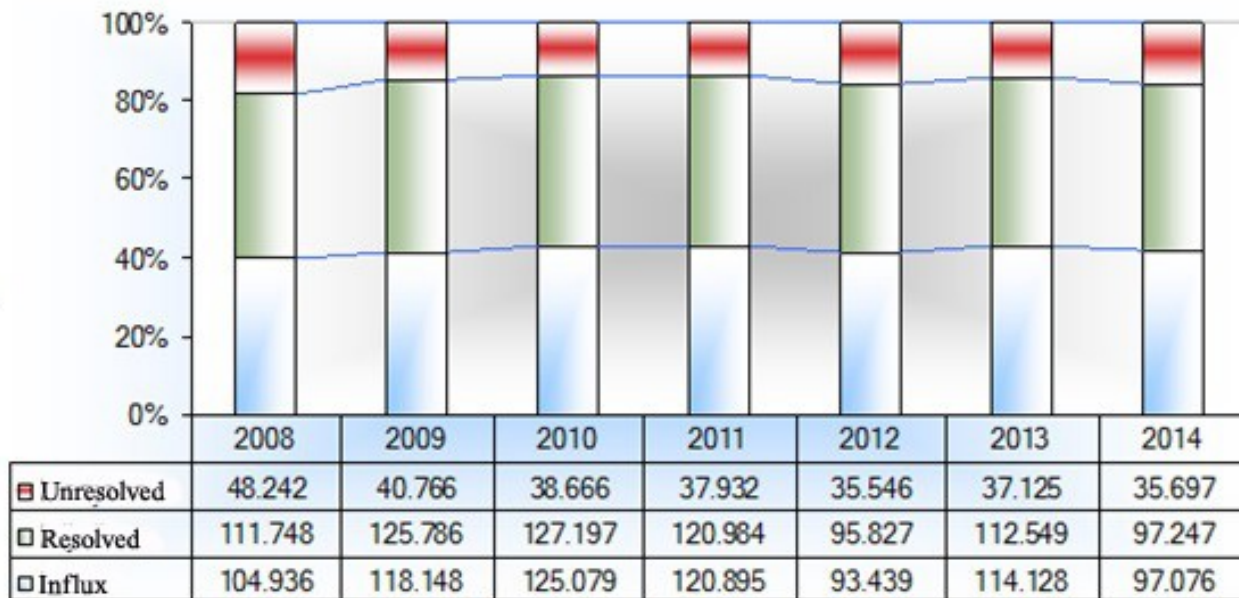
The Supreme Court, from the total number of 2976 received cases, had a total pending number of 3115 cases, with cases from previous year, as compared to the last year it was more for 1,104 cases, i.e. 34,99%, resolved 2911 cases, and 204 cases remained unresolved or 6.55%.

Reducing the backlog of all cases from 2010 and earlier years is evident, for 26,78 %, at the level of all courts, and in all types of cases.

Fewer and fewer number of people addresses to the Office for petitions and complaints within the Supreme Court of Montenegro, and 315 complaints were filed in 2014.

Complaints of the parties were mostly related to dissatisfaction with the courts decisions, since they were made at their expense, while the lower part relates to the inefficiency of treatment of certain judges in the cases of the parties who have filed the complaints. Of the total number of 315 complaints, there were nine reasonable, one is partially reasonable, unfounded were 291, and there were 14 complaints pending on 31. December, since they arrived in December 2014 . Continuous reduction in the number of complaints from year to year (in 2008 it was submitted 921) is an indicator that the parties are, in most cases satisfied, i.e. that their rights can be resolved before the ordinary courts and not through addressing to the Office of the President of the Supreme Court.

**GRAPHICAL OVERVIEW OF THE WORK OF ALL COURTS
- per years -**





18. RIGHT TO A TRIAL WITHIN THE REASONABLE TIME

For seven years now, the Law on the protection of the right to a trial within a reasonable time is applying, which provides the mechanisms for the protection of this right during the trial (control request to expedite the process). These requests were submitted in number of 310, and at the end of the reporting period 13 cases remained unresolved.

After the completion of legal proceedings in accordance with the standards of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the right to claim for just satisfaction is acquired, and complaint is filed to the Supreme Court.

In the reporting period, there were 55 of these complaints in total, and all were resolved. This confirms that there is an effective legal remedy for the protection of the said right at the national level, which will reduce the number of cases of recourse to the European Court of Human Rights.

18.1 Overview of the cases upon claim for just satisfaction

SUPREME COURT	Unresolved on 01.01.2014.	Cases filled in 2014.	Total pending in 2014.	Resolved by 31.12.2014.	Unresolved on 31.12.2014.	% unresolved
Tpz	2	53	55	55	0	0.00

Manner of deciding

The violation found and compensation awarded	Claim rejected	Claim dismissed art. 37 para.2 in relation with art. 33 para. 3	Claim dismissed art. 37 para.2 in relation with 33 para.1	Claim dismissed - submitted against art .2 para. 1	Claim dismissed - submitted at the same time when control request	Other manner
27	5	7	9	5	0	2

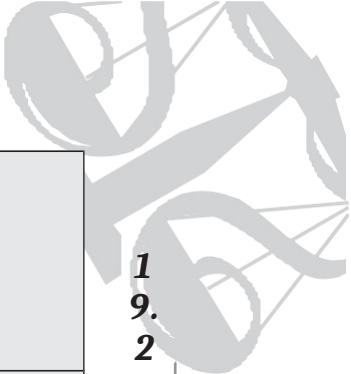
Duration of proceeding

up to 3 months	% of total number	up to 6 months	% of total number	up to 9 months	% of total number	up to 12 months	% of total number	over 1 year	% of total number	Average duration (days)
45	81,82	10	18,18	0		0		0		53.47

Decision on the request: 1. claims were rejected - 21, 2. appeals were dismissed - 5, 3. Claims were adopted and compensation awarded - 27, 4. otherwise - 2

1 Non-competence and withdrawal of claim





COURT	Number of submitted requests	Resolved by 31.12.2014	On court cases	Upon appeals on decisions	Rejected for disorganized control request art.13	Dismissed as incomplete, if it was submitted by a lawyer or a person who passed the bar exam	Dismissed as obviously unfounded art.14	Rejected as unfounded art.16	Other manner	Adopted	Notice to the party that within four months will be proceed in a case or a passed a decision Art. 17	Notification to the Parties of determining the period for taking procedural actions, because of undue delays in the proceedings and decision-making in the art. 18	Unresolved
Supreme court	19	19	5	14		5		12	1	1			0
Appellate court	17	17	2	15				6	5	2	4		0
Administrative court	7	7	7			2					5		0
High court Podgorica	76	74	33	41				47		10	17		2
High court Bijelo Polje	12	12	6	6		5			1	3	3		0
Commercial court Podgorica	29	29	29					22	5		2		0
Commercial court Bijelo Polje	1	1	1					1					0
Basic court Bar	10	10	10					9				1	0
Basic court Berane	10	10	10					10					0
Basic court Bijelo Polje	2	2	2					2					0
Basic court Cetinje	4	4	4								4		0
Basic court Danilovgrad	1	1	1							1			0
Basic court Herceg Novi	13	13	13					9			4		0
Basic court Kolašin	5	5	5					4		1			0
Basic court Koror	26	26	26					4	16		6		0
Basic court Nikšić	5	5	5						5				0
Basic court Plav	1	1	1						1				0
Basic court Pločivlja	2	2	2						2				0
Basic court Podgorica	66	55	55		2			19		30		4	11
Basic court Rožaje	0	0	0										0
Basic court Ulcinj	4	4	4						1		3		0
Basic court Žabljak	0	0	0										0
Total	310	297	221	76	2	12	145	37	48	48	5	13	

20. COURT STATISTICAL OVERVIEW OF THE WORK OF COURTS IN 2014.

	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average resolved per judge	Unresolved at the end		Average unresolved per judge		Promptness rate
		Total	Old ²	Total	New			Total	Merits	Old			Total	Old	Total ³	Old	
Basic	146	28.644	3.792	64.894	2.097	37.04	93.538	64.597	30.773	2.097	846	442.45	28.095	2.432	192,43	16.66	99,54
High	51	3.304	18	15.223	13.800	24.87	18.527	14.838	1.263	310	451	290.94	3.238	603	63.49	11.82	97.47
Commercial	17	3.491	174	8.661	8.483	42.45	12.152	9.824	6.152	110	0	577.88	2.328	94	136.94	5.53	113.43
Appellate	13	112	31	1.665	871	10.67	1.777	1.759	71	180	0	135.31	18	5	1.38	0.38	105.65
Administrative	11	1.475	0	3.657	3.626	27.70	5.132	3.318	3.055	0	0	301.63	1.814	0	164.90	0.00	90.73
Supreme	18	139	59	2.976	1.531	13.78	3.115	2.911	1.295	493	0	161.72	204	58	11.33	3.22	97.82
TOTAL	256	37.165	4.074	97.076	30.408	31.60	134.241	97.247	42.609	3.190	1.297	379.87	35.697	3.192	139.44	12.47	100,18

1 timeliness rate (CR indicator) is the ratio of received and resolved cases during the reporting period, expressed as a percentage.

2 old cases- older than three years (2010 and earlier).

3 Number of cases per judge (CPJ indicator): Number of pending cases of a certain kind at the end of reporting period in relation to the number of judges that deal with them in the reporting period



COURT	Total number of employees	Unresolved at the beginning 1.1.2014	Total resolved in 2014.	Resolved backlog in 2014.	Unresolved at the end of 31.12.2014.	The case flow coefficient ¹	Time needed for resolving cases ²	Efficiency rate ³	Total number of backlog cases ⁴	Time needed for resolving backlog cases ⁵ (in months)
Basic	737	28.644	64.597	19.985	28.095	2,30	158,75	87,65	8.659	5,29
High	182	3.304	14.838	2.975	3.238	4,58	79,65	81,53	329	2,66
Commercial	83	3.491	9.824	2.993	2.328	4,22	86,49	118,36	498	2,88
Appellate	41	112	1.759	112	18	97,72	3,74	42,90	0	0,12
Administrative	36	1.475	3.318	1.474	1.814	1,83	199,55	92,17	1	6,65
Supreme	50	139	2.911	139	204	14,27	25,58	58,22	0	0,85
TOTAL	1.129	37.165	97.247	27.678	35.697	2,72	133,98	86,14	9.487	4,47

1 case flow coefficient (CTR indicator) represents the ratio between the number of resolved and unresolved cases at the end of the reporting period.

2 The time required to resolve cases (DT indicator) is the ratio between the number of days in the year and the coefficients of the case flow - in days.

3 Efficiency rate (ER indicator) represents the ratio between the number of employees in the court (judges, administrative and technical staff working full time) in the reporting period and resolved cases in the same court at the end of the reporting period.

4 Total backlog of cases (TB indicator) is the difference between the total number of pending cases at the beginning of the period and resolved backlog of cases in the same period.

5 The time necessary to resolve the total backlog in months (BR indicator) represents the ratio between the number of cases and timeliness rates.

20.2 Overview of resolution of old cases**Structure of resolved "old" cases per years**

Year of case initiation	Total number of resolved	% of total number of resolved
2010	1.195	37,46
2009	843	26,43
2008	332	10,41
2007	228	7,15
2006	159	4,98
2005	85	2,66
2004	72	2,26
2003	54	1,69
2002	55	1,72
2001	34	1,07
2000	25	0,78
1999	14	0,44
1998	10	0,31
1997	12	0,38
1996	11	0,34
1995	8	0,25
1994	10	0,31
1993	9	0,28
1992	7	0,22
1991	8	0,25
1990	1	0,03
1989	2	0,06
1988	2	0,06
1987	3	0,09
1985	3	0,09
1983	2	0,06
1982	2	0,06
1979	1	0,03
1978	1	0,03
1975	1	0,03
1963	1	0,03
Total	3.190	

Structure of unresolved "old" cases per years

Year of case initiation	Total number of unresolved	% from the number of unresolved
2010	1.285	40,26
2009	945	29,61
2008	271	8,49
2006	12	0,38
2005	78	2,44
2004	62	1,94
2003	45	1,41
2002	28	0,88
2001	36	1,13
2000	18	0,56
1999	13	0,41
1998	17	0,53
1997	18	0,56
1996	6	0,19
1995	13	0,41
1994	4	0,13
1993	7	0,22
1991	4	0,13
1990	5	0,16
1989	8	0,25
1988	1	0,03
1987	2	0,06
1986	2	0,06
1985	5	0,16
1984	2	0,06
1982	2	0,06
1978	1	0,03
1975	1	0,03
TOTAL	3.192	

Quantity and quality of the work of courts¹⁰

COURT	Quality of work %	Quantity of work - average accomplished collective norm %
Basic courts	63,06	107,52
High courts	75,48	130,55
Commercial courts	74,55	150,54
Appellate court	77,86	139,25
Administrative court	87,06	118,98
AVERAGE	66,13	119,21

Activities of the Judicial Council and the Supreme Court, and the measures undertaken - delegation of cases and referral of judges to work in other courts, have contributed to the increase of the timeliness rate from 98.62% to 100.18%, reducing the backlog of cases for 4.11%, and increase in the quality of their average percentage of the quantity of 119.21%.

¹⁰ Quantity- collective norm accomplished during the calendar year (the sum of the individual norms divided to the number of judges)

¹¹ Quality - the sum of confirmed decisions in relation to the total number of decisions taken by legal remedies in a calendar year

20.4 Overview of the work of Basic courts

COURT	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average resolved per judge	Unresolved at the end		Average unresolved per judge		Efficiency rate
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Bar	11	2.369	208	3.954	167	29.95	6.323	4.399	2.407	167	0	399,91	1.924	129	174,91	11.72	111,25
Berane	10	1.916	37	6.229	27	51.91	8.145	5.014	1.449	27	0	501,40	3.131	15	313,10	1.5	80,49
Bijelo Polje	13	2.128	49	6.336	54	40.62	8.464	7.337	2.091	54	0	564,38	1.127	22	86,69	1.69	115,80
Cetinje	5	839	91	1.975	108	32.92	2.814	2.064	707	108	0	412,80	750	108	150,00	21.6	104,51
Danilovgrad	4	464	18	1.766	21	36.79	2.230	1.492	626	21	363	373,00	375	20	93,75	5	84,48
Herceg Novi	6	1.193	223	2.535	166	35.21	3.728	2.655	1.181	166	0	442,50	1.073	158	178,83	26.33	104,73
Kolašin	3	434	12	842	16	23.39	1.276	991	277	16	0	330,33	285	2	95,00	0.67	117,70

Kotor	16	3.014	576	5.414	379	28.20	8.428	5.481	2.164	379	411	342,56	2.542	325	158,88	20.31	101,24
Nikšić	17	2.617	120	6.242	134	30.60	8.859	6.163	2.626	134	0	362,53	2.696	110	158,59	6.47	98,73
Plav	2	378	4	2.709	7	112.875	3.087	2.346	765	7	0	1173,00	741	3	370,50	1.5	86,60
Pljevlja	7	268	11	2.287	7	27.23	2.555	2.318	1.608	7	3	331,14	234	8	33,43	1.14	101,36
Podgorica	38	11.303	2.200	18.601	824	40.80	29.904	18.026	11.497	824	69	474,37	11.806	1.401	310,68	36.87	96,91
Rožaje	5	298	15	3.220	18	5367	3.518	3.179	2.090	18	0	635,80	339	5	67,80	1	98,73
Ulcinj	6	1.375	227	1.959	164	27.21	3.334	2.312	893	164	0	385,33	1.022	126	170,33	21	118,02
Žabljak	3	48	1	825	5	22.92	873	820	392	5	0	273,33	50	0	16,67	0	99,39
Total	146	28.644	3.792	64.894	2.097	37.04	93.538	64.597	30.773	2.097	846	442,45	28.095	2.432	192,43	16.66	99,54

20.5 Efficiency of work of Basic courts

COURT	Total number of employees	Unresolved at the beginning 1.1.2014	Total resolved in 2014.	Resolved backlog in 2014.	Unresolved at the end 31.12.2014.	Case flow coefficient	Time needed for resolving cases	Efficiency rate	Total number of backlog cases	Time needed for resolving of total number of backlog cases (in months)
Bar	64	2.369	4.399	1.723	1.924	2	159,64	68,73	646	5,32
Berane	45	1.916	5.014	1.678	3.131	1,60	227,92	111,42	238	7,60
Bijelo Polje	70	2.128	7.337	1.934	1.127	6,51	56,07	104,81	194	1,87
Cetinje	26	839	2.064	639	750	2,75	132,63	79,38	200	4,42
Danilovgrad	19	464	1.492	331	375	3,98	91,74	78,53	133	3,06
Herceg Novi	38	1.193	2.655	818	1.073	2,47	147,51	69,87	375	4,92
Kolašin	15	434	991	398	285	3,48	104,97	66,07	36	3,50
Kotor	63	3.014	5.481	1.758	2.542	2,16	169,28	87,00	1.256	5,64
Nikšić	90	2.617	6.163	2.108	2.696	2,29	159,67	68,48	509	5,32
Plav	18	378	2.346	351	741	3,17	115,29	130,33	27	3,84
Pljevlja	41	268	2.318	247	234	9,91	36,85	56,54	21	1,23
Podgorica	188	11.303	18.026	6.786	11.806	1,53	239,05	95,88	4.517	7,97
Rožaje	22	298	3.179	262	339	9,38	38,92	144,50	36	1,30
Ulcinj	25	1.375	2.312	915	1.022	2,26	161,35	92,48	460	5,38
Žabljak	13	48	820	37	50	16,40	22,26	63,08	11	0,74
TOTAL	737	28.644	64.597	19.985	28.095	2,30	158,75	87,65	8.659	5,29

20.6 Overview of the work of Basic courts upon cases types

Case type	Number of judges in	Unresolved at the beginning		Received		Average monthly	Total ending	Resolved			Average	Unresolved at the end		Average unresolved per judge		Efficiency	
		Total	Old	Total	New			Total	Merits	Old		Total	Old	Total	Old		
First instance criminal cases	45	2.647	125	4.381	4.195	8,11	7.028	4.624	4.334	111	71	98,38	2.333	54	51.84	1.2	105,55
Cases of criminal juvenile procedure	23	58	4	178	178	0,64	236	179	66	1	0	8,95	57	3	2,48	0.13	100,56
Cases of Criminal panel outside of main hearing	50	2.627	1	8.235	8.233	13,73	10.862	10.240	0	1	269	196,92	353	0	7.06	0	124,35
Cases of investigative judge	38	51	3	2.160	2.160	4,74	2.211	2.153	0	1	0	56,66	58	2	1,53	0.05	99,68
Execution of criminal sanctions	15	1.116	224	2.241	2.241	12,45	3.357	2361	0	126	0	157,40	995	98	66,33	6.53	105,35
Civil cases	98	12.091	1.201	21.359	19.457	18,16	33.450	18.400	10.286	965	403	195,74	14.648	860	149.47	8.77	86,15
Civil cases of small value	79	855	9	3.686	3.659	3,89	4.541	2.503	1.300	5	8	34,76	2.030	5	25.69	0.06	67,91

Probate cases	31	1,608	105	6,402	6,327	17,21	8,010	6,326	5,345	85	0	186,06	1,684	50	54.32	1.61	98,81
Complex non-litigious cases	36	725	59	1,470	1,385	3,40	2,195	1,500	475	69	0	35,71	695	23	19.30	0.64	102,04
Other civil and non-litigious cases	27	71	3	1,055	1,053	3,26	1,126	1,027	0	3	0	34,23	99	0	3,66	0	97,35
Execution cases	98	6,698	2,055	12,095	12,061	10,28	18,793	13,697	8,967	728	95	163,06	5,001	1,336	51.03	13.63	113,25
Other	27	97	3	1,632	1,632	5,04	1,729	1,587	0	2	0	61,04	142	1	5,25	0.04	97,24
TOTAL	146	28,644	3,792	64,894	62,581	37,04	93,538	64,597	30,773	2,097	846	442,45	28,095	2,432	192,43	16.66	99,54



20.7: Overview of the work of High courts

COURT	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average resolved per judge	Unresolved at the end		Average unresolved per judge		Efficiency rate
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Bijelo Polje	17	240	3	5.042	5.028	24.72	5.282	5.148	332	8	0	302.82	134	0	7.88	0	102.10
Podgorica	34	3.064	15	10.181	8.772	24.95	13.245	9.690	931	302	451	285	3.104	603	91.29	17.73	95.18
TOTAL	51	3.304	18	15.223	13.800	24.87	18.527	14.838	1.263	310	451	290.94	3.238	603	63.49	11.82	97.47

20.8 EFFICIENCY OF THE WORK OF HIGH COURTS

COURT	Total number of employees	Unresolved at the beginning 1.1.2014	Total resolved in 2014.	Resolved backlog in 2014.	Unresolved at the end 31.12.2014.	Case flow coefficient	Time needed for resolving cases	Efficiency rate	Total number of backlog cases	Time needed for resolving of total number of backlog cases (in months)
Podgorica	116	3.064	9.690	2.739	3.104	3,12	116,92	83,53	325	3,90
Bijelo Polje	66	240	5.148	236	134	38,42	9,50	78,00	4	0,32
Total	182	3.304	14.838	2.975	3.238	4,58	79,65	81,53	329	2,66

20.9 Overview of the work of High courts upon case types

CASE TYPE	Total number of judges	Unresolved at the beginning		Received		Average monthly influx	Total pending	Resolved			Average delegate	Unresolved at the end		Average unresolved per judge		Efficiency	
		Total	Old	Total	New			Total	Merits	Old		Total	Old	Total	Old		
First instance criminal cases	12	146	15	215	204	1.49	361	229	217	11	19.08	132	6	11	0.5	106.51	
First instance criminal cases - special	8	19	1	37	34	0.38	56	32	29	3	4	23	1	2.88	0.13	86.48	
Cases in criminal juvenile proceedings	2	7	1	9	3	0.37	10	9	3	1	4.5	1		0.5	0	100	
Cases of Criminal panel outside of main hearing	10	33	0	2,278	2,278	18.98	2,311	2,237	0	0	223.7	74		7.4	0	98.20	
Cases of investigating judge	8	34	0	553	553	5.76	587	524	0	0	65.5	63		7.87	0	94.75	
Second instance criminal cases	18	80	0	2,197	2,239	10.17	2,277	2,281	207	9	126.72	48		2.67	0	103.82	
Second instance civil cases	28	2,896	1	8,766	7,367	26.09	11,662	8,401	807	286	450	300.36	2,811	596	10.39	33.11	95.84
Other	20	89	0	1,168	1,122	4.86	1,257	1,125	0	0	56.25	86		4.3	0	96.32	
TOTAL	51	3,304	18	15,223	13,800	24.87	18,527	14,838	1,263	310	451	290.94	3,238	603	63.49	11.82	97.47



COURT	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average resolved per judge	Unresolved at the end		Average unresolved per judge		Efficiency rate
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Bijelo Polje	4	131	28	1.222	1.173	25.45	1.353	1.268	595	14	0	317	85	21	21.25	5.25	103.76
Podgorica	13	3.360	146	7.439	7.310	47.68	10.799	8.556	5.557	96	0	658.15	2.243	73	172.54	5.62	115.02
TOTAL	17	3.491	174	8.661	8.483	42.46	12.152	9.824	6.152	110	0	577.88	2.328	94	136.94	5.53	113.43

20.11 Efficiency of the work of the Commercial court

COURT	Total number of employees	Unresolved at the beginning 1.1.2014	Total resolved in 2014.	Resolved backlog in 2014.	Unresolved at the end 31.12.2014.	Case flow coefficient	Time needed for resolving cases	Efficiency rate	Total number of backlog cases	Time needed for resolving of total number of backlog cases (in months)
Podgorica	64	3.360	8.556	2.897	2.243	3,81	95,69	133,69	463	3,19
Bijelo Polje	19	131	1.268	96	85	14,92	24,47	66,74	35	0,82
Total	83	3.491	9.824	2.993	2.328	4,22	86,49	118,36	498	2,88

20.12: Overview of the work of Commercial courts upon case types

CASE TYPE	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average solved per judge	Unresolved at the end		Average unresolved per judge		Efficiency
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Civil cases	14	1.388	116	2.338	2.163	13.92	3.726	2.034	1.235	96	0	145.28	1.692	50	120.86	3.57	86.99
Enforcement cases	15	1.773	0	5.260	5.259	29.22	7.033	6.804	4.028	0	0	453.6	229	0	12.27	0	129.35
Bancruptcies and liquidations	11	312	58	666	666	5.05	978	591	518	14	0	53.73	387	44	35.18	4	88.74
Other	12	18	0	397	3	2.76	415	395	51	0	0	32.92	20	0	1.67	0	99.47
TOTAL	17	3.491	174	8.661	8.091	42.46	12.152	9.824	5.832	110	0	577.88	2.328	94	136.94	5.53	113.43

20.13 Overview of the work of Appellate, Administrative and Supreme court

COURT	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average solved per judge	Unresolved at the end		Average unresolved per judge		Efficiency rate
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Appellate court	13	112	31	1.665	871	10.67	1.777	1.759	71	180	0	135.31	18	5	1.38	0.38	105.65
Administrative court	11	1.475	0	3.657	3.626	27.70	5.132	3.318	3.055	0	0	301.63	1.814	0	164.90	0.00	90.73
Supreme court	18	139	59	2.976	1.531	13.78	3.115	2.911	1.295	493	0	161.72	204	58	11.33	3.22	97.82
TOTAL	42	1.726	90	8.298	6.034	16.46	10.024	7.988	4.423	673	0	384.38	2.036	63	52.20	1.62	96.26

20.14: Overview of the work of Appellate court upon case types

CASE TYPE	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average resolved per judge	Unresolved at the end		Average unresolved per judge		Efficiency rate
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Second instance criminal cases	8	40	10	195	45	2.03	235	227	42	37	0	28.37	8	2	1	0.25	116.41
Second instance criminal cases - special	7	12	10	23	5	0.27	35	32	7	17	0	4.57	3	2	0.43	0.28	139.13
Second instance civil cases	5	57	11	867	244	14.45	924	917	22	126	0	183.4	7	1	1.4	0.2	105.77
Other	5	3	0	580	577	9.67	583	583	0	0	0	116.6	0	0	0	0	100.52
TOTAL	13	112	31	1.665	871	10.67	1.777	1.759	71	180	0	135.31	18	5	1.38	0.38	105.65

20.15 Efficiency of the work of Appellate court

COURT	Total number of employees	Unresolved at the beginning 1.1.2014	Total resolved in 2014.	Resolved backlog in 2014.	Unresolved at the end 31.12.2014.	Case flow coefficient	Time needed for resolving cases	Efficiency rate	Total number of backlog cases	Time needed for resolving of total number of backlog cases (in months)
Appellate	41	112	1.759	112	18	97,72	3,74	42,90	0	0,12

20.16: Overview of the work of Administrative court upon case types

CASE TYPE	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	total pending	Resolved			Delegated	average resolved per judge	Unresolved at the end		Average unresolved per judge		Efficiency rate
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Administrative cases	11	1473	0	3.603	3.574	27.29	5.076	3.266	3.055	0	0	296.90	1.810	0	164.55	0	90.65
Other	9	2	0	54	52	0.5	56	52	0	0	0	5.77	4	0	0.44	0	96.30
TOTAL	11	1.475	0	3.657	3.626	27.70	5.132	3.318	3.055	0	0	301.63	1.814	0	164.90	0.00	90.73

20.17 Efficiency of the work of Administrative court

COURT	Total number of employees	Unresolved at the beginning 1.1.2014	Total resolved in 2014.	Resolved backlog in 2014.	Unresolved at the end 31.12.2014.	Case flow coefficient	Time needed for resolving cases	Efficiency rate	Total number of backlog cases	Time needed for resolving of total number of backlog cases (in months)
Administrative	36	1.475	3.318	1.474	1.814	1,83	199,55	92,17	1	6,65

20.18: Overview of the work of the Supreme court upon case types

20.19

CASE TYPE	Total number of judges	Unresolved at the beginning		Received		Average monthly influx per judge	Total pending	Resolved			Delegated	Average resolved per judge	Unresolved per judge		Average unresolved per judge		Efficiency rate
		Total	Old	Total	New			Total	Merits	Old			Total	Old	Total	Old	
Criminal cases	7	4	0	320	320	3.81	324	313	71		0	44.71	11	0	1.57	0	97.81
Civil cases	10	104	59	2.210	943	18.41	2.314	2.162	1.224	487	0	216.2	150	58	15	5.8	97.83
Administrative cases	5	25	0	380	224	6.33	405	364	0	5	0	72.8	41	0	8.2	0	95.79
Cases upon claims for just satisfaction	6	2	0	53	37	0.73	55	55	0	1	0	9.17	0	0	0	0	103.77
Other	13	4	0	13	7	0.08	17	17	0		0	1.31	2	0	0.15	0	130.77
TOTAL	18	139	59	2.976	1.531	13.77	3.115	2.911	1.295	493	0	161.72	204	58	11.33	3.22	97.82

of the work of the Supreme court in 2014. upon CEPEJ indicators

COURT	Total number of employees	Unresolved at the beginning 1.1.2014	Total resolved in 2014.	Resolved backlog in 2014.	Unresolved at the end 31.12.2014.	Case flow coefficient	Time needed for resolving cases	Efficiency rate	Total number of backlog cases	Time needed for resolving of total number of backlog cases (in months)
Supreme	50	139	2.911	139	204	14,27	25,58	58,22	0	0,85

20.20 Overview of the sentences imposed

COURT	Total convicting judgements	Number of fines	%	Number of conditional sentences	%	Number of imprisonment punishments	%	Work in the public interest	%	Other	%
Bar	442	15	3,39	249	56,33	112	25,34	1	0,23	65	14,71
Berane	206	28	13,59	94	45,63	80	38,83	0	0,00	4	1,94
Bijelo Polje	227	22	9,69	109	48,02	73	32,16	17	7,49	6	2,64
Cetinje	201	6	2,99	107	53,23	51	25,37	24	11,94	13	6,47
Danilovgrad	11	0	0,00	7	63,64	3	27,27	0	0,00	1	9,09
Herceg Novi	169	9	5,33	98	57,99	38	22,49	9	5,33	15	8,88
Kolašin	110	11	10,00	73	66,36	23	20,91	0	0,00	3	2,73
Kotor	289	8	2,77	161	55,71	80	27,68	9	3,11	31	10,73
Nikšić	491	16	3,26	292	59,47	163	33,20	11	2,24	9	1,83
Plav	53	12	22,64	30	56,60	7	13,21	0	0,00	4	7,55
Pljevlja	119	15	12,61	65	54,62	38	31,93	0	0,00	1	0,84
Podgorica	891	37	4,15	521	58,47	241	27,05	20	2,24	72	8,08
Rožaje	175	30	17,14	77	44,00	50	28,57	0	0,00	18	10,29
Ulcinj	164	5	3,05	122	74,39	27	16,46	4	2,44	6	3,66
Žabljak	44	6	13,64	28	63,64	10	22,73	0	0,00	0	0,00
Total Basic:	3.592	220	6,12	2.033	56,60	996	27,73	95	2,64	248	6,90
High court Bijelo Polje	137	0	0,00	4	2,92	133	97,08	0	0,00	7	5,11
High court Podgorica	50	0	0,00	0	0,00	50	100,00	0	0,00	0	0,00
Total High:	187	0	0,00	4	2,14	183	97,86	0	0,00	7	3,74
TOTAL	3.779	220	5,82	2.037	53,90	1.179	31,20	95	2,51	255	6,75

20.21: Seized objects of crimes upon non-binding judgments

COURT	Weapon	Narcotics	Vehicles	Documents	Food commodities	Cigarettes	Alcohol and non-alcohol drinks	Money	Different commodities
Basic court Cetinje	guns 12 pieces pistols 4 pieces Other 2 com ammunition - 1.539 komada	-	-	-	-	-	-	-	1 com
Basic court Pljevlja	-	-	-	-	-	-	-	-	-
Basic court Rožaje	1 gun, 2 com pistols	-	-	-	-	-	-	-	-
Basic court Berane	pistols 3 com ammunition 11 com	-	-	-	-	-	-	6 bills	-
Basic court Bijelo Polje	-	-	-	-	-	-	-	-	-
Basic court Žabljak	-	-	-	-	-	-	-	-	-
Basic court Podgorica	Pistols 9 Guns 5	-	-	-	-	-	-	-	2 com
Basic court Kotor	Pistols 6 com Guns 1 com Ammunition 64 com 347,67 gr explosives	-	-	-	-	-	-	-	-
Basic court Nikšić	Pistols 3 com Guns 10 com, Ammunition 862 com, 6,45 kg explosives, different 43 com	-	-	-	-	-	-	-	-
High court Bijelo Polje	-	21,13 gr	-	-	-	-	-	-	-
High court Podgorica	Pistols 5 com Guns 1 kom Ammunition 99 com 2 com different	106,76 kg, 572 tabletes	4 com	11 com	-	-	-	10.435 €, 1300 CHF Forged money- 701.800,00€, 100.900,00 \$	156 com
Total	2504	106,97 kg 572 com	4 com	11 com					159 com

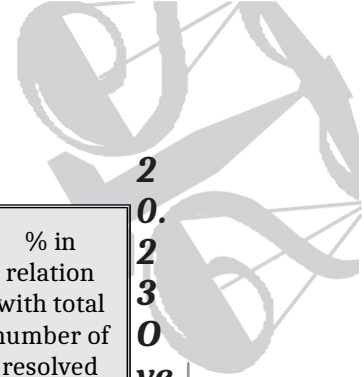
- 6,797 kg explosive

20.22 Seized objects of crimes upon binding decisions

COURT	Weapon	Narcotics	Vehicles	Documents	ommodities Food	Cigarettes	Alcohol and non-alcohol drinks	Money	Different commodities
Basic court Cetinje	Pistols 5 com. Cold weapon 3 com. Guns 1 com. firecrackers 33 com.	-	-	-	-	-	-	-	-
Basic court Pljevlja	-	-	-	-	358 kg milk products, 340 kg fruits and vegetables, 281 kg honey products	-	1296 bottles of fruit wine, 964 bottles of different rakis, 110 bottles likers, 10 nak. of beer	-	-
Basic court Rožaje	Guns 2 com Pistols 3 com	-	1 com	Passports 3 com personal IDs 2 com, 1 reg. plates	-	17850 packs of different cigarettes	-	1950 € false 179.055,00 €	2 com 1 com jewelry 2,74 kg
Basic court Berane	Ammunition 700 com Guns 1 com Pistols 1 com	-	-	-	-	1550 packs	-	-	2 com
Basic court Bijelo Polje	Ammunition 359 com. Guns 6 com. Pistols 10 com.	-	-	-	125 kg	-	-	2600,00 €	-
Basic court Kolašin	Different weapons 8 com.	-	-	Passport 1 com	-	-	-	200,00 €	-
Basic court Žabljak	Weapons 2 com.	-	-	-	-	-	-	-	-
Basic court Podgorica	Pistols 11 com Guns 3 com	-	-	-	-	-	-	55,00 €	3 com
Basic court Kotor	Pistols 10 com Guns 5 com Ammunition 66 com	-	-	-	-	-	-	100,00 €	-
Basic court Nikšić	Firecrackers 678 com, guns 15 com, pistols 9 com different 2 com, ammunition 222 com, 2,03 kg explosive, 10 com of sticks	31,27 gr	-	-	-	-	5980 bottles of different alcohol	-	5 com
High court Bijelo Polje	Pistol 1 com	7,45 kg	-	-	-	-	-	-	-
High court Podgorica	Pistols 15 com, Guns 6 com, ammunition 308 com, 26 com other	36,25 kg, 70 com other	9 com	-	-	-	-	660 €	12 com

Total	1834 com	44,02 kg 70 com	10 com	8 com	1.104 kg		8360	184.620 €	25 com Jewelry 2,74 kg
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· 2,03 kg explosive



COURT	Duration of procedure up to 3 months	% in relation with total number of resolved cases	Duration of procedure up to 6 months	% in relation with total number of resolved cases	Duration of procedure up to 9 months	% in relation with total number of resolved cases	Duration of procedure up to one year	% in relation with total number of resolved cases	Duration of procedure over one year	% in relation with total number of resolved cases
Bar	2197	49,94	737	16,75	432	9,82	254	5,77	779	17,71
Berane	2279	45,46	1215	24,24	845	16,86	278	5,55	396	7,90
Bijelo Polje	4007	54,61	2201	30,00	639	8,71	186	2,54	304	4,14
Cetinje	1108	53,71	371	17,98	259	12,55	109	5,28	216	10,47
Danilovgrad	1056	70,78	206	13,81	108	7,24	47	3,15	75	5,03
Herceg Novi	1627	61,28	358	13,48	217	8,17	126	4,75	327	12,32
Kolašin	604	60,95	193	19,48	81	8,17	47	4,74	66	6,66
Kotor	3172	57,87	709	12,94	403	7,35	235	4,29	962	17,55
Nikšić	3039	49,27	1286	20,85	678	10,99	345	5,59	815	13,21
Plav	781	33,29	937	39,94	392	16,71	158	6,73	78	3,32
Pljevlja	1685	72,69	439	18,94	132	5,69	24	1,04	38	1,64
Podgorica	9165	51,22	2496	13,95	1718	9,60	1088	6,08	3425	19,14
Rožaje	2525	79,43	375	11,80	142	4,47	101	3,18	36	1,13
Ulcinj	930	40,26	353	15,28	282	12,21	239	10,35	506	21,90
Žabljak	666	81,22	86	10,49	42	5,12	16	1,95	10	1,22
Basic courts	32.644	54,35	11.225	18,69	5.938	9,89	2.999	4,99	7.254	12,08
Bijelo Polje	4.909	95,36	185	3,59	33	0,64	10	0,19	11	0,21
Podgorica	5.159	55,19	1.150	12,30	1.411	15,10	908	9,71	719	7,69
High courts	10.068	69,46	1.335	9,21	1.444	9,96	918	6,33	730	5,04
Bijelo Polje	1.129	89,13	64	5	31	2,42	15	1,17	29	2,27
Podgorica	5.910	69,81	1.068	12,62	435	5,14	358	4,23	695	8,21
Commercial courts	7.039	72,31	1.132	11,63	466	4,79	373	3,83	724	7,44
Appellate court	1.577	89,65	158	8,98	22	1,25	2	0,11	0	0,00
Administrative court	450	13,56	1.060	31,95	1.385	41,74	389	11,72	34	1,02
Supreme court	2.577	89,14	293	10,13	32	1,11	7	0,24	2	0,07
Total	54.355	58,90	15.203	16,48	9.287	10,06	4.688	5,08	8.744	9,48

21. CONCLUSIONS AND GUIDELINESS



Montenegrin judiciary at the end of 2014 can be praised with better results than in 2008, when the Judicial Council of Montenegro was constituted, which indicates the success of the past reform process and determination in implementation of the tasks set.

The establishment of the Judicial Council as an autonomous and independent body whose primary responsibility is the election and dismissal of judges, has undoubtedly contributed to faster and objective election of judicial function holders, strengthening of their accountability and quality of judicial work.

The Judicial Council, elected in accordance with constitutional changes, made public the invitation for the election of the President of the Supreme Court of Montenegro and based on the proposal of the General Session of the Supreme Court, elected the President of the highest judicial institution. The President of the Judicial Council is elected from among those members of the Judicial Council who are not holders of judicial office, by a two-thirds majority of the members of the Judicial Council.

Activities of the Judicial Council and the Supreme Court as well as the measures taken - delegation of cases, transfer of judges, monthly meetings of the presidents of all courts with the president of the Supreme Court and the regular controls, have contributed to the reduction of the caseload that has burdened the work of the courts, and therefore directly affected the access to justice and legal security of citizens. Completed reform cycle has led to more efficient and shorter court proceedings, better realization and protection of human rights, as well as a greater awareness of the need to respect the right to a trial within a reasonable time. The simplification of court procedures, improving case management system, introduction of new technologies, as well as the functionality of the judicial information system, made it possible to modernize the administration of the judiciary, access to justice is promoted, and quality and efficiency of the work of courts.

Montenegrin courts in 2014, were up to date, as indicated by the efficiency rate in accordance with CEPEJ guidelines:

- Basic courts - 99,54%,
- High courts - 97,47%
- Commercial courts - 113,43%
- Appellate court of Montenegro - 105,65%
- Administrative court of Montenegro - 90,73%
- Supreme court of Montenegro - 97,82%.

At the level of the Montenegrin judiciary, the efficiency rate is 100.18% and the efficiency rate by CEPEJ indicators is 86.14%.

In terms of resolving cases older than three years, compared to the previous year, the backlog was reduced for 21.65%, so 12.47% of the cases remained per judge. Reducing the number of "old cases" is aligned with the efforts, priorities and objectives of the judicial branch, which is stated in the Progress Report of Montenegro in 2014, in the part efficiency of the courts.

Total number of backlog cases at the end of 2014 amounted to 35,697 cases, as compared to the previous year backlog decreased for 1,468 cases, or 4.11%.

In 2014 we noticed an increase in quality of the work of courts in relation to the previous year, when the percentage of confirmed decisions amounted to 64.76%, because of all the appeals, 66.13% were confirmed, 22.86% terminated, and 6.15% partially confirmed, 4.66% modified.

It is evident that in the courts, in the reporting year, 1.65% of the decisions in complex cases were drafted after the legal deadline expired, which, in comparison to last year is a decrease for 3.38%.

When it comes to the length of the procedure in complex cases in all Basic courts in Montenegro, up to three months 54,05% of all cases were resolved, up to six months 18.56% of cases were resolved, up to nine months 9.88% of cases, up to one year 5, 05% and more than one year 12.46% of cases were resolved.

Of all the decisions that were made in the Basic courts, only 1.69% of the decisions were drafted after the legal deadline expired, or in criminal cases 2.18%, and 2.39% in civil cases.

In Basic courts during the reporting year larger number of civil cases is evident, compared to the previous year for 16.63%, ie less influx of criminal cases for 5.98%.

Penal policy of Basic courts can be assessed as matching to the type and severity of the crimes before these courts. Thus, from the total number of convictions, the suspended sentences were 56.60%, fines were 6.12% and 27.73% imprisonment sentences. A total of 95 penalties- work in the public interest- were imposed, that makes 2.64% of the total number of convictions, which is an increase of 395.83%, compared to the previous year when there were 24 imposed.

The High Court in Bijelo Polje began the reporting year with 240 backlog cases, received 5,042, resolved 5,148 and 134 cases remained unresolved or 2.54%.

The High Court in Podgorica began the reporting year with 3,064 cases, received 10,181 and had a total number of 13.245 pending cases, resolved 9,690 cases, 3,104 remained unresolved or 23.44%. So, the higher courts in relation to the influx have completed 97.47% of cases, and the total number of unresolved cases is lower for 66 cases, compared to the number of pending cases at the end of 2013.

In the Higher courts in 72.35% of cases, the procedures were completed within three months, counting all pending cases.

Two Specialized divisions in High courts which lead trial in cases of organized crime, corruption and war crimes, had 56 pending cases, 32 cases were resolved, and 23 remained unresolved or 41.07%. The influx was equal to the influx of the previous year, the number of resolved cases decreased for 21 cases compared to the number of cases in the last year.

Commercial courts are completely efficient this year, because they completed 113.43% compared to the influx, in relation to the total number of pending cases, only 19.16% remained unresolved.

From 976 pending bankruptcies, 591 were resolved, and 39.45% remained unresolved, while from civil cases 49.62% remained unresolved. The quality of work is good because 21,03% of all examined decisions were revoked.

The Administrative Court in this year had a total number of 5,132 pending cases, because it received 3,626 new ones, so that in comparison to the previous year, had a greater influx of 12.96%, and completed 90.73% of the total influx of cases. The quality of work of the Administrative Court is also reflected in a lower percentage of revoked decisions (12.35%), which is less than in 2013, when it was 17.45%.

The Appellate court had 102 less pending cases, than in the previous year, ie a total of number of 1,777, and completed 105.65% of cases in relation to influx. The quality of decisions is showed through 17,14% of revoked decisions, which is a good quality.

The Supreme Court of the total number of cases received - 2,976, had a total number of 3,115 pending cases, with cases from the previous year, which number, as compared to the last year is higher for 1,104 cases, or for 34,99%. Of that number, 2,911 were resolved, and 204 remained unresolved, or 6.55%.

It is evident that the backlog of all cases is reduced from 2010 and previous years for 26.78% at the level of all courts, and in all types of cases.

Montenegrin judges and administration will continue to be fully committed to improving the efficiency, timeliness and effectiveness of their work, and reduction of the caseload will continue to be the primary objective of the Judicial Council and Montenegrin courts.

The judicial branch of government will in the future undergo through the biggest changes - rationalization of the court network and shortening court procedures, while in the process of transformation of the judicial system ahead of us there are legislative and institutional changes, changes of organic laws and legislation in criminal and civil matters. Full respect of the right to a trial with in a reasonable time will remain the strategic guideline which will assume the improvement of the system of monitoring the length of court proceedings, through an information system, development of a system of

measuring the workload of judges, effective protection of the right to a trial within a reasonable time, and encouraging greater use of alternative dispute resolution methods.

In addition to the maximum use of information technologies in the courts, quality and continuing education of judges and court administration, the next cycle of the reform will contribute to the upgrading of the knowledge of judicial function holders about the case law of European Court of Human Rights and the European Union Law, with the aim of standardizing and harmonizing the national case law with the European one.

The judiciary, in addition to independence in relation to other branches of power regulated by Constitution, demands the securing of economic independence of the judicial function holders. It is a prerequisite of any independence, a guarantee of the smooth operation, full dedication to work, equivalent to the weight and duties of judicial office. Therefore, in the time ahead of us, we should continue with more transparent, more responsible attitude towards the work of judges. We should strengthen the financial situation of judges and judicial administration and to devote ourselves to strengthening the reputation of the Supreme Court as a main judicial institution, which should have the place in society, belonging to it by the Constitution, laws, tradition and Montenegrin legal history.

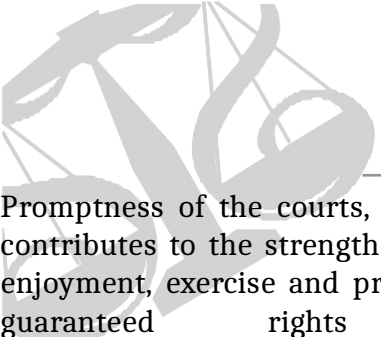
It is necessary to provide the financial funds for the final realization of the objectives of infrastructure improvements and strengthening the security of courthouses. In addition, in all the courts, to persons with disabilities and other vulnerable groups should be allowed to have unrestricted access to judicial institutions, in order to offer equal access to justice for all citizens, regardless of their specialty or personal characteristics.

It is necessary to provide adequate budgetary resources, in an amount not less than the minimum required by the discretion of the Judicial Council, for the smooth operation and development of judicial institutions, which includes the allocation for salaries of employees, material costs and the provision of funds for investment, primarily for building of Palace of Justice in Podgorica and Bijelo Polje, which will ensure the modernization and computerization of the judiciary.

In the budget of the courts, it is necessary to provide significant funds for capital investments, in order to provide adequate space for the accommodation of the Judicial Council and courts, maintenance of existing equipment and software licenses, replacement of worn-out computer equipment and procurement of the missing one, and funding for the training of IT and other staff in the judiciary, as well as the further development of information systems.

The adoption of the Judicial Reform Strategy for the period 2014-2018, was necessary for the realization of the strategic objectives to which the judiciary tends - strengthening the independence, impartiality, transparency and the responsibility of the judicial branch. As the above objectives are precisely the primary objectives of the next five-year reform cycle streamed into the text of the Strategy, which is closely elaborated in the Action plan and fully relies on measures in the Action Plan for Chapter 23, it is clear that the reform of the judicial system will certainly monitor the process of its harmonization with the EU acquis and standards.

The challenges ahead of the Judicial Council and courts in the integration process of Montenegro are great, but achievable. Undoubtedly, great efforts have contributed to strengthening the independence, accountability, efficiency, transparency and impartiality of the judicial system because the full application of the law, constant education of judicial function holders, respect of human rights and of international standards are the bases of judicial function. This is the only way to establishing full rule of law and legal certainty, and ultimately contributing to the development of Montenegro as a modern democratic state.



Promptness of the courts, increasing the quality of the work and harmonization of judicial practice contributes to the strengthening of Montenegro as a democratic and legal state, but, above all, to the enjoyment, exercise and protection of the rights and freedoms of each individual. Just the respect of guaranteed rights and freedoms at the national and international level, respecting the principle of a fair trial, trial within a reasonable time and access to justice, are the values that Montenegrin judiciary should exercise and protect.

The results of the Judicial Council and the judiciary, which were determining for the opening of the negotiation process and the future path of European integrations, are not sufficient and final, for which we will seek to seriously and fully respond to the strategic objectives that were set up before the judicial branch of government by 2018. Besides, we must strengthen the independence, by determining the independent budget and strengthening its administrative capacities in order to have successfully educated judges in final, ready to fully play their role in the legal system.



