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KOSOVO

JUSTICE SYSTEM REFORM ACTIVITY

QUARTERLY REPORT, JANUARY – MARCH 2006

APRIL 2006

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DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

I. Executive Summary

NCSC activities throughout this reporting period ranged from activities resulting in tangible impact to those which laid the groundwork for future impact and varied from classroom training to technical assistance in preparing for the creation of a new justice sector institution.

This quarter was especially critical for the major activities in Component I. Within this component, NCSC provided technical assistance as a new Provisional Institution of Self-Government (PISG) – the Ministry of Justice (MOJ) – began to function after its normative creation in the last days of December 2005. In addition, NCSC engaged in significant preparatory activity for the establishment of the Kosovo Judicial Council (KJC). Contemporaneously, NCSC offered technical assistance and logistical support to the working groups which completed review of the draft Laws on Courts, Public Prosecution, and Notaries.

The various working groups provided a visible forum for showcasing USAID assistance to the justice sector through the Kosovo Judicial System Reform Activity. Also high profile were the two seminars on human resources and budgeting that NCSC carried out for justice sector managers throughout Kosovo under the rubric of the second component, improving the effectiveness of court operations. NCSC complemented these activities with an array of other second component activities such as alternate dispute resolution training, promotion of changes to the Law on Execution Procedure, backlog reduction activities, and preparatory work for the design of an interim case tracking system (ICTS).

The third component saw the initiation of activities of the Judicial Audit Section (JAS) in this reporting period, the culmination of many ground-laying activities in 2005. Members of the JAS received approximately 80 hours of classroom training in this quarter, followed by nearly 80 hours of field training. The result of the field training was the first completed judicial audit analyzing the breaching of statutes of limitations in three municipal courts.

Finally, NCSC undertook preparations throughout this reporting period for the training that seeks to educate a select group of journalists on legal issues. This activity – which will begin in the first part of the next quarter – is part of the fourth component, Public Outreach and Awareness.

II. Quarterly Progress

A. Component I – Transition to an Effective and Impartial Justice System

1. Contributing to the Development of a Justice System Strategy: Coordination with Other Entities

In this reporting period, NCSC continued its coordination with UNMIK (United Nations Mission in Kosovo)/Department of Justice (DOJ), other donors, and PISG institutions to contribute to strategy development particularly as it related to the MOJ and KJC.

At UNMIK's request, NCSC's Court Administration Consultant (CAC) made a presentation to the European Union Assessment Team dispatched from Brussels. It is anticipated that the European Union (EU) will replace the United Nations in 2007 in providing administrative oversight for the PISG. The CAC was asked to assess the current state of the judiciary in Kosovo and respond to a panel of judicial experts assembled by the EU.

Obviously, one of the most important issues confronting the DOJ now is the transition to the MOJ. Given the number of donor groups providing or soon to be providing technical assistance to the MOJ, NCSC's CAC initiated discussions between UNMIK Pillar I, DOJ, and NCSC to establish procedures by which consultants from NCSC and other donor organizations would be coordinated in their work at MOJ. As a result of these discussions, Pillar I, DOJ, and NCSC agreed that NCSC would respond to requests from PISG institutions while keeping Pillar I and DOJ completely informed of its activities with the PISG.

2. Support the Establishment of the Kosovo Judicial Council and Subordinate Entities

NCSC was actively involved on both the political and technical levels in providing assistance for the creation of the KJC. NCSC's Chief of Party, KJC Consultant, CAC, NCSC's Special Assistant to the Director, DOJ, and a staff attorney collectively provided this assistance throughout the reporting period.

The most critical part of this assistance related to the recommendation of the future KJC candidates by the Assembly. NCSC facilitated a discussion between the President of the Supreme Court, the Acting Permanent Secretary of the MOJ, and the Chair of the Committee on Judicial, Legislative, and Constitutional Framework Matters (the Committee) on the recommendation to the Committee of four additional KJC candidates which took into account ethnicity, geographic origin, and gender diversity needs. The three reached consensus on three judges and one prosecutor, and the Supreme Court president presented their names to the Committee.

Discussion in the Committee stalled over the only Serbian-Kosovar candidate recommended. Given the significance of this candidate and the need for ethnic diversity on the KJC, the NCSC KJC Consultant worked intensively investigating negative comments made by members of the Committee against her. He reviewed records, interviewed colleagues of hers, examined case files, and interviewed her. The KJC consultant discovered and reported to the Legislative Committee that the negative comments were unsubstantiated. Consequently, the Serbian-Kosovar candidate remained a member of the slate of KJC candidates adopted by the Assembly and recommended for appointment to the Special Representative of the Secretary General (SRSG). The SRSG appointed the candidates recommended by the Assembly to the KJC by the end of the reporting period.

On a technical level, NCSC worked with UNMIK to develop priorities and agendas for the first two months of the KJC's meetings. See **Attachment A**. The first meeting agenda, for example, included election of the Vice-Chairperson of the KJC, appointment of members to the Disciplinary Committee, and approval of minority recruitment efforts. In addition, NCSC prepared rules of procedures for meetings and committees and briefing papers to the KJC on committee appointments, budget transfer, and interim rules of procedure. See **Attachment B**. Finally, NCSC prepared the terms of reference for the Director of the Secretariat. See **Attachment C**.

NCSC's work on high-level issues involving the KJC also extended to the transition of functions and assets of the Ministry of Public Services (MPS) to the KJC (and the MOJ). A transition working group was established by Pillar I to oversee this transition. Working group members include the Deputy Permanent Secretary at MPS, the Acting Permanent Secretary at MOJ, and the KJC Chairperson, with support from the Acting Director at the Department of Judicial Administration (DJA), the Principal International Officer for MOJ, and the Senior International Officer at DJA. While not a member of the working group, the CAC was asked to identify the issues that MPS, KJC and MOJ must address for transition, and provide recommendations for each. During the reporting period the transition working group adopted the CAC's initial recommendations on division of staff, budget, assets, and contractual obligations between the MOJ and the KJC.

In comparison to the KJC which, by the end of the reporting period, still had not been formed, the subordinate units of the future organization – the Secretariat and the Administrative Office of the Courts (AOC) – are already functioning. NCSC's KJC consultant worked to improve the functioning of the Secretariat by focusing on business procedures and paper flow within the organization. Additionally, he interviewed all Secretariat staff to determine their roles and the procedures used in carrying out their roles. Subsequently, he worked with the CAC to develop a preliminary scheme for reorganization and consolidation of the Secretariat and the AOC. This scheme has been reviewed with the President of the Supreme Court and will be presented to the KJC.

In addition, the KJC Consultant has begun, with other international advisors, to evaluate and mentor Secretariat staff through the assignment and review of tasks designed to highlight drafting and analytical skills. A significant part of his work throughout the reporting period was capacity building in the Secretariat.

3. Support the Establishment of the Ministry of Justice

Although the MOJ was created in the last quarter by UNMIK Regulation 2005/53, this reporting period marked its actual beginning. The Acting Permanent Secretary solicited NCSC's technical assistance, and NCSC responded by designating a staff attorney as an advisor to the Minister, providing temporary assistance through its CAC, coupling the project's Legislative Drafting Manager (LDM) with the MOJ's Director of Legal Affairs as an advisor, and – towards the end of the quarter – placing both the Deputy Chief of Party and a Senior Information Technology Advisor (SITA) in the MOJ part-time as advisors to the Minister beginning in the next reporting period.

Most significantly, the NCSC staff attorney was the first to recommend to the Minister the necessity of a strategic plan. See **Attachment D**. The Minister quickly agreed, and the MOJ has established the development of a strategic plan as one of the most important priorities in the next 100 days. Also marked as priorities of the MOJ in the next 100 days, upon the suggestion of the NCSC staff attorney, are the modification of Government Regulation No. 1/2005 (which should provide the MOJ competence to review all government-produced legislation) and the development of an MOJ policy paper.

In addition to helping the MOJ establish these priorities, the NCSC staff attorney worked on other high-level activities geared towards facilitating the smooth functioning of the ministry. See **Attachment E** for the report compiled by the NCSC staff attorney for the Minister of all MOJ activities prior to his arrival and **Attachment F** for recommendations on the drafting of the terms of reference for the Department for International Development's support to the MOJ.

NCSC also provided direct technical assistance to the MOJ through its CAC. This assistance included 1) preparation of guidelines agreed to between Pillar I and the MOJ on the administration of the MOJ budget, 2) recommendation of a recruitment plan to be completed prior to UNMIK interim review, and 3) support to the MOJ support staff on organization of the front office. The Acting Permanent Secretary reported that the budget agreement drafted by the CAC was adopted and sent to Pillar I for approval and implementation. See **Attachment G**.

Unlike the NCSC staff attorney and the CAC who provided support the MOJ at the minister-level, the LDM's support was directed to an office within the MOJ, specifically, the Policy and Legislation Division. Although the LDM repeatedly broached the topics of procedures, processes, and strategic planning with the counterpart responsible for this unit in this reporting period, this counterpart focused exclusively on moving forward with several draft laws.

Although placement of a SITA as an advisor to the Minister will take place in the beginning of the next reporting period, both of NCSC's SITAs liaised with the MOJ's information technology staff throughout the reporting period. NCSC arranged several meetings which included the heads of the information technology departments at MOJ and MPS. As an immediate result of these meetings, the Department of Information Technology at MPS began acting to provide basic connectivity services to all MOJ facilities in Pristina.

4. Assisting in Drafting Regulations and Legislation Pertaining to the Judiciary

NCSC's legislative priorities concerning legislation dovetailed nicely with the three legislative priorities established by the newly-formed MOJ in this reporting period: Law on Public Prosecutors, Law on Courts, and Law on Notaries. There was significant activity on each law in this reporting period.

NCSC held the last working group meeting on the Law on Courts February 23. Preparations for this meeting included final revisions of the translated law which required constant liaising with UNMIK/DOJ and pro bono partner DLA Piper Rudnick and carrying out all logistical arrangements. A DLA Piper representative and the NCSC Chief of Party moderated the meeting and facilitated in resolving the most significant issue remaining open – the timing of the KJC's review of the quantity and locations of the basic and district courts under the new law. (The working group decided that this review would take place within six months of the passing of the Law on Courts.) After this meeting, NCSC worked on incorporating the working group's recommendations into the draft law, translating these changes, and preparing for the distribution of the final draft. NCSC distributed the final draft in March. The MOJ will present this law to the Prime Minister's Office (PMO), most likely in the next reporting period.

The MOJ will likely present the Law on Courts to the PMO jointly with the Law on Public Prosecution. NCSC organized three working group meetings during the reporting period to discuss the draft law. The Director, UNMIK/DOJ chaired the first group where the most contentious issue focused on the inclusion of the Minister of Justice on the Prosecutorial Council of Kosovo (PCK). In the second meeting, debate once again focused on the issue of the Minister of Justice and the PCK. In the final meeting, working group participants revisited this issue a third time and also debated the mandate and composition of the KPC.¹

The least contentious of the three working groups was that of the Law on Notaries. In close coordination with the UNMIK/DOJ's Legal Policy Division, NCSC sponsored the second working group meeting for this law on February 14. Facilitated by two Swiss experts – funded by the Swiss Development Corporation – this meeting reviewed written comments submitted by the President Judge of the District Court of Gjilan, who is also the President of the Kosovo Judges' Association, and NCSC. See **Attachment H**. The working group agreed on minor adjustments to the draft law. On March 21, the two experts returned – along with a third Italian expert – to present and discuss two pieces of secondary legislation, Articles of Association of the Chamber of Notaries and the Code of Ethics. An NCSC staff attorney provided comments on the proposed secondary legislation, and the experts used these comments to guide discussion. See **Attachment I**.

¹ Ultimately, the working group decided not to include the Minister of Justice on the PCK, although MOJ dissented strongly from this position. The MOJ, however, will present the Law on Public Prosecutors to the PMO so it will inevitably change the draft to include the Minister of Justice on the PCK.

B. Component II – Improve Effectiveness of Court Operations

1. Access to Texts of Laws, Regulations and Decisions

Fundamental to the smooth functioning of the litigation process in Kosovo courts is adequate knowledge of the plethora of laws, regulations, and decisions by those most intimately involved with the court system. In an effort to improve access to these laws, regulations, and decisions, NCSC - through Prism Research - carried out a marketing survey last quarter to identify the possible markets and obtain information about the opinions of major target groups about their needs for the print version of the codification of Kosovo jurisprudence by subject matter.

In this reporting period, NCSC finalized this survey and translated it into Albanian and Serb-Croatian. See **Attachment J**. It will be distributed in the upcoming quarter.

As a result of this survey, NCSC will provide support to the Kosovo Law Center (KLC) for the publication and distribution of the first compilation on criminal law. In the beginning of the next reporting period, KLC will provide NCSC a draft of this publication. In an effort to move this project towards long-term sustainability, KLC will provide these compilations to members of target groups for a fee.

2. Revision of the Law on Execution Procedure

In an effort to generate momentum for normative changes in the execution process, the NCSC/IFES consultant participated in training on this subject matter at the Kosovo Judicial Institute on March 23. The audience for her presentation consisted of 28 civil judges from municipal and district courts throughout Kosovo, including three Serbian-Kosovar judges. In her presentation entitled "Challenges and Possible Solutions in the Execution Procedure," the NCSC/IFES consultant reviewed problems in the execution procedure, recommendations, and treatment of execution by EU countries. See **Attachment K** for a copy of this presentation and background documentation. Of particular interest to the participants was the execution procedure in Austria.

3. Court Automation (Interim Case Tracking System (ICTS))

At the beginning of the reporting period, DJA selected a local project manager who designed a project proposal to support automated data collection in, among other areas, the enforcement of civil judgments. NCSC liaised regularly with him and provided him comments on his proposal. This proposed project - essentially a case tracking system - would have been interim in nature and would not have competed with the CMIS.

In order to expedite the development of an ICTS, NCSC proposed to justice sector officials in the civil execution pilot courts, UNMIK/DOJ, and the KJC Secretariat (where the local project manager is assigned) the possibility of installing its own already-developed software and making it available to the courts for case tracking of civil execution cases. Consistent with the initial project proposal from the local project manager, this ICTS would be interim in nature and not compete with the CMIS under development with funding from the EU.

An essential part of any ICTS is the database. NCSC worked throughout the reporting period in defining the functional requirements of a database for civil execution cases. In February, NCSC presented to the municipal courts in Prizren and Gjilan, sites of NCSC-assisted civil execution backlog projects, a draft list of data elements for the backlog reduction database. These data elements are the stages in the case where case-specific information can be collected and later

entered into the database. By the end of the quarter, NCSC and the two municipal courts settled on a draft list of 50 data elements for civil execution cases.

In February, NCSC designed and tested a methodology for collecting the data elements found in the register books of the courts. NCSC scanned one register book of 257 pages and created digital archives thereby successfully capturing six data elements for each case contained in the registry book.

4. Caseflow Management/Backlog Reduction

NCSC provided technical assistance throughout the quarter to two pilot municipal courts in Prizren and Gjilan in reducing their civil executions backlog following their design in December 2005 of actions plans to reduce their backlog. As a result of NCSC's assistance, the municipal court in Prizren identified and disposed of 38 of its oldest civil execution cases, among the 162 cases of which it disposed. In the Gjilan Municipal Court, staff reviewed and categorized 100 cases, disposing immediately of 30.²

5. Records Management

NCSC provided technical assistance to the Lipjan and Suhareka Municipal Courts in developing and implementing their records retention plans and the destruction of closed cases that no longer needed to be maintained. As a result of this assistance, these courts were able to purge their archives of unnecessarily retained cases. In addition, they properly organized those cases needed to be retained and transferred those cases required to be kept by the Kosovo Archive Center.

6. Court Recording

With the exception of the District Court of Pristina, all of the pilot sites for the court recording equipment were functioning at the beginning of the reporting period. NCSC removed the audio recording unit from this court in January and transferred it to the District Court of Peja. NCSC, together with the equipment provider and a trainer from the DJA, successfully installed the unit and provided the necessary initial training on February 1.

In the upcoming quarter, NCSC will evaluate all of the pilot project sites, create a space to provide an exchange of lessons learned by the courts, and continue to explore the possibility of funding of additional equipment purchase by other donor groups.

7. Public Information Officer

The flow of information from the courts to the media and general public will play an important role in establishing the credibility of the new court system. Crucial to this information flow is the Public Information Officer (PIO). A significant responsibility of the PIO will be the successful implementation of the Regulation on Access to Public Documents within the judiciary.

In the last week of the reporting period, MPS published an Administrative Instruction (AI) implementing the Regulation on Access to Public Documents. Given the potential impact of this regulation and AI on the judiciary, NCSC participated in the working group that reviewed the proposed AI and provided written comments. See **Attachment L**. Most significantly in the

² Of the remaining 70 cases, 30 had international implications and required assistance from UNMIK/DOJ, 25 had pending objections from one of the parties, and the remaining 15 cases depended on termination of the privatization processes with the Kosovo Trust Agency.

comments, NCSC pointed out the need to differentiate between archived and closed cases when defining the need for disclosure by the judiciary.

MPS publicly acknowledged NCSC, among others, for their participation in the working group.³

8. Alternative Dispute Resolution

Through its contract with Partners-Kosovo (P-K), NCSC is promoting the use of mediation as an alternative to time-consuming litigation. P-K carried out its last training session of this phase of its subcontract from February 7-10, training seventeen participants from the Public Prosecutor's Office, Minor Offenses Court, and the Municipal Courts of all regions. The next scheduled activity of P-K is the creation of a mechanism by which judges and prosecutors can refer cases to mediation. Although there is no referral mechanism, there has been a marked increase in referrals to mediation. Most notably, P-K training participants have referred cases to mediation, including blood feud and property dispute cases.

9. Core Competencies

The National Association for Court Management has identified ten core competencies that define what court leaders need to know and be able to do. NCSC selected four of the most important of these ten competencies as subjects of a four-module series that will take place in the first half of 2006 – Human Resource Management Principles, Budget and Financial Management in Courts, Caseflow Management/Delay Reduction, and Information Technology in the Courts.

On January 31, NCSC began the series with a two-day Human Resource Management Principles seminar in Mitrovica. Forty-five president judges and court administrators and three Ministry of Justice administrators attended the training. See **Attachment M** for seminar materials.

The series continued with a seminar on Budget and Financial Management in Courts on March 9-10. Forty-four judges, administrators, and finance officers from across the justice sector (municipal courts, minor offense courts, MOJ, KJC, Kosovo Judicial Institute, and the Department of Judicial Administration) participated in this seminar, and, as with the case with the first seminar, evaluations were uniformly positive. See **Attachment N** for seminar materials.

C. Component III - Enhance Respect for Ethics and Delivery of Quality Services

1. Audit Section

a. Training

³ The newspapers Bota Sot and Zeri newspaper, both dated March 17, 2006, quoted the press release of the MPS:

“During the compilation process of the Draft Administrative Instruction (AI), suggestions and comments that were given during public debates have been taken into consideration and incorporated into the AI, including suggestions that came by the representatives of media, NGOs and other institutions. In particular, comments made by IREX and NCSC (USAID), Ombudsperson Institution and Archives of Kosovo should be mentioned herein.”

The JAS saw a high level of activities and advances during this reporting period. The quarter started auspiciously with the hiring of the new Audit Coordinator for the JAS of the Judicial Inspection Unit (JIU), the former administrator in the Gjilan Municipal Court. With the arrival of the Audit Coordinator, key staff recruitment was completed and training was ready to commence.

The Audit Section Advisor (ASA), along with NCSC short-term consultants, assembled a three-month classroom and field training regimen for the Audit Section that spanned the entire reporting period. This initial classroom training on internal audit theory began on January 23 and lasted until January 30, and it was attended by fourteen JIU staff (JIU Head, Audit Coordinator, two senior judicial auditors, four auditors, two senior inspectors, three inspectors, and one legal assistant). The forty hours of training covered such introductory topics as the nature of internal audit, the internal audit environment, standards and principles, scope and importance of audit work. See **Attachment O** for materials from this training.

From February 6 – 10, the JIU staff participated in a second training module of forty hours. This one focused on the application of the theory of internal audit to the justice sector. This training culminated with the draft audit proposal for a first pilot audit to be conducted over the subsequent two weeks with the assistance and oversight of the NCSC trainer. In a week of preparations, JAS staff identified suitable courts and finalized the *Audit Objective*, the *Internal Audit Mission Order*, and the *Opening Statement of the Audit*. The purpose of this order was the review of the processing of criminal cases with an emphasis on identification and assessment of deficiencies in the system that slow down or detain the processing of cases thereby causing a breach of the statute of limitations.

The field work on the first pilot audit took place on February 20 and 21 in the municipal courts of Vushtrii and Podujeve. The JAS formed one audit team for each municipal court and each team interviewed relevant court staff and conducted testing on pertinent court cases under the guidance of the ASA and the NCSC trainer. Subsequently, the JAS added the Gjilan Municipal Court to the pilot audit. JAS staff returned to the field to carry out the necessary research at this municipal court without the presence of the ASA and the NCSC trainer.

In the latter part of the reporting period, the JAS drafted an internal report for UNMIK DOJ containing their findings and recommendations on the statute of limitations issue. During the audit process, JAS found 153 cases in the municipal courts audited which had breached the statute of limitations. It isolated the reasons for these breaches according to the two types of statute of limitations involved, absolute and relative. Next, the report recommended formalizing and tightening existing internal control systems in order to identify and expedite the completion of cases nearing the absolute statute of limitations and defining the type of judicial actions that cause the relative statute of limitations to be reset. Finally, the auditors identified 34 cases with the potential risk of breaching the absolute statute of limitations during 2006.

The JAS presented their findings and recommendations to the three municipal court presidents in Vushtrii, Podujeve, and Gjilan on the last week of this reporting period. The three presidents were very appreciative of the report and two wrote the JAS to express their gratitude. All three are amenable to implementing the JAS recommendations and have agreed to meet with the JAS again at the beginning of the next reporting period to discuss implementation.

b. JAS Operating Procedures

As a result of its training activities, the ASA received substantial feedback from the JAS staff regarding the Standard Operating Procedures (SOP) that the staff had drafted during the previous

reporting period. Consequently, the ASA made substantial modifications to the SOPs which will be finalized in the first part of the upcoming reporting period.

b. Data Collection

Future JAS audits will benefit significantly from automated data collection. To facilitate the development of such a system – ICTS – JAS drafted an *Internal Audit Mission Order* and the *Opening Statement of an Audit* in anticipation of conducting an audit designed to assess the state and quality of the case record keeping at all municipal courts. In addition, JAS staff drafted user requirements on a wide range of cases registered in the courts.

2. Judicial and Prosecutorial Reappointment Process

In the previous reporting period, the ASA drafted a comprehensive proposal for an internationally-led reappointment process for all judicial and prosecutorial posts in Kosovo. This proposal provided the impetus for discussion of the reappointment process amongst the international community. In this reporting period, the ASA followed up on his proposal by briefing the Deputy Special Representative of the Secretary General for Police and Justice (Pillar I), leading discussion with Pillar I representatives, US Office, USAID, and EU donors on concerns and questions about the reappointment process, modifying his proposal to take into account their concerns and questions, and identifying possible candidates suited to the unique task of running a justice sector reappointment process in a region in transition.

By the end of the quarter, Pillar I had identified a short-term Justice Sector Reappointment Project Manager who will begin work in the first week of the next reporting period.

3. KJC and Judicial Appointment Process

Although initially hired to carry out background checks on the 60 candidates from the Initial Legal Education Program (ILEP), NCSC's Judicial Vetting Consultant (JVC) focused first on carrying out background checks on the 20 candidates proposed for the KJC. First, she comprehensively revised the application forms that the candidates had to complete. See **Attachment Q**. Next and in conjunction with the Police Commissioner's task force chief, the JVC selected the Civilian Police that would carry out the background check investigations in the field. Once she assembled her team (which included two members of the local staff whom she trained), the JVC created a data base with all of the information from the KJC candidates gleaned from their applications. Finally, she established a uniform process for carrying out the background checks in the field. As a result of this process, four of the 20 candidates were eliminated because of negative information ranging from prior criminal activity to the provision of false information in the KJC application.

Towards the end of the reporting period, the JVC returned to work on the background check for the ILEP candidates and completed 13 of the 60 checks using the same process she created for the KJC candidates. Of the 13 candidates, one was disqualified because of failure to meet the professional requirements needed to serve as a judge and providing false information on the application.

Near the end of the reporting period, NCSC was asked to refocus the efforts of the JVC on the background checks for 26 minority candidates who are competing to fill 20 positions within the judiciary.

D. Component IV - Public Awareness and Education

1. Increasing Public Awareness through the Media

Throughout this reporting period, NCSC - in collaboration with IREX (a USAID-financed media project) - carried out preparations for a series of eight training seminars for media representatives over the course of a three-month period. The purpose of these seminars is to address the media's lack of knowledge of the Kosovar justice system, a fact particularly disturbing given that the public obtains most of its information about the justice system through the media.⁴

Jointly, NCSC and IREX met with numerous chief editors and media representatives from RTK, KTV, TV21, KosovaLive, Zeri, and Koha Ditore - to define the audience of journalists and reporters. In addition, NCSC identified the subject matter of the presentations and the specific trainers. See **Attachment R** for the detailed training plan including the subject matter of the eight seminars, pedagogical approach, evaluation method, and names of the journalists and reporters. The first seminar on the Constitutional Framework will take place on April 8.

2. Public Opinion and Court Users Surveys

During the first quarter, NCSC finished preparation for distribution of two surveys carried out by Prism Research in 2005. See **Attachments S and T**.

Of particular note in the public opinion survey were results that showed a 14% increase in the population that believed corruption was common in the judicial system (from 49% in 2004 to 63% in 2005). Also of interest were results showing the percentage of those who expressed confidence in the courts and judges – 60% and 57%, respectively. More of the population, however, expressed greater confidence in the following institutions or groups: Kosovo Police Service (81%), media (77%), Kosovo Assembly (69%), municipal assemblies (66%), and community leaders (66%).

The second survey – the court user survey – was the first of its kind in Kosovo. Most interestingly, results from the survey show that there were more positive responses regarding confidence in courts, judicial institutions, and the ability of the legal system to maintain law and order and protect rights from those who had experience in district courts than those with experience in municipal courts. This has particular relevance to the project as NCSC provides technical assistance to all district courts but only a few, select municipal courts. Prism Research analyzed these results and concluded:

The result of this analysis suggests that in most instances ... the more positive responses are due to USAID's Justice System Reform Activity in Kosovo[s] influence and not because district courts are simply different than municipal courts.

See page 23, Court Users Survey.

III. Obstacles Encountered

Statement of obstacle	Action taken or recommended	Status
Component I - The	NCSC staff attorney working in the	Pending.

⁴ The recent IFES public opinion survey noted that 88% of the population gains information about the court system through the media. (See page ii of this survey.)

counterpart responsible for the Policy and Legislation Division in the MOJ (Acting Head, Department of Legal Affairs) has shown himself to be disinterested in strategic planning and establishment of legislative drafting processes within the Policy and Legislation Division.	Ministry of Justice prepared various documents on strategic planning for the MOJ. Minister of Justice has stated his desire to have ministry-wide strategic plan. This will obviously require strategic plan to be developed by Department of Legal Affairs, a necessary first step for organizing the Policy and Legislative Division.	
Component III – To be effective, the JAS must involve the KJC in its work as soon as practicable, but the JAS remains a reserved power.	While recognizing that the JAS is a reserved power, the JAS will nevertheless attempt to involve the KJC in its work (within legal parameters established by UNMIK). It will address a meeting of the KJC on May 10.	Resolution in progress.
Component III – Placement of the JAS within the JIU makes it difficult for JAS to gain trust of court managers who see the JAS as an entity within an organization which has the mandate to investigate alleged misconduct of judges and prosecutors.	NCSC has recommended to UNMIK/DOJ that JAS be separated from the JIU and be placed under the auspices of the KJC.	Pending.

Statement of obstacle	Action taken or recommended	Status
Project Administration - The Memorandum of Understanding (MOU) between USAID and UNMIK that provided the	NCSC recommends immediate extension of the MOU by USAID and UNMIK.	Pending.

<p>basis for having NCSC staff seconded to UNMIK expired on the last day of this quarter, March 30. Consequently, seconded staff (Special Advisor to the Director of the Department of Justice, Court Administration Advisor, and Audit Section Advisor) will likely lose telephone and computer access shortly. It is also possible that they will not be permitted to enter UNMIK buildings. The Legislative Drafting Manager was never formally incorporated into UNMIK because of the then impending expiration of the MOU and remains without telephone and computer access while working at UNMIK.</p>		
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Kosovo Judicial Council
Këshilli Gjyqësor i Kosovës
Pravosudno Veće Kosova

Meeting Agenda
5 April 2006

1. Introduction and Welcoming Remarks
Rexhep Haxhimusa, Chairperson
2. Election of Vice Chair
3. Presentation by Department of Justice Director Albert Moskowitz on the draft UNMIK regulation, *Regulatory Framework for the Justice System in Kosovo*.
4. Disciplinary Committees
 - a. Appointment of Committee Members
 - b. Pending Disciplinary Matters – Prioritization
Mr. Kabil Merovci, Secretariat Legal Officer
5. Logistics
 - a. Meeting Schedule
 - b. Meeting Materials
 - c. Council Stamp and Logo



Kosovo Judicial Council
Këshilli Gjyqësor i Kosovës
Судски савет Косова



KJC/Chair/285/mb/06

7 April 2006

Dear Members of the Council,

Please be informed that the next meeting of the Council will take place on 12 April 2006, Supreme Court Building, 2nd Floor, Room 215, at 10:00 hrs.

1. Adoption of Meeting Agenda
2. Adoption of Meeting Minutes, 5 April 2006
3. Consideration of Interim KJC Rules of Procedure
 - a. Recruitment Procedures
 - b. Meetings
 - c. Standing and Ad Hoc Committees
4. Appointment of Standing Committees
 - a. Judicial Appointment and Development Committee
 - b. Prosecutorial Appointment and Development Committee
 - c. Court Administration Committee
 - d. Internal Rules and Legislative Affairs Committee
 - e. Budget, Finance and Human Resources Committee
5. Approval of Terms of Reference for Director, KJC Secretariat
6. Budget Transfer to KJC

Thank you for your attention to this matter.

Yours sincerely,

Mirlinda Batalli
Acting Secretary
Kosovo Judicial Council

cc: Ms. Elizabeth Rolando, Head, JDD, DOJ

Kosovo Judicial Council
Rules of Procedure

Article 9 – Standing and Ad Hoc Committees

9.1 As provided in Section 9.1 of these Rules, standing committees necessary to address ongoing policy and operational issues are hereby established.

9.2 The Council shall form the following standing committees:

- (a) Judicial Disciplinary Committee, as required by Section 7 of UNMIK Regulation No. 2005/52, and Section 1.2 of UNMIK Administrative Direction No. 2006/xx; for the purpose of resolving first-instance issues of alleged misconduct of judges and lay-judges and for determining appropriate sanctions when findings of misconduct are made.
- (b) Until such time as a regulation is promulgated establishing the entity responsible for advising the SRSG on matters relating to the appointment, disciplining and dismissal of prosecutors, a Prosecutorial Disciplinary Committee, as required by Section 7 of UNMIK Regulation 2005/52 and Sections 1.3, 1.4, 1.5 and 1.6 of UNMIK Administrative Direction NO. 2006/xx.
- (c) Judicial Appointment and Development Committee; for the purpose of
 - 1. reviewing applications of candidates for judge and lay-judge, and recommending the appointment of judges and lay-judges, and promotion of judges for Council action,
 - 2. developing procedures for review of applications for appointment of judges and lay judges, and procedures for promotion of judges,
 - 3. reviewing the need for judicial positions within various courts, and recommending objective criteria for the addition and deletion of judicial positions,
 - 4. developing recommended policies regarding judicial training and development, and
 - 5. other matters related to judicial appointment and development referred to the committee by the Council or the President.
- (d) Until such time as a Prosecutorial Council of Kosovo is created, a Prosecutorial Appointment and Development Committee; for the purpose of
 - 1. reviewing applications of candidates for prosecutors, and recommending the appointment of prosecutors and promotion of prosecutors for Council action,
 - 2. developing procedures for review of applications for appointment of prosecutors, and procedures for promotion of prosecutors,
 - 3. reviewing the need for prosecutorial positions, and recommending objective criteria for the addition and deletion of prosecutorial positions,

4. developing recommended policies regarding prosecutorial training and development,
5. developing and reviewing codes of conduct governing the conduct of prosecutors, and
6. other matters related to prosecutorial appointment and development referred to the committee by the Council or the President.

(e) Court Administration Committee, for the purpose of

1. developing and reviewing recommended policies related to the administration of courts, including, but not limited to:
 - i. caseflow management,
 - ii. records management,
 - iii. information technology management, and
 - iv. facilities and security management.
2. developing policies relating to the responsibility and authority of presidents of courts,
3. developing recommended criteria for evaluating the performance of courts, and
4. developing and reviewing policies regarding the authority and responsibility of the Secretariat for administration,
5. other matters relating to court administration referred to the committee by the Council or the President.

(f) Internal Rules & Legislative Affairs Committee, for the purpose of

1. developing, reviewing and recommending rules relating to the internal operations of the Kosovo Judicial Council,
2. establishing procedures for public discussion and review, publication and distribution of rules, and other regulations deemed necessary by the Council,
3. developing and reviewing codes of conduct governing the conduct of judges and lay judges,
4. monitoring proposed legislation that affects the judiciary,
5. interacting with counterparts at the Assembly and Ministry of Justice to insure that the interests of the judiciary are addressed in proposed legislation, and
6. other matters relating to internal rules or legislative matters referred to the committee by the Council or the President.

(g) Budget, Finance, and Human Resources Committee, for the purpose of

1. developing and recommending policies for the development, review and management of the budget for the judiciary of Kosovo,

2. reviewing proposed budgets and budget requests and making recommendations to the Council regarding requests relating to budgets,
3. developing and recommending policies regarding human resources to the Council, and
4. other matters relating to internal rules referred to the committee by the Council or the President.

9.3 The Director shall assign staff to assist the Committees in their work.

9.4 Unless as otherwise provided by UNMIK Administrative Direction 2006/xx, the President of the Council shall appoint and, where necessary, remove members to each standing committee. Each standing committee shall have a minimum of three members.

9.5 The term of appointment to a standing committee shall be one year. No member of the Council may serve on any given committee more than three terms.

9.6 Where there is a need for expertise in a given subject area, the President of the Council may appoint non-Council members to standing committees, except as proscribed by UNMIK Administrative Direction 2006/xx. However, Council members must make up the majority of any standing committee. The chairperson of each standing committee must be a member of the Council.

9.7 The President of the Council may establish ad hoc committees to address specific issues on an as-needed basis. Establishment of an ad hoc committee must be reflected in meeting minutes, which shall include:

- (a) the mandate of the ad hoc committee;
- (b) appointment of ad hoc committee members;
- (c) appointment of an ad hoc committee chair; and
- (d) the term of the ad hoc committee.

9.8 Each standing and ad hoc committee shall report its ongoing work to the Council. Any recommendation by a standing or ad hoc committee to the Council that requires a Council vote must first be submitted to the President of the Council and Director of the Secretariat so that it may be placed on the next available meeting agenda. Where a standing or ad hoc committee does not have work on which the full Council must be apprised, the work of that committee will be subject to review and evaluation by the President of the Council and the Director, as the President deems necessary.

Kosovo Judicial Council
Rules of Procedure

Article 8 - Meetings

8.1 Meeting Schedule

The Council President shall set the Council meeting schedule, but in no event shall there be less than four meetings annually. The schedule shall also include public hearings, as set forth in Section 8.12.

8.2 Public Notice

The Council shall give public notice of its meeting schedule at the beginning of each calendar year. Notice of the meeting schedule shall provide the date, time, and place for the scheduled meetings in at least two newspapers of general circulation in the Albanian and the Serbian language.

The requirement for public notice may be suspended and the best possible notice given when the meeting is scheduled as set forth in Section 8.3, or when a meeting is conducted due to unforeseen circumstances.

8.3 Extraordinary Meetings

An extraordinary meeting of the Council will be scheduled upon the request of either:

- a. The Special Representative to the Secretary General (SRSG); or
- b. No fewer than three members of the Council.

8.4 Closed Meetings

Meetings of the Council shall be closed to everyone except Council members, Secretariat staff, and those invited by the Council or Director to attend a Council meeting.

8.5 Agenda

The agenda for each Council meeting shall be established by the President and the Director, who is responsible for receiving requests for agenda items from standing committees, ad hoc committees, Council members, and other interested organizations and individuals. Any request by a standing committee, ad hoc committee, or Council member shall be placed on the agenda as soon as all materials are available and subject to scheduling limitations. The President shall review all other requests received and approve those matters that are appropriate for Council consideration. Upon approval of a requested agenda item, the President will request that the Director obtain all information necessary for consideration of the matter. Matters approved for Council consideration will be placed on the agenda as soon as the Director has assembled the necessary information and subject to scheduling limitations.

8.6 Quorum

A quorum, as set forth in UNMIK Regulation No. 2005/52, is required to conduct any meeting of the Council or for the Council to take any action. These rules are to be amended as necessary by any regulation or legislation that amends or supersedes UNMIK Regulation No. 2005/52.

8.7 Chairing Meetings

The President of the Council will chair the meetings of the Council. In the absence of the President meetings will be chaired by the Vice Chair of the Council.

8.8 Voting

Decisions will be made by majority of those Council members present and voting. In the event of a tie vote, the decision will be based on the vote cast by the President of the Council. If the President is not present or does not vote on the matter, the decision will be based on the vote cast by the Vice Chair. If neither the President nor Vice Chair vote on a particular agenda item, the item will be tabled and placed on the next available agenda for consideration.

8.9 Minutes

Written minutes shall be kept of all meetings of the Council. Minutes shall include:

- a. the date, time and place of the meeting;
- b. the names of Council members present and absent, and the names of staff and guests present;
- c. the substance of all matters proposed, discussed or decided;
- d. a record of the vote taken on any issue; and
- e. any information that a Council member requests be entered in the minutes.

Minutes shall be approved by the Council President prior to distribution. Upon approval, a copy of the minutes shall be distributed to all Council members, and to any guest invited to participate in the meeting. Within five business days any Council member may request that the Council President make an amendment to the meeting minutes. Meeting minutes will further be distributed as requested by any Council member, but will not be made available to the public except as provided in Section 8.10.

8.10 Minute Summary

Upon approval of the minutes by the Council President, the Secretariat shall prepare a minute summary, which shall include:

- a. the date, time and place of the meeting;
- b. the names of Council members present and absent;
- c. an outline of the items discussed at the meeting; and
- d. a record of the vote taken on any issue.

The minute summary will be made available to the public upon request to the Secretariat.

8.11 Confidentiality

Any person attending a closed Council meeting shall keep confidential, to the extent it does not prevent the Council or Secretariat from implementing Council decisions, all information obtained as a result of the meeting. This obligation continues when professional association with the Council terminates.

8.12 Public Hearings

The Council's meeting schedule, as set forth in Section 8.1, will include public hearings, to be conducted not less than twice a year.

8.13 Public Hearing Agenda

Any habitual resident of Kosovo, as defined by the Civil Registrar, may request that an item be placed on the public hearing agenda. The request must be made in writing to the Director no less than thirty days before the date on which the public hearing is scheduled. The request must include two copies of all documents necessary for the Council's consideration.

8.13 Public Hearing Notice

The agenda for each public hearing will be set by the President and Director. Complaints concerning judges or Council members will not be placed on a public hearing agenda. Public notice of the hearing will be given no less than ten days prior to the public hearing date by providing the date, time, place and agenda of the public hearing in at least two newspapers of general circulation in both the Albanian and Serbian languages.

Kosovo Judicial Council
Rules of Procedure

Article 7 – Recruitment of Judges, Lay Judges and Prosecutors

- 7.1 The Director of the Secretariat will inform the Council of any judicial or prosecutorial vacancy over which the Council has jurisdiction.
- 7.2 By majority vote the Council may authorize the Secretariat to initiate recruitment for the vacant position(s). Upon such approval the Secretariat shall draft vacancy announcements for the authorized position(s) and submit those for approval to the relevant Council appointment and development committee as set forth in Articles 9.2 (c) and (d) of these Rules (hereinafter “committee”).
- 7.3 The Secretariat shall conduct the public announcement and collection of applications pursuant to UNMIK Regulation No. 2005/52, Section 5.1 (hereinafter “Regulation”).
- 7.4 At the conclusion of the public announcement period, the Secretariat shall provide to each member of the committee a copy of each fully-completed application, and associated background and financial assets report.
- 7.5 The committee shall:
- a. review each application and report according to the criteria set forth in Section 6 of the Regulation;
 - b. Consult, as necessary, with the recruitment advisory committee established pursuant to UNMIK Regulation No. 2006/xx, *Regulatory Framework for the Justice System in Kosovo*;
 - c. Consult, as necessary, with judicial and prosecutorial authorities in Kosovo;
 - d. Prepare a shortlist of no fewer than three candidates; and
 - e. Schedule the date, time and place for the relevant committee to conduct the interviews and ask that the Secretariat contact the short listed candidates and make all necessary arrangements.
- 7.6 During the interview process the committee shall evaluate the professional and ethical qualities of each candidate impartially and fairly, respecting their goal of enhancing the development of an independent, multi-ethnic judiciary in Kosovo.
- 7.7 Upon completion of the interview process, the committee shall present to the Council their recommendation(s) together with a written report that outlines the process and reasoning for their recommendation(s).
- 7.8 Council approval of the committee's recommendation(s) shall be by majority vote. If a candidate proposed by the committee is not approved by the Council, the committee shall again conduct those procedures set forth in Sections 7.5 – 7.7 of this Rule. If after three committee proposals the Council has not yet approved a committee's recommendation, the position shall be

re-advertised as set forth in Section 7.2 of this Rule and the procedures followed.

- 7.9 Upon approval the Council's recommendation(s) shall be forwarded to the SRSG so that the SRSG may obtain the Assembly's endorsement, pursuant to Article 9.4.8 of the Constitutional Framework, and subsequent appointment pursuant to Section 5.5 of the Regulation.



Kosovo Judicial Council
Këshilli Gjyqësor i Kosovës
Судски савет Косова



Council Meeting
12 April 2006
Staff Briefing Memorandum

Agenda Item 6 – Budget Transfer to KJC

Issues for Decision

The Council is to consider requesting that the SRSG and Prime Minister establish the KJC as a new budget organization and transfer the applicable budgets to the KJC.

Background

Pursuant to UNMIK Regulation No. 2005/52, the KJC has full administrative authority for the Council and the courts. Part of this administrative oversight includes administration of the budget. The budgets for the Council and court administration are currently under the authority of the UNMIK Department of Justice. With the creation of the KJC it is necessary that the Council be established as a new budget organization and that those portions of the Kosovo Consolidated Budget now under the authority of the KJC are transferred to it.

Creation of a new budget organization and transfer of budgets between institutions require action by both the Prime Minister and SRSG. The request to the Prime Minister and SRSG should be in the form of a joint memorandum from the KJC and Pillar I. Pillar I has been made aware of the KJC's desire to assume budget authority. Attached is a proposed memo that could be provided to Pillar I as a memorandum of understanding that outlines the necessary budget transfers and requests action from the government and SRSG.

Recommendation

Approve the attached memo and authorize the KJC President to pursue budget authority with UNMIK and the Prime Minister.



Kosovo Judicial Council
Këshilli Gjyqësor i Kosovës
Судски савет Косова



Council Meeting
12 April 2006
Staff Briefing Memorandum

Agenda Item 4 – Appointment to Standing Committees

Issues for Decision

If the Council approves the interim Rules of Procedure for Committees, it is necessary to appoint members to the following standing committees:

- Judicial Appointment and Development
- Prosecutorial Appointment and Development
- Court Administration
- Internal Rules and Legislative Affairs
- Budget, Finance and Human Resources



Kosovo Judicial Council
Këshilli Gjyqësor i Kosovës
Судски савет Косова



Council Meeting
12 April 2006
Staff Briefing Memorandum

Agenda Item 3 – Interim Rules of Procedure

Issues for Decision

The Council is to consider interim rules of procedure so that the Council may conduct meetings, appoint committees, and conduct recruitment for judges and prosecutors.

Background

Since the Council is a new institution it has no rules of its own by which it operates. Until such time as complete Rules of Procedure are developed and approved by the Council, it is understood that the Council operates under the Rules of Procedure used by its predecessor organization, the Kosovo Judicial and Prosecutorial Council (KJPC). Since the Kosovo Judicial Council has far greater responsibilities than did the KJPC, the KJPC's Rules of Procedure will not provide all operational guidance that is necessary.

The most immediate needs are: (1) rules that govern how meetings are conducted, (2) rules that govern the role of Council committees and appointment of committee members, and (3) rules that govern recruitment of judges and prosecutors.

As noted, one proposed Rule of Procedure governs committees and one committee whose establishment is recommended is an Internal Rules and Legislative Affairs Committee. Part of the mandate for this committee is proposing KJC Rules of Procedure for consideration by the Council. The idea is that this committee will be able to consider all proposed rules of procedure in greater detail. Drafts for the three areas outlined above are attached.

Since the Council has an immediate need for such rules, but has not had the opportunity to fully consider them, the rules presented today are to be considered as interim rules of procedure.

Recommendation

- Adopt the proposed draft Rules of Procedure governing meetings, committees and recruitment.
- Refer all three proposed Rules of Procedure to the Internal Rules and Legislative Affairs Committee for full consideration in the coming weeks.



Kosovo Judicial Council
Këshilli Gjyqësor i Kosovës
Судски савет Косова



Council Meeting 12 April 2006

Staff Briefing Memorandum

Agenda Item 5- Terms of Reference for the Director of KJC Secretariat

Issue for Decision

The Council will be asked to immediately approve the attached Terms of Reference for the position of Director, KJC Secretariat, and initiate the recruitment process for this position.

Background

According to Article 3.1 of the UNMIK Regulation No. 2005/52 on Establishment of the Kosovo Judicial Council, the Council will be assisted in its work by the Secretariat of the Council, headed by a Director selected by the Council.

Article 3.2 of the Regulation provides that the Secretariat shall assist and advise the Council in carrying out its responsibilities for judicial and court management, and shall be responsible for implementing the Council's decisions, and for all administrative and research functions associated with supporting the Council, according to the rules of procedure for the Council.

Proposed Terms of Reference are attached.

Recommendation

Approve the attached Terms of Reference and authorize the Secretariat to immediately begin recruitment for the position.

Kosovo Judicial Council

Post Title: Director
Secretariat of the Kosovo Judicial Council
Level: Equivalent of Supreme Court Judge
Location: Prishtinë/Priština

The Director is the highest non-judicial position in the justice system and operates on the same level as a Permanent Secretary in a Ministry. The Director serves under the direction of the Kosovo Judicial Council (KJC). The Director is responsible for providing staff support services to the KJC and acts as the KJC's liaison with other governmental and non-governmental entities. As head of the Secretariat the Director will be responsible for implementing the KJC's policies and directives.

Duties and Responsibilities:

- Assist the KJC with the drafting of policies related to the local judiciary, and implementation of those policies;
- Advise the KJC on political and administrative issues affecting the KJC and local judiciary;
- Assist the KJC in recommending to the SRSG the appointment or removal of judges, lay-judges and prosecutors, and disciplinary measures against them;
- Manage the administration of the financial and other resources of the KJC;
- Manage administration of the administrative offices of the courts;
- Oversee the administration of KJC meetings, including agenda preparation, scheduling and minute preparation;
- Represent the KJC in forums involving various entities, including national and international entities, and governmental and non-governmental organizations;
- Clarify and interpret rules and administrative provisions for the KJC and its Secretariat;
- Solve administrative and legal problems and provide assistance by implementing proposed solutions;
- Ensure timely follow-up on KJC activities;
- Review and prioritize issues for KJC consideration, identify items of particular importance forwarding those of importance for immediate action;
- Provide background information and recommend appropriate action on administrative and legal matters;
- Organize trainings and seminars for judges, lay-judges or, until such time as a Prosecutorial Council is established, prosecutors, in co-operation with the KJI;
- Maintain a calendar and schedule for the KJC, coordinating appointments with judges, lay-judges, prosecutors and representatives of international organizations and agencies, and others;
- Supervise Secretariat staff, including developing and delegating work assignments and priorities for both the administrative and legal teams; and

- Supervise management staff at the administrative offices of the courts, including developing and delegating work assignments and priorities with the director of court administration.

Qualifications:

- University Degree in Law or Public Administration. Candidate that has passed the bar examination preferred;
- At least five years experience in an administrative, managerial or staff capacity in a public or large private organization, preferably in the following areas: budget preparation and control; fiscal management; general administrative systems and procedures; personnel administration; and/or management of functional operations; management experience in a court system or government strongly preferred;
- Knowledge of the courts;
- Ability to supervise departments including the Office of Legal Counsel, Human Resources, Information Technology, Logistics/Facilities/Security, Budget and Finance, Procurement, and Caseflow Management/Strategic Planning;
- Ability to communicate a clear vision and lead a team to achieve goals during a time of change;
- Strong interpersonal skills;
- Effective organization skills and ability to handle a large volume of work in an efficient and timely manner;
- Ability to establish work priorities and to work independently;
- Ability to establish and maintain effective working relations in a multi-ethnic, multi-cultural environment; and
- Knowledge of modern office procedures and equipment, ability to use standard office software.

Languages

- Knowledge of Albanian and Serbian; knowledge of oral and written English an asset.

Other Experience

- Other university degrees, training programs, writings and publications will be considered by the interview commission at their discretion.

To ensure the impartiality of the position, the Director must not be a member of a political party.

MEMORANDUM

To: Mr. Azem Hajdari, Acting Permanent Secretary
Ministry of Justice

Date: 24 March 2006

Re: Strategic Plan Development

From: Ardita Metaj, Staff Attorney/USAID/NCSC

Strategic Plan Development:

1. drafting the mission for the institutions
2. setting the objectives
3. drafting the strategy

Developing the mission for the institutions

What are we doing now, what do we want to achieve in a short, mid and long term. Who are the stakeholders? What are their expectations?

The institution is given a strong identity
Long term management is provided

Setting the objectives

The purpose in setting the objective is to convert mission statement into targets (scope of work)
Objectives should be challenging and achievable

Developing the strategy has to do with:

- Drafting the strategy has to do with how the objectives are reached: what actions should the organization take to be able to reach the objectives.
- This is the action plan.
- Should offer the mechanisms to monitor and evaluate the implementation of the action plan.

SAMPLE OF STRATEGIC PLAN FRAMEWORK

Our Vision:

Providing first class services in the field of justice

Our values:

Respect

- We share our knowledge and experience with pleasure
- We work together towards our common goals
- We respect the multiplicity and support each other.

Integrity:

We are open and honest

- We take responsibility
- We have high professional standards
- We are fair and impartial

Service:

We give results

- We understand and fulfill the needs of those who use our services
- We take into account the relations
- We respect deadlines

EXCELLENCE

We focus in quality

- We focus in finding the solution
- We encourage work to achieve better results
- We accept our achievements and successes

Our strategic direction:

Ministry identified three fields for managing its strategic direction – focusing in services, developing capacities and leading development in justice sector.

Government supports this direction as an appropriate decision for supporting the accomplishments of government's goals and principal policies for the welfare of the society and stronger judiciary system.

Field 1 : by setting services on the first place

Field 3: Building knowledge and expertise

Field 4 : Advancing the cooperation between the sectors

Objectives:

- Develop policy and the process for drafting legislation in accordance with modern standards
- Draft directives for the development and implementation of prosecutorial policies in Prosecution
- Professional empowerment of the staff of the Ministry
- Correctional system in accordance with the highest international standards
- Develop policies that provide fair access in judicial system
- Appropriate help for the victims of crime
- Dignified presentation of the government in court procedures and arbitrations
- Services with experts for preparing the Government's Agreements in the field of international cooperation
- Cooperation for local community
- Cooperation with international community

Preface

This is Ministry's first plan. Its focus is on the development of the Ministry necessary for its consolidation as an organization; to address key issues and also for capacity building. It will offer a solid ground for the Ministry to move forward and also grounds in which the strategic plans can be build.

Scope of the plan

The plan reflects the area of ministry responsibilities and identifies the development of a number of activities in different fronts.

Areas of focus present recommendations and evaluations of the council of experts established right after the establishment of this institution.

The plan underlines the development of the Ministry and acknowledges important relations and the subordination of different functions within the institution.

It also underlines the importance of the role of the Ministry and wider relations, especially unique relations of the ministry with the judiciary and relations with other sectors.

Many of focus areas designated by the special needs will have wider appliance in the activities of the Ministry.

Time Limits of the activities

The plan stage is five years, starting form May 1. 2006, until April 30, 2011. The involvements during five years period will be within four areas with a number of strategies in focus areas at all time during this period.

Some activities are "fundamental" and should be accomplished before others are initiated. Some others will start during this plan but is is very possible that they will continue after the end of this plan.

Set time limits will be offered for planed activities of the first two years of this plan.

Detailed time limits will be specified in detailed documents. For instance, initiatives that should progress more will be presented in that year (in the goals statement) and the activities set by the Expert's Committee will be submitted in the long term work plan.

Discussed activities in the plan can be refined. If specified issues or other requirements surface, the Experts Committee can change the priorities of time limits of the activities.

Progress assessment

Experts' Committee will asses the progress of the Ministry each year and will identify specific priorities from the plan which will be in focus for the next 12 months. These activities will be reported in annual activities report, presenting the progress of the institution toward the strategic track.

During the plan stage, the Ministry will develop other additional measures for assessing the contribution and the results, and these will be used for assessing the progress in relation with the strategic plan.

Relations and connections with the Justice Sector

Justice Sector includes all the agencies that are part of justice system.

Justice System in Kosova includes:

Successful functioning of the system makes the society feel safer and capable of accomplishing their duties, such as the right to vote, the right for fair trial and the right for appeal.

Main agencies in the justice sector are:

- Ministry of Justice
- Kosova Judicial Council
- Prosecution
-
-

Advancement of the cooperation between the sectors

To achieve results, workers within the justice sector should work closely for the improvement of the cooperation between the sectors, the communication in strategic and operational level. Since the work of each sector or agency influences each other, the integrated approach will improve services in the justice field in general.

Ministry in its leading role will cooperate with the agencies and the organizations within the justice sector.

CLASSICAL PLANNING MODEL

1. Constant search of goals
2. Identifying the problems
3. Foreseeing the contextual uncontrolled changes
4. Identifying alternative strategies and tactics
5. Simulation of all possible consequences
6. Selecting the best and implementing
7. Statistical monitoring of appropriate conditions
8. Providing results for decision making passages.

23 March 2006

Memorandum

Re: Strategic Planning

Below are some thoughts that might help you in defining a strategic planning process for the Minister of Justice. The italics contain examples of each phase of the strategic planning process using the Legal Drafting Division of the Department of Legal as an example.

As we discussed, I would also suggest providing the Minister of Justice with some ideas about how the process of putting together a strategic plan should develop. There needs to be general strategic plan training for the department heads, and then each head should be expected to create his/her own strategic plan for his/her department. Hopefully, we will be able to provide technical assistance, but we will not create the plans. It is incumbent on the department heads to produce the plans. These plans should later be reviewed and made into one comprehensive MOJ strategy plan by the advisory group. At every step of the way, these plans need to be developed through a participatory process. For instance, department heads need to work with their subordinates in developing the plan. Subsequently, the advisory group must work with the department heads in creating the MOJ strategy plan.

What is planning?

Planning is the process by which you determine whether you should attempt the task, work out the most effective way of reaching your target, and prepare to overcome unexpected difficulties with adequate resources. It helps you to avoid the trap of working extremely hard but achieving little.

By planning you will be able to avoid wasting effort, take into account all factors and focus on critical ones, be aware of all changes that will need to be made, gather the resources needed, and carry out the task in the most efficient way possible.

What is strategic planning?

Strategic planning is the process by which an organization takes stock of its current position; develops its vision and mission statement; defines objectives; details how it will accomplish these objectives in an action plan; and establishes monitoring and evaluation mechanisms to ensure the necessary compliance or adjustments in the execution of the plan.

Diagnostic of situation

To properly diagnosis your organization and the context in which it operates – a necessary precursor to defining its strategic plan – the organization must carry out a diagnosis. A typical diagnosis examines the strengths of the organization, it weaknesses, its opportunities, and its threats.

The Department of Legal Affairs, Legal Drafting Division (LDD), has eight legal drafters. All are junior lawyers. LDD will shortly have supervisory authority over all government-generated legislation upon the revision of Government Regulation 1/2005. (This is simply a very cursory diagnosis of the most basic facts for the purposes of understanding what I have written below in italics.)

Vision and Mission Statements

The vision statement typically is the statement of purpose of the organization, and expresses the benefit which the organization provides to its “customers.”

To contribute significantly to improving the laws constituting the legal framework of Kosovo.

A mission statement gives concrete expression to the Vision statement, explaining how it is to be achieved.

To draft laws and review laws drafted by other government ministries with a high degree of technical expertise.

Objectives

The Mission Statement must be converted into performance objectives. These objectives begin the process of laying out the road map for carrying out the vision and mission statements.

Devise a process by which all government ministries send draft laws to the MOJ for revision.

Action Plan

An action plan describes the most efficient and effective way of achieving the objectives that you have defined. It is the process of determining who will do what, when, where, how and why, and at what cost.

As part of this action plan, you must define the key activities that you will undertake. You must plan out how they will be achieved, working out the time that will need to be taken and the resources that will need to be allocated to achieve the action. This will allow you to calculate the cost of that action.

Once you have done this, prioritize the actions in order of importance so that you do not waste time on low priority tasks. It can also be helpful to set deadlines.

Key activity - transfer of review authority in 1/2005 from PMO to MOJ.

Purpose: Convert MOJ into principal quality control mechanism for all legislation drafted by all government ministries

Responsible: Director of Legal Affairs Office

When: April - June 2006

How: Carry out impact analysis of proposed modifications to 1/2005, draft proposed modifications, organize working group in coordination with PMO, present modified draft 1/2005 to working group, achieve consensus within working group as to modifications to 1/2005, present final draft to promulgating authority, draft administrative directive implementing final version of the modified 1/2005, train personnel within LDD on modified 1/2005 and administrative directives.

Cost: There will be several working group sessions. Costs are as follows:

xx – coffee break

xx – translation services

Monitoring and Evaluation

Monitoring and evaluating mechanisms allow you to see how well the plan is being implemented and to identify any weaknesses in implementation. This, in turn, allows you to make the necessary adjustments during implementation.

M&E - 360 degree evaluation undertaken six months after modifications implemented. Survey assessing MOJ process of supervising legislative drafting completed by head drafters from other government ministries, LDD drafters, and hierarchy of MOJ.



INSTITUCIONET E PËRKOHSHME TE VETËQEVERISJES
PROVISONAL INSTITUTIONS OF SELF-GOVERNMENT
PRIVREMENE INSTITUCIJE SAMOUPRAVE

MINISTRIA E DREJTËSISË
MINISTRY OF JUSTICE
MINISTARSTVO PRAVO

SEKRETARI I PËRHERSHËM
PERMANENT SECRETARY
STALNI SEKRETAR

Për: Z. Jonuz Salihaj
Ministër i Ministrisë së Drejtësisë

Nga: Azem Hajdari
U. D. Sekretar i Përhershëm

Lënda: Raport i punës (dhjetor 2005-10 mars 2006)

Data: 10 Mars 2006

I nderuari z. Ministër,

Me qëllim të ofrimit të një pasqyre të aktivitetve të ministrisë së Drejtësisë të themeluar më 20 dhjetor 2005 me rregulloren 2005/53 ju lutem pranoni këtë raport përmbledhës i cili prezenton punën, të arriturat, proceset e tanishme si dhe planet për të ardhmen.

Ky raport është i shkruar në gjithëpërfshirësë dhe ka karakter informativ.

Çdo punë e raportuar në këtë raport bart me vete detajet shtesë të cilat nuk janë të paraqitura këtu.

Gjatë kësaj periudhe një mujore janë realizuar këto punë dhe detyra të punës:

1. Është përgatitur organogrami i Ministrisë konform përgjegjësive të transferuara;
2. Është hartuar dokumenti i cili pasqyron prioritetet e ministrisë së Drejtësisë (Annex 1)
3. Memorandumi i Mirëkuptimit mes Ministrisë së Drejtësisë dhe Departamentit të Drejtësisë lidhur me kompetencat dhe përgjegjësitë e transferuara është në fazën përfundimtare të përpilimit.
4. Memorandumi për transferimin teknik të Departamentit të Politikave Ligjore është finalizuar. Në proces është përpilimi dhe finalizimi edhe i memorandumeve të veçanta për transferin teknik të departamenteve tjera.
5. Janë vënë kontakte të drejtëpërdrejta me një sërë institucionesh;
6. Është filluar puna konkrete drejt definimit të çështjeve që do të shqyrtohen me Zyrën për Mjeksi Ligjore dhe Persona të Zhdukur. E gjithë kjo me synimin që, në të ardhmën e aftër, të arrihet deri te integrimi i Institutit të Mjeksisë Ligjore të Ministrisë së Shëndetësisë në Zyrën për Mjeksi Ligjore dhe Persona të Zhdukur. Në këtë drejtim janë caktuar temat e bisedës dhe janë mbajtur dy takime pune.
7. Poashtu, po zhvillohen takime të rregullta pune të Zyrtarit Ndërlidhës me Divizionin e Menaxhimit Penal të Departamentit të Drejtësisë dhe po zhvillohen aktivitete të përbashkëta, siç është rasti i përgatitjes së organogramit të Departamentit të Menaxhimit Penal, vizitës së përbashkët të disa burgjeve etj.
8. Është proceduar kërkesa për shpalljen e vendit të punës së Sekretarit të Përhershëm të Ministrisë Kryeministrit dhe Sekretarisë së KELP-it. Kjo është bërë në sensin e përmbushjes së obligimeve që i janë vënë Ministrisë nga PSSP-ja, si parakushte që duhet plotësuar për të pasur një rishikim pozitiv të punës i cili pritët të bëhet në mars.
9. Është procedura kërkesa Kryeministrit për procedim të një interesimi të Qeverisë për PSSP-në që t'i hyhet ndryshimeve të Rregullores 20005/53, në sensin e zgjerimit të kompetencave të Ministrisë së Drejtësisë në lëmin e mjeksisë ligjore dhe të menaxhimit penal.
10. Është përgatitur dhe proceduar Shtyllës i një kërkesë që shpreh interesimin e Ministrisë së Drejtësisë për bartje të buxhetit në pjesët e transferuara. (Annex 2)
11. Janë zhvilluar takime të shumta pune me përfaqësues të shumë institucioneve vendore e ndërkombëtare.
12. Janë përgatitur procedurat e punës së departamenteve. (Dosje e veçante)
13. Janë përgatitur planet e punës: Plani gjeneral dhe disa nga planet e veçanta të departamenteve. (Annex 3)

14. Janë vënë linjat e drejtëpërdrejta të komunikimit me njësitë e rezervuara (Divizionin e Menaxhimit Penal dhe Divizionin e Mjeksisë Ligjore dhe Personave të Zhdukur).
15. Është vazhduar me mbajtjen e paneleve të liriimit me kusht dhe punët e rregullta të menaxhimit të burgjeve, në të cilat nuk ka të dhëna për ndonjë vështirësi eventuale.
16. Është themeluar grupi punues në nivel donatorësh për koordinimin e mbështetjes së donatorëve ndërkombëtarë. Janë hartuar dhe aprovuar termat e referencave të këtij grupi (Annex 4) dhe është vendosur të themelohet grupi teknik i cili siguron implementimin mbështetjes nga donatorët.
17. Është bërë hartimi i planit të prioriteteve të plotësimit të vendeve të lira të punës,

Ne vijim gjeni raportin e Departamentit te Administrates Qendrore sipas Divizioneve.

DIVIZIONI i BURIMEVE NJERZORE

Numri aktual i punëtorëve ne Departamentin e Drejtesise dhe Ministrine e Drejtesise eshte 1919 punonjes.

Për planin e rekrutimit dhe detajet të tjera, ju lutemi gjeni të bashkangjitur me raport listën e procesit të rekrutimit sipas divizioneve, pozitave, datave si dhe sipas propozimit të antarëve të panelit për disa pozita te percaktuara.

Gjate kesaj kohe jane regjistruar aplikacionet per 2 pozita te ndryshme dhe eshte mbajtte lista e ngushte per poziten Drejtor i Departamentit të të Drejtave Civile dhe Drejtor i Departamentit për çështje ligjore ne kuader te Ministrise se Drejtesise ku numri i perzgjedhur i kandidatave per test me shkrim eshte 5 per secilen pozite.

Poashtu eshte mbajtte edhe lista e ngushtë per poziten Asistent Administrativ dhe Arhivist per Zyren e Sekretarit të Përhershëm ku jane perzgjedhur nga 20 kandidate për test me shkrim te seciles pozite.

Gjate kesaj kohe jane percjellur trajnimet nga pjesemarresit e divizioneve te bndryshme te organizuara nga IKAP-I per menaxhimin e takimeve dhe USAID-I per buxhet dhe financa.

Eshte Finalizuar edhe Draft Strategjia per ndertimin e kapaciteteve per Ministrine e Drejtesise si dokument baze dhe eshte shperndare tek drejtoret e departamenteve dhe udheheqesit e divizioneve per komente dhe plotesime te metutjeshme. (Annex5)

DIVIZIONI i PROKURMIT

Eshte nenshkruar kontrata per qiramarrje per zyren regjionale te Sherbimit Sprovues te Kosoves.

Kontrata per qiramarrje ne Qendren per sport, rini dhe kulture eshte nenshkruar.

Dokumentacioni i tenderit per hapsira pune per Dhomen speciale eshte pregaditur dhe eshte bere njoftimi per kontrate me shkurtrim te afatit per 15 dite per dorezimin e ofertave.

Kontrata per lidhje interneti per OMPF eshte nenshkruar dhe kompania “Ipko” eshte shperblyer.

Modifikimi i databases per KGJPK kontrata nje burimore eshte nenshkruar.

Instalimi i sistemit te kanalizimit per burgun e Lipjanit” eshte pregaditur dokumentacioni i tenderit dhe jane kontaktuar kompanite.

Furnizim me kontaktor dhe nderpreses automatik kontrata eshte nenshkruar.

Dokumentacioni i tenderit per furnizim me fara dhe plehra per burgun e Dubraves eshte pregaditur dhe jane kontaktuar kompanite.

Eshte marr aprovimi nga APP per riparimin e dy mercedesave dhe eshte pregaditur ademdumi i kontrates.

DIVIZIONI PËR FINANSA DHE BUGJET

Është kryer pasqyra finansiare e vitit fiskal 2005 për DMP-ShKK dhe dorëzuar në MFE

Thesari sipas formularëve të tyre-standard

Kemi patur një ndërprerje nga MFE – Thesari për procesimin e lëndëve-pagesave për të gjitha

Agjensionet Buxhetore , për shkak të barazimit të Thesarit me ABPK

Janë bërë ndryshime dhe dorëzuar në MFE-Buxhet Projektet kapitale të DMP-ShKK , sepse ka patur obligime të mbetura nga viti 2005 dhe sipas Udhëzimit Administrativ Nr.2006/01 për Menaxhimin e obligimeve të papaguara nga viti 2005, është dashur të bëhen ndryshime në projektet kapitale të vitit 2006 , në mënyrë që të përmbushën obligimet nga viti 2005 dhe mbetja të shfrytëzohet për këtë vit.

DIVIZIONI I SHERBIMEVE TË PËRGJITHSHME

Hapsira e punës

Është duke u punuar në mbledhjen e të dhënave për nevojat për material harxhues, me qëllim të mbajtjes së rezervës së domosdoshme në depo.

I është bërë kërkesë MSHP-së për përgatitjen e mbishkrimit për Ministrinë e Drejtësisë që do të vendoset tek selia e Ministrisë në ndërtesën e Kuvendit.

Është nënshkruar kontrata mbi qiranë me Pallatin e Rinisë për hapsira pune për nevoja të Zyres për Persona të Zhdukur dhe Mjekësi Ligjore.

Është shpallur tendri për hapsira pune për nevoja të Odës së Veçant të Gjykatës Supreme.

Asetet-Inventarizimi i aseteve

Është kompletuar inventarizimi , përveq në Departamentin e Menaxhimit Penal-burgjet, ku është duke u punuar , e që parashifet që kjo të përfundohet deri në fund të marsit.

Programi mbi menaxhimin elektronik të aseteve është duke u testuar.

Logjistika

Është duke u testuar programi për menaxhimin e depos.

Transporti

Janë siguruar ditarë udhëtimi për automjetet e Ministrisë..

Është duke u analizuar gjendja e autoparkut dhe mundësia organizimit në pajtim me nevojat e paraqitura.

Është duke u punuar në kompletimin e të dhënave rreth spenzimeve të automjeteve për 2005, kjo është duke u bërë në bashkpunim të ngushtë në mes të zyrtarit të transportit, Zyrtarit të Operimeve nga Njësia për Ndihmë dhe Mbrojtje të Viktimave dhe Zyrtarit për Logjistikë & Prokurim nga Zyra për Persona të Zhdukur dhe Mjekësi Ligjore.

DIVIZIONI KOMUNIKIMIT DHE TEKNOLOGJISË INFORMATIVE

Është bere Kërkesa për blerjen e një UPS-i 3KVA sepse UPS-i ekzistues 1.5KVA nuk po mundet me furnizua te gjitha pajisjet qe gjenden ne dhomën e komunikimeve këtu ne AD.

Jemi duke peregaditur specifikacionin teknik për përgatitjen e dhomës se serverit.

Eshtë mbajtur një takim me zyrtar nga NCSC kontraktorë te USADI-it ku është konstatuar se DTI-ja është e obliguar te ofroje shërbime te TI-se për te gjitha Ministrinë, pra edhe te Ministrisë se Drejtësisë , për çdo nevoje tonën ne MD duhet bere kërkesë ne DTI e ata pastaj do te na ofrojnë përkrahje. Ata DTI-ja mund te na ofrojnë edhe pajisje teknike nëse ata kan ne depo, na ofrojnë mirëmbajtje, resurse te përbashkëta te kontraktuara nga DTI-ja si p.sh licenca te softvereve, trajnime te stafit te MD, ofrojnë disa databas si p.sh për personel, për inventar, etj.

Me date 10 Mars do te filloje implementimi i futjes se dy kompjuterëve qe do te luajnë rolin e Servereve këtu ne ndërtesën e AD-se , ku janë te informuar te gjithë udhëheqësit e Divizioneve te ndryshme këtu ne AD dhe PMD.

DIVIZIONI i SIGURIMIT

Gjatë javës është bërë inspektimi i Objekteve MD dhe rojeve.

Lidhur me disa vrejte të vogla të Kompanis së Sigurimit “Bodyguard” është mbajtur takim pune me Drejtorin e kompanisë që bëjnë sigurimin e Objektivit të DAQ.

Gjithashtu është mbajtur takim pune edhe me Drejtorin e KPS “Panther”, Lulzim Helshanin që bëjnë sigurimin e Objektivit të Dhomes Veqant të Gjykatës Supreme dhe Murgun e Rahovecit.

Është mbajtur një takim edhe në Mitrovicë me Komandatin Regjional të SHPK-ës.

Është bërë inspektimi i garazhës të Qendres të Rinisë dhe Sporteve në Prishtinë lidhur me huazimin me qira për nevoja të OMPF-it.

Sa i perket planit per javen e ardhshme do te percillet plani i punes sipas prioriteteve te Departamentit te Administrates Qendrore.

-
18. Është përgatitur informata për vendet e lira të punës në kuadër të njësive të transferuara;
 19. Janë bërë përgatitjet- rregullimi i zyreve të Ministrit, zv/ministrave dhe të stafit tjetër që do të vendoset në hapësirën e katit të tretë të ndërtesës së Kuvendit,
 20. Është bërë kërkesa per zotimin e mjeteve per shpalljen e tenderi për sigurimin e hapësirës shtesë të punonjësve të Ministrisë,
 21. Është duke vazhduar puna në regjistrimin e aseteve dhe në përgatitjen e programit elektronik të menaxhimit të depos,

22. Është përgatitur raporti për shpenzimet e transportit të vitit 2005,
23. Janë formuar panelet selektuese dhe intervistuese për vendet e punës për të cilat janë mbyllur konkurset e shpallura para themelimit të Ministrisë,
24. Janë shpallur konkurset e para me logon e Ministrisë së Drejtësisë, dhe atë për vendet e punës: Drejtor i Departamentit Ligjor, Drejtor i Departamentit për të Drejtat Civile, Koordinator për Ndihmë Viktimave, Asistent Ekzekutiv dhe asistent administrativ për Zyrën e Sekretarit të Përhershëm, arkivist dhe Zyrtar për Informim.
25. Është kompletuar dokumentacioni i nevojshëm për veturat e Ministrisë, si dhe është bërë sigurimi e regjistrimi i tyre.
26. Është nxjerrur numri i përgjithshëm i të punësuarvë aktual dhe ai është si në vijim: 1919 numri total, 409 femra dhe 1524 meshkuj
27. Janë shpallur konkurset për 14 pozita të lira si dhe kanë përfunduar punën tri panele intervistuese për zgjedhjen e personelit sipas konkurseve që janë shpallur para themelimit të Ministrisë së Drejtësisë..
28. Është përgatitur dhe është nënshkruar kontrata për shërbime për ushqim me restorantin “Shqiponja” që vepron në kuadër të ndërtesës së Kuvendit të Kosovës.
29. Është aprovuar nga APP kontrata për blerjen e gazetave ditore dhe periodike, për nevojat e zyrtarëve të lartë të MD-së dhe Zyrës për Informim.
30. Poashtu është bërë kërkesa për aprovim tek Agjensioni për Prokurorim Publik për furnizim me gazeta nga DPT “Dafina” për Zyrën e Informimit të MED dhe Menaxhmentin e Lartë.
31. Janë përgatitur përshkrimet e vendeve të punës për të gjitha pozitat e lira të cilat pritet të shpallen javën e tretë të shkurtit (përjashtimi ekziston sa i përket pozitave për stafin e Ministrisë dhe të zv/ministrave),
32. Për të mos pasur pengesa në sistemin e pagave, pas kërkesës së bërë, MEF përkatësisht Thesari e ka bërë alokimin e 1/12 të Bugjetit të vitit Kalendarik pa Kapitale.
33. Është kryer dhe dorëzuar në MFE – Thesari (përveç Kabinetit të Ministrisë) plani i rrjedhës së parasë dhe plani i Zotimeve për 15 Divizione dhe ka filluar ndarja (alokimi) i buxhetit për kuartalin e parë sipas këtij plani.
34. Është biseduar me përgjegjës të sigurisë dhe pritet arritja e marrëveshjes në lidhje me sigurimin e zyrave të MD dhe sigurimin e afërt të Ministrisë të MD.
35. Është bërë instalimi i 11 linjave telefonike Centrex dhe na është dhënë kodi Centrex për Ministrinë e Drejtësisë i cili është 18, gjithashtu është bërë kërkesa për 10 numra të rinj.
 - Është përgatitur e sipër një plan gjithëpërfshirës i trajnimeve të të punësuarve

Departamenti për Çështje Ligjore UD, Z. Mentor Borovci

1. Janë zhvilluar edhe një mori takimesh me përfaqësuesit ndërkombëtar këtu në Kosovë dhe janë vendosur kontaktet e rregullta me at me qëllim të bashkëpunimit të ndërsjelltë.
2. Është përgaditur Organogrami i Departamentit për Çështje Ligjore .
3. Është bërë përgaditja e përshkrimeve të vendeve të punës për të gjitha pozitat në Departamentin për Çështje Ligjore. Kjo përfshinë përgaditjen e përshkrimit të vendeve të punës për të gjithë stafin e Departamentit për Çështje Ligjore.
4. Është bërë përgaditja e procedurave standarde të punës në Departamentin për Çështje Ligjore. Kjo përfshinë përgaditjen e procedurave të punës procedimin e lëndëve të ndryshme.
5. Është bërë hartimi i Prioriteteve Legjislative të Ministrisë së Drejtësisë për vitin 2006 dhe përcaktimi i afateve për realizimin e tyre. (Annex 6)
6. Është bërë hartimi i Planit Strategjik për vitin 2006 i Departamentit për Çështje Ligjore në të cilën janë përfshirë edhe të dhënat në lidhje me procedimin e projektligjeve të përgatitura në ZKM. (Annex 7)
7. Është bërë përgatitja e versionit të parë të Projektligjit për Noterinë në Kosovë. Së shpejti pritet të procedohet për në Zyrën e Kryeministrit për procedimin e mëtejshëm. Është duke u përgatitur Projektligji për Mbrojtjen e Dëshmitarve.
8. Divizioni Për Bashkëpunim Juridik Ndërkombëtar ka vazhduar me aktivitetet e saja të rregullta. Përveç rasteve të ndihmës juridike reciproke, divizioni ka punuar edhe në: A çështjen e transferimit të një qytetari kosovarë Kosovë, i cili vuan dënimin me burg në ish Republikën Jugosllave të Maqedonisë; dy raste të transferimit të qytetarëve kosovarë të kërkuar në juridiksionin e huaj; në rastin ku është i involvuar një qytetar i Kosovës i cili ndjeket penalisht në Serbi për krime lufte dhe i cili poashtu kërkohet në juridiksionin e Kosovës.
9. Divizioni për Bashkëpunim Juridik Ndërkombëtar prej 03.02- e deri më sot ka hapur gjithsej 46 raste të reja 33 për shërbim të dokumenteve 8 kërkesa për ndihmë juridike të natyrave të ndryshme, 2 kërkesa për letërporosi, 3 kërkesa për verifikim të dokumentacionit.
10. Divizioni për Bashkëpunim Juridik Ndërkombëtar gjatë 03.02- e deri më sot ka pranuar gjithsej 113 raste të reja ku 112 i përkasin çështjeve për shërbim të dokumenteve dhe i rast ka të bëjë me ekstradim. Divizioni Për Bashkëpunim Juridik Ndërkombëtar po ashtu ka përfunduar me procesimin e rasteve.

11. Si dhe shumë punë e takime të tjera në kuadër të kryerjes së detyrave të shumta që kanë dalë në këtë fazë të themelimit të Ministrisë së Drejtësisë.
12. Është bërë zhvendosja e Dhomës së Posaqme të Gjykatës Supreme nga lokacioni i më parshëm dhe ajo tani ka këtë adresë: Rr. M. Ulqinaku, Lagjia Pejton.
13. Janë identifikuar nevojat për asistencë në Departamentit për Çështje Ligjore.
14. Në bashkëpunim me USAID/NCSC kanë filluar përgatitjet për finalizimin e Projektligjit për shpenzimet Gjyqësore dhe ai është dorëzuar të gjitha gjykatave dhe Departamentit të Administratës Gjyqësore.
15. I është dhënë përgjigje kërkesës së kompanisë “Merkatori” nga Gjilani e cila ka kërkuar kompensim nga organet gjyqësore për humbjet e shkaktuara nga pikërisht nga këto organe.
16. Është përgatitur një letër përgjigje për autoritetet Maqedonase në lidhje me transferimin e një qytetari të Kosovës duke u bazuar në marrëveshjen të arritur në mes të UNMIK-ut dhe autoriteteve maqedonase.
17. Është përfunduar procedimi i 8 rasteve për shërbim të dokumenteve dhe përgjigjeve në letërporosi.
18. Pas inkorporimit të ndryshimeve për të cilat janë pajtuar grupi punues që të bëhen në Projektligjin mbi Noterinë, është bërë formatizimi i Projektligjit në të tri gjuhët.

(java e fundit)

- Memorandumi Shpjegues për Projektligjin mbi Noterine në Kosovë. Ky memorandum përfaqëson nevojën për Projektligjin e lartpërmendur, qëllimin, rolin dhe menyrën e procedimit të ligjit.
- Rishikimi i Projekt Ligjit mbi Gjykatat e Kosovës
- Përgatitja e komenteve për Projektligjin mbi Gjykatat e Kosovës
- Pjesëmarrja në trajnimin për implementimin e Planit të Veprimit për Luftimin e Trafikimit me Qenie Njerzore i organizuar nga Zyra e Kryeministrit për Qeverisje të Mirë (ZKQM) në bashkëpunim me IOM dhe OSCE. Disa nga temat e prezantuara: Definimi i Trafikimit me Qenie Njerzore, Dallimi në mes Trafikimit, kontrabandimit dhe Prostitucionit, Korniza ligjore e Kosovës për luftimin e Trafikimit me Qenie Njerzore, Strategjia dhe Plani i Veprimit për Anti-Trafikim, Rendesia e bashkëpunimit Regjional në luftimin e Trafikimit në Evropën Jug-lindore etj. Folës të këtij trajnimi ishin zyrtarë nga ZKQM, MD, IOM, OSCE, THBS.

- Divizioni per Bashkepunim Juridik Nderkombetar(DBJN)
- DBJN-ja ka hapur 19 raste te reja si me poshte:
 - 17 kerkesa per sherbim te dokumenteve; 1 kerkesa per leterporosi;
 - 1 kerkesa per ndihme juridike te natyrave te ndryshme.
- DBJN-ja ka pranuar 29 raste te reja , qe I perkasin ceshtjeve qe jane te hapura, si me poshte:
 - 29 kerkesa per sherbim te dokumenteve.
- DBJN-ja poashtu ka perfunduar me procesimin e 28 rasteve, si me poshte:
 - 18 pergjigje ne kerkesat per sherbim te dokumenteve;
 - 5 pergjigje ne leterporosi;
 - 4 pergjegje ne kerkesat per ndihme juridike te natyrave te ndryshme; dhe 1 pergjegje ne kerkesen per ekzekutim te denimit

Departamenti i Menaxhimit Penal, UD Z. Gani Sopi

Detyrën UD.të Drejtorit të Menaxhimit Penal e kam marr nga data 25.02.2006 me vendim të lëshuarë nga UD.Sekretarit Permanent të Ministrisë së Drejtësisë z.Azem Hajdari detyrë të cilën jam duke e kryer ende .Në fillim të marrjes së detyrës ka pasur vështërsi të natyrës objektive por dhe subjektive mirëpo më vonë është kuptu drejtë qasja e punës dhe veprimet tona nga Ministria e Drejtësisë e posaqërisht nga Departamenti i Menaxhimit Penal fjala është me Ndërkombëtar e kryesishtë me Divizionin e Menaxhimit Penal i cili udhëheqet nga WILLIAM ERVIN dhe zavendës i tij Gjef Qester .Në fillim kanë qenë disa pengesa mirëpo ato shumë shpejtë janë eliminuar dhe kemi filluar të bashkëpunojm dhe ti kordinojmë punët se bashku edhe pse pjesa më e madhe e punëve dhe detyrave në kuadër të D.M.P .janë të rezervuara nga Ndërkombëtarët.

Prioritet të punëve e kemi pasur mënyrën e qasjes dhe komunikimit në mes të D.M.P – dhe siq ata e quanin Divizioni i Menaxhimit Penal kemi ra në ujdj që në qdo të hëne të kemi takime të rregullta prej ores 11.00, ku në ato takime kemi diskutuar për prioritetet dhe kemi marr detyra që bashkarisht ti qasemi punës në ato fusha ku lejohen mundësia për të vepruar.

Kryesishtë në këto takime të rregullta ka marr pjesë dy Udhëheqësit e Divizionit të M.P.dhe komisioneri Vendor

Xhevat Mexhuani me të cilin kemi gjetur mirëkuptimin që nga ditët e para.

Në kuader të D.M.P. Në kemi punuar bashkë më ndërkombëtar të pregadisim Organogramin, mënyrën e organizimit të D.M.P. se si duhet të funksionoj.

Jemi pajtuar se tani e tutje në kuadër të D.M.P.të jenë Divizioni i Shërbimit

Korrektues,Divizioni i Shërbimit Sprovues, dhe Komisioni i Lirimit me Kushtë.

Divizioni i shërbimit Korrektues dhe Divizioni i Shërbimit Sprovues do të kalohet nga ndërkombëtarët tekë vendorët.

Nëse shkon gjithë qka në rregull bartëja e kompetencave nga Ndërkombëtarët tek vendorët do të bëhet në mënyr solemne më 31.03.06

Po ashtu edhe Divizioni i Shërbimit Sprovues edhe pse kompetenc e rezervuar ende.

Është filluar të raportojm një herë në javë në Deprtamentin e Menaxhimit Penal kryesuses

e këtij divizioni është Metije Ademi.Dhe krejt në fund mund të konstatojm se

bashkëpunimi në mes nesh (vendorve dhe ndërkombëtarve është shumë i mire dhe

besojm se deri në fund të muajit do ti arrijmë që ti përfundojm edhe disa prioritete të cilat

jemi duke punu dhe përfundu si vijonë :

Memorandumin e Mirkuptimit rreth precizimit të kompetencav.

Prioritetet deri më 31.Mars.

Të paraqitura në tabel ku mundë të shifen.

Hapja solemne e Qendres se Riedukimit në Qendren Korrektuese Lipjan.etj.

Departamentit të Mjekësisë Ligjore dhe Personave të Zhdukur, UD Z. Naim Haliti

1. Departamenti i Mjekësisë Ligjore dhe personave të Zhdukur, i cili nështë nën Ministrinë e Drejtësisë ka startuar me punë që nga data 30.01.2006.
2. Që nga ajo ditë janë mbajtur mbledhjet e rregullta ditore nga ora 9,00 së bashku me zn. Margot – Koordinatore për transfer kopetencash nga Departamenti i Drejtësisë në M.D, dhe me gjitha departamentet tjera, të cilat ndodhen nën këtë Ministri, si gjithmon të udhëhequr nga U.D. Sekretari Permanent Z. Azem Hajdari.
3. Qdo të premte në ora 9,00 mbahen mbledhjet e rregullta me të gjitha departamentet e M.D dhe me njerzit homolog në Departamentin e Drejtësisë, përveq me homologun Mjekësisë Ligjore dhe Personave të zhdukur.
4. Me zn. Margot, janë mbajtur tre mbledhje të veqanta (14.02,16.02 dhe 27.02.2006) lidhur me funksionimin e dy institucioneve (Institutit të Mjekësisë Ligjore – Ministria e Shëndetësisë, dhe Zyrës për Persona të Zhdukur – Departamentin e Drejtësisë), si dhe si do ti bashkojmë të dy institucionet në një.
5. Me 20.02.2006. kemi mbajtur mbledhjen me Z. Hose Pablo – Shef i Divizionit për Persona të Zhdukur dhe Mjekësi Ligjore, pranë Departamentit të Drejtësisë, ku u diskutuan shumë qështje lidhur me mjekësin ligjore. U pajtuam që të vazhdojmë bashkpunimi dhe të japim propozime konkrete në të ardhmën.
6. Me 28.02.2006 u formua edhe grupi intim për punë, lidhur me Organogramin e DMLPZH, në kuadër të Ministrisë së Drejtësisë, për personelin në të dy Intitucionet, mjetet, arkiva, si të arrihen standardet e BE-së etj.
7. Me 07.03.2006, u mbajt mbledhja e grupit intim punues, të udhëhequr nga Z. Azem Hajdari dhe zn. Margot, ku u shqyrtua organogrami i perpiluar nga Naimi. Gjatë shqyrtimit ishin disa vërejtje të vogla por në parim u pajtuam për Divizionin e Mjekësisë Ligjore ashtu si ishte i shkruar.
8. Me 17.02.2006, i kamë dorzuar Skretarit Permanent Z. A. Hajdari shkresën lidhur me prioritetet e Departamentit të Mjekësisë Ligjore dhe Personave të Zhdukur.
9. Me 27.02.2006, me kërkesën e Zn. Margot, i kemi dorzuar të kaluarën e Institutit të Mjekësisë Ligjore, të tanishmën si dhe synimet e së ardhmës për këtë Institucion. Annex
10. Meqenëse përdallim prej departamenteve tjera në Ministrinë e Drejtësisë, kopetencat në Departamentin e Mjekësisë Ligjore dhe Personave të Zhdukur janë ende të rezevuara, mbetet në periudhën shumë të afërt të japim edhe informacione lidhur me divizionet dhe sektoret në këtë fushë (me kompletimin me laboratore dhe trajnimin e kuadrit në ato fusha).

Njoftim për historikun dhe synimet e Institutit të Mjekësisë Ligjore (Annex 8)

Zyres së Informimit Publik, UD Znj. Safete Graiçevci

Duke u bazuar ne nismat e para te Ministrisë së Drejtësisë si dhe nevojës së një pune dhe angazhimi të mirëfilltë, është paraqitur domosdoja e funksionimit të menjëhershëm të zyrës së Informimit Publik, me qëllim të transparencës.

Fillimisht është bërë organogrami i kësaj zyreje (e keni të bashkangjitur më poshtë), detyrat dhe përgjegjësitë e zyrës dhe domosdoja e funksionimit sa më efikas të zyre.

Janë paraqitur nevojat e kpmletimit të zyrës me mjete pune fillimisht, dhe më pastaj sipas mundësive edhe me staf punues.

Sa i përket ngritjes së kapaciteteve , janë theksuar disa nga nevojat për vet faktin se duke u bazuar në të dhënat rreth buxhetit, zyra nuk mund për momentin të jetë complete edhe pse për këtë ka nevojë të madhe. Kjo duhet të theksohet doemos kur kemi parasysh mënyrën e informimit të publikut në formë elektronike e cila sot është domosdoshmëri në një shoqëri demokratike.

Gjatë kësaj periudhe do të veçoja disa aktivitete të cilat janë bërë- kontakti me media, me zyret si motra duke filluar nga ajo e kryeministrit dhe ministrive, ku është marrë apo përcjellë përvoja reciproke. Këto janë bërë gjithnjë duke ditur rolin kyç të MD si institucion me rendësi të veçantë.

Detyrat prioritare të MD në lëmin e Informimit dhe marrëdhënieve me publikun janë:

- Përveç pajisjes së Zyrës dhe punëve të përditshme rutinore, aktivitetet do të zhvillohen me këto rrjedha:
- Organizimi i Konferencave për shtyp, një here në muaj jashtë protokollit të përditshëm
- Konferencë për shtyp për punën tre mujore, gjashtë mujore dhe njëvjeçare,
- Nxjerrja e broshurave(fletëpalosjeve) të vogla , ku do të paraqitet puna e ministrisë , institucioneve dhe objekteve që janë nën ombrellën e ministrisë.
- Botimi i një broshure ne përmbyllje te punës gjashtëmujore dhe pastaj njëvjeçare
- Kompletimi i të gjitha të dhënave rreth institucioneve që do të jenë nën ombrellën e MD
- Përpilimi i një pyetësori dhe anketimi i qytetarëve për punën në teren
- Nxjerrja e një buletini nga vizitat e ministrit Brenda dhe jashtë vendit
- Të arriturat në fushën e kompetencave në planin afatshkurtër,
- Dhe organizime të ndryshme sipas protokollit dhe sipas nevojës.
- Domosdoja që në afat sa më të shkurtër të krijohet ËEB-faqja dhe të freskohet çdo ditë me lajme dhe aktivitete të reja.

Ngritja e kapaciteteve të MD në lëmin e Informimit dhe marrëdhënieve me publikun janë:

- organizimi i takimeve të ndryshme zyrtare jashtë vendit me qëllim të kontaktit të drejtpërdrejtë me punën të cilën e bëjnë Zyrat apo departamentet si motra në shtetet fqinje por edhe më larg. Varësisht nga numri i të punësuarve në këtë zyrë, paraqitet nevoja e mirëmbajtjes së web-faqes, si dhe seminarët e ndryshme për marrëdhënie me publikun .

Organogrami dhe Plani strategjik mbi programin, veprimtarinë dhe organizimi e Zyrës për Informim publik (Annex 9)

Departamenti i të drejtave Civile, UD Znj. Arta Kelmendi

Për periudhën 17.1.2006-10.3.2006

Ju japi një raport të punës së Departamentit të drejtave civile, i cili përfshin dy Divizione, Divizionin për Mbrojtje dhe Ndihmë të Viktimave(DMNV) dhe Divizioni për Integrim Gjyqësor (DIGJ).

Që nga fillimi i punës Departamenti i të drejtave civile për periudhën raportuese ka zhvilluar këto aktivitete:

- Përgatitja e organogramit për Departamentin e të drejtave civile
- Përgatitja e prioriteteve për të dy Divizionet (DMNV dhe DIGJ)
- Janë përgatitur raportet mbi pozitat e lira në Departamentin e të drejtave civile
- Janë përgatitur Referencat për pozitat e lira në të dy divizionet, dhe është siguruar përthimit i tyre në të tri gjuhët
- Emërimi i anëtarëve të paneli që do të marinë pjesë në regrutimin e punëtorëve për të dy divizionet e Departamentit të drejtave civile
- Është dorëzuar raporti mbi evidentimin e nevojave për ngritjen e kapaciteteve për vitin 2006 për të dy divizionet.
- Është bërë përgatitja e raportit mbi të dhënat e reja të zbatimit të Standardit 2, Sundimi i ligjit (Raporti i dërguar në MSHP)

1) 16.2. Të vendosen mekanizmat për zbatimin efikas të Rregullores së UNMK-ut 2003/12 mbi mbrojtjen kundër dhunës në familje, përfshirë përgatitjen e trajnimit përkatës për aktorët gjyqësorë vendore

2)11.1. Raporti mbi vlerësimin teknik ,mbi Zyrat ndërlidhëse gjyqësore (DIGJ)

- Hartimi i planit strategjik për të dy divizionet për periudhën vjetore
- Janë përgatitur Procedurat Standarde të Veprimit(të punës) për të dy divizione
- Janë arritur kontaktet e para ndërkombëtare të adresuara në Departamentin e të drejtave civile

Aktivitet të cilat janë zhvilluar në Divizionin e Mbrojtës dhe Ndihmës së Viktimave.

- DMNV ka marrë pjesë në trajnimin për trajner të organizuar nga organizata ndërkombëtare e punës

- DMNV ka marrë pjesë në takimin e mbajtur në Shkup e organizuar nga NATO për anti-trafikim me qenie njerëzore, për praktikën më të mirë dhe mësimin duke inkuadruar edhe DMNV, me qëllim të koordinimit të punës regionale dhe mos dyfishimit të punës
- DMNV ka dhënë disa të dhëna rreth punës dhe natyrës së veprimit së Mbrojtësve të viktimave, me qëllim të hulumtimit mbi dhunën e grave (raporti i cili i dorëzohet OKB)
- DMNV ka marrë pjesë në debatin e organizuar në kuadër të "Fushatës kundër trafikimit me qenie njerëzore"
- DMNV ka marrë pjesë në trajnimin e organizuar nga Zyra për Qeverisje të Mirë të Zyrës së Krye Ministrit në lidhje me Planin Kosovë të Veprimit kundër Trafikimit të Qenieve Njerëzore. Pjesëmarrësit e trajnimit kanë qenë të gjitha ministrat e Qeverisë së Kosovës, OSBE, IOM, OJQ-të si dhe SHTQNJ.

Aktivitetet të cilat janë zhvilluar në Divizionin e Integritit gjyqësor

- Përgatitja e rregullores kundër diskriminimit
- Përgatitja e "Fushatës kundër diskriminimit e cila pritet të aprovohet nga Sekretari Permanent
- Përgatitja e një delegacionit prej 15 anëtarësh nga BE të cilët e kanë vizituar zyrën në Gracanë

MEMORANDUM

To: Mr. Azem Hajdari, Acting Permanent Secretary
Ministry of Justice

Date: 15 March 2006

Re: Comments on DFID TORs-Support to the Ministry of Justice

From: Ardita Metaj, Staff attorney/USAID/NCSC

Comments below are based on the Terms of References related to DFID support for the Ministry of Justice and especially point 2: Overall Objectives and point 3: Scope of work and point 4: Expected results and products:

General comments:

- Terms of references are described in a very general way and present in wider lines present the support that DFID will provide for the Ministry of Justice
- Description of the support for the most important areas for effective functioning of the Ministry of Justice such as: Human Resources Management and Development and the Strategic and Operational and also Budget planning are done in general so they don't represent concrete definitions on what to expect or what will be the outcome from DFID support provided to MOJ.

Concrete comments:

It is very important that DFID support to be focused in these two areas:

1. Human resources Management and Development:
 - The support to assist the Ministry in speeding up capacity building activities including financing some development initiatives and the embodiment of the culture and personnel performance management process.
2. Strategic and Operational and also Budget planning including all sub points as very important:
 - Clear framework and priority which will involve all the actors , including political directorate;
 - Services concentrated on giving key products with strong focus on the users;

- Operational independence of key officials, when appointed;
- Priorities to be identified and means which will help in providing their services;
- Chances for cooperative work and joint management in wide judicial sector;
- Ability to adapt possible needs and resources for creating a more stable sector development and for coordinating donor activity.
- Ability to assign financial sources in a line with the priorities is an essential and especially important for a justice sector without staff and without funds coming from UN.;

And the last point picturing the as needed support presented with a prediction for the need to coordinate works and reporting duties of the Ministry on Rule of Law Standard for the working group on standards.

- Other processes of new ministries, as needed. It will be important to keep a flexibility level in this project process, for enabling advisors to deal –in cooperation with the ministries and DFID –with the critical needs that can surface while they are being developed, during the transition process.

As for the point 4: Expected results and products overall assessment is that it is very important that all the sub points are accomplished on time, by raising the importance in setting a reasonable time limit for the accomplishment of all presented products.

MEMORANDUM

To: Mr. Azem Hajdari, Acting Permanent Secretary
Ministry of Justice

Date: 24 march 2006

Re: Finalization of DFID TORs-Support to the Ministry of Justice

From: Ardita Metaj, Staff attorney/USAID/NCSC

According to TOR provided by DFID related to the project for supporting the Ministry of Justice and based on the regular meetings of donor's committee and the suggestions coming from the Ministry of Justice that the support by DFID to be based on the comments that Ardita Metaj NCSC/USAID prepared on the DFID support for MOJ, the agreement between DFID/Florina Duli and MOJ/Ardita Metaj is reached so that:

1. The DFID support to be focused on strategic and operational planning and also that of a budget as described in TOR and the Memorandum prepared by NCSC

(Implementing partner for DFID –KPMG with the request form MOJ to initially prepare a workshop with MOJ personnel including political directorate for developing “LOG FRAME” (logical thinking), basic framework for the MOJ strategic plan)

This workshop will provide the grounds for future development of MOJ strategic plan and also finalizing strategic plans for all the departments within MOJ.
The next step is the support in drafting the plan.

2. Human Resources management and development

(after the initial stage KPMG will asses the situation and the need for professional advancements of MOJ staff including management)

Future steps will be defined in accordance with concrete needs

Overall comment:

TOR are widely negotiated to offer the Ministry the right in seeking support from DFID/KPMG concerning new priorities that will surface during the development of MOJ work.

Reporting:

KPMG will report to DFID and donors' committee

Standard- Rule of Law

Related to the point 3 being the support for the implementation of standards, DFID has a specific project which is being implemented at governmental level. This project is implemented by PAI supported the MPS on Rule of Law-Standard until now.

This support will continue to be provided for MOJ and canalize the works.

Contact person from DFID is:

Florina Duli

DFID 038/245/901 and email: F-Duli@dfid.gov.uk

Contact persons for the project on support for standards at governmental level are:

1. Mark Golding, DFID/PAI - 044/505/825
2. Besnik Vasolli

DFID will review and complete TOR s for support to MOJ and will deliver them for final approval.



Kosovo Judicial Council
Këshilli Gjyqësor i Kosovës
Pravosudno savet Kosova

13 April 2006

Honourable Mr. Jean Dussourd
Deputy SRSG

The Ministry of Justice, Ministry of Public Services and Kosovo Judicial Council continue to develop agreements on a number of administrative issues, the substance of which will be the subject of a Memorandum of Understanding submitted to Pillar I for approval. However, administration of that portion of the Kosovo Consolidated Budget applicable to the Kosovo Judicial Council and court administration is a priority. On this issue, the Kosovo Judicial Council and Pillar I set forth the following:

1. Reference is made to UNMIK Regulation No. 2005/52, which establishes the Kosovo Judicial Council. This document is intended to set forth the understanding between UNMIK Pillar I and the Kosovo Judicial Council on administration of that portion of the budget attributed to the Kosovo Judicial Council (KJC) and the court system. All references below to budget codes are to UNMIK Regulation No. 2005/55, *On the Approval of the Kosovo Consolidated Budget and Authorizing Expenditures for the Period 1 January to 31 December 2006*.
2. With the amendments provided by UNMIK Regulation No. 2005/52, it is understood that the KJC has that budget authority provided all Ministries in UNMIK Regulation No. 2001/19, Section 1.7. UNMIK Regulation 2005/55, Sections 9.1 and 9.5, foresees that, with the transfer of responsibilities from UNMIK to the Provisional Institutions of Self-Government, relevant budget authority will be transferred and new budget organizations created. Therefore, Pillar I and KJC will ask the SRSG and the Government to approve an Action Memo requesting that the KJC be established as a unique budget organization and transfer the funds related to its respective areas of responsibility.
3. KJC shall have budget authority and responsibility in the following areas: Kosovo Judicial and Prosecution Council (KCB Code 309-314), and Court Administration (KCB Code 309-310). Kosovo Consolidated Budget Code 309-314 shall be amended to read "Kosovo Judicial Council" and any reference to the "Kosovo Judicial and Prosecution Council" in the Kosovo Consolidated Budget shall be amended to "Kosovo Judicial Council." Upon the designation of KJC as a unique budget organization, the above codes will be amended accordingly.
4. All budget lines under KCB Organization Code 309 not referenced in Paragraph 3 of this Memorandum shall be the responsibility of either the UNMIK Department of Justice or the Ministry of Justice.

5. Administration of that portion of the budget designated for the Office of the Public Prosecutor, currently administered by the Department of Judicial Administration at KCB Code 309-310, will be decided by the Working Group assigned the task of transfer of responsibilities from the Ministry of Public Services to the Ministry of Justice and Kosovo Judicial Council, and will be the subject of a future Memorandum of Understanding submitted to Pillar I.
6. Reference is made to the UNMIK Department of Justice Delegation of Financial Authority, Kosovo Consolidated Budget, Fiscal Year 2006. Upon designation of KJC as a unique budget organization, the KJC shall prepare its own appointments of Principal Authorizing Officers and other authorized signators for financial and procurement procedures.

Rexhep Haxhimusa, Chairperson
Kosovo Judicial Council

cc: Mr. Agim Ceku
Prime Minister of Kosovo



Comments on proposed draft Notary Law:

1. **Paragraph 4.2** This prohibition on membership in a political party might be unduly harsh. Could this be amended to refer to *active* members of political parties?
2. **Paragraph 9** states that “[t]he successful candidates to the notary examination are assigned a Notary Office on the basis of a competition organized by a Notary Selection Commission appointed by the competent public entity in the field of judicial affairs in consultation with the Chamber of Notaries.” Should this be amended to reflect that the competent public entity in the field of judicial affairs cannot consult with a non-existent Chamber of Notaries for the first competition?
3. **Paragraphs 9.5 and 9.6** state the following: “Only those candidates to the Notary Competition who, on account of their professional background and moral qualities, are worthy of the dignity of the Notary Service, may be selected,” and “[t]he competent public entity in the field of judicial affairs entrusts with a notary office those candidates selected by the Commission, who achieved the best results at the Notary Examination.

These two excerpts have the potential to build in a significant degree of inefficiency into the selection process. It is entirely possible that the Notary Selection Committee will select candidates who will not have passed the Notary Examination. Thus, the Notary Selection Committee will have to interview more candidates but with no guarantee the additional candidates will pass or will have passed the Notary Examination. Perhaps it would be more efficient for the competent public entity to provide the committee the names of the individuals who have passed the Notary Examination. Through their review, the committee could make recommendations to the competent public entity who would retain selection authority. In this fashion, the Notary Selection Committee would not be working needlessly to interview candidates who have not or will have not passed the Notary Examination.

4. In **Paragraph 9.5**, reference is made to a selection criteria of “professional background and moral qualities.” Will this be further defined in secondary legislation?
6. In **Paragraphs 10.3, 10.4, and 10.5**, reference is made to the possibility of an appeal by a candidate who is not selected to the district court and the delaying effect his or her appeal has on the decision of appointing all of the notaries. The paragraph notes that the district court must rule on this appeal within 30 days. Should we concern ourselves with the possibility that the district court cannot or does not reach a decision within 30 days?
7. **Paragraph 14** discusses the liability of a notary. However, no mention is made of the involvement of the Disciplinary Council. Should the Disciplinary Council be informed

automatically of any finding of liability of a notary? If not, it would be possible for a notary to repeatedly be found liable for his negligence or misdeeds without any consequences to his standing as a notary.

9. **Paragraph 17.2** states in part that “[n]either shall the Notary take official actions for which he has no competence, or which are requested in connexion with an obviously dishonorable or illegal transaction.” Would it be advisable to remove “obviously?” If we were to remove this word, we would be raising the standards of performance.

10. **Paragraph 2.3** states that “[a] Notary may not share professional premises with representatives of other professions.” Does this mean that a notary cannot have an office in a large building where there are numerous offices of other professionals? Or does this mean that he or she simply cannot share an office with representative of another profession?

11. It is not immediately apparent what the relationship is between **paragraph 25** and the paragraph it cites: **76.2**. Also, it is not entirely clear (see **25.b**) why a notary is only *temporarily* suspended where the conditions for release of a notary from his or her office are met.

12. **Paragraph 35** permits notarized deeds to be issued in the Turkish language. In paragraph **57.a.**, the regulation declares that a notarised deed shall be deemed null and void if, “[n]otwithstanding other provisions to the same effect in this ... law,” it was prepared “in a language other than the Albanian and Serbian language.” To be clearer, it might be advisable to add in the Turkish language to this paragraph.

13. **Paragraph 59.1**, in its entirety, states: “Except where otherwise provided in the original document, the dispatches or copies of the original deed containing one’s last will, or whose provisions apply in the case of death of the author of the deed, whether prepared by the Notary or submitted to the notary in writing, may only be issued to the author of the deed or to those explicitly authorized by the author of the deed to receive such dispatches or copies. Proof of such authorization shall be adduced in the form of a certified document signed by the author of the will.”

In the beginning of the paragraph, the drafters refer to 1) the original deed containing one’s last will, *and* 2) a deed containing provisions that apply in the case of the death of the author of the deed. However, in the last sentence of the above paragraph, they refer to just the will. Should this last sentence also include mention of the deed whose provisions apply in the case of the death of the author of the deed?

14. **Paragraph 65.2** makes reference in the first sentence to the periodic reports that must be submitted. Since the second sentence seems to assume that these reports will report yearly information, why not change the reference to “periodic” in the first sentence to “annual?”

15. **Paragraph 76.8** states that “[t]he first Assembly of the Chamber of Notaries shall be convened within a month following assumption of office of the first notaries.” Should the regulation also set deadlines for the election of officers and committee members and the adoption of a statute?

16. What is the level of effort required to monitor the notary system? Does this public entity have adequate resources and infrastructure to do this? If not, should we quantify the resources needed to properly monitor the implementation of this law?

What are the current costs to obtain the services outlined in this law? Should we make an assessment of what the likely costs may be under this proposed law to determine if we would be able to provide notary services at a reasonable cost to the public, attract quality notary candidates and maintain quality notaries in the profession, and finance the Chamber of Notaries?

17. In **paragraph 16.5** (English version), “cas” should be “case.” In **paragraph 40**, “May not ...” should be “The following may not ...” In **paragraph 41.b** (English version), “personnally” should be “personally.” In **paragraph 43.3.ii**, “is conform” should be “conforms.”



USAID JUSTICE SYSTEM REFORM ACTIVITY IN KOSOVO

COMMENTS

Comments on proposed draft Articles of Association of the Chamber of Notaries

1. This document is named “Articles of Association of the Chamber of Notaries.” Should this be amended as a “Statute of the Chamber of Notaries,” in order to be uniform the term used in the draft Regulation on Notaries in Kosovo (see section 63, paragraph 1 of the draft Regulation)?
2. There are several issues/matters that are covered in the draft Regulation and are part of this document as well. There may not be the need to repeat the issues/matters that are already covered in the draft Regulation. Thus, these issues/matters may be removed from the Articles of Association. In the alternative, some issues/matters that are not of primary importance can be removed from the draft Regulation and remain as a part of the Articles of Association .

The excerpts below are covered in both the draft Regulation and the Articles of Association:

- a) **Chapter I, section 2** of the Articles of Association and **section 64, paragraph 1** of the draft Regulation.
 - b) **Chapter I, section 3** of the Article of Association and **section 64, paragraph 2** of the draft Regulation.
 - c) **Chapter I, section 4** of the Articles of Association and **section 63, paragraph 3** of the draft Regulation.
 - d) **Chapter II, section 7** of the Articles of Association and **section 67** of the draft Regulation.
 - e) **Chapter III, section 18** of the Articles of Association and **section 71** of the draft Regulation.
 - f) **Chapter IV, section 22** of the Articles of Association and **section 69** of the draft Regulation.
3. **Chapter I, under the section “The Chamber of Notaries, members and location” subparagraph 1**, states that “The Chamber of Notaries is a legal person in public law which is founded on the basis of the Notaries Act.” We suggest that the notion “public law” should be left out, since it is not common

within legal community in Kosovo to distinguish between public and private law. In addition, the title of the primary legislation should be referred to in the same manner in the primary and secondary legislation. It is referred to in the primary legislation as the “Regulation on Notaries,” while it is referred to in the Articles of Association as the “Notaries Act.”

4. **Chapter I, under the section “The Chamber of Notaries members and location” subparagraph 4**, states that “[t]he Chamber of Notaries has a seal with the image of the national coat of arms of Kosovo.” Kosovo, as a UN-administered territory does not have symbols such as flag or coat of arms.
5. **Chapter I, under section 2** enumerates “principal tasks” and **section 3** enumerates “methods of performance of the tasks.” The draft Regulation, **section 64**, covers the same ground under “Functions and Activities of the Chamber.” We suggest that the information contained in these sections be detailed in either the Articles of Association or the draft Regulation, but not both.
6. **Chapter I, under the section 2**, “The principal tasks of the Chamber of Notaries” specifies the principal tasks of the Chamber of Notaries. Would it be possible to add a principal task that mandates the Chamber shall maintain “cooperation with foreign Notary Chambers as well as with International Organizations and Associations of Notaries?”
7. **Chapter I, section 3, subparagraph 10** states that the Chamber of Notaries has the right to “allocate subsidies to retired notaries and their family members, where necessary.” In order to avoid *ad hoc* decisions regarding specific retired notaries, we suggest that the Chamber of Notaries be given the right to determine policies and written guidance regarding all retired notaries, instead of determining cases on an individual basis as this section seemingly permits.
8. **Chapter I, section 4** is named “**Bodies of the Chamber of Notaries**” whereas the draft Regulation on Notaries in section 63 paragraph 3 talks about “Organs.” We recommend that the same terms used in the draft Regulation on Notaries be used in all secondary legislation. Furthermore, **Chapter I, section 4** mentions the bodies of the Chamber of Notaries as follows:
 - a) meeting of the Chamber of Notaries,
 - b) the Board,
 - c) audit committee, and
 - d) court of honour of the Chamber of Notaries.

The draft Regulation on Notaries in **section 63, paragraph 3** states the Chamber is comprised of the following organs:

- a) A President and a Vice-President,
- b) A Board,
- c) An Assembly,

- d) An Arbitration and Disciplinary Council, and
- e) An Audit Committee.

We recommend that both the primary and secondary legislation contain the same bodies or organs.

9. **Chapter I, section 5, subparagraph 5** seems to obligate the Chamber of Notaries to respond to whatever issue the notaries raise, no matter how inconsequential. We suggest that the Chamber of Notaries be given discretion not to respond to issues that are unimportant. To capture this discretion, the subparagraph could be reformulated as follows: “The members of the Chamber of Notaries have the right to raise their concern to the meeting and the board of the Chamber of Notaries on all issues concerning the Notaries, and the Chamber and the Board shall respond to all legitimate issues.”
10. **Chapter II** is named “Meeting of the Chamber of Notaries,” whereas draft Regulation, section 67 is named “Chamber’s Assembly.” It seems that both of these terms refer to the same entity and regulate the same issues (i.e. the competencies of the “Assembly” in the draft Regulation are similar with the competencies of the “Meeting” in the Articles of Association). As such, we suggest that the same term should cover both.
11. **Chapter II, section 8, subparagraph 4** states that “Members of the Chamber of Notaries participate in meetings personally or through a representative who may be another member of the Chamber of Notaries on the basis of written authorization documents.” We believe that the idea that a notary may represent his or her colleague based on the written authorization may be contrary to the principle of membership in a professional organization and duties deriving thereof. If a notary is a member of the Chamber, which is mandatory for each notary, then he or she should assume all the rights and responsibilities of being a notary and the member of the Chamber, including the one of attending the meetings.

Even if it is permissible for a notary to be represented by another person, we find it less than desirable that this other person does not even have to be a notary. The permissive language found in the subparagraph (“may”) indicates that this person does not have to be a notary. At a minimum, if a notary can be represented by another person, it might be prudent to mandate that this other person be a notary as well.

12. **Chapter II, section 24, subparagraph 3** states that “[i]f the notary does not consent to cooperation [in the exercise of internal control], the board may apply to the Ministry of Justice for the initiation of supervision proceedings.” Why can we not mandate that the notary must cooperate with internal control as a part of being a notary?



USAID JUSTICE SYSTEM REFORM ACTIVITY IN KOSOVO

COMMENTS

On proposed draft Code of Ethics of Chamber of Notaries of Kosovo

1. Instead of being called the “Code of ethics of Chamber of Notaries of Kosovo,” could this secondary legislation be called “Kosovo Chamber of Notaries - Code of professional ethics of the Notaries” so as to emphasize the application of the code of ethics to the notaries?
2. **Section I** is named “**OBJECTIVE.**” Should this be renamed as **PREAMBLE** in order to be consistent with legal drafting practice in Kosovo?

In addition to the change of the name of Section I, should the content of this section be amended in order to reflect that the notary candidates are as well bound by this Code?

3. **Section II, paragraph 3 “Duty to maintain confidentiality” subparagraph 1** states the following:

“The notary must maintain the confidentiality of the information obtained in relation to the professional activities both during his or her term of office as well as after a notary leaves office. In case the notary is relieved of the obligation to maintain confidentiality, he or she may refuse to relieve the information except at the request of a court.”

It seems that the notary works for the client. As such, he or she should be responsive to the client. Thus, if the client relieves the notary of his or her duty of confidentiality, why can the notary still refuse to divulge confidential information? Also, it seems that the notary’s duty of confidentiality is limited by his or her duty to “notif[y] the competent authority of any violation [of the law].” See **Section V, subparagraph 19**. Should not this limitation be expressly mentioned in the context of the notary’s duty of confidentiality found in this subparagraph?

4. **Section II, subparagraph 6 “Prohibition in advertising”** states the “[c]ommunication of information regarding the name of a notary, the office hours of the notary’s office, address and means of communication are not deemed to be advertising.”

In our opinion, the term “communication of information” has to be explained further in order to precisely define where can this “communication of information” take place. For instance, does this include the communication of this information in the newspapers and electronic media?

It is possible that the communication of the information in the newspapers or electronic media may constitute an advertisement.

5. **Section III, subparagraph 12 (1)** should be two sentences instead of one. The first sentence should end with “request of the persons.” The second should begin with “[T]he notarial act is postponed ...” Subparagraph 12(2) should similarly have two sentences. The first should end with “with the parties.” The second should begin with “[I]nstead, he or she ...”

6. **Section V** is named “Relationship with State and public authorities.” In our opinion, this should be reformulated as “Relationship with public authorities.”

7. **Section V, paragraph 19 “Law compliance and cooperation” first sentence** states that: “A notary is law-abiding and ready to cooperate in order to ensure legal certainty.” We suggest that the phrase “and the rule of law” be added at the end of this sentence.

8. **Section VI, subparagraph 20(1)** should read “A notary communicates with the public and media in a benevolent and open manner, without infringing *upon* the duty to maintain confidentiality imposed *upon* him or her.”

Marketing Survey on the Legal Publications

Research Results

Final Report

Pristina
December 2005.

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► PROTECTION OF RESPONDENT PERSONAL DATA CLAUSE

Prism Research, in accordance with ESOMAR and AAPOR rules and regulations is obliged to protect the anonymity of respondents. All questions / variables that contain any type of information about the identity of respondents are removed from the report and the final database. This means that the answers given by respondents are physically separate to data that relates to their identity. Any purposeful attempt to come by the identifying data of respondents, whether by the Client, Prism Research, or any third party will be considered a serious violation and will be treated as such.

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1. Purpose of the research

Major purpose of this research was to identify possible markets in Kosovo and outside as well as find out data about opinions and attitudes of all major target groups about the print version of the codification of Kosovo Laws by subject matter. These data were used for an estimate of potential market for the publication of the compilations by subject matter in Kosovo.

2. Objectives

Having in mind the purpose of this research, the major objectives of this research are:

1. To assess potential market for print laws, regulations and opinions in Kosovo
2. To assess the most suitable format and content of publication
3. To identify all legal entities to whom the publication will be distributed/sold
4. To assess all major characteristics of the potential customers
5. To identify all major elements of the competition

3. Methodology

3.1. Quantitative research

The survey research was conducted on a small sample of all major target groups across Kosovo.

Method of interviewing

Face-to-Face interviews.

Sampling

Type of the sample

Random sample stratified by regions and all major target groups.

Sample size

200 interviews.

Target groups

The target population for this research is the population of potential users or costumers of the Kosovo applicable legislation.

Major target groups are:

- § Lawyers
- § Judges
- § Legal practitioners
- § Public officials and administrative UNMIK&PISG
- § Local and International NGO's
- § Law faculty and students
- § Possible market of the legal community outside Kosovo

Selection of respondents

The selection of respondents for each group was random, from the list of all members of target groups. For example, if we want to have random sample of judges, than we should have the list of all judges in Kosovo from which we would randomly select a certain numbers of judges. The same principle applies for other target groups.

Organization of the fieldwork

The total number of interviewers to be engaged in this research was 10.

The necessary number of coordinators was engaged on the principle of one coordinator to not more than 5 interviewers. Thus, there were 2 coordinators engaged. The Field Manager for the Albanian part of the sample was based in the Prism Research office in Prishtina.

The number of controllers was determined in a similar fashion. One controller to not more than five interviewers was engaged - thus, there were two controllers engaged.

Given that this research was conducted on the entire area of Kosovo, attention was paid to ensuring that the ethnic structure of interviewers corresponds to the regional ethnic structure of the sample.

Training

All of the regional coordinators and interviewers participated in a one full day training session in Prishtina.

In the course of training of coordinators and interviewers the following areas were covered:

- § Explanation of the purpose of the project
- § Section-by-section review of the questionnaire (QbyQ analysis)
- § Trial interviews with other interviewers (role play)

§ Comprehensive discussion of directive and non-directive probing

Pilot study

Prior to start of the main fielding, each interviewer had to complete at least one test interview correctly before being eligible to participate in the fielding. Upon completion of the trial interviews, all questionnaires were collected, and discussion was held about problems encountered, questions raised etc. Interviewers were instructed to make note of all comments made by respondents in the course of the interview. In this way a minimum of 50 trial interviews were conducted as part of the pilot study.

Supervision

As mentioned, each interviewer had to conduct at least one interview with or without the attendance of a coordinator (depending on the level of errors from the pilot study). During the conducting of fieldwork the coordinators checked each completed questionnaire upon submission to minimize the likelihood of incorrectly completed questionnaires or systematic interviewer errors going unchecked.

Quality control of interviews

The work of interviewers was controlled in the following ways:

- § record of all field contacts and completed interviews (100 %) to control if the interviewer followed the rules of sampling
- § logical control of questionnaires (100 %), which shows if the questionnaire is completed correctly and if all answers are properly marked
- § telephone control (min 30%), check of the interviewer behavior and administration of questionnaire
- § field control (min. 30 %) where we also check the proper selection of the respondent in the household, interviewer behavior and administration of questionnaire
- § computer control of the collected data (100%), where we identify differences that may appear between interviewers.

Data input and cleaning

Utilizing a data entry input program where a data entry form is created in the form of the questionnaire. Trained data entry operators key in the data. The data is then cleaned, that is the mistakes that might have occurred during data entry are eliminated using specific computer programs. To control and prepare data for further processing, the SPSS program is used.

Organization

It is important to stress that Prism Research has its own network of interviewers in the Serb-majority parts/enclaves in Kosovo, as well as in the Albanian-majority areas. Both Serb and Albanian interviewers are recruited and trained in the same manner and have a similar level (considerable) experience. Both teams of interviewers were prepared and trained for this project in a similar way. The network of interviewers and coordinators of Prism Research Kosovo function as a single team, however by force of circumstance they are divided into two for security reasons.

Questionnaire

Prism Research in close consultation with the NCSC developed the questionnaire. Prism Research completed translation and layout of the questionnaire. The questionnaire was translated into the local language – Albanian.

3.2. Qualitative Research

Introduction

Social researchers generally agree that the most effective research designs are those that utilize various methodological approaches to complement one another – primarily qualitative and quantitative methods. In cases where the problem under investigation is relatively unexplored in the cultural, sociological and even psychological dimensions, it is best to take the first research steps with a qualitative approach – primarily focus group discussions and in-depth interviews. Through such groups and interviews we gain insight into the complete background of opinions and attitudes, reasons, motivations of the target groups relating to the issue being researched. In addition, the focus group discussions and in-depth interviews are an effective way to test some of our initial hypothesis and assumptions. It is important to mention that it is the best manner in which to prepare the questionnaire for a quantitative study by testing, exploring, and defining certain questions in the qualitative research.

Method:

In-depth interviews.

Recruitment:

Prism Research has a widespread network consisting of interviewers, controllers, coordinators and supervisors in all of the municipalities in Kosovo – including Albanian and Serb majority areas and all other ethnic minorities. All interviewers have completed rigorous training in the methodology and most of them have participated at least in 5 research projects in Kosovo in the past 12 months.

Interviewer/recruiters utilized the Snowball method for the selection of potential respondents – key informants from various target groups.

In the above-described manner, for each of individual in-depth interviews, a minimum of 2 potential respondents were identified.

On the basis of this selection, we have identified optimum 20 respondents for minimum 10 in-depth interviews finalized.

In the final selection of participants who will participate in the focus group discussions and in-depth interviews, other than the main criteria, particular attention was paid to the following:

1. that persons who are related to interviewers and employees of Prism Research not be recruited and that participants not be related;
2. that participants are not employed or involved in any way with media, marketing organizations, market research or public opinion polling agencies;
3. that they not have participated in any types of public opinion polling or focus group discussions in the past 12 months.

Target groups:

Major target groups are:

- § Lawyers
- § Judges
- § Legal practitioners
- § Public officials and administrative UNMIK & PISG
- § Local and International NGO's
- § Law Faculty and students

We conducted 10 in-depth interviews with major target groups.

Moderation:

The interviewing of the respondents for IDI's was conducted by our permanent external staff in Kosovo (engaged on a project basis). Interviewers are psychologists or sociologists and they were coordinated and supervised by the Project Manager from the Prism Research head office who heads the qualitative research department.

Transcripts:

The discussions of IDI's were fully transcribed in the local language and then summarized into English.

Facilities:

Any place agreed with the respondents.

Discussion Guide:

Prism Research developed the Discussion Guides for in-depth interviews after the key areas, topics and issues are discussed and identified by the Client and Prism Research.

Organization:

All focus group discussions were audio taped - in a non-intrusive manner.

Participants for IDI's received token honorarium for the participation.

Refreshments were served.

4. Summary of results

- § More than a half of the surveyed respondents thought that information on laws applied in Kosovo is available. Even 20.3% of the surveyed members of the population of potential customers of the printed publication thought the information on laws applied in Kosovo was sometimes difficult to obtain, and 13.9% they are hardly available.
- § Almost two thirds (64.4%) of all respondents surveyed in the scope of this research said they were fairly satisfied with the availability of the laws and other legislative material applied in Kosovo. Only 9.9% of respondents stressed they were fully satisfied, and 9.4% that they were fully dissatisfied with the availability of the laws and other legislative material applied in Kosovo.
- § Asked about the primary source of information about the laws and other legislative material applied in Kosovo, the most frequent answer was UNMIK Official Gazette, which was listed as the primary source of information by 45% of the respondents. It is followed by ABA/CEELI CD Rom (17.3%), Kosovo Law Centre Publication (14.9%), and the Kosovo Assembly Web Site (12.4%). Other, less frequent answers were shown graphically.
- § Asked if they receive regularly some sort of a publication about the laws and other legislative material applied in Kosovo, exactly a half of respondents answered positively.
- § Most of respondents who receive regularly some sort of publication about the laws and other legislative material applied in Kosovo said they receive the UNMIK Official Gazette (68.3%). It is followed by the ABA/CEELI CD Rom (36.6%) and the Kosovo Law Centre Publication (31.7%).
- § Most of respondents who use the UNMIK Official Gazette, receive the publication monthly (37.7%) and quarterly (30.4%). With regard to the ABA/CEELI CD Rom publication, one third of respondents said they receive the publication yearly (32.4%) and quarterly (27%). With regard to the Kosovo Low Centre Publication,

the distribution of results showed that this publication had no usual frequency of distribution to customers.

§ Most of the publications for most of the respondents were distributed free of charge and a maximum amount of money the customers of the publications allocated for this purpose did not exceed 10 Euros.

§ Most of the customers are mainly satisfied with the publications about the laws and other legislative material applied in Kosovo, considering the fact that three out of four respondents (77.2%) stated they are fairly satisfied with the available publications.

§ The respondents previously found to receive some of the existing publications, estimate the content of the publication is most important in selecting the publication they would order or purchase for their professional needs (83.2%).

§ With regard to satisfaction with particular characteristics of the available publications, the respondents said they are most satisfied with the content of the publication, which was a response of 58.4% of respondents.

§ Asked about what characteristic of the publication they are the least satisfied with, most of respondents decided it was the content of the publication (28.7%).

§ Great majority of respondents (98.5%) showed an interest in the publication that will update them with all the current laws and other legislative materials applied in Kosovo.

§ While almost two thirds of respondents (56.3%) stated they wish to receive this publication monthly, one fourth (25.6%) estimated it would be best if the publication was distributed quarterly.

§ 16.1% of respondents were not ready to allocate the money for such type of publications and said the publication should be distributed free of charge.

§ Somewhat less than two thirds (58.3%) of potential customers of the publication thought it would be the best if the publication was printed in the book form.

§ Over two thirds of respondents (69.3%) preferred hard bound cover of the publication.

§ Majority of respondents (71.9%) preferred Microsoft Word format.

- § Simplicity of use and being able to insert updates into the book are the characteristics the customers saw as of great importance, and out of offered characteristics of the publication, the respondents saw the simplicity in use as the most important one, and 48.2% of surveyed potential customers decided this was the prime characteristic.
- § With regard to the language of the publication about the laws and other legislative material applied in Kosovo, the respondents mainly agreed (82.9%) the material should be printed in other languages apart from Albanian.
- § With regard to the content of the publication, majority of respondents (69.8%) assessed that out of offered options, the best would be the one envisaging that the content of the publication be organized by subject matter.
- § Majority of the surveyed potential users of the publication agreed the content should include Laws adopted by the Kosovo Assembly and promulgated by SRSG (77.9%).
- § With regard to the fact that the publication should contain two kinds of indexes: a) index of the compilation content, and b) index for each volume, some three fourths of respondents found that both indexes would be either very useful or useful.
- § In terms of updates the publication should contain, 43.2% of respondents said they would like to receive only the changed laws, whereas something over half of respondents (52.3%) thought they should receive entirely new set of complete laws.
- § The publication should be distributed by mail, a stance backed by 59.3% of respondents. Something less than one third of respondents (29.1%) said they preferred the publication to be distributed by In-person pickup. Almost each tenth respondent said he or she would like the publication to be distributed by car delivery.
- § With regard to subscription for the publication of their interest, almost three fourths of respondents (72.4%) said they would like to subscribe to the publication.

5. Results

5.1. Description of the sample for the quantitative part of the research

Table 01. Description of the sample

		Frequency	Percent
GENDER	Male	152	75%
	Female	50	25%
AGE	< 35	49	25%
	36 - 50	79	40%
	51 >	71	36%
EMPLOYMENT STATUS	Employed	195	97%
	Unemployed	7	3%
EDUCATION	Secondary school	7	3%
	University/College uncompleted	11	5%
	College completed	9	4%
	University completed	151	75%
	Master/PhD	21	10%
	No answer	3	1%
ETHNIC GROUP	Albanian	194	96%
	Other	8	4%

202 respondents took part in the research. As you can see from the table (see Table 1.), the gender structure of the sample was uneven and three fourths of the sample were made of male respondents. Furthermore, 40% of the sample were the respondents aged from 36 to 50, and one fourth of the sample were respondents aged under 36, and 36% of respondents were aged above 50. With regard to the sample composition and the respondents' profession, we could expect that majority of the respondents would be employed. So we can see that 97% of respondents were employed while the remainder of the sample was mainly made of students. With regard to the educational structure of the sample, 75% of respondents had the University completed, 10 % held Master/PhD while

the remainder of the sample had the secondary school or college completed or were still engaged in the education process. In line with the sample plan, most of the respondents were ethnic Albanians (96%) while the remainder 4% belonged to minority ethnic groups.

Furthermore, it is obvious that there were most lawyers among the respondents (38%). The remainder of the sample, with the regard to profession of respondents, is shown in the table (see Table 2.). The respondents employed with some of the courts were asked what type of court they work with. As we can see 38% of the surveyed court employees are employed at the Municipal court. 29% of the surveyed respondents are employed at the District court, while the structure of the remainder of the sample is shown in the table.

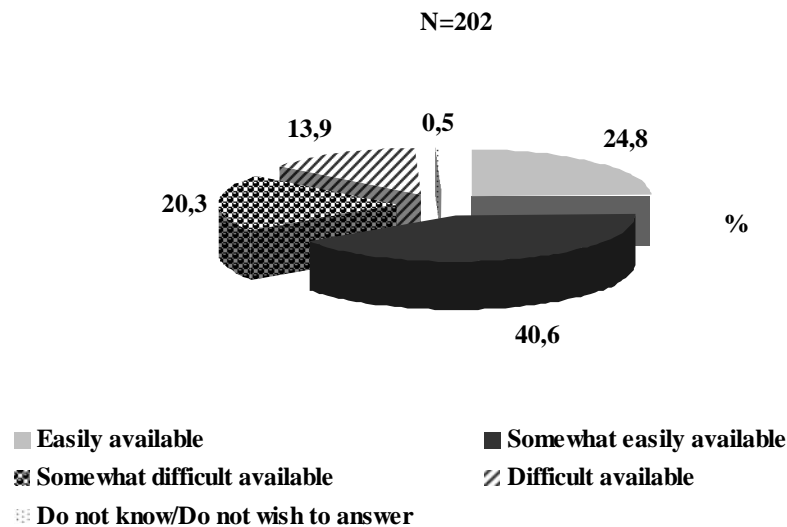
Table 02. Description of the sample

		Frequency	Percent
PROFESSION	Lawyer	76	38%
	Court judge	29	14%
	Court staff	37	18%
	Jurist	12	6%
	Law faculty staff	6	3%
	Law faculty student	5	2%
	Government staff	12	6%
	Local NGO staff	12	6%
	International NGO staff	12	6%
	Other	1	0%
TYPE OF COURT (N=65)	Supreme court	3	5%
	High court for minor offences	3	5%
	Commercial court	7	11%
	District court	19	29%
	Minor offences court	8	12%
	Municipal court	25	38%

5.2. Current availability of publications about the laws and other legislative material applied in Kosovo and satisfaction of the customers

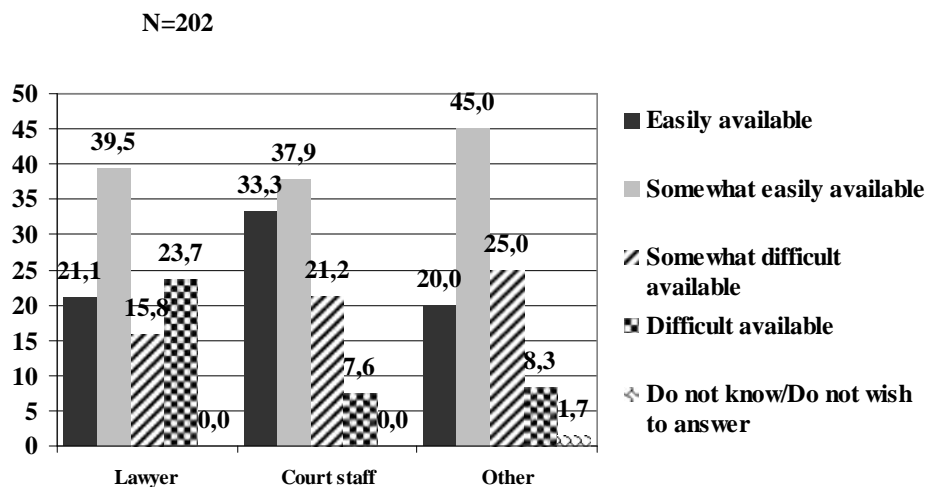
The first questions for the respondents taking part in quantitative part of the research related to the assessment of the current availability of information in general with regard to laws applied in Kosovo. Somewhat over half of respondents said that information on laws applied in Kosovo were available, as it can be also concluded based on the results shown graphically (See Graph 01.). It is obvious that 40.6% out of total number of respondents thought that information on laws applied in Kosovo is somewhat easily available, while 24.8% estimate it is easily available. Furthermore something less than half of the surveyed thought the information is not available. Even 20.3% of the surveyed members of the population of potential customers of printed publication said the information on laws applied in Kosovo is sometimes difficult to obtain and 13.9% said it is hardly available.

Graph 01. Would you say that the information about the laws applied in Kosovo is available?



By further analysis we tried to determine if there are differences among members of different professional groups who took part in this research. Analysis showed that there is a statistically significant difference between the answers given by lawyers and others¹ (see Graph 02.). As it can be seen, there are significantly more lawyers (23.7%), in relation to Court Staff (7.6%) and other respondents (8.3%), estimating that information on laws applied in Kosovo is difficult to obtain.

Graph 02. Would you say that the information about the laws applied in Kosovo is available? (Comparison between lawyers, Court staff and others)



Speaking about the availability of material about the laws applied in Kosovo, respondents participated in the qualitative part of the research mainly estimate that material about these topics is more or less available to members of those professions that use such kind of material. Still, it seems that potential customers of the printed publications about the laws applied in Kosovo often have to use some other, unofficial sources of information about the laws applied in Kosovo and legal issues. One respondent mentioned that members of those professions, who use material about laws and legal issues for their professional purposes, although with some difficulties, mainly handle the procurement of the abovementioned material. Despite the fact there is a scarce offer of publications about

¹ Group of respondents “Others” is consisted of respondents of following professions: Jurist, Law Faculty staff, Law Faculty Library Staff, Law Faculty Student, Government Staff, Local Non-Government Organization Staff, International Non-Government Organization Staff.

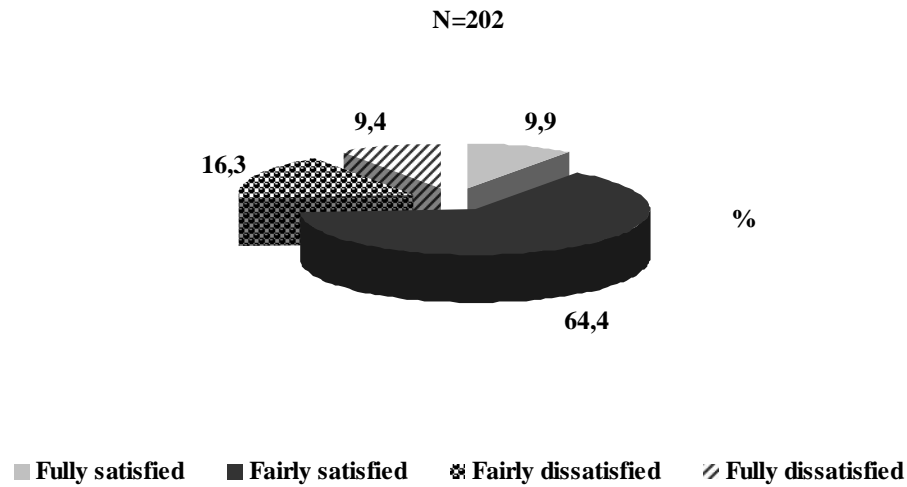
legal issues in Kosovo, as well as the availability these materials, we can assume that a professional who uses such material for his or her needs will in a way get used to the existing conditions, and still manage to find required data in such conditions. On the other side, we presume that citizens do not have sufficient access to information about the laws applied in Kosovo.

As for the laws that are in power in Kosova, I think that more or less are accessed.
(Lawyer, Gjilan)

I think that who has to do with laws it is not so hard to be informed about laws, but citizens are those who has difficulties to be informed and to have access on applicable laws in Kosova. (District Court Staff, Prishtina)

Furthermore we were interested in seeing in what measure the respondents, potential customers of publications about the laws applied in Kosovo, are satisfied with the availability of the laws and other legislative material applied in Kosovo. In line with previous answers, almost two thirds (64.4%) of all respondents surveyed within the research said they are fairly satisfied with availability of the laws and other legislative material applied in Kosovo (see Graph 03.). Although the given results speak in favor assumption that the respondents are mainly satisfied with the availability of the laws and other legislative material applied in Kosovo, it is obvious that only 9.4% of respondents said they are fully dissatisfied with the availability of the laws and other legislative material applied in Kosovo.

Graph 03. To which extent are you satisfied with the availability of the laws and other legislative material applied in Kosovo?



Base on described results we can conclude the availability of information and of the laws and other legislative material applied in Kosovo is not at a satisfactory level and that there is a significant number of those respondents among the surveyed ones who gave a negative judgment about the current availability of the laws and other legislative material applied in Kosovo.

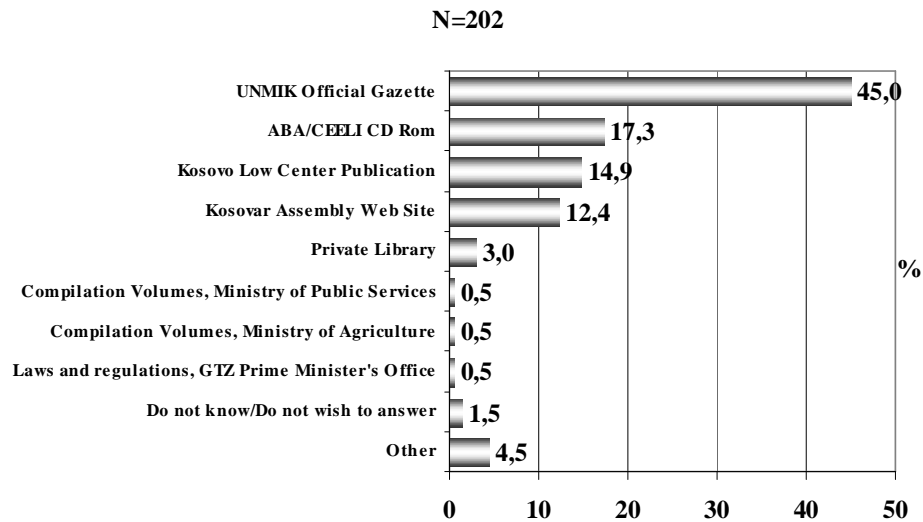
5.3. Experiences of the customers of the available publications about the laws and other legislative material applied in Kosovo

5.3.1. Available source of information about the laws and other legislative material applied in Kosovo

We were interested in seeing what experiences the potential customers of printed publications about the laws applied in Kosovo had. With regard to the fact that research encompassed respondents who for the sake of their profession have to use some of the available information sources about the laws and other legislative material applied in Kosovo, we asked them about their primary and secondary sources of information. To the question about the primary source of information about the laws and other legislative material applied in Kosovo, the most frequent answer was the UNMIK Official Gazette, which was listed as the primary source of information by 45% of respondents. It was

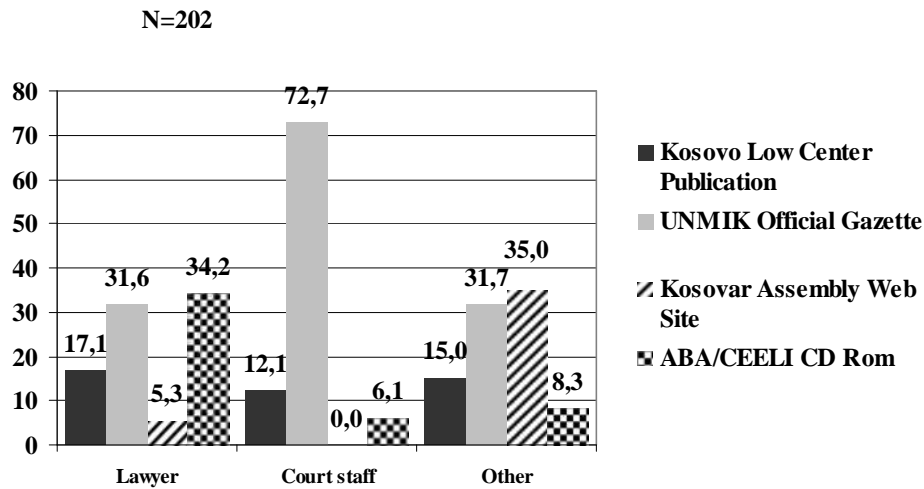
followed by the ABA/CEELI CD Rom (17.3%), the Kosovo Law Centre Publication (14.9%), and the Kosovo Assembly Web Site (12.4%). The other, less frequent answers are shown graphically (see Graph 04.).

Graph 04. What is the primary source of information about the laws and other legislative material applied in Kosovo?



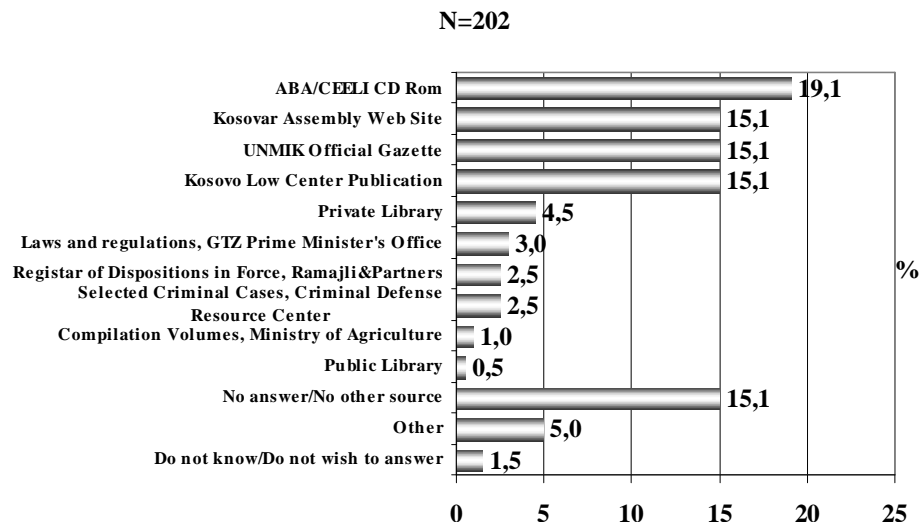
Further analysis was focused on testing the difference among particular groups of respondents. Taking into account the primary information sources which stick out by their frequencies, it is obvious there is some difference between the respondents of different professions (see Graph 05.). So the UNMIK Official Gazette is more used by the Court Staff (72.7%), in relation to Layers (31.6%) and Others (31.7%), while the Kosovo Assembly Web Site is little or not at all used by Layers and Court Staff. With regard to Layers, most of them (34.2%) listed the ABA/CEELI CD Rom as the primary information source. At the same time, this source is significantly more used by Layers in relation to other respondents.

Graph 05. What is the primary source of information about the laws and other legislative material applied in Kosovo? (Comparison between layers, Court staff and others)



With regard to the secondary source of information about the laws and other legislative material applied in Kosovo, the ABA/CEELI CD Rom topped the list (19.1%), and was followed by the Kosovo Assembly Web Site, UNMIK Official Gazette and Kosovo Law Centre Publication with 15.1% respectively (see Graph 06).

Graph 06. What is your second source?



Speaking about the publications the respondents who participated in the qualitative part of the research said to receive regularly, we again have an impression that

“UNMIK’s”Official Newspaper” publication is used by most respondents. It is important to underline that results of qualitative research also indicate that this publication is in the use most. Apart from that, it also seems that CD’s of ABA/CEELI publication is among those that are widely in use among professionals who deal with the law. It is important to stress that there were some respondents who said they have no regular source of information they use for their professional needs or that they use some of the mentioned publications, but they do not receive it regularly.

We receive regularly UNMIK ”Official Newspaper” and some other publication of Abbaçel in CD, in which are included a lot of laws and regulations. (District Court Staff, Prishtina)

There is no publication that regularly comes in my office. I am interested by myself for all publications like UNMIK”Official Newspaper” etc. (Lawyer, Suhareka)

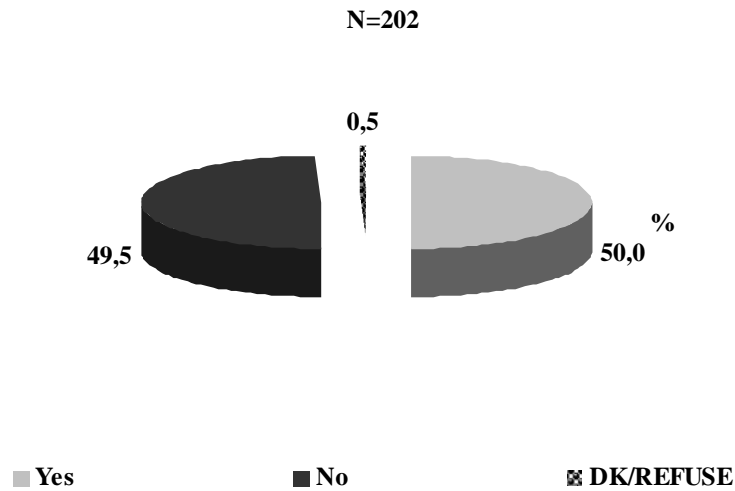
I do not receive any kind of publication that arrives to me in office. Usually there are some CD’s of ABA/CEELI but even for them, we have to find them. (Lawyer, Gjilan)

For Official Newspaper I am not sure when we receive them because they are not so regular but CD’s of ABA/CEELI, we received it before but recently we did not receive any. (District Court Staff, Prishtina)

I do not receive any kind of material that comes regularly; mostly I am informed by my own. I find by my own both Publications, UNMIK”Official Newspaper “and for other publications that a lawyer needs. (Lawyer, Mitrovica)

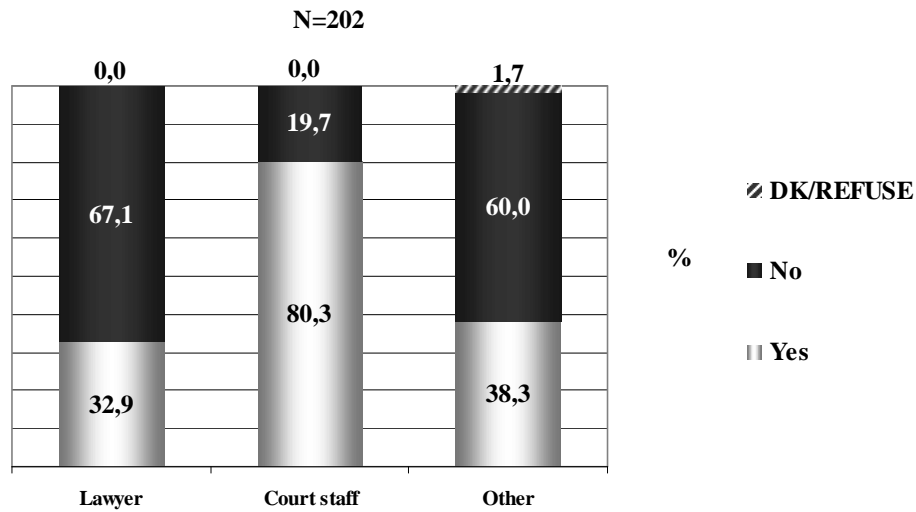
Asked in they receive regularly some sort of publication about the laws and other legislative material applied in Kosovo, exactly a half of respondents gave a positive answer (see Graph 07.).

Graph 07. Do you regularly receive some kind of publication about the laws and other legislative material applied in Kosovo?



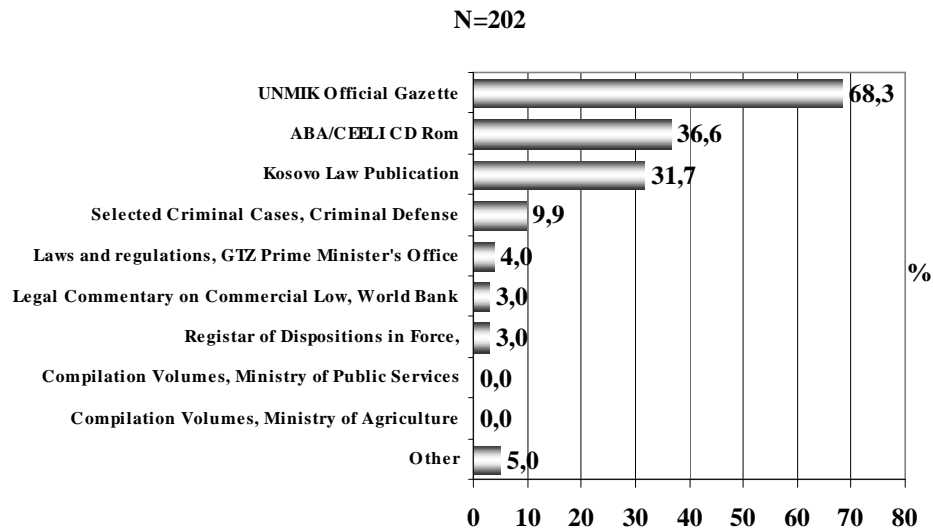
It was determined that there is a statistically significant difference between the particular groups of respondents and with regard to their profession. As the graph below shows (see Graph 08.), statistically larger number of the Court Staff respondents (80.3%), in relation to Layers (32.9%) and Others (38.3%) receive regularly some kind of publication about the laws and other legislative material applied in Kosovo.

Graph 08. Do you regularly receive some kind of publication about the laws and other legislative material applied in Kosovo? (Comparison between layers, Court staff and others)



Majority of respondents who receive regularly some kind of publication about the laws and other legislative material applied in Kosovo said they receive UNMIK Official Gazette (68.3%). It is followed by the ABA/CEELI CD Rom (36.6%), Kosovo Law Centre Publication (31.7%), and other publications (see Graph 09.). With regard to the sample size (N=101), it was not possible to carry out an analysis of results for different categories of respondents.

Graph 09. What kind of publication about the laws and other legislative material applied in Kosovo do you receive?



In general, it can be concluded that there is no standard system of delivery of publications about the laws applied in Kosovo, through which the interested customers could get hold of required material about legal issues. So it does not surprise that a significant number of our respondents (participated in the qualitative part of the research) apart from official, also use additional sources of information about the laws applied in Kosovo. So we can see that respondents for their professional needs often use private libraries, legal literature they collected through the years of professional work and the Internet.

Also I use my private library, in which I have a lot of different materials that I gathered for years. (District Court Staff, Prishtina)

Usually I am interested for laws by myself, because there is no any publication where we can find all materials that are altogether. (Lawyer, Prishtina)

I do not receive any kind of publication but I always need to look by myself for gathering literature. I would like very much that this publication that will be published, to have an effective system of delivery, and not lawyers to look after these publications by themselves. (Lawyer, Prishtina)

I often use my private library to inform with laws. (District Court Staff, Prishtina)

The respondents who said they receive regularly some kind of publication about the laws and other legislative material applied in Kosovo were asked how often they receive these publications. The analysis of results was carried out for three publications found to be used most. The table shows (see Table 03.) that majority of respondents who use the

UNMIK Official Gazette; receive this publication monthly (37.7%) and quarterly (30.4%). With regard to the ABA/CEELI CD Rom publication said to be used by 37 respondents, some one third of respondents said they receive this publication yearly (32.4%), and than quarterly (27%). With respect to the Kosovo Low Centre Publication, said to be regularly received by 32 respondents, the distribution of results showed that this publication has no usual frequency of distribution to the customers.

Table 03. How often do you receive publications about the laws and other legislative material applied in Kosovo?

	UNMIK Official Gazette (N=69)	ABA/CEELI, CD Rom (N=37)	Kosovo Low Center Publication (N=32)
Monthly	37.7%	16.2%	25.0%
Quarterly	30.4%	27.0%	21.9%
Yearly	4.3%	32.4%	21.9%
Other	11.6%	16.2%	18.8%
DK/REFUSE	15.9%	8.1%	12.5%

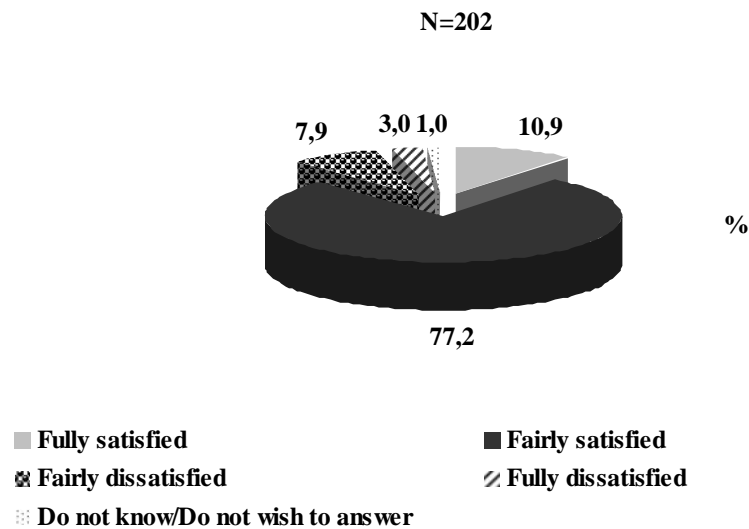
We were further interested in seeing what amount of money potential customers of printed publication about the laws and other legislative material applied in Kosovo would allocate for the currently available publications previously found to be in use most. Based on the results (see Table 04.) we can see that most of publications for majority of respondents are free of charge, and the maximum amount of money the customers of publication allocate for this purpose does not exceed 10 Euros.

Table 04. How much do you pay for this publication?

	UNMIK Official Gazette N=69)	ABA/CEELI, CD Rom (N=37)	Kosovo Low Center Publication (N=32)
It is free of charge	82.6%	94.6%	87.5%
Less than 5 Euros	7.2%	0.0%	3.1%
Between 5 and 10 Euros	2.9%	0.0%	6.3%
Between 10 and 15 Euros	0.0%	0.0%	0.0%
More than 15 Euros	0.0%	0.0%	0.0%
DK/REFUSE	7.2%	5.4%	3.1%

Customers of available publications about the laws and other legislative material applied in Kosovo were asked to which extent they are satisfied with the available publications. The customers are mainly satisfied with the publications about the laws and other legislative material applied in Kosovo, as three out of four respondents (77.2%) said they are fairly satisfied with the available publications (see Graph 10.). Almost one fifth of respondents (18.8%) said however they are more or less dissatisfied with the available publications about the laws and other legislative material applied in Kosovo.

Graph 10. To which extent are you satisfied with the publications about the laws and other legislative material applied in Kosovo that you receive?



Respondents participated in the qualitative part of the research who receive regularly some of the existing publications about the laws applied in Kosovo are mainly dissatisfied with what those publications offer. So we can see that complaints of our respondents mainly related to the content, as well as the format of the publication. Speaking about the content of the publication, respondents underline they are not satisfied with this characteristic of the publication and with the fact that it does not meet their professional needs, without elaborating these shortages. They also pointed out the problem of grammatical errors in these publications. With regard to the type of matter these publications deal with, grammatical errors and typing errors could easily change the meaning of the written text, so the respondents who took part in the research thought such shortage should be avoided in the creation of publication of this kind..

I am very disappointed even with the content of this publication the way how they publish it and with its cover too. (District Court Staff, Prishtina)

The content of this kind of newspapers very often have a lot of grammatical mistakes, because we know that even daily newspaper has a lot of grammatical mistakes. (Law Faculty Staff, Prishtina)

I want to stress out one other very big problem according to National Newspaper that is published. Normally the publications that are published from Institutions should not have mistakes in grammar or in its content and the UNMIK "National Newspaper" have both of them. Therefore I think that officials should be careful when they publish legal material

because with just one word the all sentence will change the content and we will have negative result in society. (Lawyer, Suhareka)

When we speak for the content then we have to do with a very complicated topic, with the content of the laws I speak as legal expert, I am not satisfied at all. (Lawyer, Mitrovica)

As for the content of these publications I would say that I am not so satisfied. They could be better and I hope that in the nearest future the situation will be changed. (Prosecutor, Prizren)

Respondents pointed out a very specific problem in terms of publications with such content. Sometimes it happens that the content of the publication, which primarily refers to UNMIK's "Official Newspaper", is not sufficiently understandable to customers, which is explained through inadequate translations. Respondents presume the above mention is a result of engagement of unskilled translators who are not familiar with the legal terminology. Inadequate translation could completely change the sense and the meaning of the material, making it unusable for customers. Also, the use of such materials requires additional engagement of customers to check it up and eventually to correct the translation.. So respondents who took part in this research stress that translation should be done exclusively by translators who are quite familiar with legal topics and terminology.

I need to point it out that on these publications are a lot of mistakes. Because for understanding a law you need to read too much and in the end it may happens that you will not understand nothing. I think that the problem are Translators that does not know how to translate laws, and does not know the legal terminology. In general I think that translating of the laws is very bad. (Lawyer, Gjilan)

I would like to stop a little bit in the translation of these official publications. All the translations are very bad. You can see that in Criminal Code of Kosova and Procedural Criminal Code of Kosova is translated by three of four translators because for same words they used different terms. (Lawyer, Prishtina)

First of all as for "Official Newspaper" what I don't like is translation because if we compare it with English version and Albanian version we will find that there are a lot of mistakes because the translators that translates as far as I know they have nothing to do with laws and legal issues. (District Court Staff, Prishtina)

Speaking of distribution of publications about the laws applied in Kosovo, respondents evaluate the situation was not satisfactory. Although there were some respondents who said they receive some of the publications regularly, the biggest number of respondents pointed out that the way the publications are distributed to customers is not reliable. So respondents said they cannot rely on the publication distribution and delivery system,

which again mainly refers to the UNMIK's "Official Newspaper" publication. It often happens that delivery of the publication is late in relation to what is expected and in relation to customers' needs. Also, the institutions that have the regular distribution of publications, sometimes does not receive a sufficient number of copies in relation to the number of customers. Still, we can notice that some customers are satisfied with the distribution, which leads to an assumption that the issue of registering the publication customers and publication distribution is not systemically solved..

Usually I am informed with applicable laws in Kosovo from UNMIK "Official Newspaper". The delivery system is so weak, because they do not have any kind of a coordinated system of delivering. (Lawyer, Suhareka)

When we speak about applicable laws, since I am registered in Kosovo Chamber of Advocates when I paid 560 Euro, I was promised that they will deliver the materials needed, but now after three months I did not receive any kind of publication from Kosovo Chamber of Advocates. (Lawyer, Mitrovica)

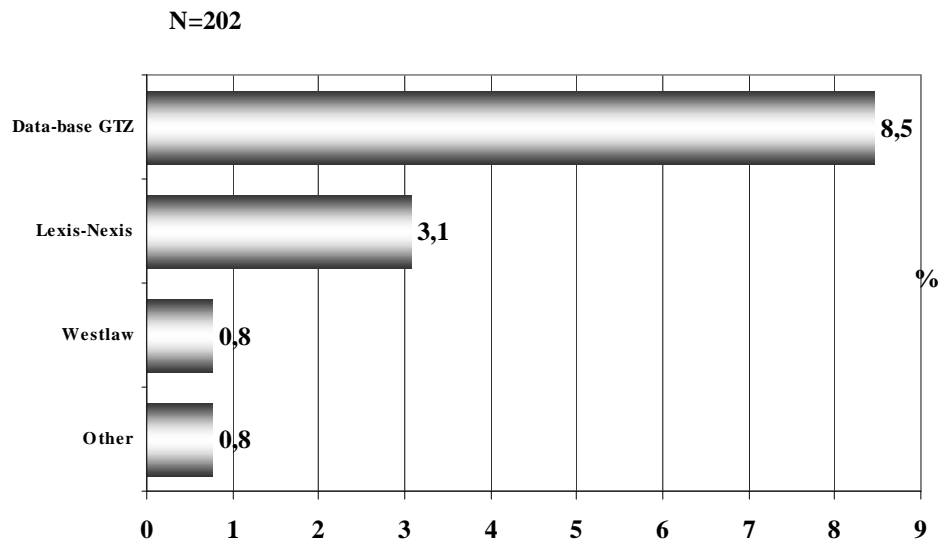
The official publication usually is delivered by Post Office, but in a lot of cases they come in enough copies. We need to have into the consideration the number of copies, for instance in Prizren District Prosecutorial office we are 7 prosecutors and in the publication will be good if will come in same number. (Prosecutor, Prizren)

All the publications we receive in time. Usually when they arrive here in District Court of Peja, The Administrator delivers us in time. This is why I am satisfied with delivery. (Judge, Peja)

Now we have the "Official Notebook" which was very helpful but they did not start yet selling it and we can not buy it. Would be good that they will offer people who work with laws and which use the "Notebook" in practice. I asked in many places like Law Faculty, Judicial Institute, in Kosovo Judges Association and they could not provide me with "notebook". (Lawyer, Prishtina)

We were further interested if the respondents subscribe to, or pay any online legal databases. As we can see (see Graph 11.), a very small number of respondents said they use such kind of publications. Among the offered online publications, Data base GTZ sticks out and 8.5% of respondents said they are subscribed to this publication or they buy it.

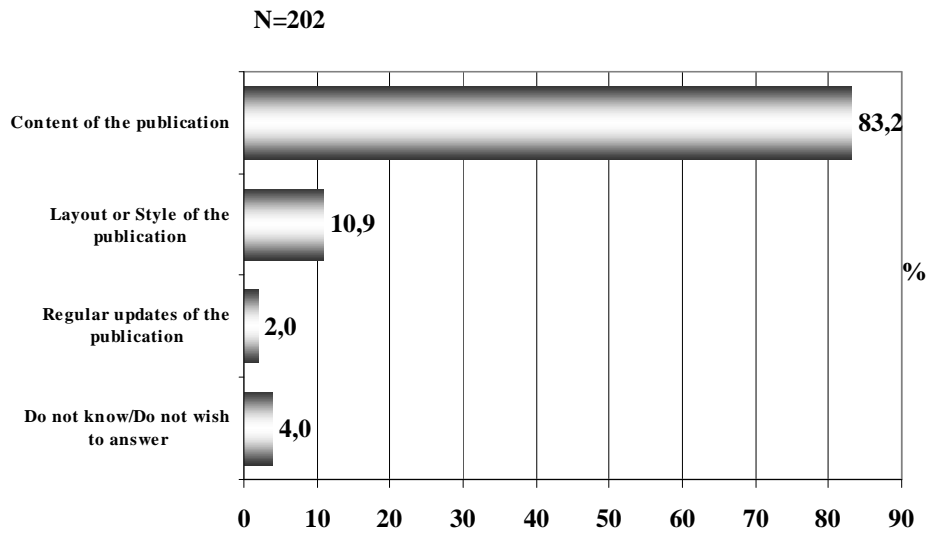
Graph 11. Do you subscribe to, or pay, any online legal databases, such as...?



5.3.2. *Important characteristics of the available publications about the laws and other legislative material applied in Kosovo*

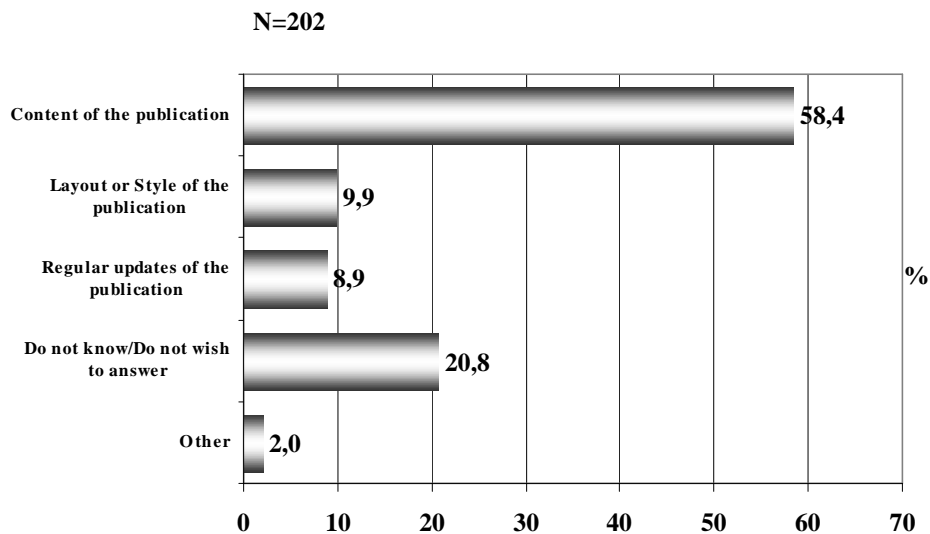
In frame of analysis of the quality of the available publications about the laws and other legislative material applied in Kosovo, we were interested in what way the respondents evaluate certain characteristics of the publications and what importance they give to certain characteristics when selecting the publication. In relation to the above mentioned, the first question we asked the respondents was to define what characteristic among the offered options was the most important in the selection of the publication they receive or purchase. As you can see (see Graph 12.) the respondents found previously to be receiving some of the available publications estimate that the content of the publication was the most important characteristic in the selection of the publication they would order or purchase for their professional needs. 83.2% of respondents showed this stance. A lesser number of respondents stated that the layout or the style of the publication was the most important characteristic for purchasing or ordering the publication about the laws and other legislative material applied in Kosovo (10.9%), and regular updates of the publication (2%).

Graph 12. When you (your office) select publications to receive or purchase, what is the most important characteristic?



With regard to the satisfaction with certain characteristics of the publications they use, the respondents said they are most satisfied with the content of the publication, the answer given by 58.4% of respondents (see Graph 13.). It is followed by the layout or style of the publication (9.9%), and regular update of the publication (8.9%).

Graph 13. Of the Kosovo legal publications you receive, with what characteristics is your office most satisfied?

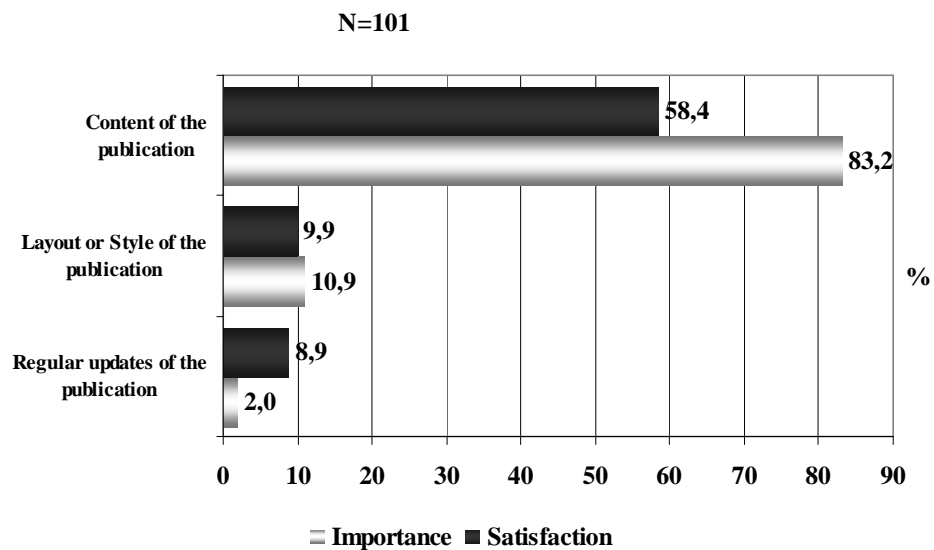


If we compare the needs potential customers have with regard to certain characteristics, described through the evaluation of the importance of characteristics, with the evaluation

of satisfaction with those characteristics, we will see there is a significant discrepancy with regard to the characteristic – the content of the publication. We can see (see Graph 14.) that the level of satisfaction with this characteristic of publications in use is statistically lower from the importance the respondents give to the same characteristic when selecting the publication.

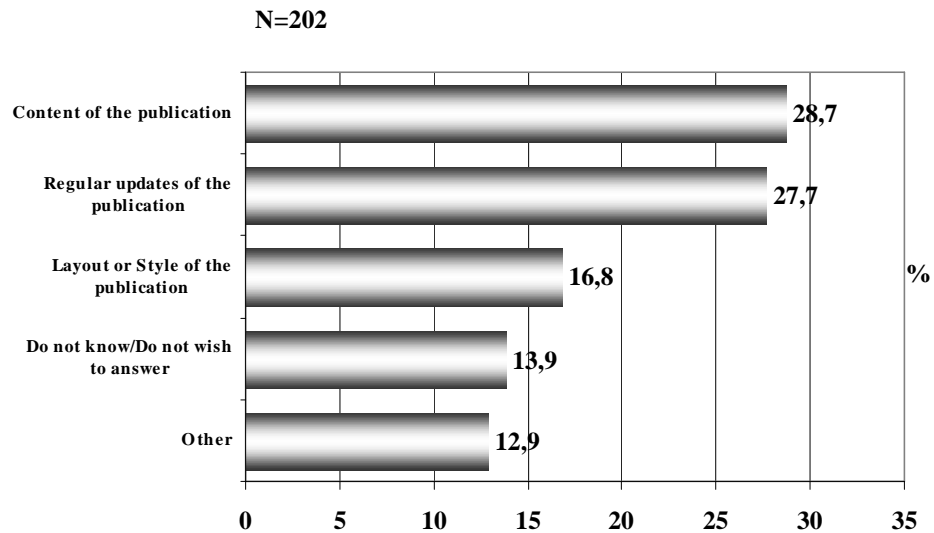
This can serve as the basis for the conclusion that there are publications which do not satisfy the needs of customers. We can also note that the content of the publication, found as the most important characteristic of the publication, is at the same time the characteristic that could be further improved in order to provide the customers the service which will fully meet their needs and demands.

Graph 14. When you (your office) select publications to receive or purchase, what is the most important characteristic / Of the Kosovo legal publications you receive, with what characteristics is your office most satisfied?



Answers to the following question confirm previous findings. In fact, asked what characteristic of the publication you receive are you least satisfied with, most respondents said it was the content of the publication (28.7%). It is followed by other answers (see Graph 15.), among which the characteristic of regular update of the publication, 27.7% of surveyed customers of the available publications said they are least satisfied with.

Graph 15. Of the Kosovo legal publications you receive, with what characteristics is your office least satisfied?

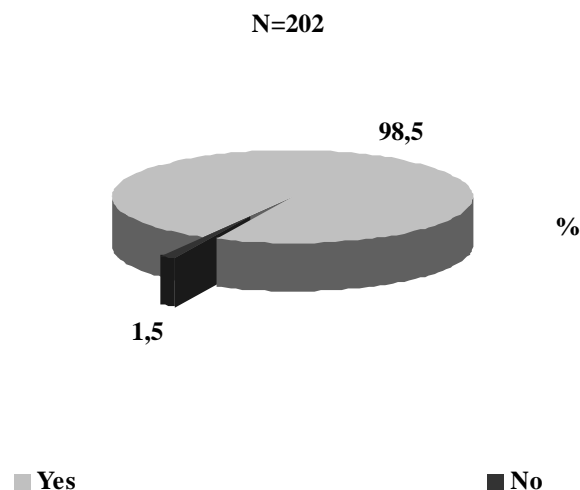


5.4. Needs of the potential customers of the publications about the laws and other legislative material applied in Kosovo

5.4.1. Interest in printed publication about the laws and other legislative material applied in Kosovo

In the continuation we elaborate the evaluation of customers' needs. Respondents were primarily asked to suppose that there is a publication that will update them with all the current laws and other legislative materials applied in Kosovo. The respondents were then asked if they wish to regularly receive this publication. As we can see (see Graph 16.) great majority of respondents (98.5%) showed the interest in such kind of publications. Regardless of their profession respondents answered this question positively.

Graph 16. Would you like to regularly receive this publication?



In accordance with previous findings which imply that availability and quality of publications about the laws applied in Kosovo is at a low level, we could presume that respondents participated in the qualitative part of the research, potential customers of printed publication will show an interest in a publication that would completely meet their needs for information related to their profession. It is unquestionable that there is a

space in the market of publications of such kind in Kosovo that would provide access to all demanded information about the laws applied in Kosovo to its potential users.

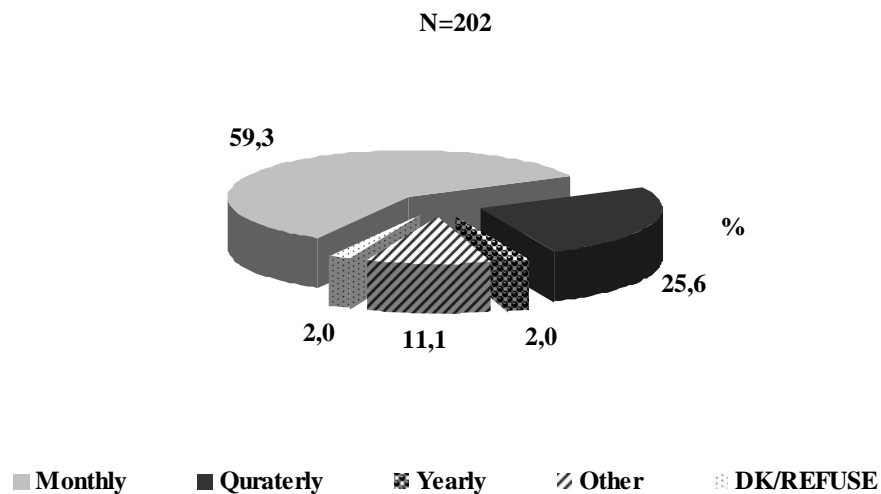
I believe in this publication very much and I think that this publication will have positive effects. But the problem here is how to offer this publication to the people that need it. (Lawyer, Suhareka)

I think that publication of the legal material is a great idea. It is a technical issue how is going to be the publication or how will look like, or the volume that will have etc. (Lawyer, Mitrovica)

First of all I hope that this kind of publication will be more in a complete way and its content will have more material because just the idea to find all that we “court staff” need in one publication makes you feel great. (Even thought that this is impossible) (District Court Staff, Prishtina)

Talking further about the publication of their interest, almost two thirds of respondents (56.3%) said they would like to receive this publication monthly. Some one fourth (25.6%) of respondents said they would preferred the publication was distributed quarterly (see Graph 17.).

Graph 17. How frequent would you prefer to receive this publication?

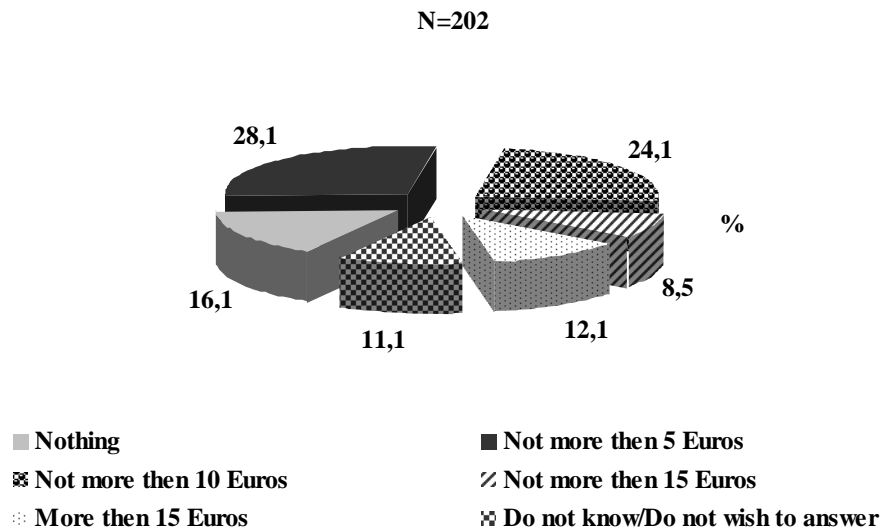


5.4.2. Price of the publication

With regard to the price of the publications, the opinions of potential customers were quite split. As you can see (see Graph 18.) 16.1% of respondents were not ready to allocate the money for such kind of publication and thought it should be distributed free of charge. Among the respondents who thought the publication is worth paying for, one half of them would be ready to pay not more then 5 Euros (28.1%) and not more then 10 Euros (24.1%). Even 12.1% of respondents said they would be ready to pay over 15 Euros.

If we take into to account that majority of respondents receive the currently available publications free of charge, it is a bit surprising that a significantly small number of them would be ready to allocate the money for such kind of publication. The above mentioned could be justified by the identified dissatisfaction with the currently available publications.

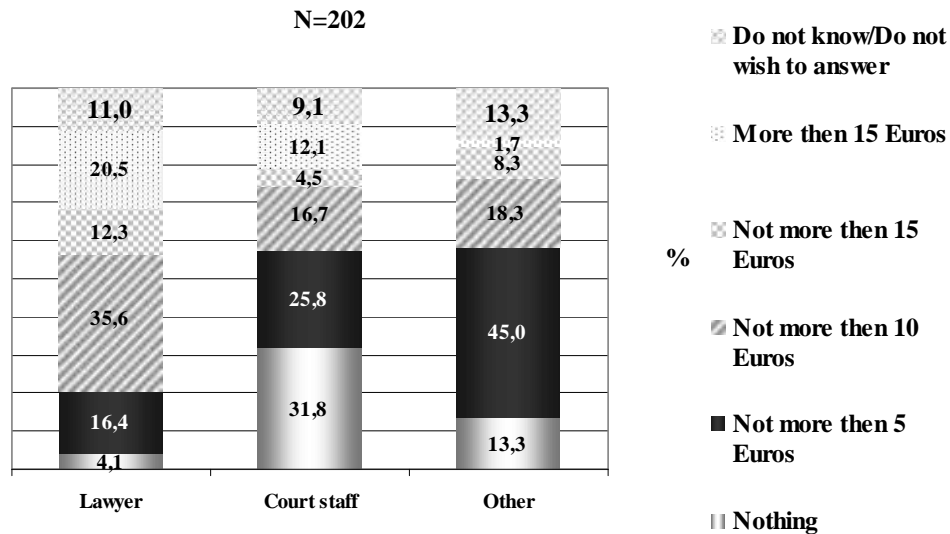
Graph 18. How much would you be willing to pay for this publication?



Further analysis shoed the existence of the inter-group differences with regard to the profession of respondents. So we can see (see Graph 19) that significantly statistically larger number of respondents from the category “others” (45%), in relation to layers

(16.4%), and Court staff (31.8%) said they would be willing to pay not more than 5 Euros for the publication.

Graph 19. How much would you be willing to pay for this publication? (Comparison between layers, Court staff and others)



With regard to the price of the publication about the laws applied in Kosovo, the opinions of respondents who took part in the qualitative research varied a lot. On one side, some respondents thought that if the publication really meets their professional needs, it would be worth of allocating the money for that purpose. Even those respondents, who pointed out the unfavorable financial status of the Kosovo population in general, said they were ready to pay some reasonable amount for the publication about the laws applied in Kosovo.

I often pay for the publications that I usually receive, and normally that I will pay for this publication too but just with one condition that this new publication will be more practice in use. (Lawyer, Suhareka)

As for money I think that there is no problem, because I like to gather different materials that I need, and if this publication has good materials, then I will pay for it without problem. This is more technical thing. (Lawyer, Mitrovica)

Even though I take a minimal salary together with my colleagues I am able to pay. (Judge, Peja)

For the publications that we receive I am not so inform rather we pay anything, but I think that they are for free and for me personally will not be any problem to pay because I like very much to have all the literature that is related with my work. (District Court Staff, Prishtina)

But we need to have into consideration that the price must be reasonable because of the hard economic situation in Kosova. (Lawyer, Gjilan)

On the other side, there were respondents who said they were not ready to set aside money for the publication, explaining the attitude by difficult financial position they are at. Also, it seems that professionals who could use the publication about the laws applied in Kosovo for the purpose of their business activities thought that institutions, organizations or companies should provide for, or buy the publication and that it should not be an obligation of an individual. Let us remind you of the findings that we have got through the quantitative research. In fact, three fourths of respondents said they would be ready to pay for the publication that would cover information about the laws applied in Kosovo.

...I would say that because of our small salaries that we have, we won't be able to pay even one euro for this publications. (District Court Staff, Prishtina)

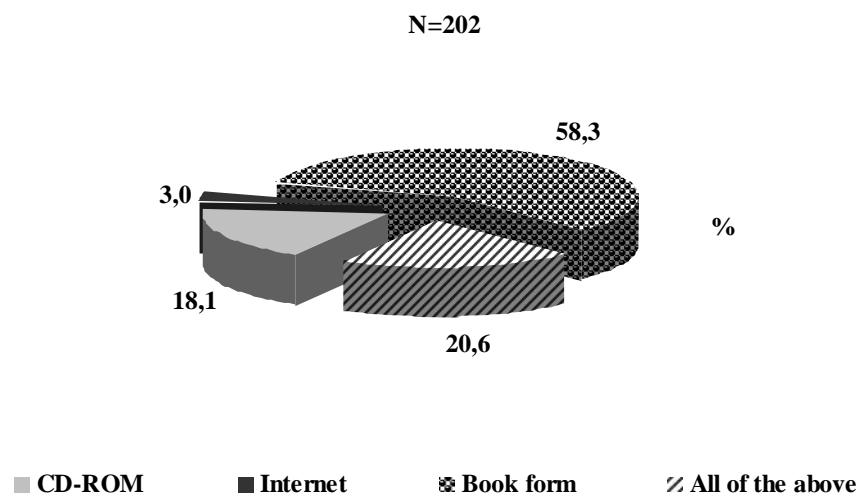
If the District Court will cover compensation I think that there is no problem at all, but if we will have to pay it individually, I think that personally I could not pay that price because if you compare our hard work that we do our salaries are very low. (District Court Staff, Prishtina)

Usually till now for these publications I did not pay, so they were for free, like "Official Newspaper", Kosovo Law Center publication, materials that were provided in seminars. May be I will pay a very small amount of money but I can not pay if price will be higher. (Lawyer, Prishtina)

5.4.3. Format of the publication

Foremost, we were interested what form of the publication is favorable for the respondents. Something less than two thirds (58.3%) of potential customers of the publication thought it would be best if the publication was printed in the book form (see Graph 20.). While a very small number of respondents (3%) showed an interest in the Internet form of publication, in average each fifth respondent (18.1%) estimates the publication should be made in CD-ROM form. One fifth of respondents (20.6%) said the most acceptable option would be the print out of the publication in all above mentioned forms.

Graph 20. What form would you like this publication to be in?



Speaking of the format of the publication the customers showed an interest in, most respondents participated in the qualitative part of the research also said they would like the publication about the laws applied in Kosovo to be in a book format. This traditional format of the publication is evaluated as the most appropriate and most practical. Still, respondents underline that such format of the publication would be of use if it met quality standards identified as important in the interview. This primarily refers to simplicity if use of the book or publication. On the other side, there were some respondents who went for the CD format of the publication which was in this case seen as simple, practical, perceivable and long term source of information about the laws applied in Kosovo. As a positive example there is the “CD of ABA/CEELI”, for which the customers said is designed in a proper manner, and represents a model which could be taken into account in the design of a new publication. Some respondents preferred preparation of the publication in several different formats, primarily book format and than CD format. It is important to stress that book format was estimated as the most desirable even in the quantitative research.

One book would be good if it is easy to use it and not complicated. (Lawyer, Suhareka)

I would prefer this publication like Book. (Lawyer, Gjilan)

Firstly the book has to be practice in use, easy to use it, not to be a book that you can not understand it. (Lawyer, Mitrovica)

That publication it would be good to be as Book, because books you can take when ever you want. It's easy to use. (Judge, Peja)

Would be good that the publication to be also in CD, Internet and as a Book too. I personally prefer more the book. Because books are more practicable, from the beginning I am used more with books. (District Court Staff, Prishtina)

For me it is the same if it is book or CD. I mention before that now we are used with CD's of ABA/CEELI so there is no problem. (Lawyer, Prishtina)

If the publication will be in CD it is something different, for instance in this CD it happens very often are damaged and are not so sure. If they will be in CD would like to be as "CD of ABA/CEELI are. (Judge, Peja)

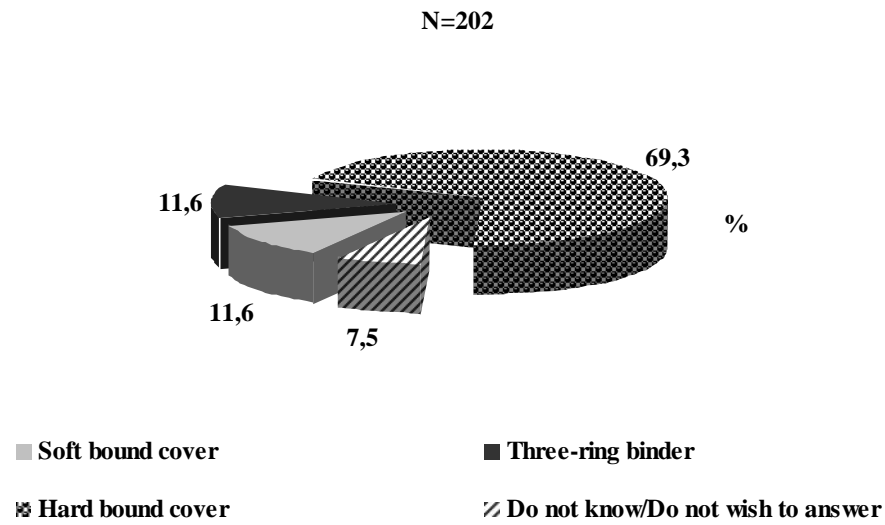
I want to stress out that I am satisfied with CD-ABA/CEELI because if they are in Electronic version you can use them very easy. And it is very easy when you have all the materials in one place and you do not need to read and look in different books. (District Court Staff, Prishtina)

I mention that publication on CD is more appropriate, but if I had a copy of the book will not be bad idea. Because in this condition that we live there are a lot of cases that we could not use the computer that's why I say that needs to be as a book too. (District Court Staff, Prishtina)

This publication it will be good to be published like book but and in electronic version also, because now we have all computers and it is not hard to use them. (Lawyer, Suhareka)

Speaking of the form of publication, the respondents were asked about the cover in which the publication should be printed out (see Graph 21.). More than two thirds of respondents (69.3%) preferred hard bound cover. 11.6% of respondents preferred the soft bound cover option and three-ring cover option respectively. 7.5% of respondents did not decide in favor this question.

Graph 21. Would you prefer it to be in hard cover or soft cover?



Lesser number of respondents participated in the qualitative part of the research mentioned the cover of the publication about the laws applied in Kosovo. Respondents who thought that publication should be in a book format, assess that quality of the cover should also be taken into consideration. As the publication would be constantly in use by customers, respondents evaluate that use of hard cover was more appropriate and would ensure longterm use of the publication. Besides the abovementioned, there were also some respondents who did not see this characteristic important and said that ensuring the high quality content of the publication should be especially taken into account.

It's good that you asked, and I would like to have hard cover and not like UNMIK Official Newspapers that after one month they are damaged and we can not use them, but we need again to photocopy them. For this reason would be very good if would be hard cover and why not look nicely. (District Court Staff, Prishtina)

As for the covers, I think that this is not so relevant because it is more important the content of the publication to be good. (District Court Staff, Prishtina)

Furthermore, out of all mentioned characteristics that we discussed about with respondents, it seems that simplicity is estimated as the most important. In fact, respondents stress that it is very important for the content of the publication to be organised in a simple manner, which will provide the best use of the publication to customers.

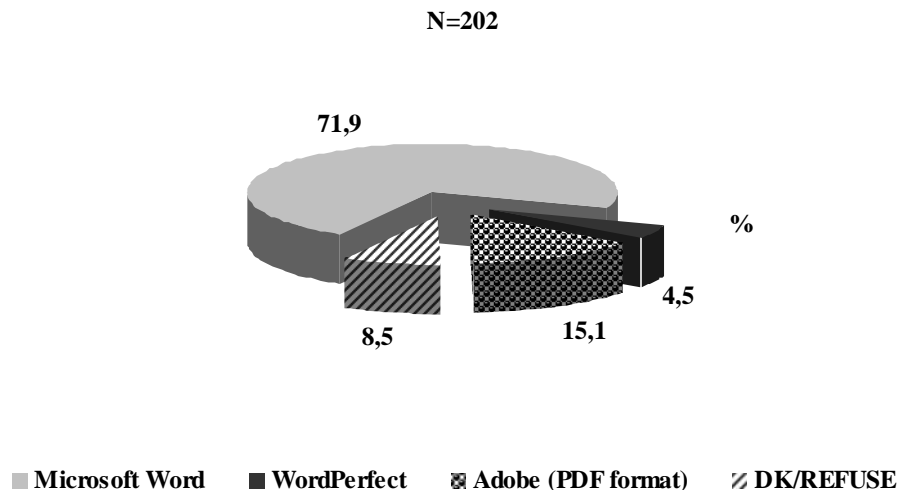
For one publication to be close to the reader needs first of all to be as easy as it can to use it. (District Court Staff, Prishtina)

I think that it is very important that this publication that will be published to include different materials that would be easy for courts, prosecutors and lawyers to use them in practice. (Lawyer, Prishtina)

It's well known that a book needs to be easy to use and as for the price it is not so important. (Prosecutor, Prizren)

We were further interest what electronic format would be most suitable to customers. We can see (see Graph 22.) that majority of respondents (71.9%) preferred Microsoft Word format; while lesser number of respondents thought that other, bellow listed electronic format should be used.

Graph 22. If these publications were available in electronic format, what is the best format for you (your office) to use them?



Speaking of the electronic format of the publication, respondents participated in the qualitative part of the research mainly preferred the use of Microsoft Word programmes. It seems that this programme for reading and text editing is in a wide use among the users of computers and is thus a programme whose use is familiar and close to most potential customers. Also, respondents in the qualitative part of the research thought that Adobe programme could be also used for this purpose disabling the changes of the written text, which is considering the matery involved, seen as important..

I personally do not have any problem with computer, so in every kind of program that will be published for me will not be any difficulties. Usually publications on internet are

published in Adobe, though since I don't have any problem to use a computer it's not an issue the software that they use to publish the publication in. (Law Faculty Staff, Prishtina)

I usually work in Word program, but I think that Adobe is more appropriate because you can not manipulate with the content of the laws. (District Court Staff, Prishtina)

If that will be in electronic version, for me would be very good, I would prefer Word program because I use this program more. (Lawyer, Prishtina)

I use Word program and I would like that this publication to be in Word program. (Lawyer, Suhareka)

And if is electronic version I will prefer Word because I know to use it better. (District Court Staff, Prishtina)

5.4.4. Favourable characteristics of the publication

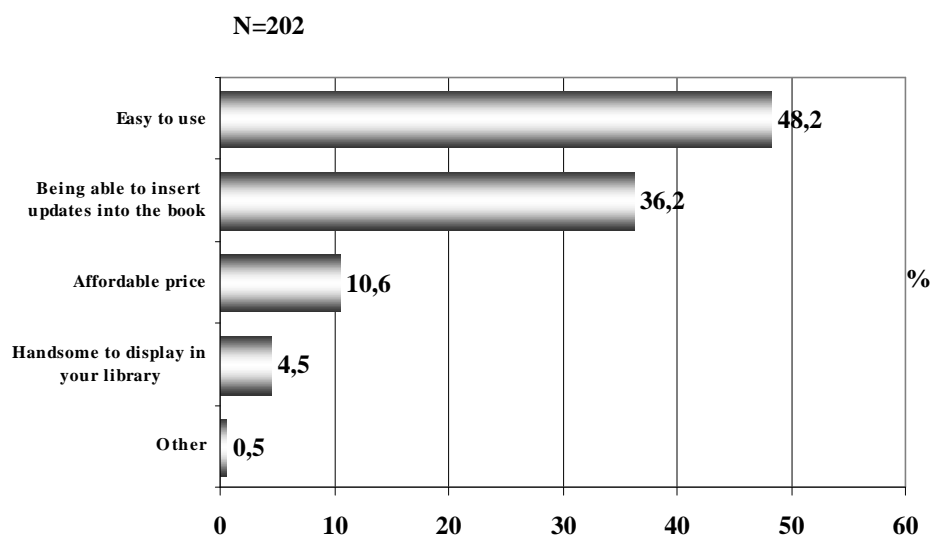
Speaking of printed publication most respondents showed an interest in, we were interested that importance the respondents give to certain characteristics of the publication. As we can see in the table (see Table 05.) the simplicity in use and being able to insert updates into the book are the characteristics the respondents saw as of great importance. So almost four fifths of respondents said the above mentioned characteristics would be the most important in case they use the publication. The price is a very important characteristic of the publication for more than a half of the potential customers (55.3%). Although 39.7% respondents said the style of the publication was unimportant, almost half of respondents saw this characteristic as important (17.1%), and somewhat important (26.1%).

Table 05. For you (your office) to purchase this publication, how important would be the following characteristic? (N=199)

	Being able to insert updates into the book	Handsome to display in your library	Affordable price	Easy to use
Very important	77.9%	17.1%	54.3%	78.9%
Somewhat important	9.0%	26.1%	23.6%	10.6%
Somewhat unimportant	7.0%	11.6%	15.1%	6.5%
Unimportant	3.0%	39.7%	5.0%	4.0%
DK/REFUSE	3.0%	5.5%	2.0%	0.0%

In line with the previous findings, the respondents chose the simplicity in use among the most important characteristics of the publication and 48.2% of the surveyed potential customers backed this characteristic (see Graph 23.). It is followed by the characteristic of “being able to insert updates into the book” which 36.2% of respondents selected as the most important.

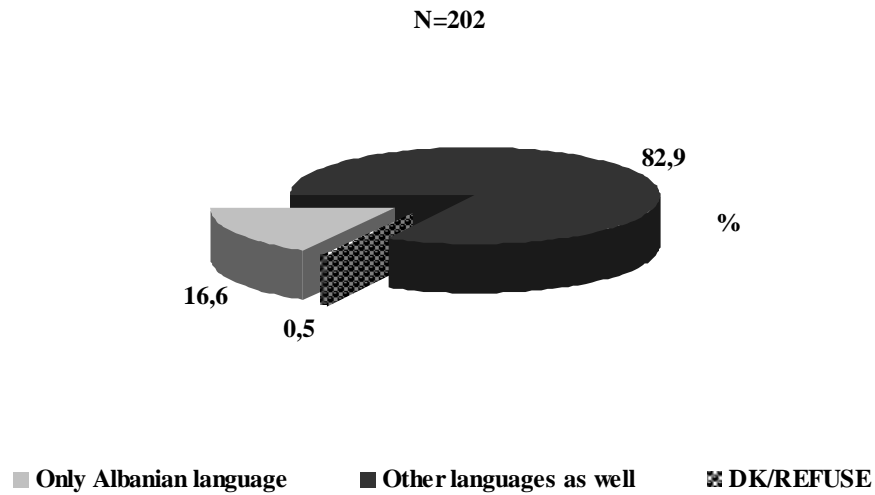
Graph 23. What would be the most important characteristic of this publication?



With regard to the language of the publication about the laws and other legislative material applied in Kosovo, respondents mainly agree (82.9%) the material should be

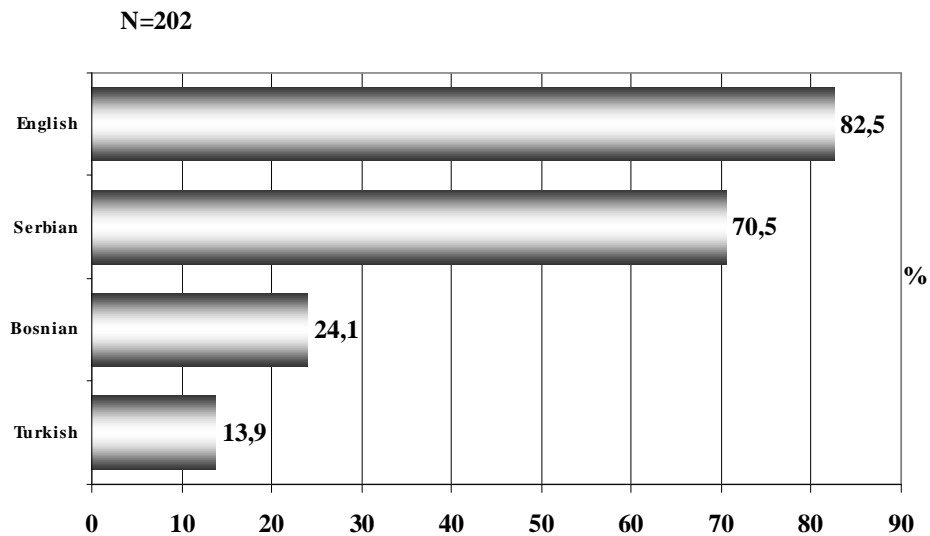
published in other languages apart from Albanian. Something less than one fifth of respondents (16.6%) thought the publication should be published solely in Albanian (see Graph 24.).

Graph 24. Would you prefer to be published in Albanian language only, or other languages as well?



Respondents who thought the publication should be published in other languages apart from Albanian further estimate what languages these should be. The most frequent answer was English and 82.5% of respondents agreed that English should be used as one of languages of the publication about the laws and other legislative material applied in Kosovo (see Graph 25.). Something less than one fourth of respondents said the publication should be published in Serbian language (70.5%), while some one fourth of respondents thought the publication should be published in Bosnian as well (24.1%).

Graph 25. In which languages the publication should be published?



Speaking of the language in which the publication about the laws applied in Kosovo should be published, qualitative research discovered a series of different views. In general, the view that publication should be published in all official languages of Kosovo, which is Albanian and Serb, prevailed. However, taking into account the described problem of the laws translation as well as the possibility of the publication use by professionals who do not speak Kosovo official languages, it is recommended that laws publication be published in English as well. Despite the fact that different views were expressed, the view that publication should be published in multi-languages prevailed, which was at the same time one of the findings in the quantitative research.

It is very important for me the official version that is in English, because it happens to have problems in translating the laws from English to Albanian, knowing that just one single word can change the over all content of the law. (Law Faculty Staff, Prishtina)

I think that would be better if the publication will be in three official languages too, but for them to be published in separate publications. Everyone will use publication in his language, and the others can always obtain publication in more than one language if they are interested. For instance UNMIK "Official Newspaper" are very voluminous and people are afraid to read it. (Law Faculty Staff, Prishtina)

Maybe I am a little bit more patriot , but I think that this publication even if they will be just in Albanian language would not be any problem because during the case hearings we have translators. (District Court Staff, Prishtina)

Cases that I have in process are in Albanian but I have also in Serbian language. This has happen with cases when I was representing legal aid cases. I think that Albanian and Serbian version is enough. (Lawyer, Prishtina)

The most of the publications that are published are in all official languages, so I think that these publication would be good if will be in all official languages, in Albanian, English, and Serbian. (Lawyer, Gjilan)

This kind of publications would be good to be in all Official languages, without exemptions. For one book to be more closer with the user needs to be in that way that user can use very easy and in right format. (Lawyer, Prishtina)

This kind of publications would be good to be in all Official languages, without exemptions. For one book to be more closer with the user needs to be in that way that user can use very easy and in right format. (Lawyer, Prishtina)

Apart from that, it is important to emphasize that there were respondents who thought the publication should also be published in languages of minority ethnic groups who live in Kosovo.

For one publication to be more modern, needs to be in all official languages, because if I have parties from Turkish minority I would like that law to be in their language too. (Lawyer, Suhareka)

These publications as other publications need to be published in all official languages. I stress this out because there are judges that belong to minorities and cases that are in process, the court keeps in other languages too. (District Court Staff, Prishtina)

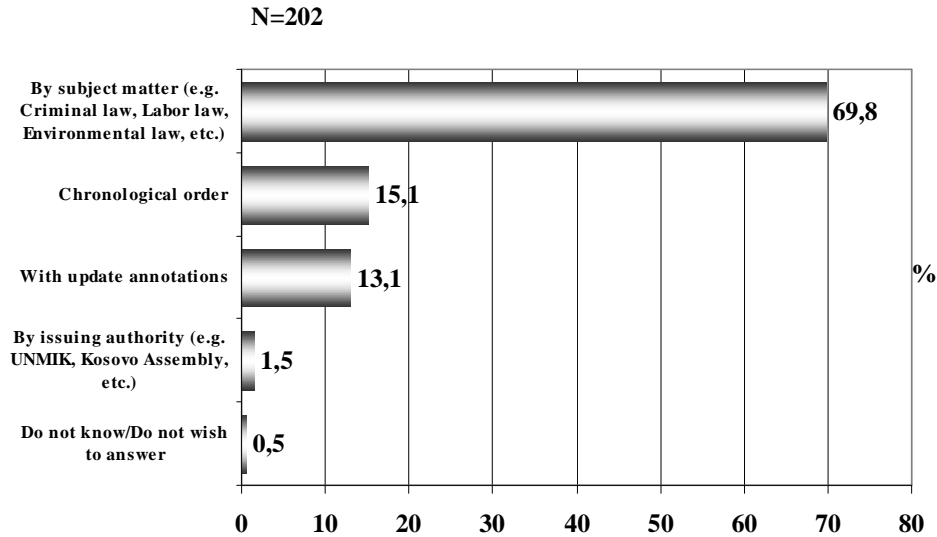
We are in a multiethnic society, would be good that this publication will be in other languages too. For instance in my office I work here together with a Turk minority, if there is no publication in his language too it will be a discrimination for him. (Prosecutor, Prizren)

I think that these publications need to be in Albanian, English, Turkish, Serbian and Bosnian language. Because we live in a multiethnic country, it is good that all citizens have laws in their languages. And then besides parties we have colleagues that work together and that belongs to minorities, and laws need to be in their language too. (Judge, Peja)

5.4.5. Content of the publication

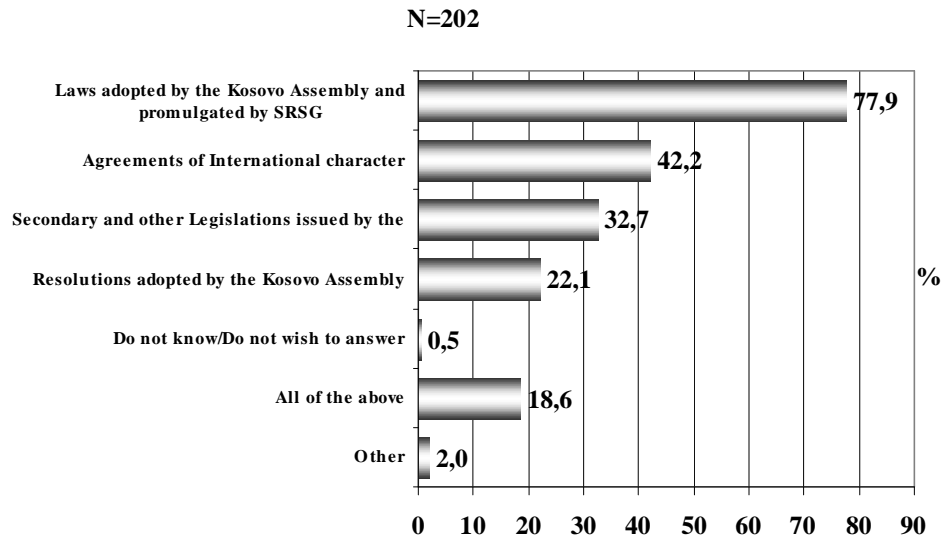
Speaking of the needs of potential publication customers, one of the most important topics we discussed was the issue of the publication content or ways in which the content of the publication should be organised. As you can see (see Graph 26.), most of respondents (69.8%) estimate that out of the offered option the best we would to organise the content of the publication by the subject mater (e.g. Criminal Law, Labour Law, Environmental Law, etc.). A lesser number of respondent thought the content should be organized by chronological order (15.1%), and with update annotations (13.1%).

Graph 26. Think about the content of the publications that we are talking about. How would you prefer it to be organized? Would you prefer it to be divided by chronological order, subject matter, issuing authority, with update annotations, or other?



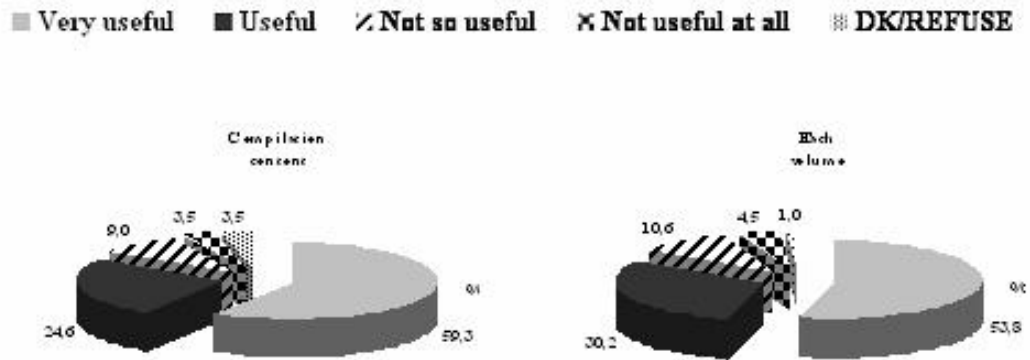
In terms of legislative materials the publication should contain, majority of the surveyed potential customers of the publication agreed the content of the publication should by all means include Laws adopted by the Kosovo Assembly and promulgated by SRSG (77.9%). Furthermore, somewhat less than a half of respondents (42.2%) believes the publication should also contain agreements of international character, than secondary and other legislation issued by the government and ministries (32.7%), and resolutions adopted by the Kosovo Assembly (21.1%). Almost each fifth respondent (18.6%) thought the publication about the laws and other legislative material applied in Kosovo should contain all of the offered content (see Graph 27.).

Graph 27. In your opinion, what kind of legislative materials should be contained in this publication?



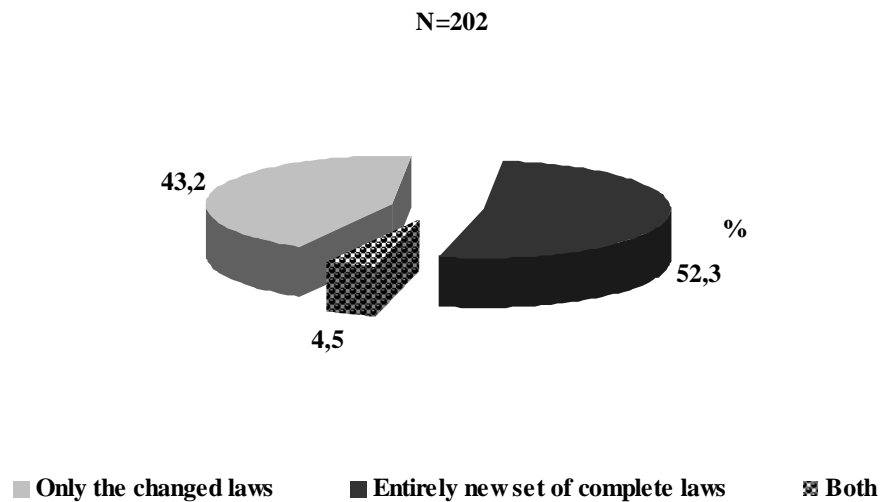
The next question we asked the respondents was about the Index which should be a component of the publication. AS for the fact that publication should contain two kinds of indexes: a) index of the compilation content and b) index for each volume, the respondents were asked in what measure a particular kind of the index would be useful. As we can see from the graph (see Graph 28.) some three fourths of respondents thought that both kinds of indexes would be very useful or useful. There was no statistically significant difference between the demands for different kinds of indexes. 10-15% of respondents also thought that indexes (both kinds) would be of no use to them.

Graph 28. Index presents a table of content, two kind of indexes will be published, a) index of the compilation content, and b) index for each volume. How useful these indexes will be for you? (N=199)



In terms of updates the publication should also include, the opinions of potential customers varied (see Graph 29.). In fact, 43.2% of respondents said they would like to receive only the changed laws, while somewhat over half of respondents (52.3%) thought they should receive entirely new set of complete laws.

Graph 29. If you regularly receive a publication about the currently applicable laws in Kosovo, how would you like to receive your updates?



Speaking of the content of the publication, the opinions of the respondents participated in the qualitative part of the research also varied. So we can see that majority if respondents

thought that the publication should include all laws applied in Kosovo, regardless of the type of law and its origin. Respondents stressed the significance of the law interpretation by legal experts, which should be a composite part of the publication about the laws applied in Kosovo.

I would like that this publication to include all laws and regulations that are applicable in Kosova, because these is the material that we need during our proceedings with cases. (District Court Staff, Prishtina)

Usually in materials that I have, I can find all that I need. Would be very good that those new publications that will be published, to include all kinds of materials in general and if possible all laws to have their commentaries, even those commentaries are usually prepared by legal experts. (District Court Staff, Prishtina)

Whatever would be this publication or whatever fields it is important that commentaries to be included and a lot of time should be dedicated to commentaries. Trust me that it is a great gap for Kosova judicial system that during the application of legal rules pays no attention or even does not use judicial practice. (Lawyer, Prishtina)

This publication it would be better if will contain all applicable laws in Kosova, including UNMIK Regulations, laws that are approved by Kosova Assembly, and international agreement are important too. (Judge, Peja)

This publication needs to include all the legal provisions that are in power. Then laws that are approved by Kosovo Assembly, UNMIK Regulations, and in general laws that are in power, International Agreements etc. (Lawyer, Mitrovica)

From all these alternatives that you mentioned I think if possible to include all of them (alternatives from IDI Guides). (District Court Staff, Prishtina)

In the beginning I want to stress out that the justice system includes Civil and Administrative laws and Criminal laws. All those laws could be published in one publication together. They were never in one publication before. (Lawyer, Gjilan)

On the other side, there were respondents who estimated that among the laws which should be included into the content of the publication, there should not be laws adopted by the Kosovo Assembly. In fact, the respondents thought that these laws are already available through the Internet, but again stress that it would be useful to include their interpretation.

I think that law that are approved by Kosovo Assembly does not need to be published because all of them you can find on internet, but would be good to publish the commentaries for particular laws. I am saying this because a lot of lawyers, or economists that are working with laws and legislative, have a lot of things unclear. (Law Faculty Staff, Prishtina)

I believe very much that very soon will be published a publication that will contain all the materials that we need. Would be good if the Supreme Court of Kosova will publish its

“judicial practice”, how they use laws in cases, in criminal and civil or administrative cases. (Judge, Peja)

One of the respondents noticed that it would be very difficult to include all laws into one publication and suggested the publishing of more publications. Types of laws, would in that case, be basic criterion in which material should be divided into several publication.

I personally think that it is very hard to include all the legal materials needed in one publication. But it would be good to have separated publications, for instance in criminal field to have one publication, then in civil and administrative field to have another one. (Lawyer, Prishtina)

Furthermore, respondents talked also about the content of the publication and about criterions which should be respected in the division of the content into publication parts. So we can see that respondents thought that a division by the subject matter would be a most suitable option for the publication of such kind.

Meantime as for dividing the parts of book I would prefer if will be divided in subject matter. (District Court Staff, Prishtina)

Books are separated according to their topic. Because civil field and Criminal field can not be together in one publication. (Prosecutor, Prizren)

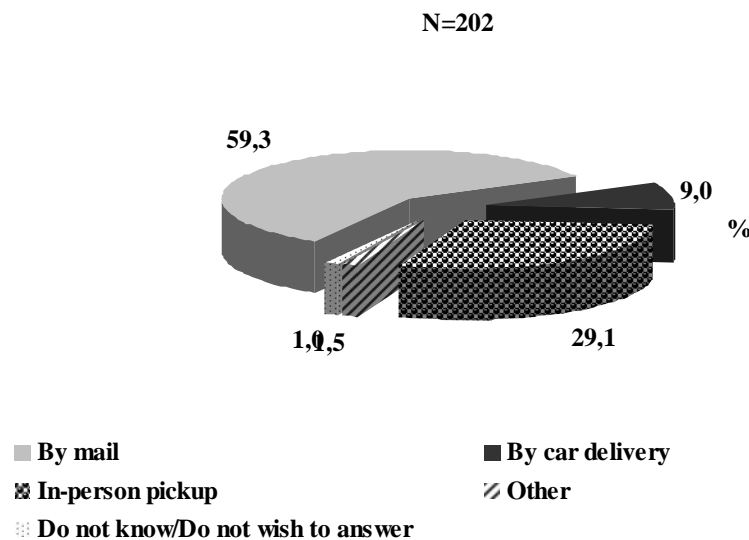
With regard to the index, as a structural part of the publication, most respondents did not elaborate this issue. Let us remind that qualitative data analysis showed that most respondents, potential customers of the publication about the laws applied in Kosovo, use index, and one respondent explained that use of index simplifies the use of material and thus would be a desirable part of the publication.

I usually use the index to orient my self in book, and I believe that index should be included in volume and for sure indexes are very helpful. (District Court Staff, Prishtina)

5.4.6. Distribution and subscription

We were further interested in opinion of potential customers of the publication about the laws and other legislative material applied in Kosovo about ways the publication should be distributed in. The opinions about this issue also varied (see Graph 30.), but we could say that a stance the publication should be distributed by mail prevailed and was backed by 59.3% of respondents. Somewhat less than a third of respondents (29.1%) said they would prefer the publication to be distributed by In-person pickup. Almost each tenth respondent said he or she would like it to be distributed by car delivery.

Graph 30. How would you prefer this publication to be distributed?



Faced with a negative personal experience in relation to the distribution of existing publications about the laws applied in Kosovo, respondents participated in the qualitative part of the research underlined the importance of this aspect of the publication of such type. A great number of respondents think the publication should be distributed to customers in an official way, through the Post, which was a choice backed by majority of respondents in the qualitative research. Also, lesser number of respondents preferred to take over the publication in person. The abovementioned could be a consequence of the lack of trust into official channels of the publication delivery.

Since the previous publications I could not provide for myself I would like that I can pick them up in-person, or at least to inform that those publication are published. (District Court Staff, Prishtina)

Usually the delivery of the different materials that arrives in court is through the post, because is more official way of delivering the materials, that's why I think that this material should be delivered with post. (District Court Staff, Prishtina)

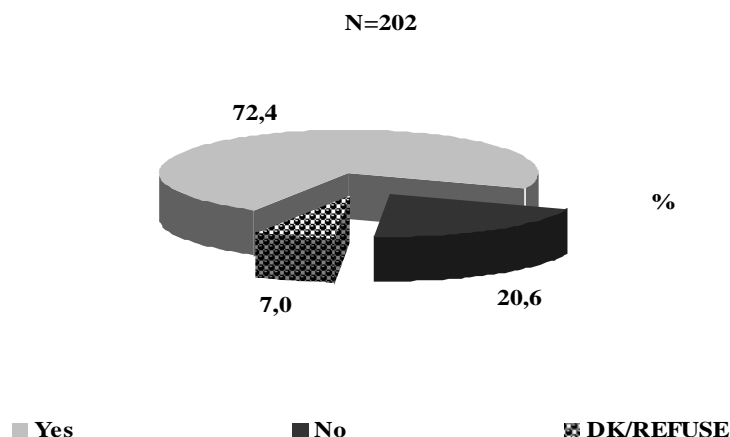
It is very important that the delivery of this publication to be official. The list of all lawyers is in our chamber of advocates and according to that list they can deliver the materials in this way. If I will go and take personally there is no effect because even the unofficial documents you can by them in stands. (Lawyer, Suhareka)

And I would like this publication to take in personal because it is easier to have the publication. (Lawyer, Gjilan)

The delivery needs to go through Post Office because it is more official. (Judge, Peja)

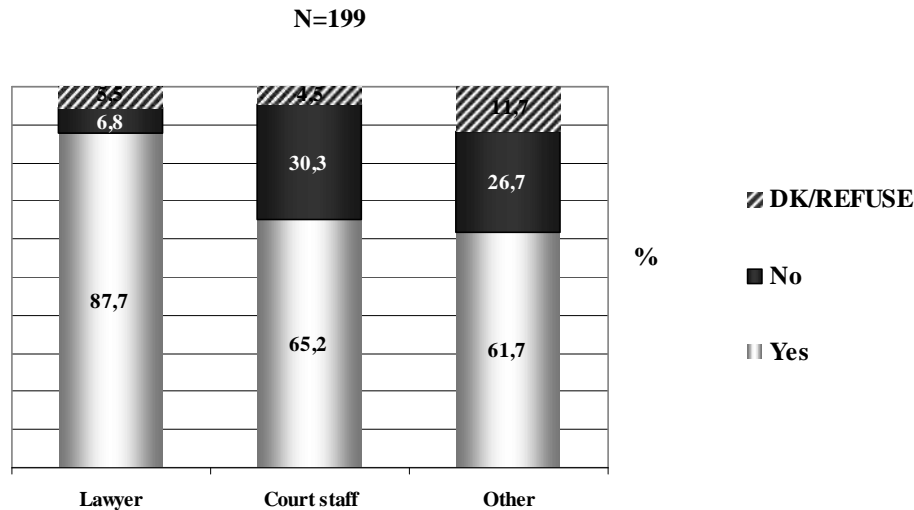
With regard to the subscription to the publication the respondents should an interest in; almost three fourths of respondents (72.4%) said they would like to subscribe to the publication. Each fifth respondent (20.6%) said he or she would like to be subscribed to the publication (see Graph 31.).

Graph 31. Would you like to be subscribed to this publication?



Further analysis showed there are some inter-group differences with regard to the subscription to the publication. So we can see (see Graph 32.) there are statistically significant differences in relation to the profession of respondents. Most respondents – layers (87.7%), in relation to the court staff (65.2%) and Others (61.7%), said they would like to be subscribed to the publication they previously showed an interest in.

Graph 32. Would you like to be subscribed to this publication? (Comparison between layers, Court staff and others)



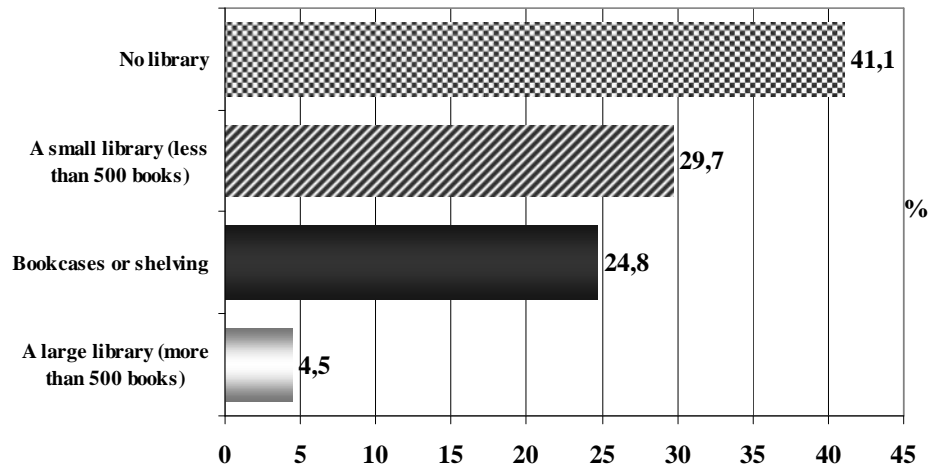
5.5. Major characteristics and habits of the potential customers

5.5.1. Capacity of existing libraries

The next question we asked the respondents related to the level of availability of professional material and literature in their office and assessment of capacities of existing libraries. As we can see (see Graph 33.), a very small number of respondents said they have a large library with more than 500 books at the disposal in their office (4.5%). Furthermore, even 41.1% of respondents said they have no library at all in their office. Almost one third of respondents aid they have a small library with less than 500 book at the disposal in their office (29.7%), while one fourth of respondents (24.8%) had only book cases and shelving at the disposal. In general we can conclude that the existing capacities which could serve the respondents as the information source about the laws and other legislative material applied in Kosovo are insufficient.

Graph 33. Please choose the best description of your office library (library of the place you work/study):

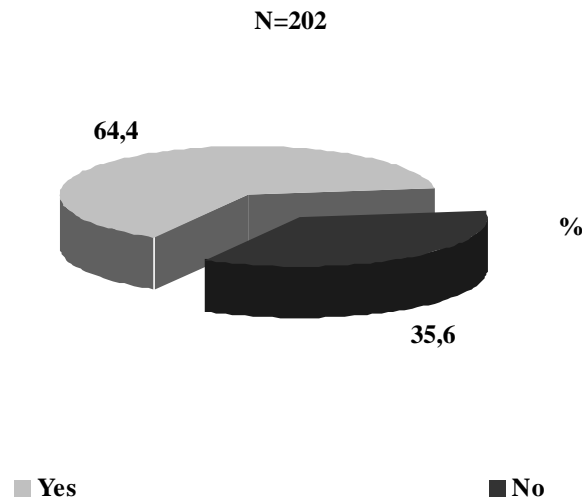
N=202



5.5.2. Internet Access

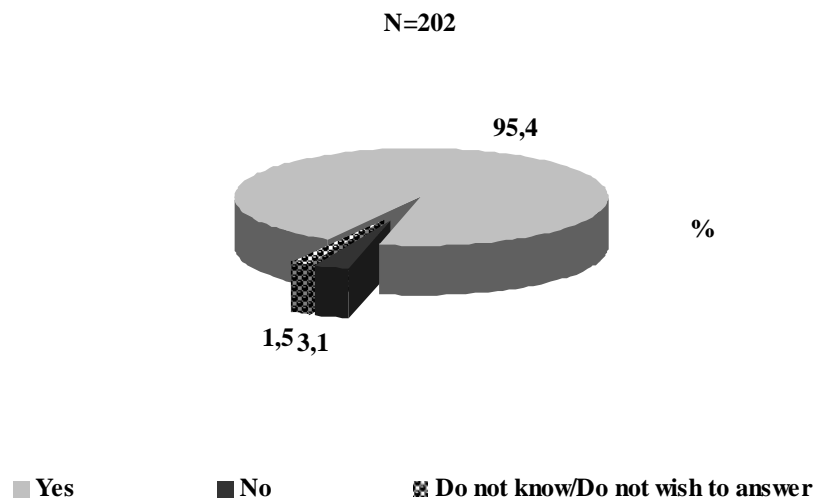
In terms of the Internet use habits, almost two thirds of respondents (64.4%) said they use Internet, while 35.6% said they do not use Internet (see Graph 34.). Respondents who use Internet mainly do it from home (40.8%), at the work place (33.1%), at the Internet cafes (22.1%), and other places (see Graph 34.).

Graph 34. Do you use Internet?



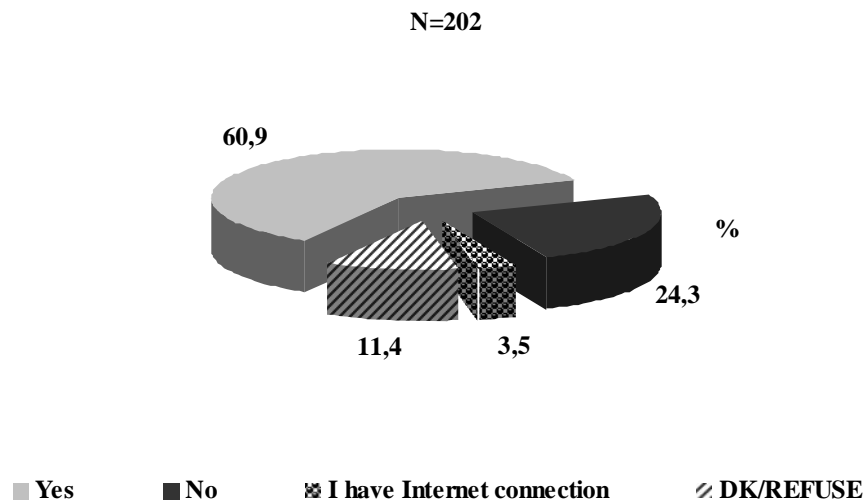
Among the respondents who use Internet, majority (95.4%) agreed they would like to have the Internet access to a data base that would contain all laws and other legislative materials applied in Kosovo (see Graph 35.).

Graph 35. Would you like to have the Internet access to a data base that would contain all laws and other legislative materials applied in Kosovo?



With regard to Internet access in their working place, even 24.3% of respondents said they have no plan in the next six months to have Internet access. A very small number of them (3.5%) already have Internet access in their working place and 60.9% of respondents plan to have the Internet access in the next six months (see Graph 36.).

Graph 36. In your working place, do you plan to have Internet access in six months?



In the end we talked to respondents in the qualitative research about their habits in using computers. We can conclude that most respondents of this phase of the research either already use computer or plans to start using it in the near future. In any case, respondents agreed that the computer knowledge is nowadays necessary.

Of course that I use computer, because all of my work I finish with computer. Except I use it for my work I use for other reasons too. (District Court Staff, Prishtina)

I use the computer but not so often, because usually with records deals type writer. The other reason that I do not use the computer to much is that I do not have Internet connection in office. It has been a while that was said that we will have internet connection in the offices but till now nothing happened. (District Court Staff, Prishtina)

I do not use the computer. Since I have start to work till now I use to write with old "writing machine". I have changed now the offices and I have ordered one computer and I will have it very soon. (Lawyer, Gjilan)

Nowadays there is no lawyer that has no computer, I am not excluded too. I use computer for long time and now is part of my everyday job. (Lawyer, Prishtina)

I use computer so much. Since I opened the office I bought a computer. As you can see I finish all my work with the computer. I think that in 2005 if you do not know to use the computer it is a very big handicap of one man, and even for a lawyer which during all his work he has to write different documents etc. (Lawyer, Mitrovica)

Here in office I work together with legal collaborator. They usually deal with minutes and I do not have enough to write. (Prosecutor, Prizren)

The importance of the Internet knowledge is also seen as very important. There were many respondents who said they use Internet anyway and so into professional needs or that they plan to start using it in the upcoming period. Still there were respondents who underestimated the significance of the Internet as a media. It seems that the situation is very unfavorable in the state institutions, which still lags behind the general computerization trend, which is reflected in the lack of computers and Internet access in their offices.

But it is very important to know how to use Internet. For those who know to use Internet it is not so hard to be informed because in web page of Kosovo Assembly you can find all laws on line, so I think that to be informed for applicable laws it is not so hard. (Lawyer, Prishtina)

I have internet connection at home and I use it very much. I use internet to stay inform with new laws and I use it to communicate with people. (District Court Staff, Prishtina)

I personally use internet and all of the programs. Here in office I have Internet connection but the professors and other offices have no internet connection. (Law Faculty Staff, Prishtina)

Here in office I have Internet connection since I have open the office I had Internet connection. I use internet to inform myself for different laws, but I use for my private matters. (Lawyer, Prishtina)

I do not use Internet because I have where to connect it. (Lawyer, Gjilan)

Almost the most that I work that I do it with the computer. I have internet connection in my office; I am connected via phone line. However I use internet just for emails because my incomes does not allow me to be connected 24 hours in internet. (Lawyer, Prishtina)

I am not using in this time the Internet, because the Internet even because it is very useful, but in the end it can be just a waste of time. (Lawyer, Mitrovica)

Here the Prosecutor has no internet connection. (Prosecutor, Prizren)

Here in District Court in Peja we do not have Internet, because they have not yet regulated but they think to connect internet in the future. (Judge, Peja)

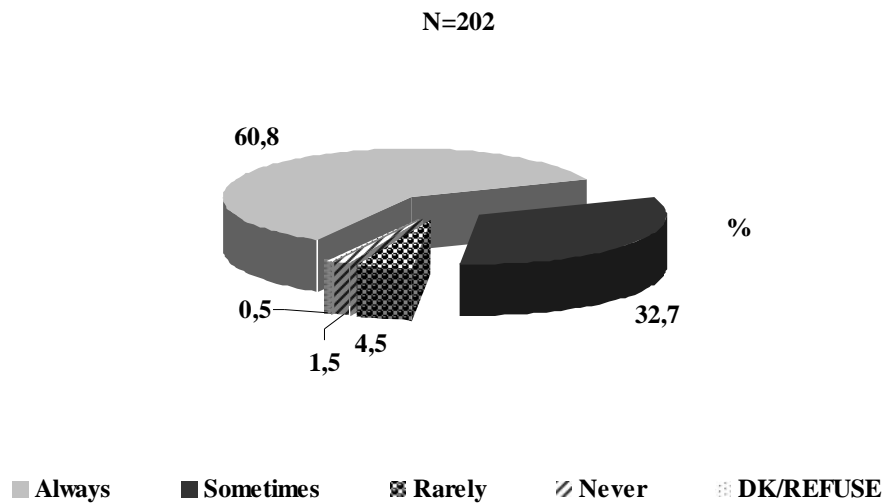
We think that in the nearest future every professor here in Law Faculty will have in his cabinet internet connection, but this is not accomplished yet. (Law Faculty Staff, Prishtina)

Here in District Court I work for so many years and we have no internet connection yet. We need internet so much here in office, there were some preparations and everything is ready for connection in internet but we still do not have it. It was promised before that we will have internet but till now they did not do anything. I am not sure when we will have internet connection in future. (District Court Staff, Prishtina)

5.5.3. Index table

In the end the respondents were asked if they use Index table when reading the books and publications related to legal issues. Great majority of respondents said they always use the Index table (60.8%), or they sometimes use it (32.7%). A very small number of respondents use Index table rarely or never (see Graph 37.).

Graph 37. Do you usually use Index table on other books or publications related to legal issues?



6. Conclusions

- § Potential customers of the printed version of the publication about the laws in Kosovo must mainly also use some other, unofficial sources of information about the laws and legal issues.
- § Speaking about concrete publications our respondents mentioned to use, it seems UNMIK's "Official Newspaper" publication is in a standard in use as the information source about the laws that apply in Kosovo.
- § In general, it can be concluded that there is no standard system of delivery of publications about the laws that apply in, by which all interested customers could get hold of required material which related to legal issues.
- § Respondents who receive regularly some of the existing publications about the laws that apply in Kosovo are mainly dissatisfied with what those publications offer. Complaints of the respondents mainly refer to the content and the publication format.
- § It is unquestionable that there is a space in the Kosovo market for a publication, which would provide potential customers an access to required information about the laws that apply in Kosovo.
- § Speaking about the format of publication about the laws that apply in Kosovo they showed an interest in, most respondents said they would like the publication about the laws that apply in Kosovo to be in a book format.
- § Most respondents believe that it would be worth of setting aside the money if the publication really met the customers' professional needs.

§ Most respondents believe that the publication should contain all laws that apply in Kosovo, regardless of their kind and origin. Respondents especially underlined the importance of inclusion of the law interpretation by legal experts into the publication.

§ Although there were some different views expressed, the attitude that the publication should be published in multi-languages prevailed.

Hulumtim mbi Tregun e Botimeve Ligjore

Rezultatet e hulumtimit

Raporti final

Prishtinë
Dhjetor 2005

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► KLAUZOLA PËR MBROJTJEN E TË DHËNAVE PERSONALE TË RESPONDENTËVE

Prism Research, në përputhje me rregullat dhe rregulloret ESOMAR dhe AAPOR është e obliguar të mbrojë anonimitetin e respondentëve. Të gjitha pyetjet / variablat që përmbajnë çfarëdo lloj informate lidhur me identitetin e respondentëve janë hequr nga raporti dhe baza përfundimtare e të dhënave. Kjo do të thotë që përgjigjet e dhëna nga respondentët janë ndarë fizikisht nga të dhënat që kanë të bëjnë me identitetin e tyre. Cilado përpjekje e qëllimshme për të ardhur deri tek identifikimi i të dhënave për respondentët, qoftë nga Klienti, Prism Research, apo cilado palë e tretë, do të konsiderohet si një shkelje serioze dhe do të trajtohet si e tillë.

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7. Qëllimi i hulumtimit

Qëllimi kryesor i këtij hulumtimi ka qenë të bëhet identifikimi i tregjeve potenciale në Kosovë dhe jashtë saj, si dhe të gjenden të dhënat lidhur me opinionet dhe qëndrimet e të gjitha grupeve kryesore të synuara lidhur me versionin e shtypur të kodifikimit të ligjeve të Kosovës sipas temave. Këto të dhëna janë shfrytëzuar për vlerësimin e tregut potencial për publikimet sipas temave në Kosovë.

8. Objektivat

Duke marrë parasysh qëllimin e këtij hulumtimi, objektivat kryesore të hulumtimit janë:

6. Vlerësimi i tregut potencial për ligjet e botuara, rregulloret dhe opinionet në Kosovë
7. Vlerësimi i formatit më të përshtatshëm dhe përmbajtjes së publikimit
8. Identifikimi i të gjitha entiteteve ligjore të cilave do t'u distribuohet/shitet publikimi
9. Vlerësimi i të gjitha karakteristikave kryesore të klientëve potencial
10. Identifikimi i të gjitha elementeve kryesore të konkurrencës

9. Metodologjia

9.1. Hulumtimi kuantitativ

Hulumtimi është zhvilluar në një model të vogël të të gjitha grupeve të synuara kryesore në Kosovë.

Metoda e intervistimit

Intervistat ballë për ballë.

Zgjedhja e modeleve

Lloji i modelit

Modeli i rëndomtë i shtresuar sipas rajoneve dhe të gjitha grupeve të synuara kryesore.

Madhësia e modelit

200 intervista

Grupet e synuara

Popullata e synuar për këtë hulumtim është popullata e shfrytëzuesve apo klientëve potencial të legjislacionit të zbatueshëm në Kosovë.

Grupet e synuara kryesore janë:

- § Avokatët
- § Gjyqtarët
- § Praktikantë ligjor
- § Zyrtarët publik dhe administrativ UNMIK&IPVQ
- § OJQ-të vendore dhe ndërkombëtare
- § Fakulteti dhe studentët e drejtësisë
- § Tregu potencial i komunitetit ligjor jashtë Kosovës

Përzgjedhja e respondentëve

Përzgjedhja e respondentëve për secilin grup ka qenë e rastit, nga lista e të gjithë anëtarëve të grupeve të synuara. Për shembull, nëse duam të kemi një model të rastit për gjyqtarët, atëherë duhet të kemi listën e të gjithë gjyqtarëve në Kosovë nga radhët e të cilëve do të bënim zgjedhjen e rastit të një numri të caktuar gjyqtarësh. Parimi i njëjtë zbatohet edhe për grupet tjera të synuara.

Organizimi i punës në terren

Numri i përgjithshëm i intervistuesve të angazhuar në këtë hulumtim ka qenë 10.

Numri i nevojshëm i koordinatorëve ka qenë i angazhuar në parimin një koordinator për jo më tepër se 5 intervistues. Së këndejmi, kanë qenë të angazhuar 2 koordinatorë. Menaxheri i terrenit për pjesën Shqipe të modelit ka qenë i vendosur në zyrën e Prism Research në Prishtinë.

Numri i kontrolluesve ka qenë i përcaktuar në të njëjtën mënyrë. Një kontrollues për jo më tepër se pesë intervistues – pra kanë qenë të angazhuar dy kontrollues.

Marrë parasysh që ky hulumtim është zhvilluar në tërë territorin e Kosovës, i është kushtuar vëmendje të siguarit që struktura etnike e intervistuesve t'i përgjigjet strukturës etnike rajonale të modelit.

Trajnimi

Të gjithë koordinatorët rajonal dhe intervistuesit kanë marrë pjesë në trajnimin e plotë njëditor në Prishtinë.

Gjatë trajnimit të koordinatorëve dhe intervistuesve janë mbuluar fushat në vijim:

- § Shpjegimi i qëllimit të projektit
- § Shqyrtimi seksion për seksion i pyetësorit (analiza PpërP)
- § Intervistat testuese me intervistuesit tjerë (lozja e roleve)
- § Diskutimi gjithëpërfshirës i shqyrtimit udhëzues dhe jo-udhëzues

Pilot studimi

Para fillimit të punës kryesore në terren, secili intervistues është dashur të kompletojë të paktën një intervistë testuese para se të ishte i përshtatshëm për të marrë pjesë në punën në terren. Pas kompletimit të intervistave testuese, janë mbledhur të gjithë pyetëtorët, dhe është mbajtur diskutimi lidhur me problemet që janë hasur, pyetjet që janë parashtruar etj. Intervistuesit kanë qenë të udhëzuar të mbajnë shënime për të gjitha komentet e bëra nga respondentët gjatë zhvillimit të intervistës. Në këtë mënyrë janë zhvilluar të paktën 50 intervista testuese si pjesë e pilot studimit.

Mbikëqyrja

Ashtu si është përmendur, secili intervistues është dashur të zhvillojë të paktën një intervistë me apo pa pjesëmarrjen e koordinatorit (varësisht nga niveli i gabimeve nga pilot studimi). Gjatë zhvillimit të punës në terren, koordinatorët kanë kontrolluar secilin pyetësor pas dorëzimit, për të pakësuar mundësinë e pyetësorëve të kompletuar gabimisht apo për të shmangur mundësinë që gabimet e intervistuesve të mbeten që pakontrolluara.

Kontrolli i cilësisë së intervistave

Puna e intervistuesve është kontrolluar në këto mënyra:

- § shënimet për të gjitha kontaktet në terren dhe intervistat e kompletuara (100 %) për të kontrolluar nëse intervistuesi ka ndjekur rregullat e zgjedhjes së mostrave
- § kontrolli logjik i pyetësorëve (100 %), që tregon nëse pyetëtori është kompletuar në mënyrën e duhur dhe nëse të gjitha përgjigjet janë shenjuar si duhet
- § kontrolli përmes telefonit (min 30%), për të shqyrtuar sjelljen e intervistuesit dhe administrimin e pyetësorit
- § kontrolli në terren (min. 30 %) ku gjithashtu bëjmë kontrollimin e përzgjedhjes së duhur të respondentit në shtëpi, sjelljen e intervistuesit dhe administrimin e pyetësorit.

§ kontrolli kompjuterik i të dhënave të mbledhura (100%), ku bëjmë identifikimin e dallimeve që mund të shfaqen në mes të intervistuesve.

Futja e të dhënave dhe pastrimi

Përdorimi i programit për futjen e të dhënave ku formulari për futjen e të dhënave është krijuar në formë të pyetësorit. Çelësi i operatorëve të trajnuar në futjen e të dhënave. Të dhënat më pas pastrohen, domethënë gabimet që mund të jenë shfaqur gjatë futjes së të dhënave eliminohen duke përdorë programe specifike kompjuterike. Për kontrollimin dhe përgatitjen e të dhënave për përpunim të mëtejshëm përdoret programi SPSS.

Organizimi

Është me rëndësi të theksohet që Prism Research ka rrjetin e tij të intervistuesve në pjesët me shumicë serbe/ enklavat në Kosovë, si dhe në zonat me shumicë shqiptare. Si trajnuesit serbë ashtu edhe ata shqiptarë janë trajnuar në të njëjtën mënyrë dhe kanë nivelin e ngjashëm (të konsiderueshëm) të përvojës. Të dy ekipet e intervistuesve janë përgatitur dhe trajnuar për këtë projekt në mënyrë të ngjashme. Rrjeti i intervistuesve dhe koordinatorëve të Prism Research Kosova funksionon si një ekip i vetëm, megjithatë për shkak të rrethanave ata janë ndarë në dy grupe, për shkaqe sigurie.

Pyetësori

Prism Research ka përpiluar pyetësorin në konsultim të ngushtë me NCSC. Prism Research ka kompletuar përkthimin dhe formën e pyetësorit. Pyetësori është përkthyer në gjuhën e vendit – në Shqip.

9.2. Hulimtimi kualitativ

Hyrje

Hulumtuesit social përgjithësisht pajtohen që dizajnet më efikase të hulumtimeve janë ato që shfrytëzojnë qasje të ndryshme metodologjike për të plotësuar njëra tjetrën – në rend të parë metodat kualitative e kuantitative. Në rastet kur problemi që shqyrtohet është relativisht i pa studiuar në dimensionet kulturore, sociologjike madje edhe psikologjike, më së miri është të ndërmerren hapat e parë hulumtues me përdorimin e qasjes kualitative – kryesisht përmes diskutimeve me grupet e fokusit dhe intervistat e hollësishme. Përmes këtyre grupeve dhe intervistave ne fitojmë njohuri më të thella në sfondin komplet të opinioneve dhe qëndrimeve, shkaqeve dhe motivacioneve të grupeve të synuara, për sa i përket çështjes që hulumtohet. Veç kësaj, diskutimet me grupet e fokusit dhe intervistat e hollësishme janë një mënyrë efikase për testimin e disa prej hipotezave tona fillestare dhe supozimeve. Është me rëndësi të përmendet që mënyra më e mirë për përgatitjen e pyetësorit për studimin kuantitativ është përmes testimit, studimit dhe definimit të pyetjeve të caktuara në hulumtimin kualitativ.

Metoda:

Intervistat e hollësishme.

Rekrutimi:

Prism Research ka një rrjet të gjerë që përbëhet nga intervistuesit, kontrolluesit, koordinatorët dhe mbikëqyrësit në të gjitha komunat e Kosovës – përfshirë këtu zonat me shumicë shqiptare dhe serbe si dhe të gjitha pakicat tjera etnike. Të gjithë intervistuesit kanë kompletuar një trajnim rigoroz mbi metodologjinë dhe pjesa më e madhe e tyre kanë marrë pjesë në të paktën 5 projekte hulumtuese në Kosovës gjatë 12 muajve të shkuar.

Intervistuesit/rekrutuesit kanë përdorur metodën Snowball (top bore) për përzgjedhjen e respondentëve potencial – informantët kyç nga grupet e ndryshme të synuara.

Në mënyrën e përshkruar më lartë, janë identifikuar të paktën 2 respondentë potencial për secilën nga intervistat e hollësishme.

Në bazë të kësaj përzgjedhjeje ne kemi identifikuar numrin optimal prej 20 respondentëve për të paktën 10 intervista të hollësishme të finalizuara.

Në përzgjedhjen finale të pjesëmarrësve që do të marrin pjesë në diskutimet e grupeve të fokusit dhe në intervistat e hollësishme, përveç kriterëve themelore vëmendje e veçantë u është kushtuar elementeve në vijim:

4. që personat që janë në lidhje me intervistuesit dhe punëtorët e Prism Research të mos rekrutohen dhe që pjesëmarrësit të mos jenë në lidhje me njëri tjetrin;
5. që pjesëmarrësit të mos punësohen apo angazhohen në çfarëdo mënyre me mediat, organizatat e marketingut, agjencitë që merren me hulumtimin e tregut apo agjencitë që merren me sondazhet e opinionit publik;
6. që ata të mos kenë marrë pjesë në çfarëdo lloji të sondazheve të opinionit publik apo në diskutimet e grupeve të fokusit, në 12 muajt e fundit.

Grupet e synuara:

Grupet e synuara kryesore janë:

- § Avokatët
- § Gjyqtarët
- § Praktikantët ligjor
- § Zyrtarët publik dhe administrativ të UNMIK & IPVQ
- § OJQ-të vendore e ndërkombëtare
- § Fakulteti dhe studentët e Drejtësisë

Kemi zhvilluar 10 intervista të hollësishme me grupet e synuara kryesore.

Moderimi:

Intervistimi i respondentëve për IDI është bërë nga stafi ynë i jashtëm permanent në Kosovë (i angazhuar për projektin). Intervistuesit janë psikologë apo sociologë dhe kanë qenë të koordinuar dhe të mbikëqyrur nga Menaxheri i Projektit nga zyra qendrore e Prism Research, që drejton departamentin e hulumtimit kualitativ.

Transkriptet:

Diskutimet e IDI janë transkriptuar në tërësi në gjuhën e vendit dhe më pas janë përmbledhur në gjuhën angleze.

Lehtësirat:

Cilido vend i pajtuar me respondentët.

Udhëzuesit për diskutime:

Prism Research ka përpiluar Udhëzimet për diskutime, për intervistat e hollësishme, pas diskutimit dhe identifikimit të fushave, temave e çështjeve kyçe nga Klienti dhe Prism Research.

Organizimi:

Të gjitha diskutimet e grupeve të fokusit janë regjistruar në audio – në mënyrë jo të bezdisshme.

Pjesëmarrësit për IDI kanë marrë honorare simbolike për pjesëmarrje.

Janë servuar pije freskuese.

10. Përmbledhje e rezultateve

- § Më tepër se gjysma e respondentëve tëurvejuar mendojnë që informatat mbi ligjet e zbatuara në Kosovë janë në dispozicion. Madje 20.3% e anëtarëve tëurvejuar të popullatës së klientëve potencial të publikimeve të shtypura, mendojnë që informatat mbi ligjet e zbatueshme në Kosovë nganjëherë ka qenë vështirë të sigurohen, ndërsa 13.9% mendojnë që ato sigurohen me vështirësi.
- § Gati dy të tretat (64.4%) e të gjithë respondentëve tëurvejuar në shtrirjen e këtij hulumtimi kanë thënë që janë mjaft të kënaqur me disponueshmërinë e ligjeve dhe materialit tjetër legjislativ të zbatueshëm në Kosovë. Vetëm 9.9% e respondentëve kanë theksuar që janë plotësisht të kënaqur, ndërsa 9.4% e tyre thonë që janë plotësisht të pakënaqur me disponueshmërinë e ligjeve dhe materialit tjetër legjislativ të zbatueshëm në Kosovë.
- § Të pyetur rreth burimit primar të informacioneve lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, përgjigja më e shpeshtë ka qenë Gazeta Zyrtare e UNMIK-ut, që është përmendur si burimi kryesor i informacionit nga 45% të respondentëve. Pas kësaj vie materiali në CD Rom nga ABA/CEELI (17.3%), Publikimi i Qendrës Juridike të Kosovës (14.9%), dhe ueb faqja e Kuvendit të Kosovës (12.4%). Përgjigjet tjera më të rralla janë treguar grafikisht.
- § Të pyetur nëse pranojnë rregullisht ndonjë lloj të publikimit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, saktësisht gjysma e respondentëve janë përgjigjur pozitivisht.
- § Pjesa më e madhe e respondentëve që pranojnë rregullisht ndonjë lloj të publikimit lidhur me ligjet dhe materialin tjetër të zbatueshëm në Kosovë, kanë thënë që marrin Gazetën Zyrtare të UNMIK-ut (68.3%). Pas kësaj vie materiali në CD Rom nga ABA/CEELI CD (36.6%) dhe Publikimi i Qendrës Juridike të Kosovës (31.7%).
- § Pjesa më e madhe e respondentëve që shfrytëzojnë Gazetën Zyrtare të UNMIK-ut, e marrin këtë publikim një herë në muaj (37.7%) ndërsa të tjerët për çdo tre muaj (30.4%). Për sa i përket publikimit në CD Rom të ABA/CEELI, një e treta e

respondentëve kanë thënë që këtë publikim e marrin një herë në vit (32.4%) ndërsa pjesa tjetër për çdo tre muaj (27%). Për sa i përket publikimit të Qendrës Juridike të Kosovës, distribuimi i rezultateve tregon që ky publikim nuk ka pasur ndonjë vazhdimësi të zakonshme të distribuimit tek klientët.

- § Pjesa më e madhe e publikimeve për shumicën e respondentëve është distribuuar pa pagesë dhe shuma maksimale të cilën klientët e këtyre publikimeve e kanë ndarë për këtë qëllim nuk ka kaluar 10 Euro.
- § Pjesa më e madhe e klientëve janë kryesisht të kënaqur me publikimet lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, marrë parasysh faktin që tre nga katër respondentët (77.2%) deklarojnë që janë mjaft të kënaqur me publikimet në dispozicion.
- § Respondentët që kanë marrë më parë disa nga publikimet ekzistuese, vlerësojnë që përmbajtja e publikimit është elementi më i rëndësishëm në zgjedhjen e publikimit të cilin do ta kishin porositur ose blerë për nevojat e tyre profesionale (83.2%).
- § Për sa i përket të qenit të kënaqur me karakteristikat e caktuara të publikimeve në dispozicion, respondentët thonë që janë shumë të kënaqur me përmbajtjen e publikimit, që ka qenë përgjigje e 58.4% të respondentëve.
- § Të pyetur se me cilat karakteristika të publikimeve janë më së paku të kënaqur, pjesa më e madhe e respondentëve kanë vendosur që kjo është përmbajtja e publikimit (28.7%).
- § Pjesa dërmuese e respondentëve (98.5%) kanë treguar interes në publikimet që ofrojnë informacione të freskëta mbi ligjet aktuale dhe materialet tjera legjislative të zbatueshme në Kosovë.
- § Përderisa gati dy të tretat e respondentëve (56.3%) kanë deklaruar që do të dëshironin ta marrin këtë publikim për çdo muaj, një e katërta (25.6%) vlerësojnë që më së miri do të ishte që publikimi të distribuohet për çdo tre muaj.
- § 16.1% e respondentëve nuk kanë qenë të gatshëm të ndajnë para për lloje të tilla të publikimeve dhe thonë që publikimet duhet të distribuohen pa pagesë.
- § Diçka më pak se dy të tretat (58.3%) e klientëve potencial të publikimit mendojnë që më së miri do të ishte nëse publikimi shtpet në formë të librit.

- § Më tepër se dy e treta e respondentëve (69.3%) preferojnë publikimet me kopertina të forta.
- § Pjesa më e madhe e respondentëve (71.9%) preferojnë formatin në Microsoft Word.
- § Thjeshtësia e përdorimit dhe mundësia për të përfshirë freskimet në libër janë karakteristikat të cilat klientët i shohin si shumë të rëndësishme, dhe nga karakteristikat e ofruara të publikimit, respondentët e shohin thjeshtësinë e përdorimit si më të rëndësishmen, ku 48.2% e klientëve potencial tëurvejuar mendojnë që kjo është karakteristika e dorës së parë.
- § Për sa i përket gjuhës së publikimit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, respondentët kryesisht pajtohen (82.9%) që materiali duhet të botohet edhe në gjuhët tjera përveç gjuhës shqipe.
- § Për sa i përket përmbajtjes së publikimit, pjesa më e madhe e respondentëve (69.8%) vlerësojnë që nga të gjitha opsionet e ofruara, më i miri do të ishte ai që parasheh organizimin e përmbajtjes së publikimit sipas çështjeve që trajtohen.
- § Pjesa më e madhe e shfrytëzuesve potencial tëurvejuar të publikimit pajtohen që përmbajtja duhet të përfshijë ligjet e miratuara nga Kuvendi i Kosovës dhe të shpallura nga PSSP (77.9%).
- § Për sa i përket faktit që publikimi duhet të përmbajë dy lloje të indekseve: a) indeksin e përmbajtjes së materialit, dhe b) indeksin për secilin vëllim, rreth tri të katërtat e respondentëve mendojnë që të dy këto indekse do të ishin shumë të dobishme apo të dobishme.
- § Për sa i përket freskimeve që duhen përfshirë në publikim, 43.2% e respondentëve kanë thënë që do të dëshironin të marrin vetëm ligjet e ndryshuara, ndërsa mbi gjysma e respondentëve (52.3%) mendojnë që duhet të marrin botimet tërësisht të reja të ligjeve komplete.
- § Publikimi do të duhej të distribuohet përmes postës, pozicion ky i mbështetur nga 59.3% e respondentëve. Diçka më pak se një e treta e respondentëve (29.1%) thonë që do të preferonin distribuimin e publikimit personalisht tek secili. Gati çdo i dhjeti respondent ka thënë që ai apo ajo do të dëshironte që publikimi të distribuohet përmes dërgesës me veturë.

§ Për sa i përket parapagimit për publikimin që është me interes për ta, gati tri të katërtat e respondentëve (72.4%) kanë thënë që do të dëshironin të parapaguhen për publikimin.

11. Rezultatet

11.1. Përshkrimi i modelit për pjesën kuantitative të hulumtimit

Tabela 01. Përshkrimi i modelit

		Shpeshtësia	Përqindja
GJINIA	Mashkull	152	75%
	Femër	50	25%
MOSHA	< 35	49	25%
	36 - 50	79	40%
	51 >	71	36%
STATUSI I PUNËSIMIT	I/e punësuar	195	97%
	I/e papunë	7	3%
ARSIMIMI	Shkolla e mesme	7	3%
	Universiteti/kolegji i përfunduar	11	5%
	Kolegji i përfunduar	9	4%
	Universiteti i përfunduar	151	75%
	Magjistratura/Doktorata	21	10%
	Pa përgjigje	3	1%
GRUPI ETNIK	Shqiptar/e	194	96%
	Të tjerë	8	4%

202 respondentë kanë marrë pjesë në këtë hulumtim. Sikur që mund të shihet në tabelë (shih Tabelën 1.), struktura gjinore e modelit ka qenë jo e rregullt dhe tri të katërtat e modelit përbëhen nga respondentë meshkuj. Për më tepër, 40% e modelit kanë qenë respondentë të moshës nga 36 në 50 vjeç, dhe një e katërta e modelit kanë qenë respondentë të moshës nën 36 vjeç, dhe 36% e respondentëve të moshës mbi 50 vjeç. Për sa i përket përbërjes së modelit dhe profesionit të respondentëve, kemi mundur të presim që pjesa më e madhe e respondentëve do të jenë të punësuar. Prandaj mund të vërejmë që 97% e respondentëve janë të punësuar ndërsa pjesa e mbetur e modelit ka qenë e përbërë kryesisht nga studentët. Për sa i përket strukturës arsimore të modelit, 75% e

respondentëve kanë të përfunduar Universitetin, 10 % kanë grada të magistraturës apo doktoraturës, ndërsa pjesa e mbetur e modelit ka të përfunduar shkollën e mesme apo kolegjin, ose janë të angazhuar ende në procesin arsimor. Në linjë me planin e modelit, pjesa më e madhe e respondentëve kanë qenë Shqiptarë etnik (96%) ndërsa pjesa e mbetur prej 4% u takon grupeve të pakicave etnike.

Gjithashtu, është e qartë që në mesin e respondentëve ka pasur më së shumti avokatë (38%). Pjesa tjetër e modelit, për sa i përket profesionit të respondentëve, është treguar në tabelë (shih Tabelën 2.). Respondentët e punësuar në disa nga gjykatat janë pyetur se me cilin lloj të gjykatave punojnë ata. Sikur që mund të shihet, 38% e të punësuarve tëurvejuar të gjykatave janë të punësuar në Gjykatën komunale, 29% e respondentëve tëurvejuar janë të punësuar në Gjykatën e qarkut, ndërsa struktura e pjesës tjetër të modelit tregohet në tabelë.

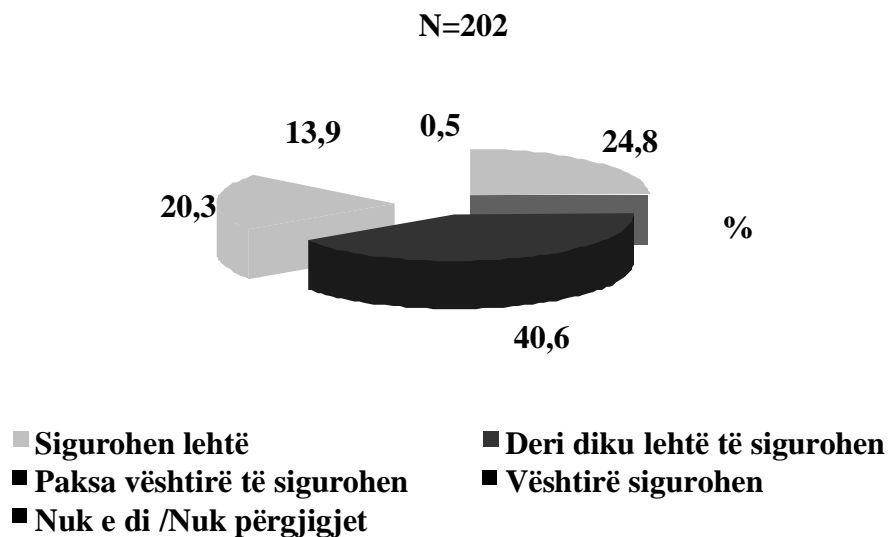
Tabela 02. Përshkrimi i modelit

		Shpeshtësia	Përqindja
PROFESIONI	Avokat	76	38%
	Gjyqtar/e	29	14%
	Staf i gjykatës	37	18%
	Jurist	12	6%
	Staf i fakultetit juridik	6	3%
	Student i fakultetit juridik	5	2%
	Staf i Qeverisë	12	6%
	Staf i OJQ-së vendore	12	6%
	Staf i OJQ-së ndërkombëtare	12	6%
	Të tjerë	1	0%
LLOJI I GJYKATËS (N=65)	Gjykata Supreme	3	5%
	Gjykata e lartë për kundërvajtje	3	5%
	Gjykata komerciale	7	11%
	Gjykata e qarkut	19	29%
	Gjykata për kundërvajtje	8	12%
	Gjykata komunale	25	38%

11.2. Disponueshmëria e tanishme e publikimeve lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë dhe përmbushja e nevojave të klientëve

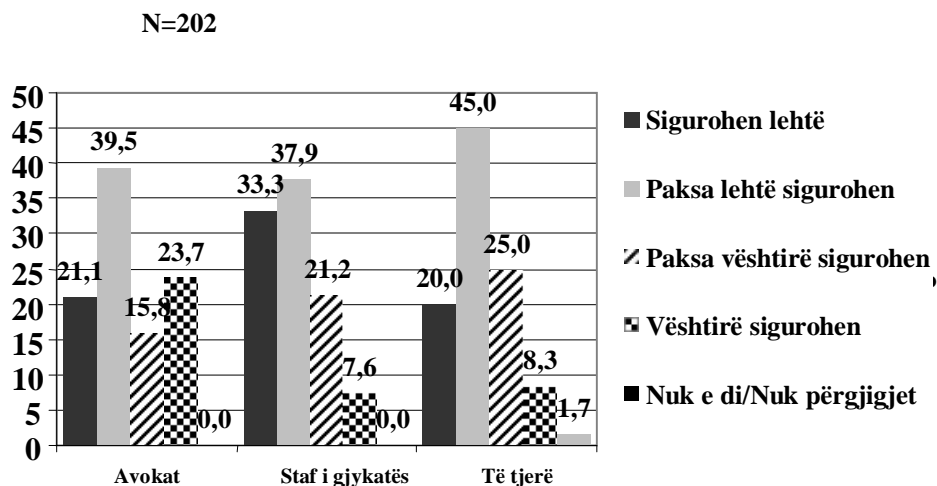
Pyetjet e para për respondentët që kanë marrë pjesë në pjesën kuantitative të hulumtimit kanë pasur të bëjnë me vlerësimin e disponueshmërisë së tanishme të informatave të përgjithshme lidhur me ligjet e zbatueshme në Kosovë. Thuhet më tepër se gjysma e respondentëve thonë që informatat mbi ligjet e zbatueshme në Kosovë janë në dispozicion, ashtu si edhe mund të konkludohet bazuar në rezultatet e treguara grafikisht (shih grafikun 01.). Është e qartë që 40.6% e numrit të përgjithshëm të respondentëve mendojnë se informatat mbi ligjet e zbatueshme në Kosovë janë deri diku lehtësisht të arritshme, përderisa 24.8% vlerësojnë se ato janë lehtësisht të arritshme. Veç kësaj, diçka më pak se gjysma e personave tëurvejuar mendojnë që informatat nuk janë në dispozicion. Madje 20.3% e anëtarëve tëurvejuar të popullatës së klientëve potencial të publikimit të shtypur thonë që informatat mbi ligjet e zbatueshme në Kosovë nganjëherë është e vështirë të sigurohen, ndërsa 13.9% thonë që është tepër vështirë të sigurohen.

Grafiku 01. A mund të thoni që informatat mbi ligjet e zbatueshme në Kosovë janë në dispozicion?



Me analizat tjera jemi përpjekur të përcaktojmë nëse ka dallime në mes të anëtarëve të grupeve të ndryshme profesionale që kanë marrë pjesë në këtë hulumtim. Analiza ka treguar që në aspektin statistikor ekziston një diferencë e konsiderueshme në mes të përgjigjeve të dhëna nga avokatët dhe të tjerët² (shih Grafiku 02.). Ashtu si edhe mund të shihet, ka shumë më tepër avokatë (23.7%), në raport me stafin e gjykatave (7.6%) dhe respondentët tjerë (8.3%), që vlerësojnë se informatat mbi ligjet e zbatueshme në Kosovë është vështirë të sigurohen.

Grafiku 02. A mund të thoni që informatat mbi ligjet e zbatueshme në Kosovë janë në dispozicion? (Krahasimi në mes të avokatëve, stafit të gjykatave dhe të tjerëve)



Për sa i përket disponueshmërisë së materialeve lidhur me ligjet e zbatueshme në Kosovë, respondentët që kanë marrë pjesë në pjesën kualitative të hulumtimit kryesisht vlerësojnë se materiali lidhur me këto tema është pak a shumë në dispozicion të anëtarëve të atyre profesioneve që shfrytëzojnë një material të tillë. Ende, duket që klientët potencial të publikimeve të shtypura lidhur me ligjet e zbatueshme në Kosovë shpesh duhet të shfrytëzojnë burime të tjera, jozyrtare të informatave lidhur me ligjet e zbatueshme në Kosovë dhe çështjet ligjore. Një nga respondentët ka përmendur që anëtarët e atyre profesioneve që bëjnë shfrytëzimin e materialeve lidhur me ligjet dhe çështjet ligjore për

² Grupi i respondentëve “Të tjerët” përbëhet nga respondentët e këtyre profesioneve: Jurist, staf i fakultetit juridik, staf i bibliotekës së fakultetit juridik, student i drejtësisë, staf qeveritar, staf i OJQ vendore, staf i OJQ ndërkombëtare.

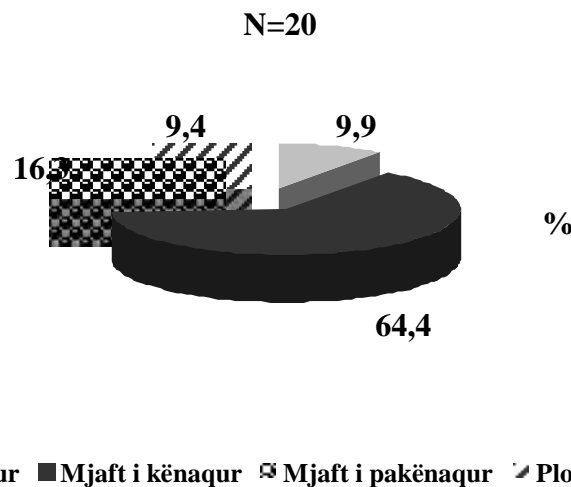
qëllimet e tyre profesionale, edhe pse me vështirësi të caktuara, kryesisht kujdesen vetë për sigurimin e materialit të përmendur më lartë. Përkundër faktit që ka një ofertë të pakët të publikimeve lidhur me çështjet ligjore në Kosovë, si dhe disponueshmëri të vogël të atyre materialeve, ne mund të supozojmë që profesionisti i cili shfrytëzon këto materiale për nevojat e tij apo saj, në një mënyrë do të mësohet me kushtet ekzistuese dhe do të arrijë të sigurojë të dhënat e nevojshme nën ato rrethana. Në anën tjetër, ne supozojmë që qytetarët nuk kanë qasje të mjaftueshme në informatat mbi ligjet e zbatueshme në Kosovë.

Për sa u përket ligjeve që janë në fuqi në Kosovë, mendoj që pak a shumë janë të sigurueshme. (Avokati, Gjilan)

Mendoj që për ata që merren me ligjet nuk është edhe aq e vështirë të jenë të informuar për ligjet, por qytetarët janë ata që kanë vështirësi për të qenë të informuar dhe për të pasur qasje në ligjet e zbatueshme në Kosovë. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Veç kësaj kemi qenë të interesuar të shohim se në çfarë mase janë respondentët, klientët potencial të publikimeve lidhur me ligjet e zbatueshme në Kosovë, të kënaqur me disponueshmërinë e ligjeve dhe materialit tjetër të zbatueshëm legjislativ në Kosovë. Në linjë me përgjigjet e mëparshme, gati dy të tretat (64.4%) e të gjithë respondentëve tëurvejuar në kuadër të hulumtimit kanë thënë se janë mjaft të kënaqur me disponueshmërinë e ligjeve dhe materialit tjetër legjislativ të zbatueshëm në Kosovë (shih Grafikon 03.). Edhe pse rezultatet e dhëna flasin në dobi të supozimit që respondentët janë kryesisht të kënaqur me disponueshmërinë e ligjeve dhe materialit tjetër legjislativ të zbatueshëm në Kosovë, është e qartë që vetëm 9.4% e respondentëve thonë që janë plotësisht të pakënaqur me disponueshmërinë e ligjeve dhe materialit tjetër legjislativ të zbatueshëm në Kosovë.

Grafiku 03. Në çfarë mase jeni të kënaqur me disponueshmërinë e ligjeve dhe materialit tjetër legjislativ të zbatueshëm në Kosovë?



Bazuar në rezultatet e përshkruara, mund të konkludojmë se disponueshmëria e informatave mbi ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë nuk është në nivel të kënaqshëm dhe ekziston një numër i konsiderueshëm i atyre respondentëve në mesin e atyre tëurvejuar, që kanë dhënë gjykim negativ lidhur me disponueshmërinë aktuale të ligjeve dhe materialit tjetër legjislativ të zbatueshëm në Kosovë.

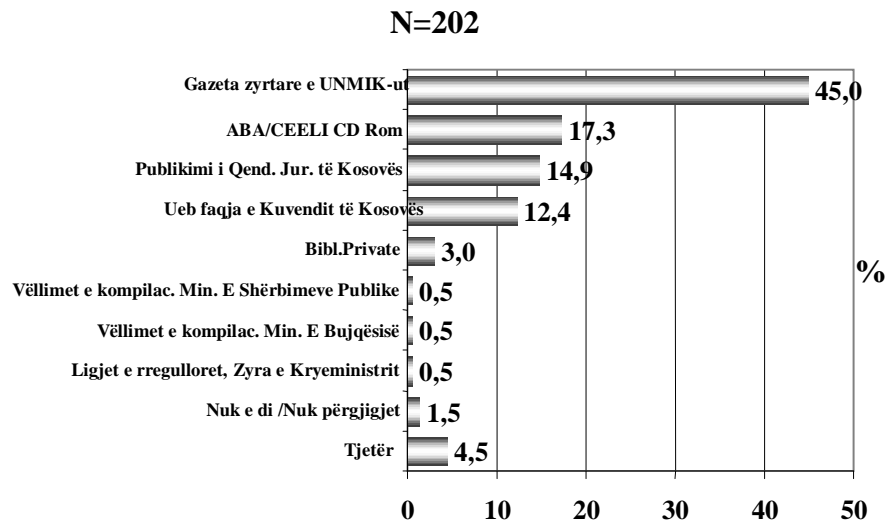
11.3. Përvojat e klientëve të publikimeve që janë në dispozicion lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë

11.3.1. Burimet në dispozicion të informatave lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë

Ne kemi qenë të interesuar të shohim çfarë përvojash kanë klientët potencial të publikimeve të shtypura lidhur me ligjet e zbatueshme në Kosovë. Për sa i përket faktit që hulumtimi ka përfshirë respondentë që për hir të profesionit të tyre duhet të shfrytëzojnë disa nga burimet e informatave që janë në dispozicion lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, ne kemi bërë pyetje lidhur me burimet primare dhe sekondare të informatave. Në pyetjen rreth burimit primar të informatës lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, përgjigja më e shpeshtë ka qenë Gazeta zyrtare e UNMIK-ut, që është përmendur si burim kryesor i informatave

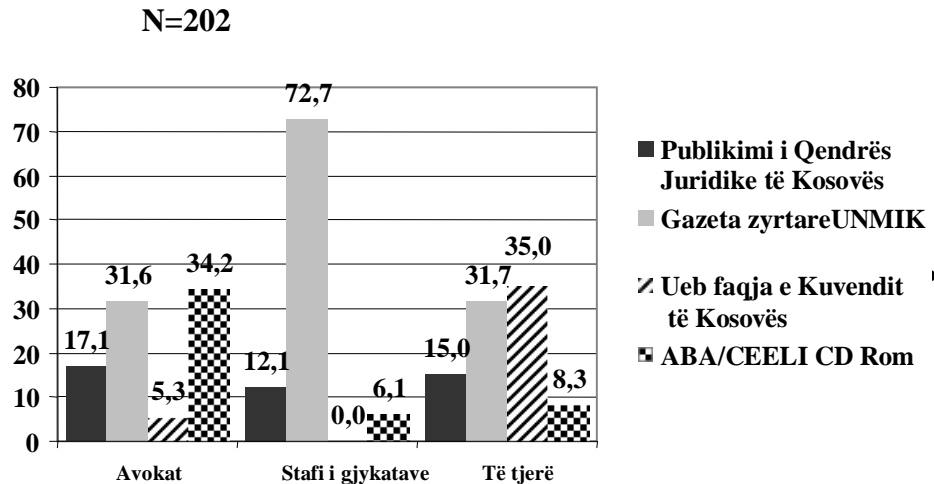
nga 45% të respondentëve. Në rend të dytë është publikimi në CD Rom nga ABA/CEELI (17.3%), Publikimi i Qendrës Juridike të Kosovës (14.9%), dhe ueb faqja e Kuvendit të Kosovës (12.4%). Përgjigjet tjera, më pak të shpeshta, janë treguar grafikisht (shih Grafikonin 04.).

Grafiku 04. Cili është burimi primar i informatave lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë?



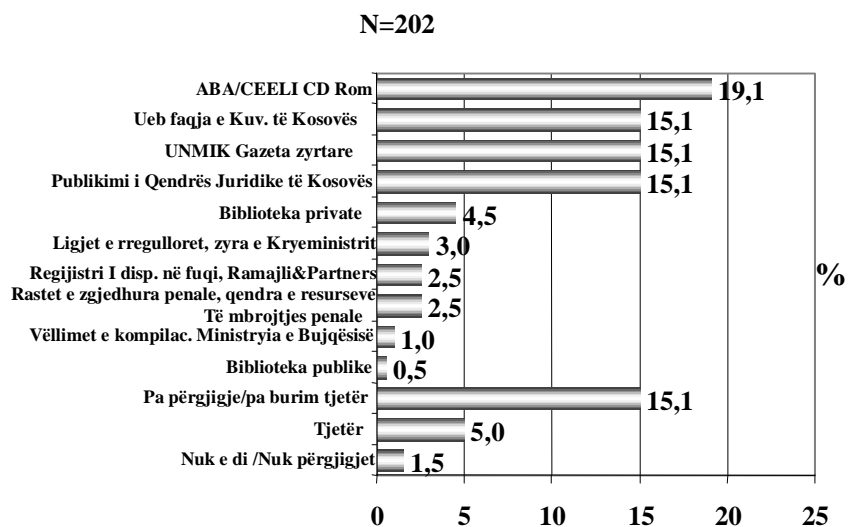
Analiza e mëtejme ka qenë e fokusuar në testimin e dallimeve në mes të grupeve të caktuara të respondentëve. Marrë parasysh burimet primare të informacionit që nxjerren sipas shpeshësisë së tyre, është e qartë që ka një diferencë në mes të respondentëve të profesioneve të ndryshme (shih Grafikonin 05.). Pra, Gazeta zyrtare e UNMIK-ut përdoret më tepër nga stafi i Gjykatave (72.7%), në raport me avokatët (31.6%) dhe të tjerët (31.7%), përderisa ueb faqja e Kuvendit të Kosovës shfrytëzohet pak ose fare nga avokatët dhe stafi i gjykatave. Për sa u përket avokatëve, pjesa më e madhe e tyre (34.2%) kanë përmendur publikimin në CD Rom të ABA/CEELI si burim primar të informacionit. Në të njëjtën kohë, ky burim përdoret shumë më tepër nga avokatët, krahasuar me respondentët tjerë.

Grafiku 05. Cili është burimi primar i informacionit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë? (Krahasimi në mes avokatëve, stafit të gjykatave dhe të tjerëve)



Për sa i përket burimit sekondar të informacionit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, materiali në CD Rom nga ABA/CEELI qëndron në krye të listës (19.1%), dhe pasohet nga ueb faqja e Kuvendit të Kosovës, Gazeta zyrtare e UNMIK-ut dhe Publikimi i Qendrës Juridike të Kosovës, me nga 15.1% secila (shih Grafikon 06.).

Grafiku 06. Cili është burimi juaj sekondar?



Për sa u përket publikimeve për të cilat respondentët që kanë marrë pjesë në pjesën kualitative të hulumtimit thonë se i marrin rregullisht, prapëseprapë ne kemi përshtypjen që “Gazeta zyrtare e UNMIK-ut” përdoret nga shumica e respondentëve. Është me rëndësi të theksohet që rezultatet e hulumtimit kualitativ tregojnë poashtu që ky publikim përdoret më së shumti. Përveç kësaj, duket që CD-të e publikimit të ABA-CEELI janë në mesin e atyre që gjenden në përdorim të gjerë nga profesionistët që merren me ligjin. Vlen të theksohet që disa nga respondentët thonë se nuk kanë ndonjë burim të rregullt të informacionit të cilin e shfrytëzojnë për nevojat e tyre profesionale, apo theksojnë se i shfrytëzojnë disa nga publikimet e përmendura por nuk i marrin ato rregullisht.

Ne marrim rregullisht “Gazetën zyrtare” të UNMIK-ut dhe disa publikime të tjera nga ABA CEELI në CD, në të cilat përfshihen shumë ligje dhe rregullore. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Nuk ka ndonjë publikim që dërgohet rregullisht në zyrën time. Unë interesohem vetë për të gjitha publikimet sikur që është “Gazeta zyrtare” e UNMIK etj. (Avokati, Suharekë)

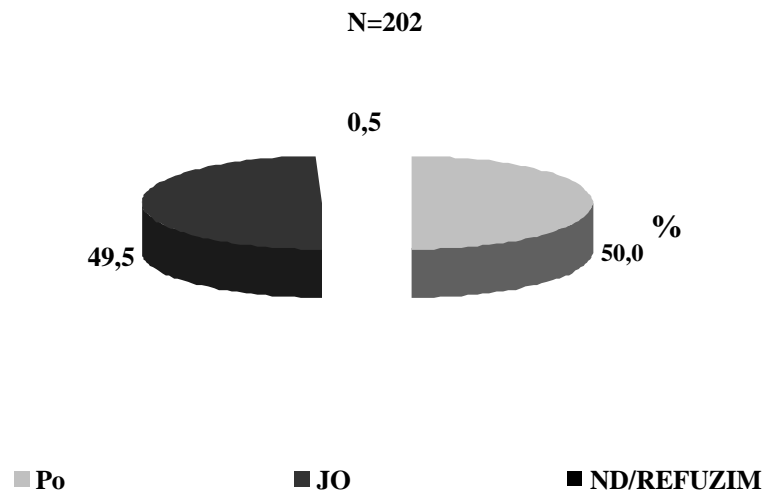
Nuk marr asnjë lloj publikimi që dorëzohet në zyrën time. Zakonisht ka disa CD të ABACEELI, por edhe këto duhet t’i gjejmë vetë.(Avokati, Gjilan)

Për Gazetën Zyrtare nuk jam i sigurtë kur e marrim pasi që nuk dërgohet rregullisht, ndërsa CD-të e ABA CEELI i kemi marrë më herët por së fundi nuk kemi marrë asnjë të tillë. (stafi i Gjykatës së Qarkut, Prishtinë)

Nuk marr asnjë lloj materiali që mbërrin rregullisht; kryesisht informohem vetë. I gjej vetë publikimet, si “Gazetën zyrtare” të UNMIK-ut ashtu edhe publikimet tjera të nevojshme për mua si avokat. (Avokati, Mitrovicë)

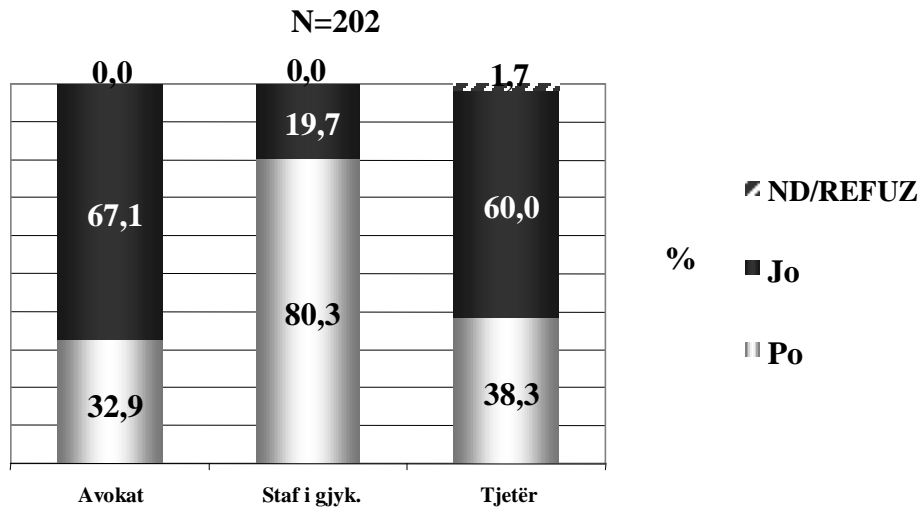
Të pyetur nëse marrin rregullisht ndonjë lloj publikimi lidhur me ligjet dhe materialet tjera legjislative të zbatueshme në Kosovë, saktësisht gjysma e respondentëve kanë dhënë përgjigje pozitive (shih Grafikun 07.).

Grafiku 07. A pranoi rregullisht ndonjë lloj materiali lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë?



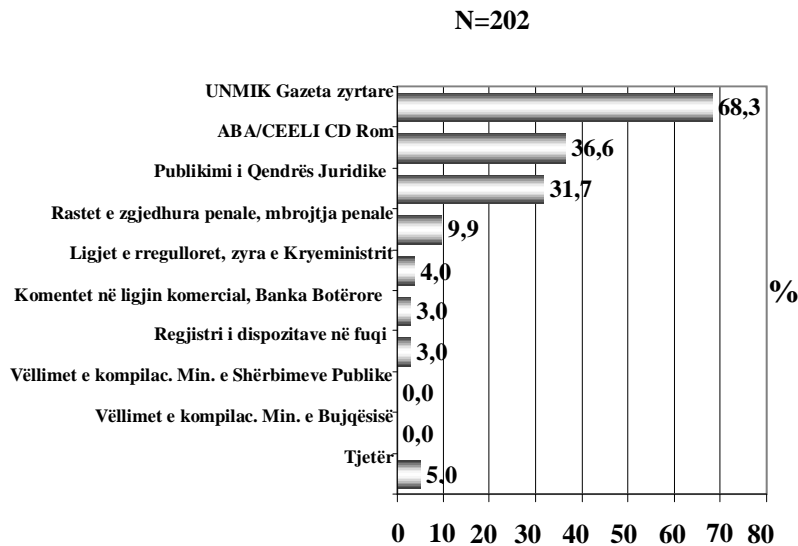
Është përcaktuar që ekziston një diferencë e konsiderueshme statistikore në mes të grupeve të caktuara të respondentëve dhe për sa i përket profesionit të tyre. Sikur që tregohet me grafikun e mëposhtëm (shih Grafikun 08.), në aspekt statistikor, një numër më i lartë i respondentëve nga stafi i gjykatave (80.3%), në raport me avokatët (32.9%) dhe të tjerët (38.3%) pranojnë rregullisht ndonjë nga publikimet lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë.

Grafiku 08. A pranoi rregullisht ndonjë nga publikimet lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë? (Krahasimi në mes Avokatëve, stafit të gjykatave dhe të tjerëve)



Pjesa më e madhe e respondentëve që pranojnë rregullisht ndonjë nga publikimet lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, thonë që marrin Gazetën zyrtare të UNMIK-ut (68.3%). Ajo pasohet nga CD Rom të ABA/CEELI (36.6%), Publikimi i Qendrës Juridike të Kosovës (31.7%), dhe publikimet tjera (shih Grafikon 09.). Për sa i përket madhësisë së modelit (N=101), nuk ka qenë e mundur të bëhet një analizë e rezultateve për kategoritë e ndryshme të respondentëve.

Grafiku 09. Cilin lloj të publikimit e merrni ju lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë?



Përgjithësisht, mund të konkludohet që nuk ka një sistem standard për dërgimin e publikimeve lidhur me ligjet e zbatueshme në Kosovë, përmes të cilit klientët e interesuar do të mund të siguronin materialin e nevojshëm lidhur me çështjet ligjore. Prandaj nuk befason fakti që një numër i konsiderueshëm i respondentëve tanë (që kanë marrë pjesë në pjesën kualitative të hulumtimit), përveç burimeve zyrtare shfrytëzojnë gjithashtu burime shtesë të informacionit lidhur me ligjet e zbatueshme në Kosovë. Prandaj mund të shohim që respondentët, për nevoja të tyre profesionale shfrytëzojnë shpesh libraritë private, literaturën ligjore që e kanë mbledhur gjatë viteve të punës profesionale, si dhe Internetin.

Unë shfrytëzoj gjithashtu bibliotekën time private, në të cilën kam mjaft materiale të ndryshme që i kam mbledhur me vite. (i punësuari i gjykatës së qarkut, Prishtinë)

Zakonisht interesohem vetë për ligjet, pasi që nuk ka ndonjë publikim ku mund t'i gjejnë në një vend të gjitha materialet. (Avokati, Prishtinë)

Nuk marr asnjë lloj publikimi por më duhet gjithnjë të interesohem vetë për të siguruar literaturën. Do të dëshiroja shumë që ky publikim që do të botohet të ketë një sistem efikas të dërgesës, dhe jo që avokatët t'i kërkojnë vetë këto publikime. (Avokati, Prishtinë)

Mjaft shpesh shfrytëzoj bibliotekën time private për të marrë informacione rreth ligjeve. (i punësuari i gjykatës së qarkut, Prishtinë)

Respondentët që thonë se marrin rregullisht ndonjë nga publikimet lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, janë pyetur sa shpesh i marrin këto

publikime. Analiza e rezultateve është bërë për tri nga publikimet që përdoren më së tepërmi. Tabela tregon (shih Tabelën 03.) që pjesa më e madhe e respondentëve që shfrytëzojnë Gazetën zyrtare të UNMIK-ut e marrin këtë publikim një herë në muaj (37.7%) dhe për çdo tre muaj (30.4%). Për sa i përket publikimit të ABA/CEELI në CD Rom që është thënë se shfrytëzohet nga 37 respondentë, rreth një e treta e respondentëve kanë thënë se e marrin këtë publikim një herë në vit (32.4%), ndërsa të tjerët për çdo tre muaj (27%). Për sa i përket Publikimit të Qendrës Juridike të Kosovës, që është thënë se pranohet rregullisht nga 32 respondentë, distribuimi i rezultateve tregon që ky publikim nuk ka ndonjë vazhdimësi të rregullt të distribuimit tek klientët.

Tabela 03. Sa shpesh i pranoni publikimet lidhur me ligjet dhe materialet tjera legjislative të zbatueshme më Kosovë?

	Gazeta zyrtare e UNMIK-ut (N=69)	ABA/CEELI, CD Rom (N=37)	Publikimi i Qendrës Juridike të Kosovës (N=32)
Çdo muaj	37.7%	16.2%	25.0%
Çdo tre muaj	30.4%	27.0%	21.9%
Një herë në vit	4.3%	32.4%	21.9%
Tjetër	11.6%	16.2%	18.8%
ND/REFUZON	15.9%	8.1%	12.5%

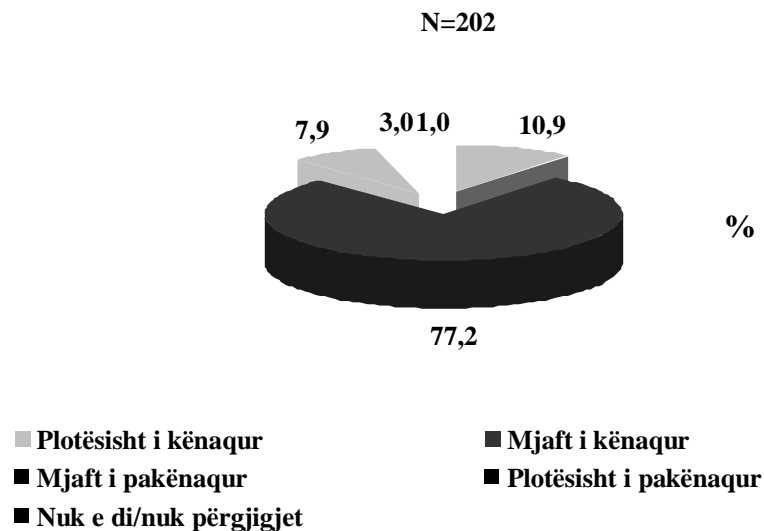
Më tej kemi qenë të interesuar të shohim se çfarë shume të hollash klientët potencial të publikimeve të shtypura lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, do ta ndanin për publikimet aktualisht në dispozicion, për të cilat është mësuar që shfrytëzohen më së tepërmi. Bazuar në rezultatet (shih Tabelën 04.) mund të vërejmë që pjesa më e madhe e publikimeve për shumicën e respondentëve janë pa pagesë, dhe shumica maksimale e të hollave të cilën klientët e publikimit e ndajnë për këtë qëllim nuk kalon shumë prej 10 Eurosh.

Tabela 04. Sa paguani për këtë publikim?

	Gazeta zyrtare e UNMIK-ut N=69)	ABA/CEELI, CD Rom (N=37)	Publikimi i Qendrës Juridike të Kosovës (N=32)
Është pa pagesë	82.6%	94.6%	87.5%
Më pak se 5 Euro	7.2%	0.0%	3.1%
Në mes 5 dhe 10 Euro	2.9%	0.0%	6.3%
Në mes 10 dhe 15 Euro	0.0%	0.0%	0.0%
Më tepër se 15 Euro	0.0%	0.0%	0.0%
DK/REFUZIM	7.2%	5.4%	3.1%

Klientët e publikimeve në dispozicion lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë janë pyetur se në çfarë mase janë të kënaqur me publikimet që mund të sigurohen. Klientët janë kryesisht të kënaqur me publikimet lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, meqë tre nga katër respondentë (77.2%) thonë që janë mjaft të kënaqur me publikimet në dispozicion (shih Grafikon 10.). Thuajse një e pesta e respondentëve (18.8%) thonë megjithatë që janë pak a shumë të pakënaqur me publikimet në dispozicion lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë.

Grafiku 10. Në çfarë mase jeni të kënaqur me publikimet lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë të cilin e pranoni ju?



Respondentët që kanë marrë pjesë në pjesën kualitative të hulumtimit dhe që marrin rregullisht disa nga publikimet që janë në dispozicion lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, janë kryesisht të pakënaqur me atë që ofrojnë këto publikime. Pra mund të shohim që ankesat e respondentëve tanë kanë të bëjnë kryesisht me përmbajtjen si dhe me formatin e publikimit. Për sa i përket përmbajtjes së publikimit, respondentët theksojnë që nuk janë të kënaqur me këtë karakteristikë të publikimit dhe me faktin që ajo nuk i plotëson nevojat e tyre profesionale, pa bërë megjithatë elaborimin e mangësive. Ata kanë theksuar gjithashtu problemin e gabimeve gramatikore në këto publikime. Për sa i përket llojit të çështjeve që trajtohen në këto publikime, gabimet gramatikore dhe gabimet e shtypit shumë lehtë mund të ndërrojnë kuptimin e tekstit të shkruar, prandaj respondentët që kanë marrë pjesë në hulumtimin kualitativ mendojnë që këto mangësi duhet të shmangen në krijimin e publikimeve të këtij lloji.

Jam mjaft i zhgënjyer madje edhe me përmbajtjen e këtij publikimi, mënyrën e botimit e gjithashtu edhe mbështjellësin e tij. (i punësuar i Gjykatës së Qarkut, Prishtinë)

Këto lloje të botimeve mjaft shpesh përmbajnë në vete shumë gabime gramatikore, pasi që e dimë që edhe gazetat ditore madje kanë shumë gabime gramatikore. (i punësuar i Fakultetit të Drejtësisë, Prishtinë)

Dua të theksoj një problem tjetër tepër të madh sa i përket Gazetës Zyrtare që botohet. Normalisht që publikimet që botohen nga Institucionet nuk do të duhej të kishin gabime gramatikore apo në përmbajtjen e tyre dhe “Gazeta zyrtare” e UNMIK-ut i ka të dyja këto mangësi. Së këndejmi, mendoj që zyrtarët duhet të jenë të kujdesshëm me rastin e publikimit të materialeve ligjore, pasi që vetëm me një fjalë të vetme mund të ndryshojë kuptimi i fjalisë dhe përmbajtja e tekstit dhe kështu do të kemi pasoja negative për shoqërinë. (Avokati, Suharekë)

Kur flasim për përmbajtjen atëherë kemi të bëjmë me një temë mjaft të komplikuar, dhe sa i përket përmbajtjes së ligjeve, flas në cilësi të ekspertit ligjor, nuk jam fare i kënaqur. (Avokati, Mitrovicë)

Sa i përket përmbajtjes së këtyre publikimeve, do të thosha që nuk jam aq i kënaqur. Ato mund të jenë më të mira dhe shpresoj që në një të ardhme të afërt situata do të ndryshojë. (Prokurori, Prizren)

Respondentët kanë theksuar një problem mjaft specifik për sa u përket publikimeve me përmbajtje të tillë. Nganjëherë ngjan që përmbajtja e publikimit, që në rend të parë i referohet “Gazetës zyrtare” të UNMIK-ut, nuk është mjaft e kuptueshme për klientët, që shpjegohet me përkthimet joadekuate të tyre. Respondentët supozojnë që kjo është rezultat i angazhimit të përkthyesve të pa kualifikuar, që nuk e njohin sa duhet terminologjinë ligjore. Përkthimi jo adekuat mund të ndërrojë në tërësi domethënien dhe kuptimin e materialit, dhe kjo e bën atë të papërdorshëm për klientët. Poashtu, përdorimi i materialeve të tilla kërkon angazhim shtesë nga klientët për ta kontrolluar atë dhe eventualisht për të korrigjuar përkthimin. Prandaj, respondentët që kanë marrë pjesë në këtë hulumtim theksojnë që përkthimi do të duhej bërë ekskluzivisht nga përkthyesit me njohuri të mira të çështjeve dhe terminologjisë juridike/ligjore.

Më duhet të theksoj që ka mjaft gabime në këto publikime, pasi që për të kuptuar ligjin duhet të lexoni shumë dhe në fund mund të ngjajë që nuk do të kuptoni asgjë. Mendoj që problemi qëndron tek përkthyesit që nuk dijnë të bëjnë përkthimin e duhur të ligjeve dhe nuk njohin terminologjinë ligjore. Në përgjithësi mendoj që përkthimi i ligjeve është mjaft i dobët. (Avokati, Gjilan)

Do të doja të ndalem paksa tek përkthimi i këtyre publikimeve zyrtare. Të gjitha përkthimet janë mjaft të dobëta. Mund të vëreni që Kodi Penal dhe Kodi i Procedurës Penale të Kosovës janë përkthyer nga tre apo katër përkthyes të ndryshëm, pasi që në tekste përdoren shprehje të ndryshme për fjalë të njëjta. (Avokati, Prishtinë)

Pikësëpari, sa i përket “Gazetës zyrtare” ajo që nuk më pëlqen është përkthimi, sepse po të bëjmë një krahasim në mes të versionit në gjuhën angleze dhe atij në gjuhën shqipe, mund të gjejmë shumë gabime sepse përkthyesit që bëjnë përkthimet e materialit, për aq sa di unë nuk kanë të bëjnë asgjë me ligjet dhe çështjet ligjore. (i punësuar i Gjykatës së Qarkut, Prishtinë)

Për sa i përket distribuimit të publikimeve lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, respondentët vlerësojnë që situata nuk është e kënaqshme. Edhe pse ka disa respondentë që thonë se i marrin disa nga publikimet rregullisht, numri më i madh i respondentëve thekson që mënyra në të cilën bëhet distribuimi i publikimeve tek klientët nuk është e sigurtë. Prandaj respondentët thonë që nuk mund të mbështeten në distribuimin e publikimeve dhe sistemin e dërgimit së tyre, që përsëri i referohet kryesisht publikimit të “Gazetës zyrtare” të UNMIK-ut. Ngjan mjaft shpesh që dërgimi i publikimit bëhet me vonesë krahasuar me atë që pritet në këtë rast dhe në raport me nevojat e klientit. Poashtu, institucionet tek të cilat bëhet distribuimi i rregullt i publikimeve, nganjëherë nuk marrin numrin e mjaftueshëm të kopjeve për të gjithë klientët. Prapëseprapë, mund të vërejmë që disa nga klientët janë të kënaqur me distribuimin, që shpie në supozimin se çështja e regjistrimit të shfrytëzuesve të publikimit dhe vet distribuimi i publikimeve nuk është e zgjidhur në mënyrë sistematike.

Kryesisht informohem për ligjet e zbatueshme në Kosovë nga “Gazeta zyrtare” e UNMIK-ut. Sistemi i shpërndarjes është mjaft i dobët, pasi që ata nuk kanë ndonjë sistem të koordinuar të shpërndarjes (Avokati, Suharekë)

Kur flasim për ligjet e zbatueshme, kur jam regjistruar në Odën e Avokatëve të Kosovës kur edhe kam paguar shumë prej 560 Euro, më ishte premtuar që ata do të bëjnë dërgimin e të gjitha materialeve të nevojshme, por as pas tre muajsh nuk kam marrë ende asnjë lloj publikimi nga Oda e Avokatëve të Kosovës. (Avokati, Mitrovicë)

Publikimi zyrtar zakonisht dërgohet përmes Zyrës Postare, por në shumë raste ato nuk dërgohen në kopje të mjaftueshme. Duhet të merret parasysh numri i kopjeve që dërgohen, për shembull në Zyrën e Prokurorisë publike të qarkut në Prizren jemi 7 prokurorë dhe do të ishte mirë që publikimi të dërgohet në po aq kopje. (Prokurori, Prizren)

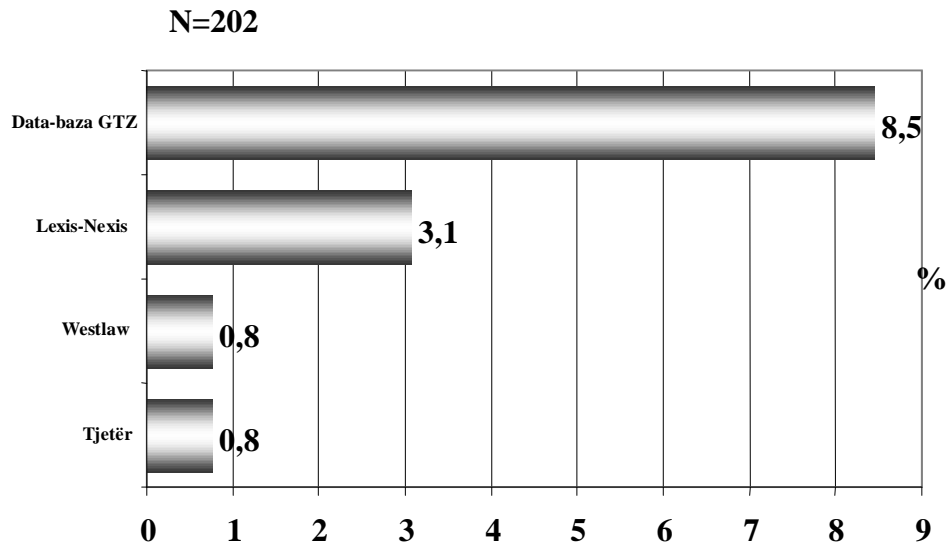
Të gjitha publikimet i marrim me kohë. Zakonisht kur mbërrijnë ato këtu në Gjykatën e Qarkut në Pejë, Administratori na i dorëzon ato me kohë. Kjo është arsyeja pse jam i kënaqur me shpërndarjen e tyre. (Gjyqtari, Pejë)

Tani kemi “Fletoren zyrtare” që është mjaft e dobishme por ende nuk është filluar me shitjen dhe ne nuk mund ta blejmë atë. Do të ishte mirë po të sigurohej ajo për personat që merren me ligjet dhe që e shfrytëzojnë “Fletoren” në praktikë. Kam pyetur në shumë vende, si në Fakultetin e Drejtësisë, Institutin Gjyqësor, në Shoqatën e Gjyqtarëve të Kosovës, por nuk kanë mundur të më sigurojnë një kopje të “Fletores”. (Avokati, Prishtinë)

Më tej kemi qenë të interesuar të mësojmë nëse respondentët parapaguhën apo paguajnë për ndonjë bazë të të dhënave online. Siç mund të shihet (shih Grafikun 11.), një numër tepër i vogël i respondentëve kanë thënë që shfrytëzojnë lloje të tilla të publikimeve. Në

mesin e publikimeve që ofrohen online, paraqitet baza e të dhënave GTZ dhe 8.5% të respondentëve thonë që janë të parapaguar për atë publikim apo e blejnë atë.

Grafiku 11. A jeni të parapaguar apo a paguani për cilëndo bazë online të të dhënave, sikur që është ...?

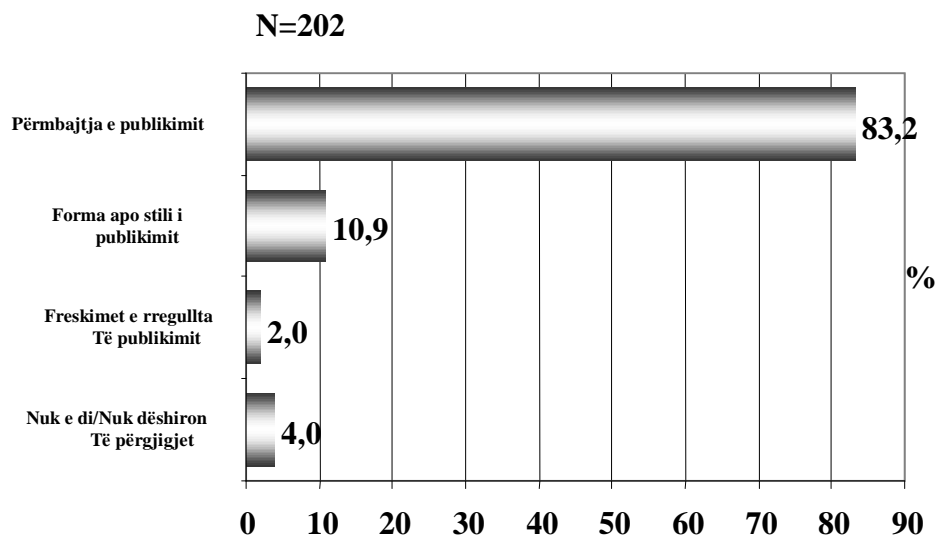


11.3.2. Karakteristikat e rëndësishme të publikimeve në dispozicion lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë

Në kuadër të analizës së bërë për cilësinë e publikimeve në dispozicion lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, kemi qenë të interesuar të mësojmë se në çfarë mënyre respondentët bëjnë vlerësimin e karakteristikave të caktuara të publikimeve dhe çfarë rëndësie u japin karakteristikave të caktuara kur bëjnë përzgjedhjen e publikimit. Lidhur me këtë, pyetja e parë që u kemi bërë respondentëve ka qenë të definojnë se cila karakteristikë në mesin e opsioneve të ofruara është më e rëndësishme në përzgjedhjen e publikimit të cilin ata e marrin apo e blejnë. Sikur që mund të shihet (shih Grafikon 12.) respondentët që kanë marrë më herët disa nga publikimet që janë në dispozicion, vlerësojnë që përmbajtja e publikimit ka qenë karakteristika më e rëndësishme në zgjedhjen e publikimit të cilin ata do ta kishin porositur ose blerë për nevojat e tyre profesionale. 83.2% e respondentëve kanë shfaqur këtë pozicion. Një numër më i vogël i respondentëve kanë deklaruar që faqosja apo stili i

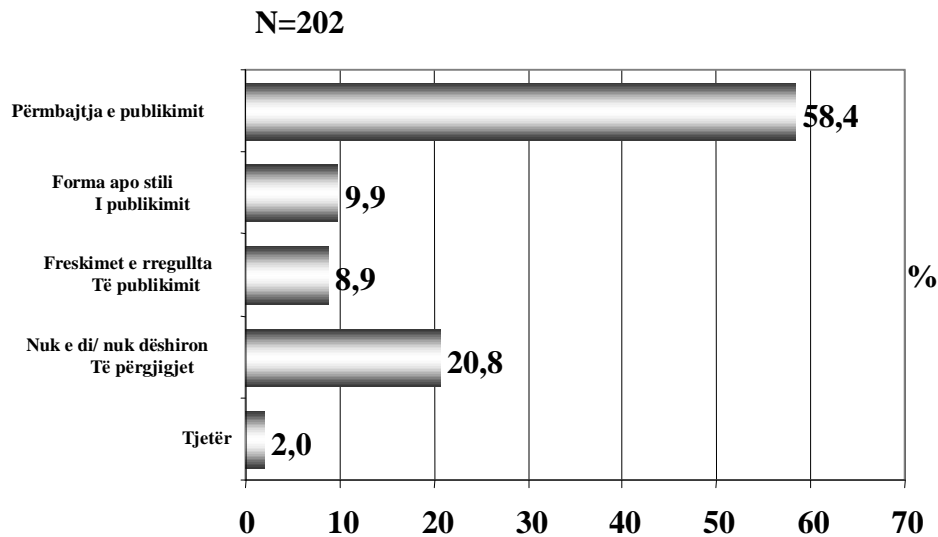
publikimit ka qenë karakteristika më e rëndësishme për blerjen apo porositjen e publikimit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë (10.9%), si dhe freskimet e rregullta të publikimit (2%).

Grafiku 12. Kur ju (zyra juaj) bëni zgjedhjen e publikimit që do ta merrni apo bleni, cila është karakteristika më e rëndësishme?



Për sa i përket të qenit të kënaqur me karakteristikat e caktuara të publikimeve që ata shfrytëzojnë, respondentët kanë thënë që më shumë janë të kënaqur me përmbajtjen e publikimit, përgjigje kjo e dhënë nga 58.4% e respondentëve (shih Grafikon 13.). Pason faqosja apo stili i publikimit (9.9%), dhe freskimi i rregullt i publikimit (8.9%).

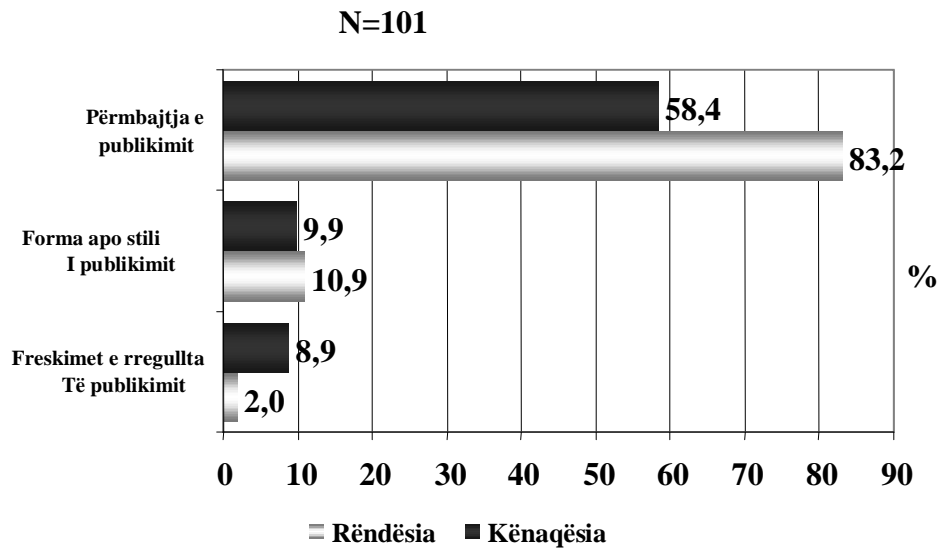
Grafiku 13. Nga publikimet ligjore të Kosovës të cilat i merrni ju, me cilat karakteristika është më e kënaqur zyra juaj?



Nëse krahasojmë nevojat që klientët potencial i kanë lidhur me karakteristikat e caktuara që janë përshkruar përmes vlerësimit të rëndësisë së karakteristikave, me vlerësimin e të qenit të kënaqur me ato karakteristika, mund të vërehet një mospërputhje e konsiderueshme për sa i përket njëres nga karakteristikat – përmbajtjes së publikimit. Mund të shohim (shih Grafikonin 14.) që niveli i kënaqësisë me këtë karakteristikë të publikimeve që janë në shfrytëzim, në aspektin statistikor është më e ulët nga rëndësia të cilën respondentët i kushtojnë po të njëjtës karakteristikë kur bëjnë zgjedhjen e publikimit.

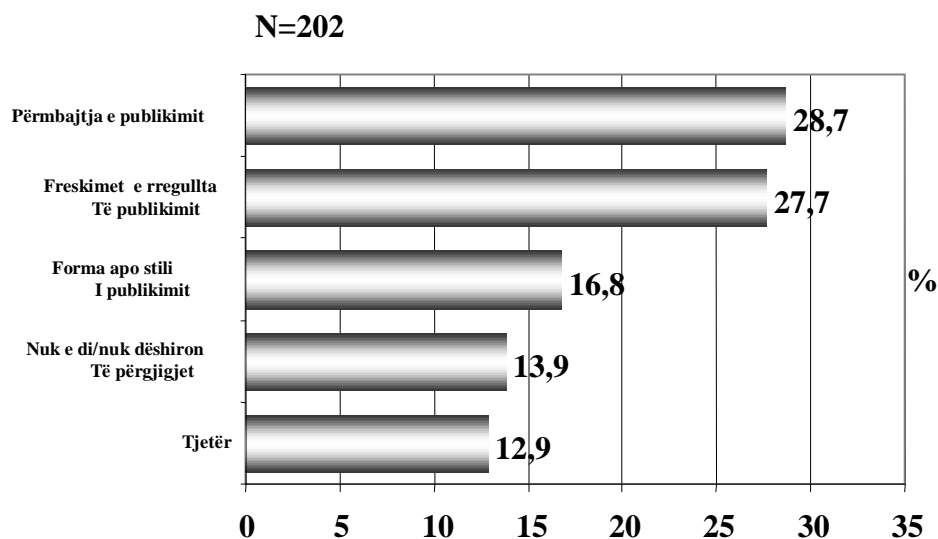
Kjo mund të shërbejë si bazë për të konkluduar që ka publikime të cilat nuk i përmbushin nevojat e klientëve. Mund të vërejmë gjithashtu që përmbajtja e publikimit, që konsiderohet si karakteristika më e rëndësishme e publikimit, është njëkohësisht një karakteristikë që mund të përmirësohet më tej me qëllim që klientëve t’u ofrojë shërbimin që do të plotësojë në tërësi nevojat dhe kërkesat e tyre.

Grafiku 14. Kur ju (zyra juaj) bëni zgjedhjen e publikimit që do ta merrni apo bleni, cila është karakteristika më e rëndësishme / Nga publikimet ligjore të Kosovës të cilat i merrni ju, me cilat karakteristika është më e kënaqur zyra juaj?



Përgjigjet e dhëna në pyetjen vijuese konfirmojnë konkludimet e mëparshme. Në të vërtetë, të pyetur se me cilën karakteristikë të publikimit që ju e merrni jeni më pak të kënaqur, pjesa më e madhe e respondentëve ka thënë që kjo është përmbajtja e publikimit (28.7%). Kjo pasohet nga përgjigjet tjera (shih Grafikon 15.), ku për freskimin e rregullt të publikimit, 27.7% të klientëve tëurvejuar të publikimeve që janë në dispozicion, thonë që janë më së paku të kënaqur.

Grafiku 15. Nga publikimet ligjore të Kosovës të cilat ju i merrni, me cilat karakteristika është më së paku e kënaqur zyra juaj?

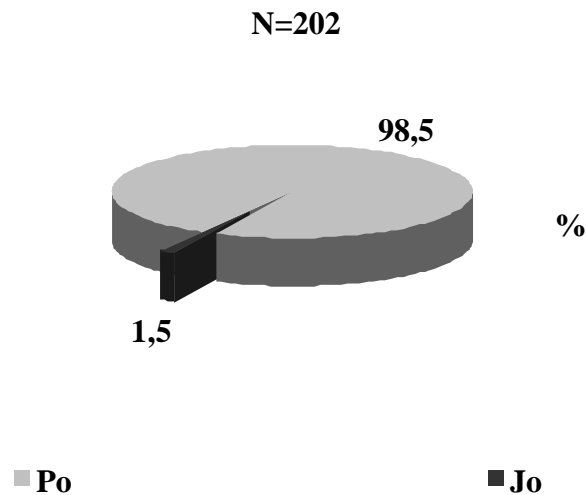


11.4. Nevojat e klientëve potencial të publikimeve lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë

11.4.1. Interesimi për publikimet e shtypura lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë

Në vazhdim kemi elaboruar një vlerësim lidhur me nevojat e klientëve. Respondentëve u është thënë fillimisht që të supozojnë se ekziston publikimi që do të ofrojë informacione të freskëta për të gjitha ligjet e tanishme dhe materialet tjera legjislative të zbatueshme në Kosovë. Më pas respondentët janë pyetur nëse dëshirojnë të marrin rregullisht këtë publikim. Sikur që mund të shihet (shih Grafikun 16.) pjesa dërrmuese e respondentëve (98.5%) kanë treguar interesim në një lloj të tillë të publikimit. Pa marrë parasysh profesionin e tyre, respondentët janë përgjigjur pozitivisht në këtë pyetje.

Grafiku 16. A do të dëshironit të merrni rregullisht këtë publikim?



Në përputhje me konkludimet e mëhershme që lënë të kuptohet se disponueshmëria dhe cilësia e publikimeve lidhur me ligjet e zbatueshme në Kosovë është në nivel të ulët, mund të supozojmë që respondentët që kanë marrë pjesë në pjesën kualitative të hulumtimit, si klientë potencial të publikimeve të shtypura, do të tregonin interesim në publikimin që u përgjigjet plotësisht nevojave të tyre për informacione që lidhen me

profesionin e tyre. Padyshim që ekziston hapësirë në tregun e publikimeve të këtij lloji në Kosovë që do të siguronte qasje për përdoruesit potencial në të gjitha informacionet e nevojshme lidhur me ligjet e zbatueshme në Kosovë.

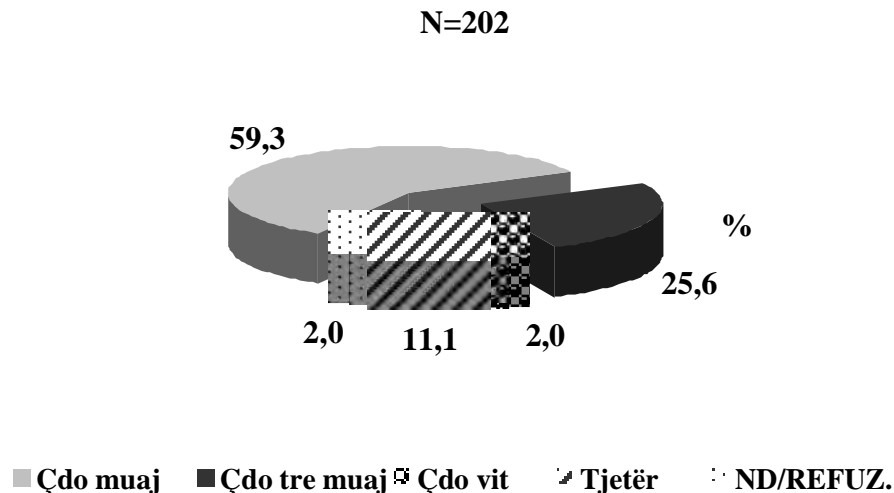
Unë kam shumë besim në këtë publikim dhe mendoj që publikimi do të ketë efekte pozitive. Por problemi këtu është si t'u ofrohet ky publikim njerëzve që kanë nevojë për të. (Avokati, Suharekë)

Mendoj që publikimi i materialit ligjor është ide e shkëlqyer. Është çështje teknike çfarë do të jetë ky publikim apo si do të duket, apo vëllimi që do ta ketë etj. (Avokati, Mitrovicë)

Së pari shpresoj që ky lloj publikimi do të jetë më i plotë dhe përmbajtja e tij të jetë më e pasur me materiale, pasi që vetë ideja që ne "stafi i gjykatave" të gjejmë në një publikim gjithë atë që na duhet, të bën të ndjehesh shumë mirë. (Edhe pse mendoj që kjo është e pamundur) (I punësuari i Gjykatës së Qarkut, Prishtinë)

Duke folur më tej për publikimet që zgjojnë interesimin e tyre, gati dy të tretat e respondentëve (56.3%) kanë thënë që këtë publikim do të dëshironin ta marrim një herë në muaj. Rreth një e katërta (25.6%) e respondentëve kanë thënë që do të preferonin distribuimin e publikimit për çdo tre muaj (shih Grafikon 17.).

Grafiku 17. Sa shpesh do të dëshironit ta merrni këtë publikim?

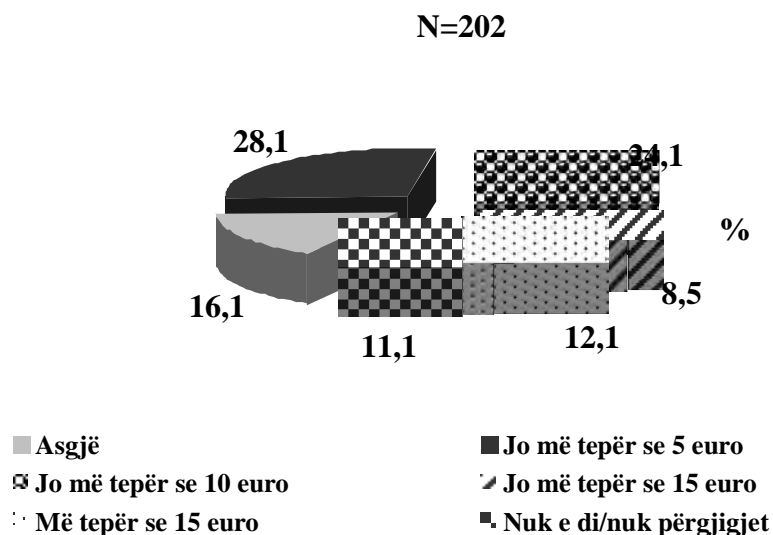


11.4.2. Çmimi i publikimit

Për sa i përket çmimit të publikimeve, opinionet e klientëve potencial kanë qenë mjaft të ndara. Sikur që mund të shihet (shih Grafikon 18.) 16.1% e respondentëve nuk janë të gatshëm të ndajnë të holla për një lloj të tillë publikimi dhe mendojnë që distribuimi duhet bërë pa pagesë. Në mesin e respondentëve që mendojnë se e vlen të paguhet për publikimin, gjysma e tyre do të paguanin jo më tepër se 5 Euro (28.1%) ndërsa (24.1%) jo më tepër se 10 Euro. Ndërsa 12.1% e respondentëve kanë thënë që janë të gatshëm të paguajnë mbi 15 Euro.

Nëse marrim parasysh që pjesa më e madhe e respondentëve i marrin pa pagesë publikimet që aktualisht janë në dispozicion, është paksa befasuese që një numër jashtëzakonisht i vogël i tyre do të ishin të gatshëm të ndajnë të holla për një lloj të tillë të publikimit. Kjo mbase mund të arsyetohet me pakënaqësinë e identifikuar të tyre për sa u përket publikimeve që aktualisht janë në dispozicion.

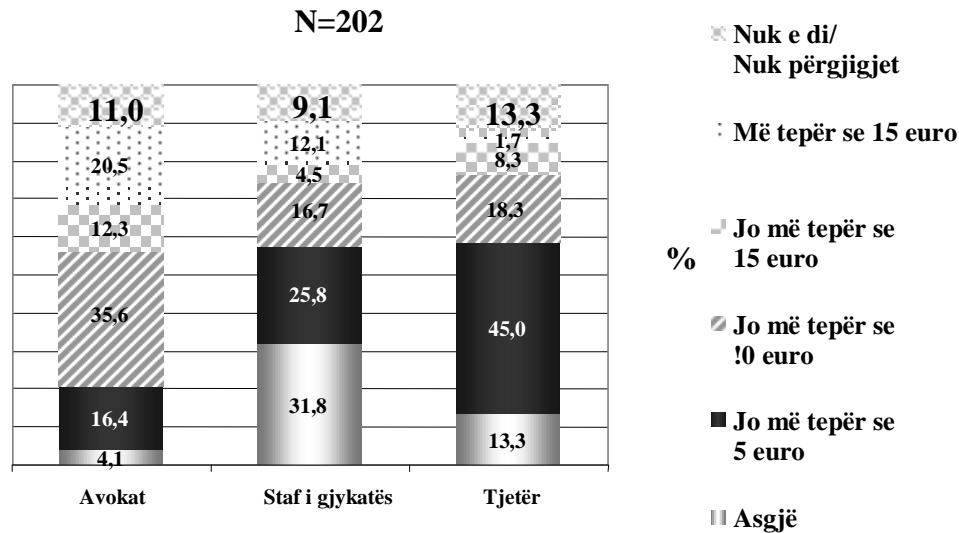
Grafiku 18. Sa do të ishit të gatshëm të paguani për këtë publikim?



Analiza e mëtejme tregon ekzistencën e dallimeve ndër-grupore varësisht nga profesioni i respondentëve. Pra, mund të shohim (shih Grafikon 19) që në aspektin statistikor, një numër konsiderueshëm më i lartë i respondentëve të kategorisë “të tjerët” (45%), në

krahasim me avokatët (16.4%), dhe stafin e gjykatave (31.8%) thonë që do të ishin të gatshëm të paguajnë jo më tepër se 5 Euro për këtë publikim.

Grafiku 19. Sa do të ishit të gatshëm të paguani për këtë publikim? (Krahasimi në mes të avokatëve, stafit të gjykatave dhe të tjerëve)



Për sa i përket çmimit të publikimit lidhur me ligjet e zbatueshme në Kosovë, opinionet e respondentëve pjesëmarrës në hulumtimin kualitativ ndryshojnë mjaft. Në një anë, disa nga respondentët mendojnë se nëse publikimi vërtetë i përmbushë nevojat e tyre profesionale, do të ishte e vlefshme të ndahen të holla për atë qëllim. Madje edhe ata respondentë që kanë përmendur statusin e pafavorshëm financiar të popullatës së Kosovës në përgjithësi, kanë thënë që janë të gatshëm të paguajnë një shumë të arsyeshme për publikimin lidhur me ligjet e zbatueshme në Kosovë.

Unë shpesh paguaj për publikimet që i marr, dhe normalisht që do të paguaj për këtë publikim por me një kusht, që ky publikim i ri të jetë më praktik për përdorim. (Avokati, Suharekë)

Sa për paratë, mendoj që nuk është edhe aq problem kjo, pasi që më pëlqen të mbledh materiale të ndryshme që më nevojiten dhe nëse ky publikim përmban materiale të mira, atëherë do të paguaj pa ndonjë problem. Kjo është më tepër diç teknike. (Avokati, Mitrovicë)

Edhe pse bashkë me kolegët marrim një pagë minimale, jam në gjendje të paguaj. (Gjyqtari, Pejë)

Për publikimet që ne i marrim nuk jam i informuar nëse i paguajmë ato, por mendoj që ato janë pa pagesë, dhe për mua personalisht nuk do të jetë ndonjë problem të paguaj pasi që më pëlqen të kem tërë literaturën që lidhet me punën time. (I punësuar i Gjykatës së qarkut, Prishtinë)

Por duhet të kemi parasysh që çmimi duhet të jetë i arsyeshëm për shkak të situatës së rëndë ekonomike në Kosovë. (Avokati, Gjilan)

Në anën tjetër, ka pasur respondentë që kanë thënë se nuk janë të gatshëm të ndajnë mjete për publikimin, duke e shpjeguar këtë qëndrim me pozitën e rëndë financiare në të cilën gjenden. Poashtu, duket se profesionistët që do të mund ta shfrytëzonin publikimin lidhur me ligjet e zbatueshme në Kosovë për qëllime të aktiviteteve të tyre të punës, mendojnë që institucionet, organizatat apo kompanitë do të duhej të sigurojnë apo të blejnë publikimin dhe kjo nuk do të duhej të ishte obligim i individit. T'u kujtojmë edhe njëherë konkludimet e nxjerra nga hulumtimi kuantitativ. Në të vërtetë, tri të katërtat e respondentëve kanë thënë që do të ishin të gatshëm të paguajnë për publikimin që do të ofronte informata mbi ligjet e zbatueshme në Kosovë.

...Do të thoja që për shkak të pagave të vogla që kemi, nuk do të ishim në gjendje të paguanim as edhe një euro për këto publikime. (I punësuar i Gjykatës së Qarkut, Prishtinë)

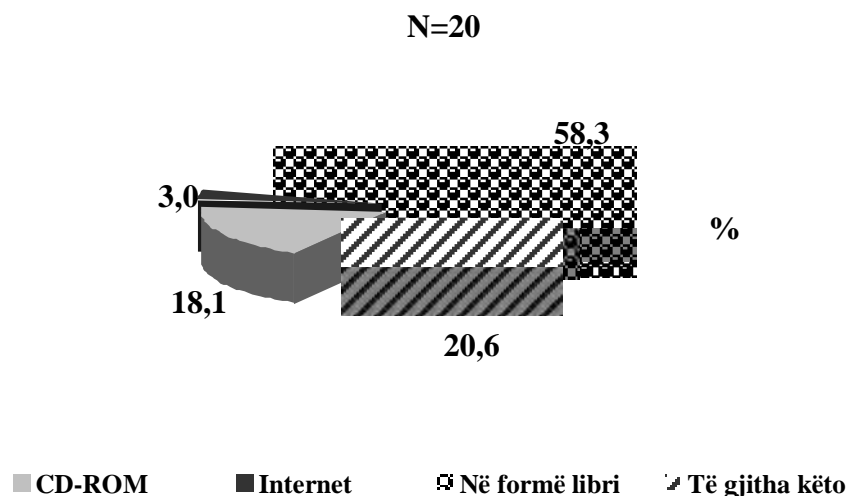
Nëse Gjykata e Qarkut i mbulon shpenzimet mendoj që nuk do të ketë fare problem, por nëse do të duhej të paguajmë individualisht, mendoj që personalisht nuk do të mund të paguaj atë çmim, pasi që nëse krahasohet puna e madhe që bëjmë, pagat tona janë shumë të vogla. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Zakonisht deri tani nuk kam paguar asgjë për këto publikime, pra kanë qenë pa pagesë, si për shembull "Gazeta zyrtare", publikimi i Qendrës Juridike të Kosovës, materialet që janë siguruar në seminare. Mbase do të paguaj një shumë të vogël të hollash por nuk mund të paguaj nëse çmimi është më i lartë. (Avokati, Prishtinë)

11.4.3. Formati i publikimit

Pikësëpari, kemi qenë të interesuar të mësojmë se cila formë e publikimit do të ishte më e pëlqyeshme për respondentët. Diç më pak se dy të tretat (58.3%) e klientëve potencial të publikimit mendojnë që do të ishte më së miri sikur publikimi të shtypej në formë të libirit (shih Grafikon 20.). Përderisa një numër shumë i vogël i respondentëve (3%) kanë treguar interes në formën e internetit për publikimin, mesatarisht çdo i pesti respondent (18.1%) vlerëson që publikimi duhet të jetë në CD-ROM. Një e pesta e respondentëve (20.6%) thonë që opsioni më i pranueshëm do të ishte përgatitja e publikimit në të gjitha format e përmendura më lartë.

Grafiku 20. Në cilën formë do të dëshironit të ishte ky publikim?



Për sa i përket formatit të publikimit në të cilin kanë treguar interesim klientët, pjesa më e madhe e respondentëve pjesëmarrës në pjesën kualitative të hulumtimit kanë thënë poashtu që do të dëshironin që publikimi lidhur me ligjet e zbatueshme në Kosovë të jetë në formë të librit. Ky format tradicional i publikimit konsiderohet si më i përshtatshëm dhe më praktik nga të tjerët. Megjithatë, respondentët theksojnë që ky format i publikimit do të ishte i dobishëm nëse do të plotësonte standardet e cilësisë që janë identifikuar si të rëndësishme në intervistë. Kjo kryesisht ka të bëjë me thjeshtësinë e përdorimit të librit apo publikimit. Në anën tjetër, disa nga respondentët preferojnë formatin në CD të publikimit, që në këtë rast shihet si një burim i thjeshtë, praktik, i kuptueshëm dhe afatgjatë i informacionit mbi ligjet e zbatueshme në Kosovë. Si shembull pozitiv përmendet “CD e ABA CEELI”, për të cilën klientët thonë që është dizajnuar në mënyrën e duhur dhe paraqet një model që do të mund të merrej parasysh në përgatitjen e publikimit të ri. Disa nga respondentët preferojnë përgatitjen e publikimit në disa formate të ndryshme, kryesisht në formë libri dhe në CD. Vlen të përmendet që publikimi në formë të librit është vlerësuar si forma më e dëshirueshme madje edhe në hulumtimin kuantitativ.

Libri do të ishte i mirë nëse është i përdorshëm lehtë dhe jo i komplikuar. (Avokati, Suharekë)

Do të preferoja këtë publikim në formë libri. (Avokati, Gjilan)

Së pari libri duhet të jetë praktik, i përdorshëm lehtë, dhe jo një libër që nuk mund ta kuptoni. (Avokati, Mitrovicë)

Ky publikim do të ishte i mirë si libër, pasi që librin mund ta merrni me vete kudo. Është i lehtë për përdorim. (Gjyqtari, Pejë)

Do të ishte mirë që ky publikim të jetë edhe në CD, Internet dhe si libër. Personalisht më tepër preferoj librin. Pasi që librat janë më praktik, që nga fillimi jam mësuar më tepër me librat. (I punësuari i Gjykatës së Qarkut, Prishtinë)

Për mua është njësoj si libri ashtu edhe CD. E kam përmendur më herët që tani jemi mësuar me CD-të e ABA-CEELI prandaj nuk e kam problem. (Avokati, Prishtinë)

Nëse publikimi do të jetë në CD kjo është diç tjetër, për shembull ngjan shpesh që CD-të janë të dëmtuara dhe nuk janë aq të sigurta. Nëse do të jenë në CD, do të doja të ishin sikur "CD-të e ABA-CEELI". (Gjyqtari, Pejë)

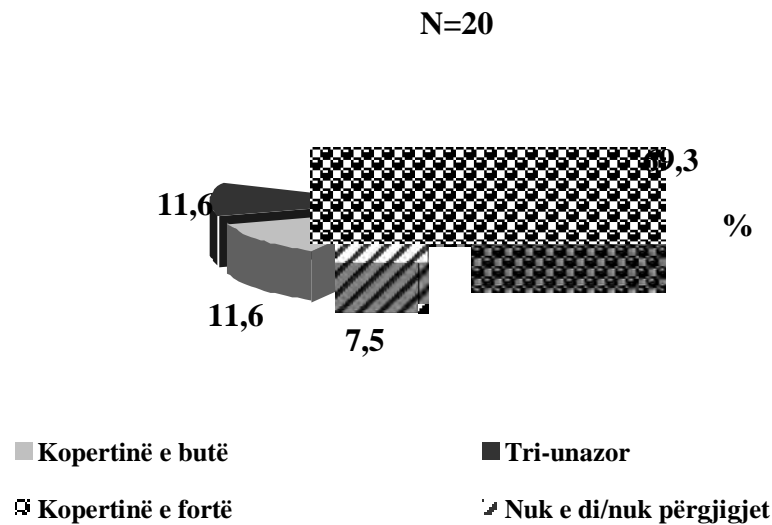
Dua të theksoj që jam i kënaqur me CD-të e ABA-CEELI pasi që janë në version elektronik dhe të lehta për përdorim. Dhe është shumë e lehtë kur i keni të gjitha materialet në një vend dhe nuk keni nevojë të lexoni dhe të kërkoni në libra të ndryshëm. (I punësuari i Gjykatës së Qarkut, Prishtinë)

Them se publikimi në CD është më i përshtatshëm por edhe kopja e librit nuk do të ishte ide e keqe. Për shkak të rrethanave në të cilat jetojmë, ka mjaft raste kur nuk mund të përdorim kompjuterin, prandaj them se publikimi duhet të jetë edhe në formë libri. (I punësuari i Gjykatës së Qarkut, Prishtinë)

Do të ishte mirë që të publikohej si libër e gjithashtu edhe në versionin elektronik, pasi që tani të gjithë kemi kompjuterë dhe nuk është vështirë të përdoren. (Avokati, Suharekë)

Lidhur me formën e publikimit, respondentët janë pyetur për kopertinën në të cilën do të duhej shtypur publikimi (shih Grafikon 21.). Më tepër se dy të tretat të respondentëve (69.3%) preferojnë kopertinat e forta. 11.6% e respondentëve preferojnë opsionin e kopertinës së butë. 7.5% e respondentëve nuk kanë vendosur për këtë pyetje.

Grafiku 21. Do të preferonit kopertinën e fortë apo të butë?



Një numër më i vogël i respondentëve pjesëmarrës në pjesën kualitative të hulumtimit e kanë përmendur kopertinën e publikimit lidhur me ligjet e zbatueshme në Kosovë. Respondentët që mendojnë se publikimi duhet të jetë në formë libri, vlerësojnë që cilësia e kopertinës duhet të merret gjithashtu parasysh. Pasi që publikimi do të ishte në përdorim të vazhdueshëm nga klientët, respondentët vlerësojnë që kopertina e fortë është më e përshtatshme dhe do të siguronte një përdorim më afatgjatë të publikimit. Përveç kësaj, ka pasur respondentë që nuk e shohin këtë karakteristikë si të rëndësishme dhe që kanë thënë se të siguruarit e përmbajtjes cilësore të publikimit do të duhej kushtuar vëmendje e posaçme.

Është mirë që e bëni këtë pyetje, dhe unë do të doja ta kem publikimin me kopertinë të fortë dhe jo sikur Gazeta zyrtare e UNMIK-ut që pas një muaji dëmtohet dhe nuk mund ta përdorim por duhet prapë të bëjmë kopjet e saj. Për këtë arsye, do të ishte shumë mirë po të ishte në kopertinë të fortë, madje edhe duken më bukur. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Sa i përket kopertinës, mendoj që kjo nuk është aq relevante pasi më e rëndësishme është përmbajtja e publikimit. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Më tej, nga të gjitha karakteristikat e përmendura të cilat i kemi diskutuar me respondentët, duket që thjeshtësia është vlerësuar si gjëja më e rëndësishme. Në të vërtetë, respondentët theksojnë që është me rëndësi që përmbajtja e publikimit të jetë e organizuar në mënyrë të thjeshtë, që do të mundësonte përdorimin sa më të mirë nga klientët.

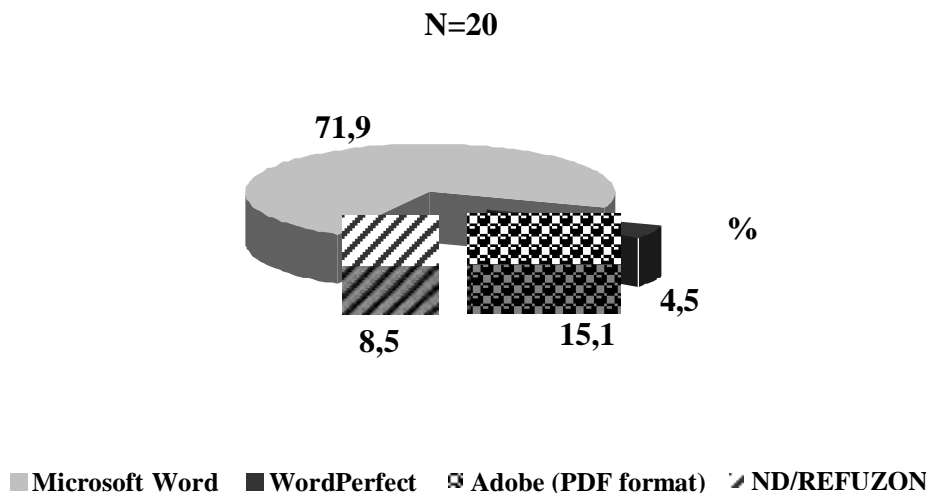
Që një publikim të jetë i afërt për lexuesin, pikësëpari duhet të jetë sa më i lehtë për përdorim. (I punësuari i Gjykatës së Qarkut, Prishtinë)

Mendoj që është shumë me rëndësi që ky publikim të përfshijë materiale të ndryshme që do të jenë të lehta për përdorim praktik nga gjykatat, prokurorët dhe avokatët. (Avokati, Prishtinë)

Është e ditur që libri duhet të jetë lehtë i përdorshëm ndërsa çmimi nuk është edhe aq me rëndësi. (Prokurori, Prizren)

Më tej kemi qenë të interesuar të mësojmë se cili format elektronik do të ishte më i përshtatshëm për klientët. Mund të shohim (shih Grafikon 22.) që shumica e respondentëve (71.9%) preferojnë formatin Microsoft Word; ndërsa një numër më i vogël i respondentëve mendojnë që duhet shfrytëzuar formatet tjera, të përmendura si më poshtë.

Grafiku 22. Nëse këto publikime do të ishin në dispozicion në formë elektronike, cili është formati më i mirë për shfrytëzim nga ju (zyra juaj)?



Për sa i përket formatit elektronik të publikimit, respondentët pjesëmarrës në pjesën kualitative të hulumtimit kryesisht preferojnë programin Microsoft Word. Duket që ky program për leximin dhe redaktimin e tekstit është në përdorim të gjerë nga shfrytëzuesit e kompjuterit, prandaj edhe klientët potencial janë të mësuar me të dhe është më i afërt për shumicën e tyre. Poashtu, respondentët pjesëmarrës në pjesën kualitative të hulumtimit mendojnë që programi Adobe do të mund të përdorej gjithashtu për këtë

qëllim pasi që pamundëson bërjen e ndryshimeve në tekstin e shkruar, që marrë parasysh çështjen në diskutim, shihet si një gjë me rëndësi.

Personalisht nuk kam ndonjë problem me përdorimin e kompjuterit prandaj në çfarëdo forme që të jetë publikimi, për mua nuk do të ketë asnjë telashe. Zakonisht publikimet në internet ofrohen në Adobe, por pasi që nuk kam probleme me përdorimin e kompjuterit, nuk është me rëndësi softueri që përdoret për publikimin. (stafi i Fakultetit të Drejtësisë, Prishtinë)

Zakonisht punoj me programin Word, por mendoj që Adobe është më i përshtatshëm pasi që nuk mund të manipuloni me përmbajtjen e teksteve ligjore. (I punësuari i Gjykatës së Qarkut, Prishtinë)

Do të ishte mirë ta kemi publikimin në versionin elektronik, për vete do të preferoja programin Word pasi që këtë program e shfrytëzoj më tepër. (Avokati, Prishtinë)

Unë shfrytëzoj programin Word dhe do të doja që ky publikim të jetë në Word. (Avokati, Suharekë)

Dhe nëse do të jetë në versionin elektronik, do të preferoja më tepër të jetë në Word pasi që di ta përdorë atë më mirë. (I punësuari i Gjykatës së Qarkut, Prishtinë)

11.4.4. Karakteristikat e favorshme të publikimit

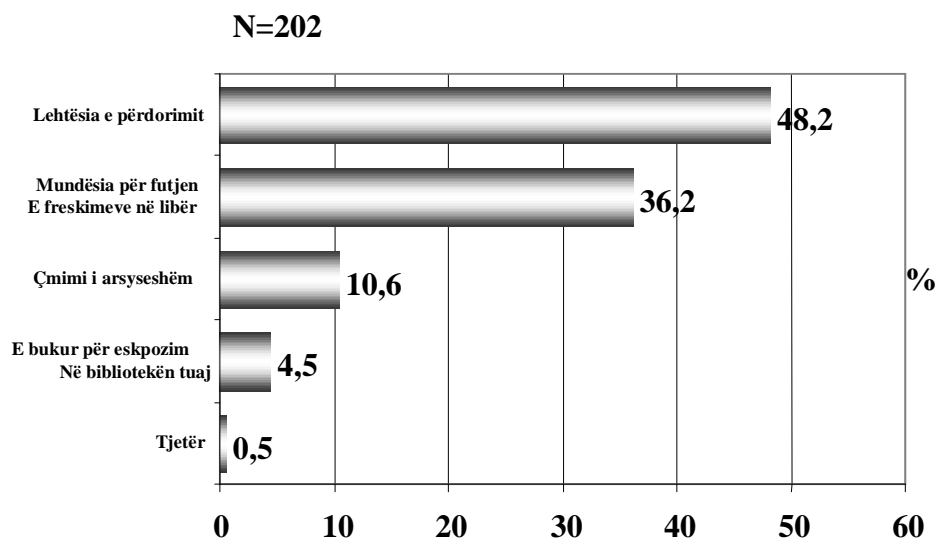
Lidhur me publikimet për të cilat respondentët kanë treguar interesim, kemi qenë të interesuar të mësojmëse çfarë rëndësie u kushtojnë respondentët karakteristikave të caktuara të publikimit. Sikur që mund të shohim në tabelë (shih Tabelën 05.) thjeshtësia e përdorimit dhe mundësia për të bërë freskime në libër janë karakteristika që respondentët i shohin si shumë të rëndësishme. Prandaj, gati katër të pestat e respondentëve kanë thënë që këto karakteristika do të ishin më të rëndësishmet në rast se do ta shfrytëzonin publikimin. Çmimi është një karakteristikë e rëndësishme e publikimit për më tepër se gjysmën e klientëve potencial (55.3%). Edhe pse 39.7% e respondentëve thonë që stili i publikimit nuk është me rëndësi, gati gjysma e respondentëve e shohin këtë si një karakteristikë me rëndësi (17.1%), ndërsa deri diku të rëndësishme (26.1%).

Tabela 05. Për blerjen e këtij publikimi nga ju (zyra juaj), sa e rëndësishme do të ishte karakteristika në vijim? (N=199)

	Mundësia për futjen e freskimeve në tekst	E bukur për ekspozim në bibliotekën tuaj	Çmimi i arsyeshëm	Lehtësia e përdorimit
Shumë e rëndësishme	77.9%	17.1%	54.3%	78.9%
Deri diku e rëndësishme	9.0%	26.1%	23.6%	10.6%
Deri diku e parëndësishme	7.0%	11.6%	15.1%	6.5%
E parëndësishme	3.0%	39.7%	5.0%	4.0%
ND/REFUZIM	3.0%	5.5%	2.0%	0.0%

Në linjë me konkludimet e mëhershme, respondentët kanë zgjedhur thjeshtësinë e përdorimit si një nga karakteristikat më të rëndësishme të publikimit dhe 48.2% e klientëve potencial e përkrahin këtë karakteristikë (shih Grafikonun 23.). Më pas vie “mundësia për futjen e freskimeve në libër” që 36.2% e respondentëve e konsiderojnë si cilësinë më të rëndësishme.

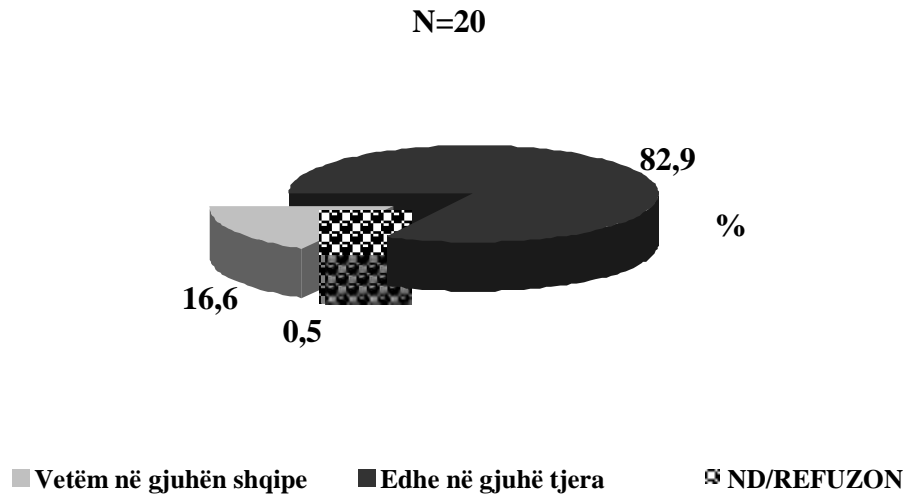
Grafiku 23. Cila do të ishte karakteristika më e rëndësishme e këtij publikimi?



Për sa i përket gjuhës së publikimit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, respondentët kryesisht pajtohen (82.9%) që materiali duhet të

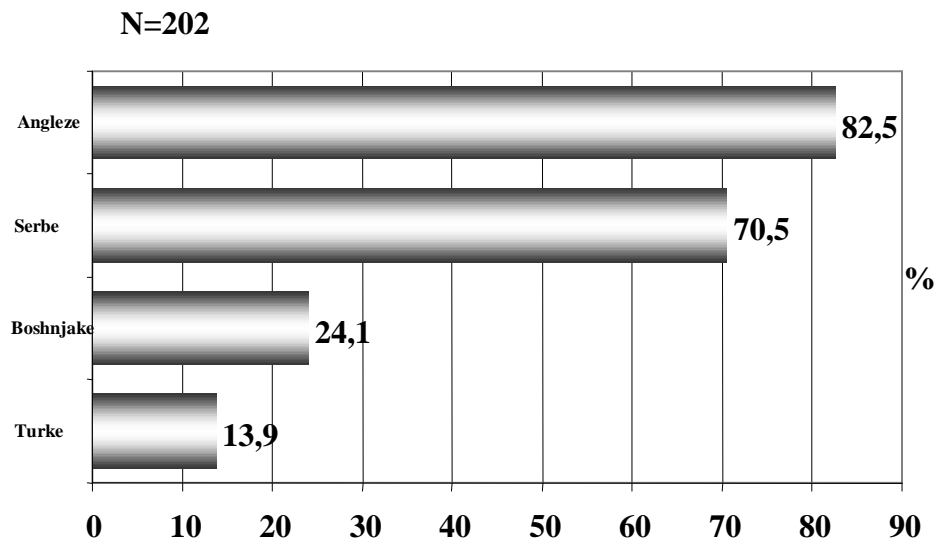
publikohet edhe në gjuhë tjera përveç gjuhës Shqipe. Diç më pak se një e pesta e respondentëve (16.6%) mendojnë që publikimi duhet të përgatitet vetëm në gjuhën Shqipe (shih Grafikon 24.).

Grafiku 24. A do të preferonit që publikimi të jetë vetëm në gjuhën Shqipe apo edhe në gjuhët tjera?



Respondentët që mendojnë se publikimi duhet të përgatitet edhe në gjuhët tjera përveç gjuhës Shqipe, tregojnë edhe cilat gjuhë do të duhej të jenë këto. Përgjigja më e shpeshtë ka qenë gjuha Angleze dhe 82.5% e respondentëve pajtohen që gjuha angleze do të duhej përdorur si një nga gjuhët e publikimit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë (shih Grafikon 25.). Diç më pak se një e katërta e respondentëve kanë thënë që publikimi duhet përgatitur edhe në gjuhën serbe (70.5%), ndërsa një e katërta e respondentëve mendojnë që publikimi duhet të jetë edhe në gjuhën boshnjake (24.1%).

Grafiku 25. Në cilat gjuhë duhet përgatitur publikimi?



Për sa i përket gjuhës në të cilën do të duhej përgatitur publikimi lidhur me ligjet e zbatueshme në Kosovë, hulumtimi kualitativ ka shfaqur një seri të qëndrimeve të ndryshme. Përgjithësisht, mbizotëron qëndrimi që publikimi duhet të sigurohet në të gjitha gjuhët zyrtare të Kosovës, që janë gjuha shqipe dhe ajo serbe. Sidoqoftë, marrë parasysh problemin e përshkruar me përkthimin e ligjeve, si dhe mundësinë e përdorimit të publikimit nga profesionistët që nuk flasin ndonjëherë nga gjuhët zyrtare të Kosovës, është rekomanduar që publikimi i ligjeve të sigurohet edhe në gjuhën angleze. Përkundër faktit që janë shprehur qëndrime të ndryshme, mbizotëron qëndrimi për publikimin në disa gjuhë, që njëkohësisht ka qenë një nga konkludimet e hulumtimit kuantitativ.

Për mua është shumë me rëndësi versioni zyrtar në gjuhën angleze pasi që ngjan që kemi probleme me përkthimin e ligjeve nga gjuha angleze në atë shqipe, duke ditur që një fjalë e vetme mund të ndryshojë tërë përmbajtjen e ligjit. (stafi i Fakultetit të Drejtësisë, Prishtinë)

Mendoj që do të ishte më mirë sikur publikimi të ishte në të tri gjuhët zyrtare, por që ato të botohen në publikime të veçanta. Secili do të shfrytëzonte publikimin në gjuhën e tij dhe të tjerët do të mund të siguronin gjithnjë publikimin në gjuhën tjetër, nëse janë të interesuar. Për shembull "Gazeta zyrtare" e UNMIK-ut është shumë voluminoze dhe njerëzit hezitojnë ta lexojnë atë. (stafi i Fakultetit të Drejtësisë, Prishtinë)

Ndoshta jam paksa më patriot, por mendoj që edhe nëse publikimi do të ishte vetëm në gjuhën shqipe kjo nuk do të ishte problem, pasi që gjatë seancave kemi përkthyes. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Lëndët që i kam në proces janë në gjuhën shqipe por i kam edhe në gjuhën serbe. Kjo ka të bëjë me rastet e ndihmës juridike dhe mendoj që versionet në shqip dhe serbisht mjaftojnë. (Avokati, Prishtinë)

Shumica e publikimeve janë në të gjitha gjuhët zyrtare prandaj mendoj që edhe ky publikim do të ishte mirë të jetë në të gjitha gjuhët zyrtare, shqipe, angleze dhe serbe. (Avokati, Gjilan)

Ky lloj publikimi do të ishte mirë të ofrohet në të gjitha gjuhët zyrtare, pa përjashtime. Që një libër të jetë më i afërt me nevojat e shfrytëzuesit, duhet të jetë lehtë i përdorshëm dhe në formatin e duhur. (Avokati, Prishtinë)

Veç kësaj, është me rëndësi të theksohet që ka pasur respondentë të cilët mendojnë se publikimi duhet të përgatitet edhe në gjuhët e pakicave etnike që jetojnë në Kosovë.

Që një publikim të jetë më modern, duhet të përgatitet në të gjitha gjuhët zyrtare, pasi që nëse kam palë që vijnë nga pakica turke, do të doja që ligji të jetë edhe në gjuhën e tyre. (Avokati, Suharekë)

Këto publikime, sikur edhe publikimet tjera, duhet të përgatiten në të gjitha gjuhët zyrtare. E theksoj këtë pasi që ka gjyqtarë që u takojnë pakicave dhe ka lëndë në proces të cilat gjykatat i mbajnë edhe në gjuhët tjera. (I punësuari i Gjykatës së Qarkut, Prishtinë)

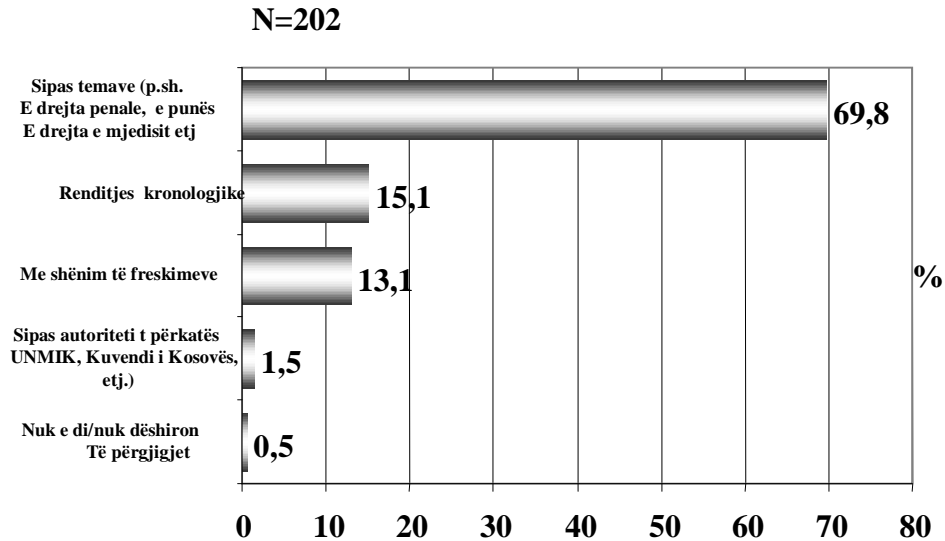
Ne jetojmë në shoqëri shumë etnike dhe do të ishte mirë që ky publikim të përgatitet edhe në gjuhët tjera. Për shembull, në zyrën time punoj bashkë me një kolegë të pakicës turke, dhe nëse nuk ka një publikim në gjuhën e tij, kjo do të ishte diskriminim për të. (Prokurori, Prizren)

Mendoj se këto publikime duhet të jenë në gjuhën shqipe, angleze, turke, serbe dhe boshnjake. Pasi që jetojmë në një vend shumë etnik, është mirë që të gjithë qytetarët ti kenë ligjet në gjuhën e tyre. Dhe përveç palëve, kemi edhe kolegë me të cilët punojmë bashkë dhe që u takojnë pakicave prandaj duhet të kemi ligje edhe në gjuhën e tyre. (Gjyqtari, Pejë)

11.4.5. Përmbajtja e publikimit

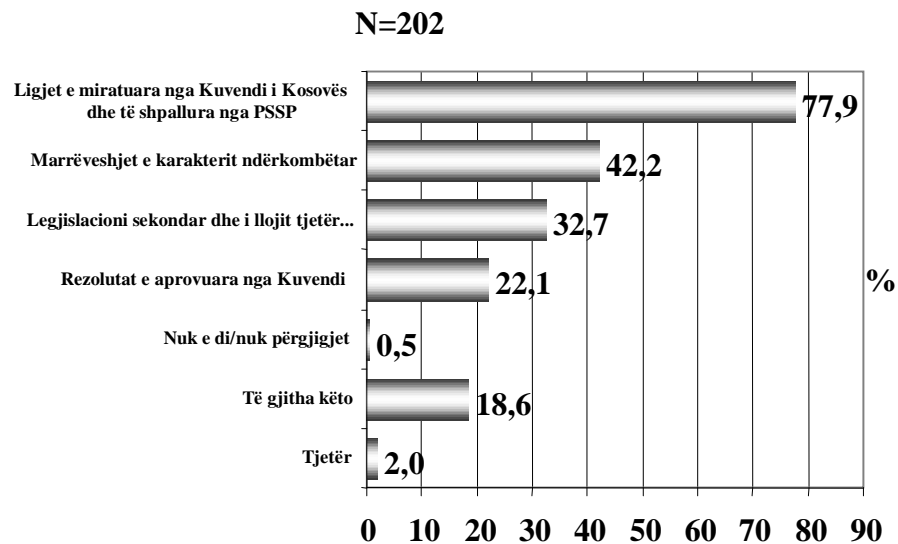
Për sa u përket nevojave të klientëve potencial, një nga temat më të rëndësishme që kemi diskutuar ka qenë çështja e përmbajtjes së publikimit apo mënyra në të cilën do të duhej organizuar përmbajtja e publikimit. Siç mund të shihet (shih Grafikon 26.), pjesa më e madhe e respondentëve (69.8%) vlerësojnë që nga opsionet e ofruara, më së miri do të ishte që përmbajtja e publikimit të organizohej sipas fushave (p.sh. E drejta penale, e drejta e punës, e drejta e mjedisit, etj.). Një numër më i vogël i respondentëve mendojnë që përmbajtja duhet organizuar sipas renditjes kronologjike (15.1%), dhe me shënimin e freskimeve në tekste (13.1%).

Grafiku 26. Mendoni lidhur me përmbajtjen e publikimeve për të cilat po flasim. Si do të preferonit të jenë të organizuara ato? Do të preferonit organizimin sipas renditjes kronologjike, temave të trajtohen, autoritetit që bën publikimin, me shënimin e freskimeve në tekste, apo mënyra të tjera?



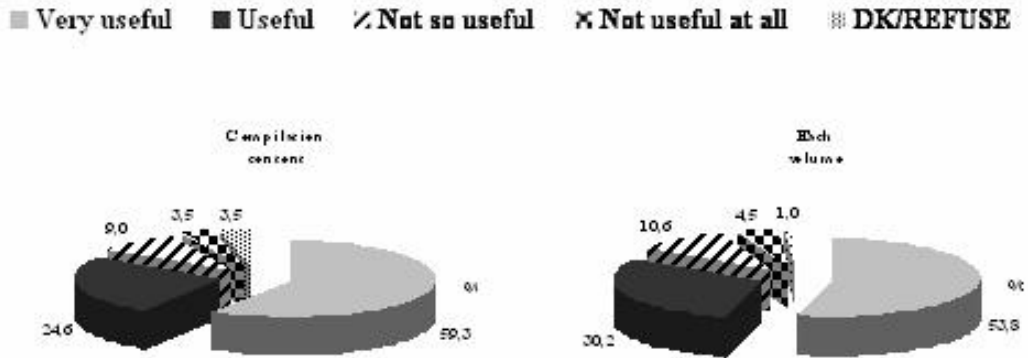
Për sa u përket materialeve legislative që duhet të jenë pjesë e publikimit, pjesa më e madhe e klientëve tëurvejuar potencial të publikimit, pajtohen që publikimi në çdo rast duhet të përfshijë ligjet e miratuara nga Kuvendi i Kosovës dhe të shpallura nga PSSP (77.9%). Veç kësaj, diç më pak se gjysma e respondentëve (42.2%) mendojnë që publikimi duhet të përmbajë gjithashtu edhe marrëveshjet e karakterit ndërkombëtar, pastaj legjislacionin sekondar dhe tjetër të nxjerrë nga qeveria dhe ministrinë (32.7%), si dhe rezolutat e miratuara nga Kuvendi i Kosovës (21.1%). Thuajse çdo i pesti respondent (18.6%) mendon që publikimi lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë duhet të përmbajë tërë përmbajtjen e ofruar (shih Grafikon 27.).

Grafiku 27. Sipas mendimit tuaj, cili lloj i materialeve legislative duhet të jetë pjesë e këtij publikimi?



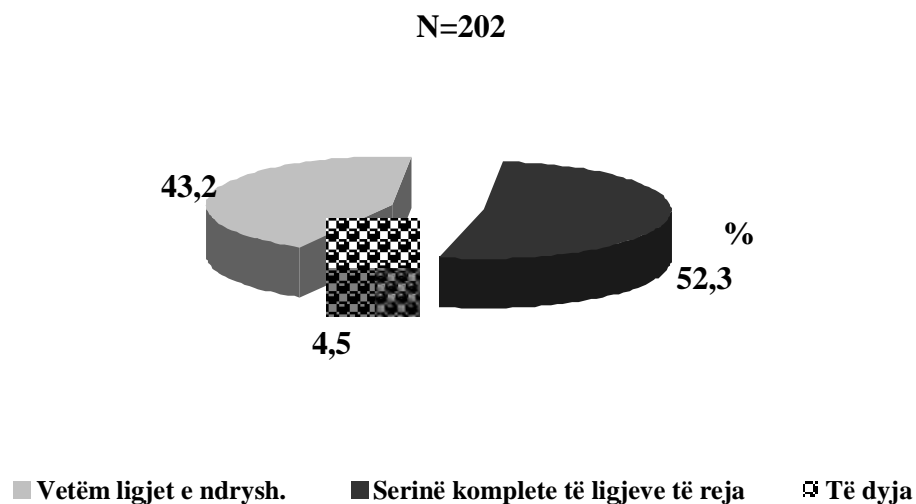
Pyetja tjetër që u kemi bërë respondentëve ka qenë lidhur me Indeksën që duhet të jetë pjesë përbërëse e publikimit. Sa për faktin që publikimi do të duhej të përmbajë dy lloje të indekseve: a) indeksin e përmbajtjes së publikimit dhe b) indeksin për secilin vëllim, respondentët janë pyetur se në çfarë mase lloji i caktuar i indeksit do të ishte i dobishëm. Sikur që mund të shihet nga Grafiku (shih Grafikon 28.) rreth tri të katërtat e respondentëve mendojnë që të dy llojet e indekseve do të ishin të dobishme apo shumë të dobishme. Nuk ka pasur ndonjë dallim të konsiderueshëm statistikor në mes të kërkesave për lloje të ndryshme të indekseve. 10-15% të respondentëve mendojnë që indekset (e të dyja llojeve) nuk do të kishin asnjë dobi për ta.

Grafiku 28. Indeksi paraqet përmbajtjen, dy lloje të indekseve do të publikohen, a) indeksi i përmbajtjes së publikimit dhe b) indeksi për secilin vëllim. Sa do të jenë të dobishme për ju këto indekse? (N=199)



Në lidhje me freskimet që duhen përfshirë në publikim, mendimet e klientëve potencial ndryshojnë (shih Grafikon 29.). Në të vërtetë, 43.2% e respondentëve kanë thënë që do të dëshironin të marrin vetëm ligjet e ndryshuara, përderisa diç më tepër se gjysma e respondentëve (52.3%) mendojnë që duhet të marrin serinë tërësisht të re të ligjeve komplete.

Grafiku 29. Nëse do të merrni rregullisht publikimin lidhur me ligjet e zbatueshme në Kosovë, si do të dëshironit t'i merrni freskimet e bëra në tekste?



Edhe sa i përket përmbajtjes së publikimit, mendimet e respondentëve pjesëmarrës në pjesën kualitative të hulumtimit, ndryshojnë poashtu. Mund të shohim që shumica e respondentëve mendojnë se publikimi duhet të përfshijë të gjitha ligjet e zbatueshme në Kosovë, pavarësisht nga lloji i ligjit dhe origjina e tij. Respondentët kanë theksuar rëndësinë e interpretimit të ligjeve nga ekspertët ligjor, që do të duhej të jetë pjesë përbërëse e publikimit lidhur me ligjet e zbatueshme në Kosovë.

Do të dëshiroja që ky publikim të përfshijë të gjitha ligjet dhe rregulloret që janë të zbatueshme në Kosovë, pasi që këto materiale janë të nevojshme gjatë procedimit të lëndëve. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Zakonisht mund të gjej tërë atë që më duhet në materialet të cilat i posedoj. Do të ishte shumë mirë po qe se publikimet e reja përfshijnë të gjitha llojet e materialeve në përgjithësi dhe mundësisht të gjitha ligjet të jenë me komente përkatëse, dhe këto komente të jenë të përgatitura nga ekspertët ligjor. (I punësuar i Gjykatës së Qarkut, Prishtinë)

Çfarëdo që të jetë ky publikim apo pa marrë parasysh fushat që trajtohen, është me rëndësi të përfshihen komentet përkatëse dhe këtyre komenteve do të duhej kushtuar shumë kohë. Më besoni që është një zbrazëti e madhe për sistemin gjyqësor të Kosovës që gjatë zbatimit të rregullave ligjore, u kushtohet pak vëmendje apo edhe nuk shfrytëzohet fare praktika gjyqësore. (Avokati, Prishtinë)

Do të ishte mirë që ky publikim të përfshijë të gjitha ligjet e zbatueshme në Kosovë, përfshirë këtu rregulloret e UNMIK-ut, ligjet e aprovuara nga Kuvendi i Kosovës dhe marrëveshjet ndërkombëtare që janë po aq me rëndësi. (Gjyqtari, Pejë)

Ky publikim duhet të përfshijë të gjitha dispozitat ligjore në fuqi. Më pas ligjet e aprovuara nga Kuvendi i Kosovës, Rregulloret e UNMIK-ut dhe përgjithësisht ligjet e zbatueshme, marrëveshjet ndërkombëtare etj. (Avokati, Mitrovicë)

Nga të gjitha alternativat që keni përmendur, mundësisht të përfshihen të gjitha ato (alternativat nga udhëzimet IDI). (I punësuar i Gjykatës së Qarkut, Prishtinë)

Në fillim dua të theksoj që sistemi i drejtësisë përfshin ligjet civile dhe administrative dhe ato penale. Të gjitha ato ligje do të mund të publikoheshin në një publikim të vetëm. Më parë asnjëherë nuk kanë qenë në një publikim. (Avokati, Gjilan)

Në anën tjetër, ka pasur respondentë që vlerësojnë se në mesin e ligjeve që duhet përfshirë në publikim, nuk duhet të jenë edhe ligjet e aprovuara nga Kuvendi i Kosovës. Në të vërtetë, respondentët mendojnë që këto ligje tanimë janë në dispozicion përmes internetit, por përsëri theksojnë që do të ishte e dobishme të përfshihen interpretimet e tyre.

Mendoj që ligjet e aprovuara nga Kuvendi i Kosovës nuk ka nevojë të publikohen sepse të gjitha mund të gjenden në internet, por do të ishte mirë të botohen komentet për ligje të caktuara. E them këtë sepse për shumë juristë apo ekonomistë që punojnë me ligjet dhe legjislativin, shumë gjëra mbeten të paqarta. (stafi i Fakultetit të Drejtësisë, Prishtinë)

Besoj që shumë shpejt do të kemi një publikim që do të përmbajë të gjitha materialet që na nevojiten. Do të ishte shumë mirë sikur Gjykata Supreme e Kosovës të publikojë “praktikën gjyqësore” të saj, rreth mënyrës së zbatimit të ligjeve në lëndët penale, civile dhe administrative. (Gjyqtari, Pejë)

Një nga respondentët thotë që do të ishte shumë e vështirë të përfshihen të gjitha ligjet në një publikim dhe sugjerojnë botimin e disa publikimeve. Këto lloj ligjesh, në këtë rast do të ishin kriteri kryesor sipas të cilit do të ndaheshin materialet në disa publikime.

Unë personalisht mendoj që është tepër vështirë të përfshihen të gjitha materialet ligjore në një publikim të vetëm. Por do të ishte mirë të kemi publikime të ndara, për shembull një publikim për fushën penale, dhe publikimet tjera për fushat civile e administrative. (Avokati, Prishtinë)

Më tej, respondentët kanë folur gjithashtu edhe për përmbajtjen e publikimit dhe lidhur me kriteret që duhen respektuar në ndarjen e publikimit në disa pjesë. Prandaj mund të shohim se respondentët mendojnë që kategorizimi sipas fushave përkatëse do të ishte opsioni më i përshtatshëm për publikimet e këtij lloji.

Për sa i përket ndarjes së librit në pjesë të veçanta, do të preferoja që kjo ndajre të bëhej sipas fushave që trajtohen. (I punësuari i Gjykatës së Qarkut, Prishtinë)

Librat ndahen sipas temave të tyre, pasi që fusha civile dhe ajo penale nuk mund të jenë bashkë në një publikim. (Prokurori, Prizren)

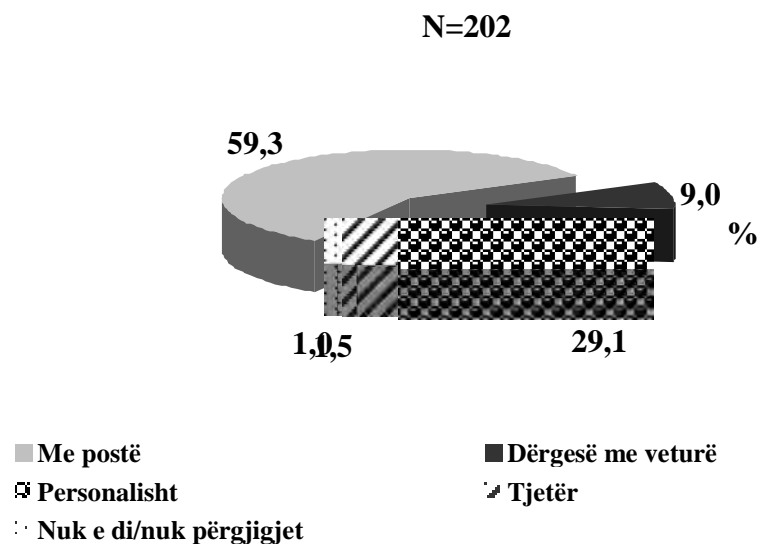
Për sa i përket indeksit, si pjesë strukturore e publikimit, shumica e respondentëve nuk kanë bërë elaborimin e kësaj çështjeje. Të kujtojmë që analizat e të dhënave kualitative kanë treguar që pjesa më e madhe e respondentëve si klientë potencial të publikimit lidhur me ligjet e zbatueshme në Kosovë e shfrytëzojnë indeksin, ndërsa një nga respondentët ka shpjeguar që përdorimi i indeksit e thjeshtëson përdorimin e materialit prandaj edhe do të ishte i dëshirueshëm si pjesë e publikimit.

Unë zakonisht shfrytëzoj indeksin si orientim për librin, prandaj besoj që indeksi duhet të përfshirë në vëllim dhe sigurisht që janë shumë të dobishëm. (I punësuari i Gjykatës së Qarkut, Prishtinë)

11.4.6. Distribuimi dhe parapagimi

Më tej kemi qenë të interesuar të mësojmë se çfarë mendojnë klientët potencial të publikimit lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, për mënyrat në të cilat duhet bërë distribuimi i publikimit. Opinionet për këtë çështje poashtu dallojnë (shih Grafikon 30.), por mund të thuhet që mbizotëron qëndrimi se publikimi duhet shpërndarë përmes postës, që mbështetet nga 59.3% e respondentëve. Diç më pak se një e treta e respondentëve (29.1%) kanë thënë që do të preferonin shpërndarjen e publikimit përmes dorëzimit personal tek përdoruesit. Gati çdo i dhjeti respondent ka thënë që ai apo ajo do të dëshironte që publikimi të shpërndahet me veturë.

Grafiku 30. Si do të preferonit të bëhej distribuimi i këtij publikimi?



Të ndeshur me përvojën personale negative në raport me distribuimin e publikimeve ekzistuese lidhur me ligjet e zbatueshme në Kosovë, respondentët pjesëmarrës në pjesën kualitative të hulumtimit kanë theksuar rëndësinë e këtij aspekti në publikimet e këtij lloji. Një numër i madh i respondentëve mendojnë që publikimi duhet të distribuohet tek shfrytëzuesit në mënyrë zyrtare, përmes Postës, dhe kjo zgjidhje është përkrahur nga pjesa më e madhe e respondentëve në hulumtimin kualitativ. Poashtu, një numër më i vogël i respondentëve preferojnë që personalisht ta marrin publikimin. Kjo mund të jetë pasojë e mungesës së besimit në kanalet zyrtare për shpërndarjen e publikimeve.

Pasi që nuk kam mundur ti siguroj publikimet e mëhershme, do të doja ti marr ato personalisht apo të paktën të informohen për botimin e atyre publikimeve. (i punësuari i Gjykatës së Qarkut, Prishtinë)

Zakonisht dërgesa e materialeve të ndryshme që arrijnë në gjykatë bëhet përmes postës, pasi që kjo është një mënyrë më zyrtare për dërgimin e materialeve, prandaj mendoj që ato duhet shpërndarë përmes postës. (i punësuari i Gjykatës së Qarkut, Prishtinë)

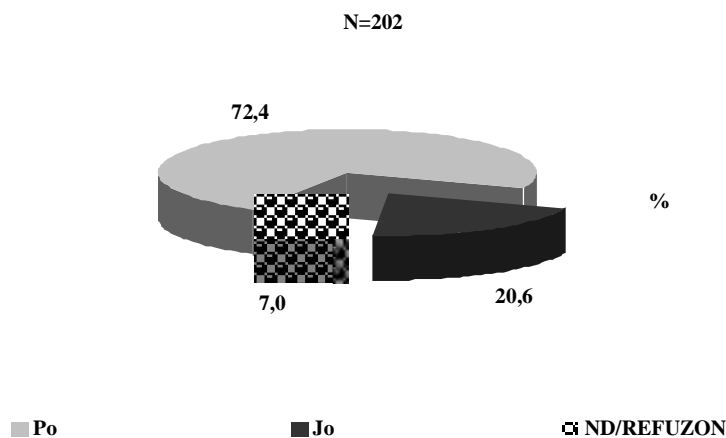
Është shumë me rëndësi që dërgimi i materialeve të jetë zyrtar. Ekziston lista e avokatëve të Odës sonë dhe materialet mund të dërgohen sipas kësaj liste. Nëse shkoj dhe i marr personalisht nuk do të ketë asnjë efekt pasi që madje edhe dokumentet zyrtare mund të sigurohen në kiosk. (Avokati, Suharekë)

Do të dëshiroja ta marr këtë publikim personalisht pasi që kjo është më e lehtë. (Avokati, Gjilan)

Dërgesa duhet bërë përmes Zyrave Postare pasi kjo mënyrë është më zyrtare. (Gjyqtari, Pejë)

Për sa i përket parapagimit për publikimin respondentët kanë treguar mjaft interesim; thuajse tri të katërtat e respondentëve (72.4%) kanë thënë që do të dëshironin të parapagujnë për publikimin. Çdo i pesti respondent (20.6%) ka thënë që ai apo ajo do të dëshironte të parapaguhej për publikimin (shih Grafikon 31.).

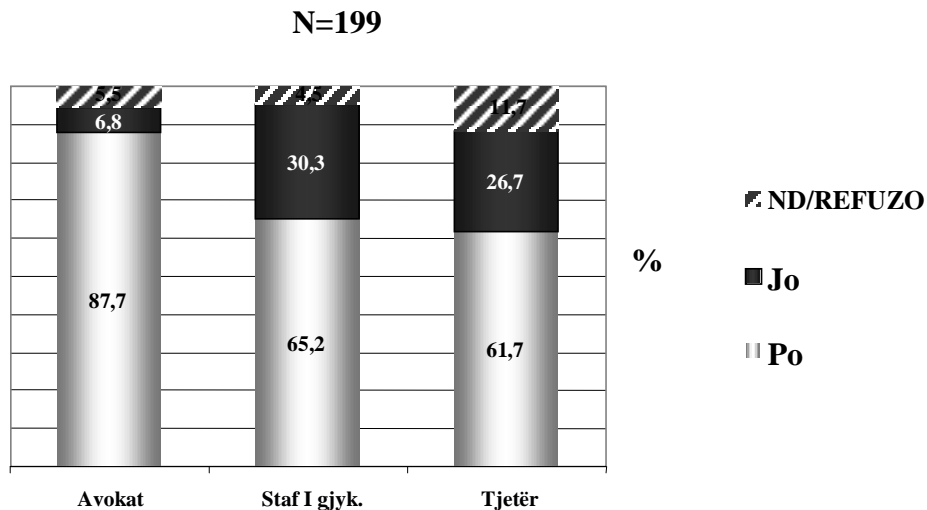
Grafiku 31. A do të dëshironit të parapaguani publikimin?



Analizat e mëtejme kanë treguar që ekzistojnë dallime ndër-grupore në lidhje me parapagimin për publikimin. Pra, mund të shohim (shih Grafikon 32.) që ka dallime të konsiderueshme statistikore varësisht nga profesioni i respondentëve. Pjesa më e madhe e respondentëve – avokatët (87.7%), në raport me stafin e gjykatave (65.2%) dhe të tjerët

(61.7%), kanë thënë që do të dëshironin të parapagujnë për publikimin në të cilin kanë treguar interesim më herët.

Grafiku 32. A do të dëshironit të parapagani për publikimin? (Krahasimi në mes avokatëve, stafit të gjykatave dhe të tjerëve)

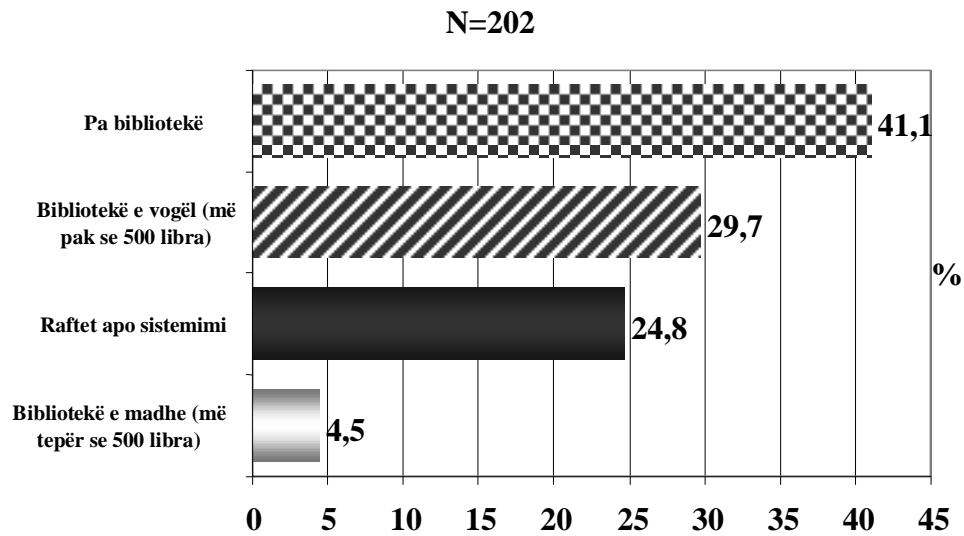


11.5. Karakteristikat kryesore dhe shprehitë e klientëve potencial

11.5.1. Kapaciteti i bibliotekave ekzistuese

Pyetja tjetër që u kemi bërë respondentëve ka pasur të bëjë me nivelin e disponueshmërisë së materialit dhe literaturës profesionale në zyrën e tyre dhe vlerësimin e kapacitetit të bibliotekave ekzistuese. Siç mund të shihet (shih Grafikon 33.), një numër mjaft i vogël i respondentëve kanë thënë që posedojnë bibliotekë të madhe me më tepër se 500 libra, në zyrën e tyre (4.5%). Më tej, madje 41.1% e respondentëve kanë thënë që nuk kanë fare bibliotekë në zyrën e tyre. Gati një e treta e respondentëve kanë thënë që kanë bibliotekë të vogël me më pak se 500 libra në dispozicion në zyrën e tyre (29.7%), ndërsa një e katërta e respondentëve (24.8%) kanë vetëm një raft librash në dispozicion të tyre. Përgjithësisht mund të konkludojmë që kapacitetet ekzistuese që do të mund t'u shërbenin respondentëve si burim informacioni lidhur me ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë, janë të pamjaftueshme.

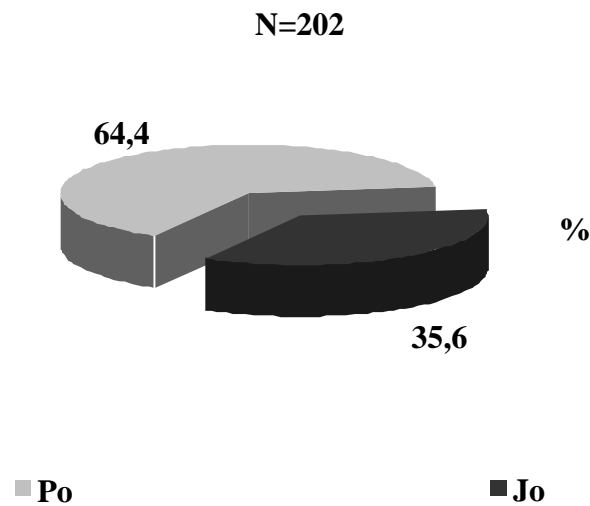
Grafiku 33. Ju lutemi zgjidhni përshkrimin më të mirë të bibliotekës në zyrën tuaj (biblioteka e hapësirës ku ju punoni/studioni):



11.5.2. Qasja në internet

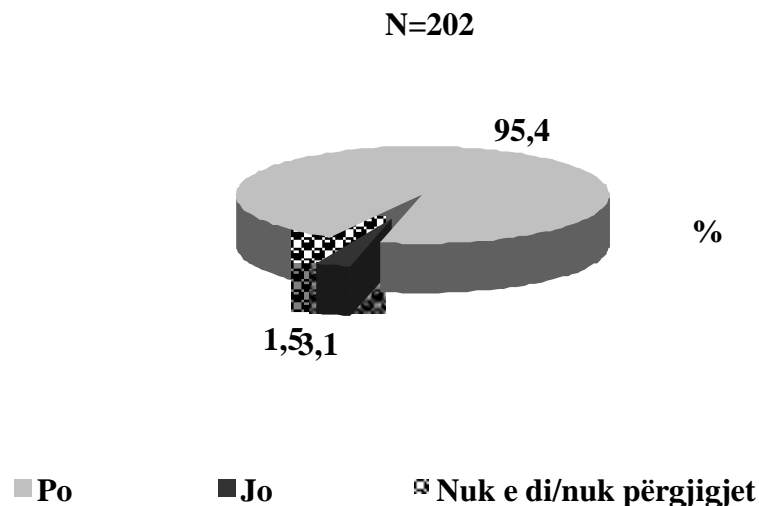
Për sa i përket shprehisë për shfrytëzimin e internetit, thuhet se dy të tretat e respondentëve (64.4%) kanë thënë që e shfrytëzojnë internetin, përderisa 35.6% kanë thënë që nuk e shfrytëzojnë internetin (shih Grafikon 34.). Respondentët që shfrytëzojnë internetin, kryesisht këtë e bëjnë nga shtëpia (40.8%), nga vendi i punës (33.1%), në internet kafe (22.1%), dhe nga vende të tjera (shih Grafikon 34.).

Grafiku 34. A e shfrytëzoni internetin?



Nga respondentët që e shfrytëzojnë internetin, pjesa më e madhe (95.4%) pajtohen që do të dëshironin të kenë qasje përmes internetit në bazën e shënimeve që i përmban të gjitha ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë (shih Grafikon 35).

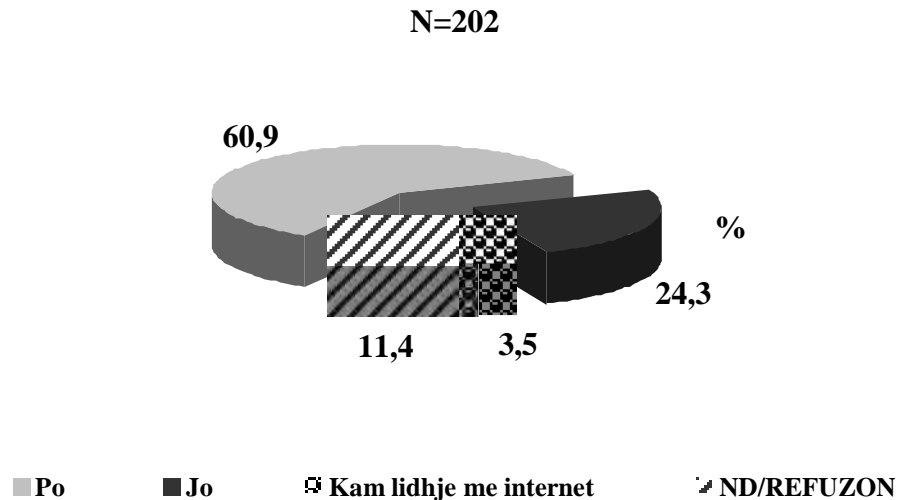
Grafiku 35. A do të dëshironit të keni qasje përmes internetit në bazën e shënimeve që do t'i përmbante të gjitha ligjet dhe materialin tjetër legjislativ të zbatueshëm në Kosovë?



Për sa i përket qasjes në internet në vendin e tyre të punës, 24.3% e respondentëve kanë thënë që nuk kanë në plan të kenë qasje në internet, në gjashtë muajt e ardhshëm. Një numër shumë i vogël i tyre (3.5%) tanimë kanë qasje në internet në vendin e tyre të punës

dhe 60.9% e respondentëve planifikojnë të lidhen me internet në gjashtë muajt e ardhshëm (shih Grafikon 36.).

Grafiku 36. A keni në plan të lidheni me internet në vendin tuaj të punës, në gjashtë muajt e ardhshëm?



Në fund, me respondentët pjesëmarrës në hulumtimin kualitativ kemi biseduar për shprehitë e tyre në përdorimin e kompjuterit. Mund të konkludojmë që shumica e respondentëve në këtë fazë të hulumtimit, tanimë përdorin kompjuterin apo planifikojnë përdorimin e tij në një të ardhme të afërt. Në çdo rast, respondentët pajtohen që njohuritë për punë me kompjuter këto ditë janë të domosdoshme.

Natyrisht që shfrytëzoj kompjuterin pasi që tërë punën time e kryej me kompjuter. Përveç për punë, kompjuterin e shfrytëzoj edhe për qëllime të tjera. (i punësuari i Gjykatës së Qarkut, Prishtinë)

E shfrytëzoj kompjuterin por jo aq shpesh pasi që me futjen e shënimeve kryesisht merret daktilografia. Shkaku tjetër pse nuk e shfrytëzoj kompjuterin është që nuk kam qasje në internet në zyrë. Ka kohë që na është thënë se do të kemi lidhje me internet në zyrat tona, por deri më sot asgjë nuk ka ngjarë në këtë drejtim. (i punësuari i Gjykatës së Qarkut, Prishtinë)

Nuk e shfrytëzoj kompjuterin. Që kur kam filluar punën, jam mësuar të punoj me një “makinë shkrimi” të vjetër. Tani e kam ndërruar zyrën dhe kam porositur kompjuterin, prandaj do ta kem atë së shpejti. (Avokati, Gjilan)

Në kohërat tona, nuk ka asnjë avokat që nuk posedon kompjuter, prandaj as unë nuk bëj përjashtim. E shfrytëzoj kompjuterin tani një kohë të gjatë dhe është bërë pjesë e punës sime të përditshme. (Avokati, Prishtinë)

E shfrytëzoj mjaft kompjuterin. Që kur kam hapur zyrën time, kam blerë edhe kompjuterin. Sikur që mund të shihni, të gjitha punët i kryej me kompjuter. Mendoj që në vitin 2005, nëse nuk dini të përdorni kompjuterin kjo do të jetë një mangësi e madhe, e veçmas për avokatët që gjatë tërë kohës duhet të shkruajnë dokumente të ndryshme, etj. (Avokati, Mitrovicë)

Këtu në zyrë punoj me bashkëpunëtorin juridik. Ata zakonisht merren me procesverbalet prandaj unë nuk shkruaj edhe aq shumë. (Prokurori, Prizren)

Rëndësia e njohurive të internetit shihet gjithashtu si mjaft domethënëse. Shumë nga respondentët kanë thënë që tanimë e shfrytëzojnë internetin për nevojat e tyre profesionale apo që planifikojnë ta bëjnë këtë në të ardhmen. Megjithatë, disa nga respondentët e nënvlerësojnë rëndësinë e internetit si media. Duket që situata është e pafavorshme në institucionet shtetërore, që kanë mbetur pas në trendet e përgjithshme të kompjuterizimit, që pasqyrohet në mungesën e kompjuterëve dhe lidhjet me internet në zyrat e tyre.

Janë shumë të rëndësishme shkathtësitë e përdorimit të internetit. Për ata që dijnë si të përdorin internetin, nuk është aq vështirë të informohen pasi që në ueb faqen e Kuvendit të Kosovës mund të gjeni të gjitha ligjet, prandaj edhe sigurimi i informacioneve lidhur me ligjet e zbatueshme nuk është aq i vështirë. (Avokati, Prishtina)

Kam lidhje me internet në shtëpi dhe e shfrytëzoj mjaft. E shfrytëzoj internetin për të qenë i informuar mbi ligjet e reja dhe për të komunikuar me njerëzit. (i punësuar i Gjykatës së Qarkut, Prishtinë)

Personalisht e shfrytëzoj internetin dhe të gjitha programet. Këtu në zyrë kam lidhje me internet por profesorët dhe zyrat tjera nuk kanë po të njëjtën gjë. (stafi i Fakultetit të Drejtësisë, Prishtinë)

Këtu në zyrë kam lidhje me internet dhe e kam pasur që kur kam hapur zyrë. E shfrytëzoj për të qenë i informuar për ligjet e ndryshme por edhe për nevoja personale. (Avokati, Prishtinë)

Thuajse çdo gjë që bëj, e bëj me kompjuter. Në zyrë kam lidhje me internet përmes linjës telefonike. Megjithatë internetin e shfrytëzoj vetëm për email pasi që të ardhurat e mia nuk më mundësojnë lidhje 20 orëshe me internet. (Avokati, Prishtinë)

Tani nuk e shfrytëzoj internetin, pasi që edhe pse interneti është shumë i dobishëm, në fund është vetëm humbje kohe. (Avokati, Mitrovicë)

Këtu prokurorët nuk kanë qasje në internet. (Prokurori, Prizren)

Këtu në Gjykatën e Qarkut në Pejë nuk kemi internet pasi që nuk e kanë rregulluar ende por mendojmë të lidhemi në të ardhmen. (Gjyqtari, Pejë)

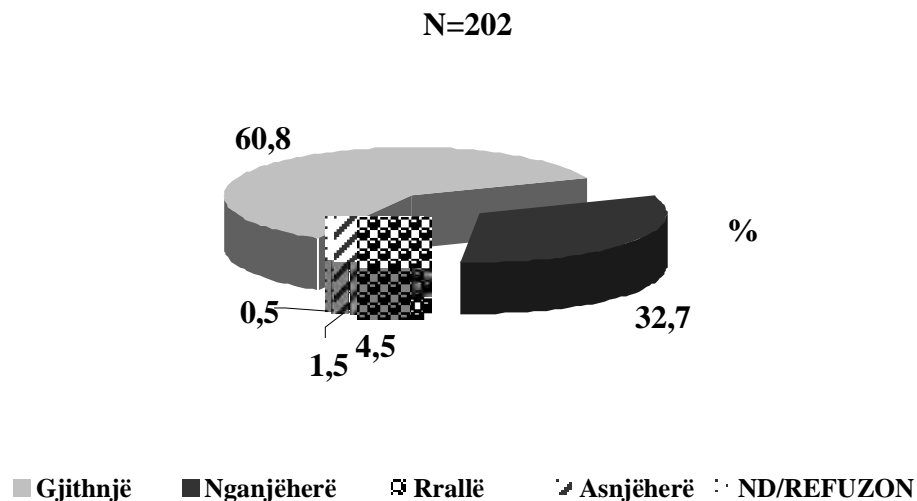
Mendojmë që në një të ardhme të afërt, secili profesor këtu në Fakultetin e Drejtësisë do të ketë lidhje interneti në kabinetin e tij, por kjo nuk është arritur ende. (stafi i Fakultetit të Drejtësisë, Prishtinë)

Këtu në Gjykatën e Qarkut punoj për shumë vite dhe ende nuk kemi lidhje interneti. Kemi aq shumë nevojë për internet në zyrë këtu, ka pasur disa përgatitje dhe gjithçka është gati për lidhje me internet, por ende nuk e kemi atë. Na është premtuar më herët që do të kemi internet por deri më sot nuk është bërë asgjë. Nuk jam i sigurtë se kur do të kemi lidhje me internet në të ardhmen. (i punësuari i Gjykatës së Qarkut, Prishtinë)

11.5.3. Tabela e indeksit

Në fund, i kemi pyetur respondentët nëse e shfrytëzojnë ndonjëherë tabelën e indeksit kur bëjnë leximin e librave dhe publikimeve ligjore. Shumica dërrmuese e respondentëve kanë thënë që gjithmonë e shfrytëzojnë tabelën e indeksit (60.8%), apo vetëm ndonjëherë (32.7%). Një numër shumë i vogël i respondentëve e shfrytëzojnë tabelën e indeksit rrallë apo asnjëherë (shih Grafikon 37.).

Grafiku 37. A e shfrytëzoni zakonisht tabelën e indeksit në librat apo publikimet tjera lidhur me çështjet ligjore?



12. Konkluzionet

- § Klientët potencial të versionit të shtypur të publikimit lidhur me ligjet e zbatueshme në Kosovë, duhet të shfrytëzojnë edhe burime të tjera, jozyrtare të informimit lidhur me ligjet dhe çështjet ligjore.
- § Lidhur me publikimet konkrete të cilat janë përmendur se përdoren nga respondentët tanë, duket që “Gazeta zyrtare” e UNMIK-ut është në përdorim standard si burim informacioni për ligjet që zbatohen në Kosovë.
- § Përgjithësisht, mund të konkludohet që nuk ka një sistem standard të shpërndarjes së publikimeve lidhur me ligjet e zbatueshme dhe përmes të cilit të gjithë përdoruesit e interesuar do të mund të siguronin materialet e nevojshme lidhur me çështjet ligjore.
- § Respondentët që pranojnë rregullisht disa nga publikimet ekzistuese lidhur me ligjet e zbatueshme në Kosovë, janë kryesisht të pakënaqur me atë që ofrohet në këto publikime. Ankesat e respondentëve kanë të bëjnë kryesisht me përmbajtjen dhe formatin e publikimit.
- § Nuk ka dyshim që ekziston hapësirë për publikimet në tregun e Kosovës, që do të siguronin për klientët potencial informata të nevojshme mbi ligjet që zbatohen në Kosovë.
- § Lidhur me formatin e publikimit për ligjet e zbatueshme në Kosovë dhe për të cilat kanë treguar më tepër interesim, shumica e respondentëve thonë që do të dëshironin ta kenë publikimin lidhur me ligjet e zbatueshme në Kosovë, në formë të librit.
- § Pjesa më e madhe e respondentëve mendon që do të vlen të ndahen të holla për këtë qëllim, nëse publikimi vërtetë i plotëson nevojat profesionale të klientëve.

- § Pjesa më e madhe e respondentëve mendon që publikimi duhet të përmbajë në vete të gjitha ligjet që zbatohen në Kosovë, pa marrë parasysh llojin apo origjinën e tyre. Respondentët veçmas kanë theksuar rëndësinë e përfshirjes së interpretimeve ligjore në publikim, të përgatitura nga ekspertët ligjor.
- § Edhe pse ka pasur dallime në qëndrimet e shprehura, mbizotëron qëndrimi që publikimi duhet përgatitur në disa gjuhë.

(TITLE SERBIAN)

Rezultati istraživanja

Konačni izveštaj

Priština
December 2005.

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ODREDBA O ZAŠTITI LIČNIH PODATAKA ISPITANIKA

Prism Research, u skladu sa ESOMAR i AAPOR pravilima i propisima je obavezan da štiti anonimnost ispitanika. Sva pitanja/varijable koja sadrže bilo kakvu informaciju o identitetu ispitanika se uklanjaju iz izveštaja i konačne baze podataka. To znači da su odgovori ispitanika fizički odvojeni od podataka vezanih za njihov indentitet. Bilo koji nameran pokušaj da se dođe do podataka koji su vezani za identitet ispitanika, bilo od strane klijenta, Prism Research, ili trećeg lica će se smatrati teškim kršenjem propisa i biće tretiran kao takav.

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13. Svrha istraživanja

Osnovna svrha ovog istraživanja bila je da se identifikuju potencijalna tržišta na Kosovu i van Kosova kao i da se doznaju podaci o mišljenjima i stavovima svih osnovnih ciljnih grupa o štampanoj verziji kodifikacije zakona Kosova po tematici. Ovi podaci su korišćeni za procenu potencijalnog tržišta za izdavanje tematske zbirke na Kosovu.

14. Ciljevi

Imajući u vidu svrhu ovog istraživanja, osnovni ciljevi ovog istraživanja su:

11. Da proceni potencijalno tržište za štampane zakone, propise i mišljenja na Kosovu
12. Da proceni najpoželjniji format i sadržaj publikacije
13. Da identifikuje sva pravna lica kojima će publikacija biti distribuirana/prodana
14. Da proceni osnovne karakteristike potencijalnih potrošača
15. Da identifikuje osnovne elemente konkurencije

15. Metodologija

15.1. Kvantitativno istraživanje

Istraživanje je provedeno na malom uzorku svih ciljnih grupa širom Kosova.

Metod intervjuisanja

Intervjui licem u lice.

Uzorkovanje

Tip uzorka

Slučajni uzorak podeljen po regionima i svim osnovnim ciljnim grupama.

Veličina uzorka

200 intervjua.

Ciljne grupe

Ciljna populacija za ovo istraživanje je populacija potencijalnih korisnika ili kupaca zakonodavstva koje se primenjuje na Kosovu.

Osnovne ciljne grupe su:

- § Sudije
- § Advokati
- § Pravnici
- § Javni službenici i administracija UNMIK-a i PISG-a
- § Domaće i međunarodne nevladine organizacije
- § Pravni fakultet i studenti
- § Potencijalno tržište pravne zajednice van Kosova

Izbor ispitanika

Izbor ispitanika za svaku grupu je bio metodom slučajnog uzorka, sa liste svih članova ciljnih grupa. Na primer, ukoliko smo hteli slučajni uzorak sudija, onda bismo uzeli listu svih sudija na Kosovu sa koje bismo nasumice izabrali određeni broj sudija. Isti princip se primenjuje i na ostale ciljne grupe.

Organizacija rada na terenu

Ukupan broj ljudi koji rade na intervjuima u ovom istraživanju je 10.

Potreban broj koordinatora je angažovan po principu jedan koordinator na najviše 5 ljudi koji obavljaju intervju. Na taj način su zaposlena 2 koordinatora. Terenski rukovodilac za albanski dio uzorka je bio baziran u kancelariji Prism Research-a u Prištini.

Broj kontrolora je određen na sličan način. Jedan kontrolor na najviše pet ljudi koji obavljaju intervju – na taj način su zaposlena dva kontrolora.

S obzirom na to da je ovo istraživanje provedeno na teritoriji celog Kosova, vodilo se računa da se osigura da etnička struktura ljudi koji su obavljali intervju odgovara regionalnoj etničkoj strukturi uzorka.

Obuka

Svi regionalni koordinatori i osobe koje obavljaju intervju su učestvovali na jednodnevnoj obuci u Prištini.

U toku obuke koordinatora i ljudi koji obavljaju intervju obuhvaćene su sledeće oblasti:

- § Objašnjenje svrhe projekta
- § Pregled upitnika deo po deo (QbyQ analiza)
- § Probni intervju sa ljudima koji obavljaju intervju (role play)
- § Iscrpna diskusija o usmerenom i neusmerenom ispitivanju

Probno (pilot) istaživanje

Pre početka glavnog rada na terenu, sve osobe koje obavljaju intervjue su morale ispuniti bar jedan test intervjua ispravno da bi bili u mogućnosti da učestvuju u radu na terenu. Po popunjavanju probnih intervjua, svi upitnici su prikupljeni, i održana diskusija o problemima na koje se naišlo, pitanjima itd. Osobama koje su obavljale intervjue je rečeno da zabeleže sve komentare od strane ispitanika tokom intervjua. Na ovaj način je urađen minimum od 50 intervjua kao deo pilot istaživanja.

Nadzor

Kao što je pomenuto, svaka osoba koja obavlja intervjue je morala da obavi bar jedan intervjua sa ili bez prisustva koordinatora (u zavisnosti od nivoa grešaka iz probnog (pilot) istaživanja). Tokom rada na terenu, koordinatori su proveravali svaki popunjeni upitnik nakon predaje kako bi minimizirali verovatnoću nepravilno popunjenih upitnika i neproverenih sistematskih grešaka od strane osoba koje obavljaju intervjue.

Kontrola kvaliteta intervjua

Rad osoba koje obavljaju intervjue je bio kontrolisan na sledeći način:

- § dokumentovanje svih kontakata na terenu i popunjenih intervjua (100 %) u svrhu nadgledanja da li je osoba koja je obavljala intervjue poštovala pravila uzorkovanja
- § logička kontrola (100 %), koja pokazuje da li je upitnik popunjen ispravno i da li su svi odgovori pravilno označeni
- § telefonska kontrola (minimum 30%), provera ponašanja osobe koja je obavljala intervjua i načina popunjavanja upitnika
- § kontrola na terenu (min. 30 %) gde takođe proveravamo pravilnu selekciju ispitanika u domaćinstvu, ponašanja osobe koja je obavljala intervjua i načina popunjavanja upitnika

§ kompjutersku kontrolu prikupljenih podataka (100%), gde identifikujemo razlike koje se mogu pojaviti među osobama koje obavljaju intervjue.

Unošenje podataka i prečišćavanje

Koristeći program za unošenje podataka gde je formular za unošenje podataka načinjen u formi upitnika. Obučeni operateri za unošenje podataka unose podatke. Podaci se onda prečišćavaju, tj. greške koje su se mogle desiti tokom unošenja podataka se eliminišu koristeći posebne kompjuterske programe. Da bi se podaci prekontrolisali i pripremili za dalje procesuiranje koristi se SPSS program.

Organizacija

Važno je naglasiti da Prism Research ima sopstvenu mrežu osoba koje obavljaju intervjue u delovima/enklavama sa srpskom većinom na Kosovu, kao i u delovima sa albanskom većinom. Osobe srpske i albanske nacionalnosti koje obavljaju intervjue su uposlene i obučene na isti način i imaju sličan (visok) nivo iskustva. Oba tima osoba koje obavljaju intervjue su pripremljena i obučena za ovaj projekat na sličan način. Mreža osoba koje obavljaju intervjue i koordinatora Prism Research-a Kosovo funkcioniše kao jedan tim, ali silom prilika su podeljeni na dva dela iz sigurnosnih razloga.

Upitnik

Prism Research, u bliskoj saradnji sa NCSC, je pripremio upitnik. Prism Research je završio prevod i formu (izgled) upitnika. Upitnik je preveden na lokalni jezik – albanski.

15.2. Kvalitativno istraživanje

Uvod

Sociolozi se uglavnom slažu da su najefektivniji dizajni istraživanja oni koji koriste različite metodološke pristupe koji se međusobno dopunjavaju – primarno kvalitativne i

kvantitativne metode. U slučajevima gde je problem koji se istražuje relativno nepoznat u kulturološkom, sociološkom i čak psihološkom smislu, najbolje je preduzeti prve korake u istraživanju sa kvalitativnim pristupom – primarno diskusije fokusnih grupa i detaljni intervjui. Kroz ovakve grupe i intervjue dobijamo uvid u kompletnu pozadinu mišljenja i stavova, razloga i motivacija ciljnih grupa u vezi sa pitanjima koja se istražuju. Dodatno, diskusije fokusnih grupa i detaljni intervjui su efektivan način da se testiraju neke od naših početnih hipoteza i pretpostavki. Važno je spomenuti da je najbolji način pripreme upitnika za kvantitativnu studiju kroz testiranje, istraživanje i definisanje određenih pitanja u kvalitativnom istraživanju.

Metod:

Detaljni intervjui.

Regrutiranje:

Prism Research ima rasprostranjenu mrežu koja se sastoji od osoba koje obavljaju intervjue, kontrolora, koordinatora i supervizora u svim opštinama na Kosovu – uključujući oblasti sa albanskom i srpskom većinom i svim ostalim etničkim manjinama. Sve osobe koje obavljaju intervjue su završile detaljnu obuku u oblasti metodologije i većina njih je učestvovala u bar 5 istraživanja na Kosovu u zadnjih 12 meseci.

Osobe koje obavljaju intervjue su koristile „Snowball” metod za izbor potencijalnih ispitanika – ključnih izvora informacija iz raznih ciljnih grupa.

Na gore opisani način, minimum 2 potencijalna respondenta su identifikovana za svaki individualni detaljni intervju.

Na osnovu ove selekcije, identifikovali smo optimalni broj od 20 ispitanika za minimum 10 završenih detaljnih intervjua.

U konačnoj selekciji učesnika koji će učestvovati u diskusijama fokusnih grupa i detaljnim intervjuima, sem glavnih kriterija, posebna pažnja je obraćena na sledeće:

7. da osobe koje su u srodstvu sa osobama koje obavljaju intervjue i i uposlenicima Prism Research-a nisu regrutovane;
8. da učesnici nisu zaposleni ili na bilo koji način povezani sa medijima, marketinškim organizacijama, istaživanjem tržišta ili agencijama za ispitivanje javnog mnjenja;
9. da nisu učestvovali u bilo kakvom ispitivanju javnog mnjenja ili dikusijama fokusnih grupa u poslednjih 12 meseci.

Ciljne grupe:

Osnovne ciljne grupe su:

- § Advokati
- § Sudije
- § Pravnici
- § Javni dužnosnici i administracija UNMIK-a i PISG-a
- § Domaće i međunarodne nevladine organizacije
- § Pravni fakultet i studenti

Obavili smo 10 detaljnih intervjua sa osnovnim ciljnim grupama.

Moderacija:

Intervjuisanje ispitanika za detaljne intervjue je obavljeno od strane našeg stalnog osoblja na Kosovu (uposlenog po projektu). Osobe koje su obavljale intervjue su psiholozi ili sociolozi i koordinirani su i nadgledani od strane projektnog menadžera iz glavnog ureda Prism Research-a koji vodi odelenje za kvalitativno istraživanje.

Beleške:

Diskusije detaljih intervjua su u potpunosti pribeležene na lokalnom jeziku i kratki opis je preveden na engleski.

Prostorije:

Bilo koje mesto dogovoreno sa respondentima.

Smernice za diskusiju:

Prism Research je pripremio smernice za diskusiju za detaljne intervjuje, nakon što je obavljena diskusija i identifikovane ključne oblasti, teme i pitanja od strane klijenta i Prism Research.

Organizacija:

Sve diskusije fokus grupa su snimljene na audio trake - na nenametljiv način.

Učesnici detaljnih intervjuja su primili vaučer kao honorar za učešće.

Posluženo je osveženje.

16. Kratak opis rezultata

- § Više od pola ispitanika je mislilo da je informacija o zakonima koji se primenjuju na Kosovu dostupna. Čak 20.3% ispitanika iz populacije potencijalnih kupaca štampane publikacije je mislilo da je informaciju o zakonima koji se primenjuju na Kosovu ponekad teško pronaći, i 13.9% je mislilo da je teško dostupna.
- § Skoro dve trećine (64.4%) svih ispitanika u polju ovog istraživanja su rekli da su prilično zadovoljni sa raspoloživošću zakona i ostalog zakonodavnog materijala koji se primenjuje na Kosovu. Samo 9.9% ispitanika je naglasilo da su potpuno zadovoljni, i 9.4% da su potpuno nezadovoljni sa raspoloživošću zakona i ostalog zakonodavnog materijala koji se primenjuje na Kosovu.
- § Kada su upitani o osnovnom izvoru informacija o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu, najčešći odgovor je bio Službeni list UNMIK-a, koji je bio naveden kao primarni izvor informacija od strane 45% ispitanika. Sledi ABA/CEELI CD Rom (17.3%), publikacija

Kosovskog sudskog centra (14.9%), i internet stranica Skupštine Kosova (12.4%). Ostali, manje česti odgovori su predstavljeni grafički.

- § Kada su upitani da li redovno primaju neku vrstu publikacije o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu, tačno pola ispitanika je odgovorilo pozitivno.
- § Većina ispitanika koji redovno primaju neku vrstu publikacije o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu su rekli da primaju Službeni list UNMIK-a (68.3%). Sledi ABA/CEELI CD Rom (36.6%) i publikacija Kosovskog sudskog centra (31.7%).
- § Većina ispitanika koji koriste Službeni list UNMIK-a primaju publikaciju mesečno (37.7%) i svaka tri meseca (30.4%). Što se tiče ABA/CEELI CD Rom publikacije, trećina ispitanika je rekla da prima publikaciju godišnje, (32.4%) i svaka tri meseca (27%). Što se tiče publikacije Kosovskog sudskog centra rezultati su pokazali da ova publikacija nema ustaljeni redosled distribucije potrošačima.
- § Većina publikacija za većinu ispitanika je distribuirana besplatno a najveći iznos novca koji su potrošači izdvojili za ovu svrhu nije prešao iznos od 10 evra.
- § Većina potrošača je uglavnom zadovoljna sa publikacijama o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu, uzimajući u obzir činjenicu da su tri od četiri ispitanika (77.2%) izjavili da su prilično zadovoljni sa publikacijama koje su trenutno na raspolaganju.
- § Ispitanici za koje je prethodno utvrđeno da primaju neke od postojećih publikacija su ocenili da je sadržaj publikacije najvažniji pri izboru publikacije koju bi naručili ili kupili za svoje profesionalne potrebe (83.2%).
- § U vezi sa zadovoljstvom određenim karakteristikama raspoloživih publikacija, ispitanici su rekli da su najzadovoljniji sa sadržajem publikacija, što je bio odgovor 58.4% ispitanika.
- § Kada su upitani sa kojim karakteristikama publikacije su najmanje zadovoljni, većina ispitanika je odlučila da je to sadržaj publikacije (28.7%).
- § Velika većina ispitanika (98.5%) je pokazala interes za publikaciju koja bi im obezbedila ažurirane podatke o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu.

- § Dok su skoro dve trećine ispitanika (56.3%) izjavile da bi želele primati ovu publikaciju mesečno, jedna četvrtina (25.6%) je ocenila da bi bilo najbolje ako bi publikacija bila distribuirana jednom u tri meseca.
- § 16.1% ispitanika nisu bili spremni da daju novac za ovaj tip publikacije i izjavili su da bi publikacija trebala biti distribuirana bez naknade.
- § Nešto manje od dve trećine (58.3%) potencijalnih kupaca je smatralo da bi bilo najbolje kada bi publikacija bila štampana u formi knjige.
- § Preko dve trećine (69.3%) je davalo prvenstvo tvrdom uvezu publikacije.
- § Većina ispitanika (71.9%) je davala prvenstvo formatu Microsoft Word-a.
- § Jednostavnost korišćenja i mogućnost ažuriranja knjige su karakteristike koje su potrošači videli kao veoma važne, i između ponuđenih karakteristika publikacije ispitanici su videli jednostavnost korišćenja kao najvažniju, i 48.2% ispitanih potencijalnih kupaca je odlučilo da je ovo glavna karakteristika.
- § U vezi sa jezikom publikacije o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu, ispitanici su se uglavnom složili (82.9%) da bi materijal trebao biti štampan i na drugim jezicima, pored albanskog.
- § U vezi sa sadržajem publikacije, većina ispitanika (69.8%) je ocenila da bi, od ponuđenih opcija, najbolja bila ona koja predviđa da bi sadržaj publikacije bio organizovan po tematici.
- § Većina ispitanih potencijalnih korisnika publikacije se složila da bi sadržaj trebao uključivati zakone usvojene od strane Skupštine Kosova i proglašene od strane SRSG (77.9%).
- § U vezi sa činjenicom da bi publikacija trebala sadržavati dva tipa indeksa: a) indeks sadržaja zbirke, i b) indeks svakog dela, neke tri četvrtine ispitanika su našle da bi oba indeksa bila veoma korisna ili korisna.
- § U vezi sa ažuriranjima koja bi publikacija trebala sadržavati, 43.2% ispitanika je izjavilo da bi želeli da primaju samo promenjene zakone, dok je nešto više od polovine ispitanika (52.3%) mislilo da bi trebali primati kompletan set novih zakona.
- § Publikacija bi trebala biti distribuirana poštom, stanovište podržano od strane 59.3% ispitanika. Nešto manje od jedne trećine ispitanika (29.1%) je izjavilo da bi

više volelo da publikacija bude distribuirana načinom ličnog preuzimanja. Skoro svaki deseti ispitanik je izjavio da bi želeo/želela da publikacija bude isporučena kolima.

§ U vezi sa pretplatom na publikaciju koja ih zanima, skoro tri četvrtine ispitanika (72.4%) je izjavilo da bi želelo da se pretplati na publikaciju.

17. Rezultati

17.1. Opis uzorka za kvantitativni deo istraživanja

Tabela 01. Opis uzorka

		Učestalost	Procenat
POL	Muški	152	75%
	Ženski	50	25%
STAROSNO DOBA	< 35	49	25%
	36 - 50	79	40%
	51 >	71	36%
ZAPOSLENJE	Zaposlen/a	195	97%
	Nezaposlen/a	7	3%
OBRAZOVANJE	Srednja škola	7	3%
	Fakultet nezavršen	11	5%
	Fakultet završen	9	4%
	Fakultet završen	151	75%
	Postdiplomski/Doktorat	21	10%
	Bez odgovora	3	1%
ETNIČKA PRIPADNOST	Albanska	194	96%
	Ostali	8	4%

202 ispitanika je učestvovalo u istraživanju. Kao što se može videti iz tabele (vidi tabelu 1.), polna struktura uzorka je bila naujednačena i tri četvrtine uzorka su bili pripadnici muškog pola. Dalje, 40% uzorka su bili ispitanici starosnog doba između 36 i 50 godina, jedna četvrtina uzorka su bili ispitanici ispod 36 godina, a 36% ispitanika je bilo iznad 50

godina. U vezi sa sastavom uzorka i profesijom ispitanika, mogli smo očekivati da će većina ispitanika biti zaposlena. Kao što možemo videti, 97% ispitanika je zaposleno dok su u ostalom delu uglavnom studenti. U vezi sa obrazovnom strukturom uzorka, 75% ispitanika je imalo završen fakultet, 10 % je imalo završen postdiplomski studij ili doktorat dok je ostatak uzorka imao završenu srednju školu ili fakultet (koledž) ili je njihovo školovanje još bilo u toku. U skladu sa planom uzorka, većina ispitanika su bili etnički Albanci (96%) dok je ostalih 4% pripadalo manjiskim etničkim grupama.

Dalje, očito je da je među ispitanicima bilo najviše advokata (38%). Ostatak uzorka po profesiji ispitanika je prikazan u tabeli (vidi tabelu 2.). Ispitanici zaposleni u nekom od sudova su upitani u kojem sudu rade. Kao što možemo videti 38% ispitanika je zaposleno na Opštinskom sudu. 29% ispitanika su zaposleni na Okružnom sudu, dok je struktura ostatka uzorka prikazana u tabeli.

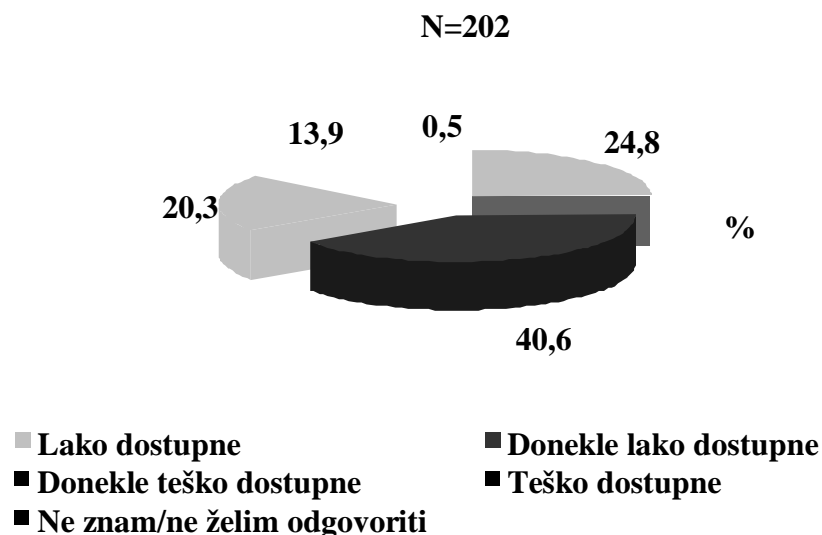
Tabela 02. Opis uzorka

		Učestalost	Procenat
PROFESIJA	Advokat	76	38%
	Sudija	29	14%
	Osoblje suda	37	18%
	Pravnik	12	6%
	Osoblje pravnog fakulteta	6	3%
	Student pravnog fakulteta	5	2%
	Osoblje vlade	12	6%
	Osoblje domaćih nevladinih organizacija	12	6%
	Osoblje međunarodnih nevladinih organizacija	12	6%
	Ostali	1	0%
TIP SUDA (N=65)	Vrhovni sud	3	5%
	Viši sud za prekršaje	3	5%
	Komercijalni (trgovački) sud	7	11%
	Okružni sud	19	29%
	Sud za prekršaje	8	12%
	Opštinski sud	25	38%

17.2. Trenutna raspoloživost publikacija o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu i zadovoljstvo potrošača

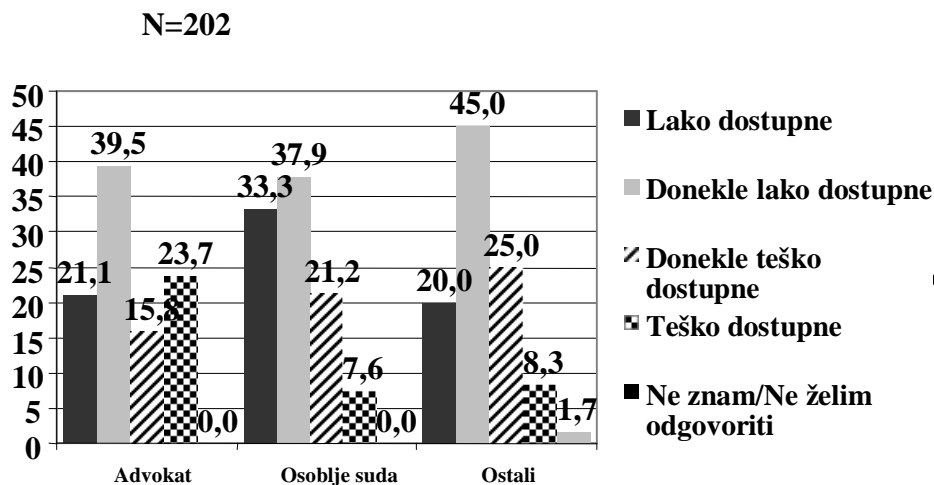
Prvih nekoliko pitanja za ispitanike koji su uzeli učešća u kvantitativnom delu istraživanja su bila vezana za procenu trenutne raspoloživosti informacija uopšte u vezi sa zakonima koji se primenjuju na Kosovu. Nešto preko pola ispitanika je izjavilo da su informacije o zakonima koji se primenjuju na Kosovu dostupne, kao što može biti zaključeno na osnovu rezultata prikazanih grafički (vidi grafikon 01.). Očito je da je 40.6% od ukupnog broja ispitanika mislilo da su informacije o zakonima primenjivanim na Kosovu donekle lako dostupne, dok je 24.8% ocenilo da su lako dostupne. Dalje, nešto manje od pola ispitanika je bilo mišljenja da informacije nisu dostupne. Čak 20.3% ispitanih članova populacije potencijalnih kupaca štampane publikacije je izjavilo da je informacije o zakonima koji se primenjuju na Kosovu ponekad teško dobiti i 13.9% je izjavilo da su teško dostupne.

Grafikon 01. Da li biste rekli da su informacije o zakonima koji se primenjuju na Kosovu dostupne?



Daljom analizom smo pokušali utvrditi da li postoje razlike među pripadnicima različitih profesionalnih grupa koje su učestvovala u ovom istraživanju. Analiza je pokazala da postoji statistički značajna razlika između odgovora datih od strane advokata i ostalih³ (vidi grafikon 02.). Kao što se može videti, ima značajno veći broj advokata (23.7%) nego sudskog osoblja (7.6%) i ostalih ispitanika (8.3%), koji su ocenili da su informacije o zakonima koji se primenjuju na Kosovo teško dostupne.

Grafikon 02. Da li biste rekli da su informacije o zakonima koji se primenjuju na Kosovo dostupne? (Poređenje između advokata, sudskog osoblja i ostalih ispitanika)



Kada su upitani o raspoloživosti materijala o zakonima koji se primenjuju na Kosovo, ispitanici koji su učestvovali u kvalitativnom delu istraživanja uglavnom ocenjuju da je

³ Grupa ispitanika „Ostali” sastoji se od ispitanika iz sljedećih profesija: pravnik, osoblje pravnog fakulteta, osoblje biblioteke pravnog fakulteta, student pravnog fakulteta, osoblje vlade, osoblje domaćih nevladinih organizacija, osoblje međunarodnih nevladinih organizacija.

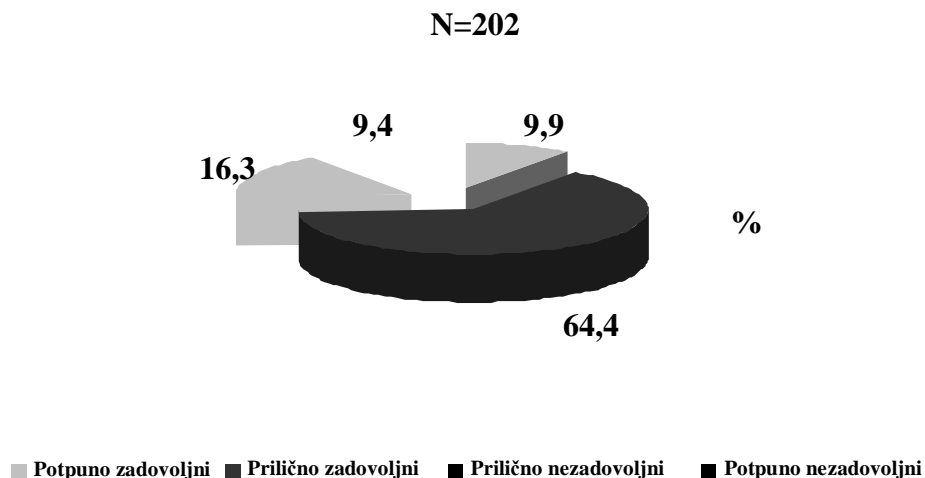
materijal o ovim temama manje-više dostupan pripadnicima profesija koje koriste ovu vrstu materijala. Međutim, izgleda kao da potencijalni kupci štampanih publikacija o zakonima koji se primenjuju na Kosovu često moraju da koriste i druge, nezvanične izvore informacija o zakonima koji se primenjuju na Kosovu i pravnim pitanjima. Jedan ispitanik je pomenuo da pripadnici ovih profesija, koje koriste materijal o zakonima i pravnim pitanjima u profesionalne svrhe, mada suočeni sa poteškoćama, uglavnom sami nabavljaju gore pomenuti materijal. Uprkos činjenici da je ponuda publikacija o pravnim pitanjima na Kosovu oskudna, kao i njihova dostupnost, možemo pretpostaviti da će se osoba koja koristi takav materijal za svoje potrebe u profesiji na neki način navići na postojeće uslove, i ipak uspeti da nađe potrebne podatke u takvim uslovima. S druge strane, mi pretpostavljamo da građani nemaju dovoljan pristup informacijama o zakonima koji se primenjuju na Kosovu.

Što se tiče zakona koji su na snazi na Kosovu, mislim da su manje ili više dostupni.
(Advokat, Gnjilane)

Mislim da za one koji se bave zakonom nije tako teško da budu informisani o zakonu, ali građani su ti koji imaju poteškoća da budu informisani i da imaju pristup zakonima koji se primenjuju na Kosovu. (Osoblje Okružnog suda, Priština)

Dalje smo bili zainteresovani da vidimo do koje su mere ispitanici, potencijalni kupci publikacija o zakonima koji se primenjuju na Kosovu, zadovoljni dostupnošću zakona i ostalog zakonodavnog materijala koji se primenjuje na Kosovu. U skladu sa prethodnim odgovorima, skoro dve trećine (64.4%) svih ispitanika u istraživanju su izjavile da su prilično zadovoljne dostupnošću zakona i ostalih zakonodavnih materijala koji se primenjuju na Kosovu (vidi grafikon 03.). Iako dati rezultati govore u korist pretpostavke da su ispitanici uglavnom zadovoljni sa dostupnošću zakona i i ostalih zakonodavnih materijala koji se primenjuju na Kosovu, očito je da je samo 9.4% ispitanika reklo da su potpuno nezadovoljni dostupnošću zakona i ostalih zakonodavnih materijala koji se primenjuju na Kosovu.

Grafikon 03. Do koje ste mere zadovoljni sa dostupnošću zakona i ostalih zakonodavnih materijala koji se primenjuju na Kosovu?



Na osnovu opisanih rezultata možemo zaključiti da dostupnost informacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu nije na zadovoljavajućem nivou i da postoji značajan broj ispitanika koji su dali negativnu ocenu o trenutnoj dostupnosti zakona i ostalih zakonodavnih materijala koji se primenjuju na Kosovu.

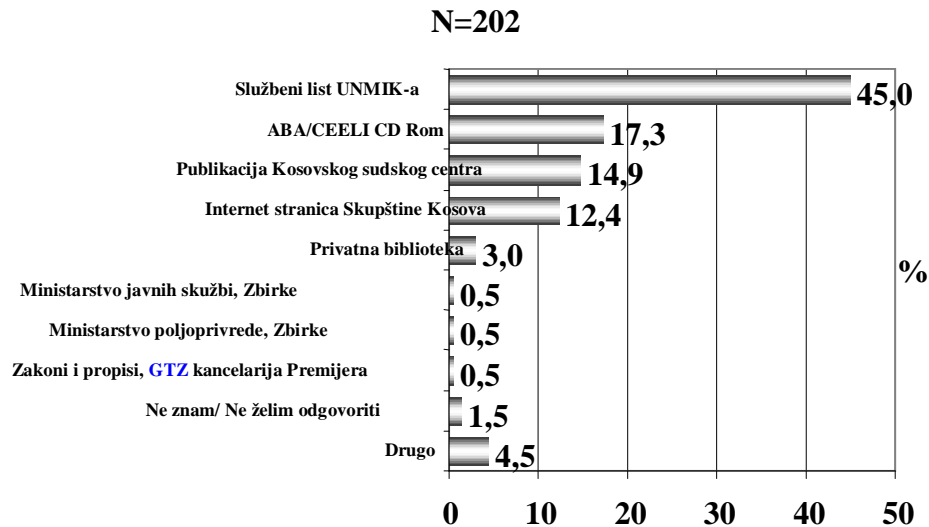
17.3. Iskustva korisnika postojećih publikacija o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu

17.3.1. Raspoloživi izvori informacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu

Bili smo zainteresovani da vidimo kakva iskustva su imali potencijalni kupci zakona i ostalih zakonodavnih materijala koji se primenjuju na Kosovu. Što se tiče činjenice da je istraživanje obuhvatilo ispitanike koji zbog prirode njihove profesije moraju da koriste neke od raspoloživih izvora informacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu, pitali smo ih o njihovim primarnim i sekundarnim izvorima informacija. Na pitanje o primarnom izvoru informacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu najčešći odgovor je bio Službeni list UNMIK-a, koji je bio naveden kao primarni izvor informacija od strane 45% ispitanika. Sledio je ABA/CEELI CD Rom (17.3%), publikacija Kosovskog

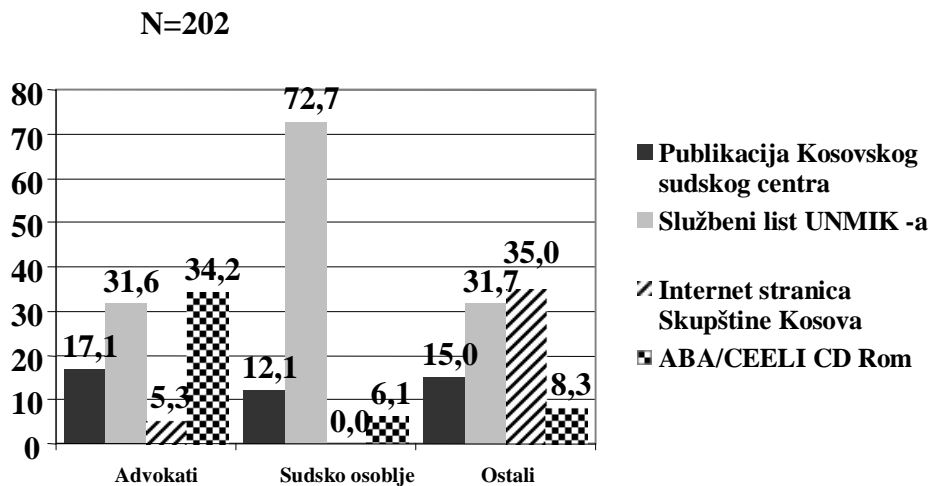
sudskog centra (14.9%), i internet stranica Skupštine Kosova (12.4%). Ostali, manje česti odgovori su prikazani grafički (vidi grafikon 04.).

Grafikon 04. Koji je primarni izvor informacija o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu?



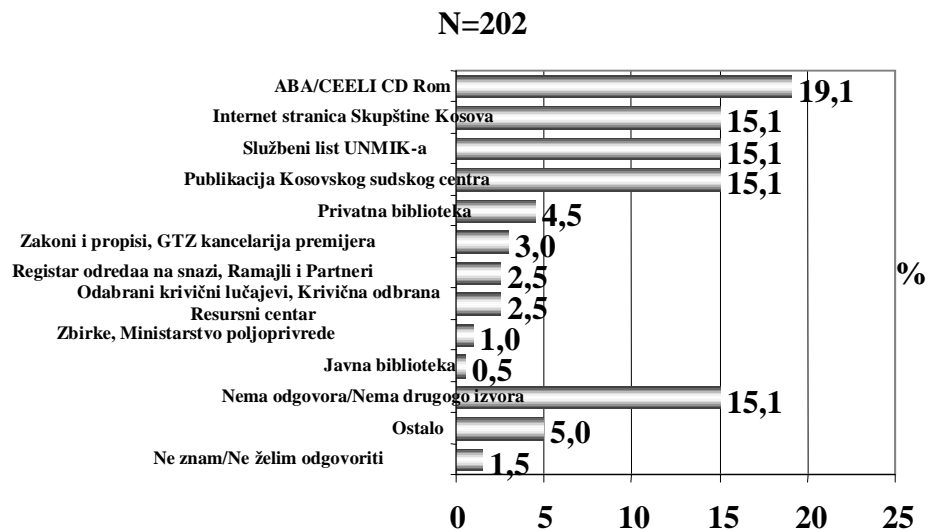
Dalja analiza je bila usmerena na testiranje razlika među određenim grupama ispitanika. Uzimajući u obzir primarne izvore informacija koji se ističu po njihovoj učestalosti, očito je da postoji razlika među ispitanicima različitih profesija (vidi grafikon 05.). Službeni list UNMIK-a se više koristi od strane sudskog osoblja (72.7%), u odnosu advokate (31.6%) i ostale (31.7%), dok je internet stranica Skupštine Kosova malo ili nikako korištena od strane advokata i sudskog osoblja. Što se tiče advokata, većina njih (34.2%) je navela ABA/CEELI CD Rom kao primarni izvor informacija. U isto vreme, ovaj izvor je značajno više u upotrebi od strane advokata u odnosu na ostale ispitanike.

Grafikon 05. Koji je primarni izvor informacija o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu? (Poređenje advokata, sudskog osoblja i ostalih)



Što se tiče sekundarnog izvora informacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu, ABA/CEELI CD Rom je bio na vrhu liste (19.1%), a sledila je internet stranica Skupštine Kosova, Službeni list UNMIK-a i publikacija Kosovskog sudskog centra sa 15.1% (vidi grafikon 06.).

Grafikon 06. Koji je vaš sekundarni izvor?



Govoreći o publikacijama za koje su ispitanici koji su učestvovali u kvalitativnom delu istaživanja izjavili da primaju redovno, opet se stiče utisak da je publikacija „UNMIK-

ove „Službene novine” korišćena od strane većine ispitanika. Važno je naglasiti da rezultati kvalitativnog istraživanja takođe pokazuju da je ova publikacija najviše u upotrebi. Sem toga, izgleda da su kompakt-diskovi ABBA CEELI publikacije u širokoj upotrebi među stručnjacima iz oblasti zakona. Važno je naglasiti da je bilo ispitanika koji su izjavili da nemaju redovan izvor informacija koje koriste za svoje stručne potrebe ili da koriste neke od navedenih publikacija ali ih ne primaju redovno.

Redovno primamo „UNMIK-ove „Službene novine” i još neke publikacije Abbacel na kompakt-diskovima, na kojima se nalazi dosta zakona i propisa. (Osoblje Okružnog suda, Priština)

Ne postoji publikacija koja redovno stiže u moju kancelariju. Ja lično bih bio/bila zainteresovan/a za sve publikacije kao što su „UNMIK-ove „Službene novine” itd. (Advokat, Suha reka)

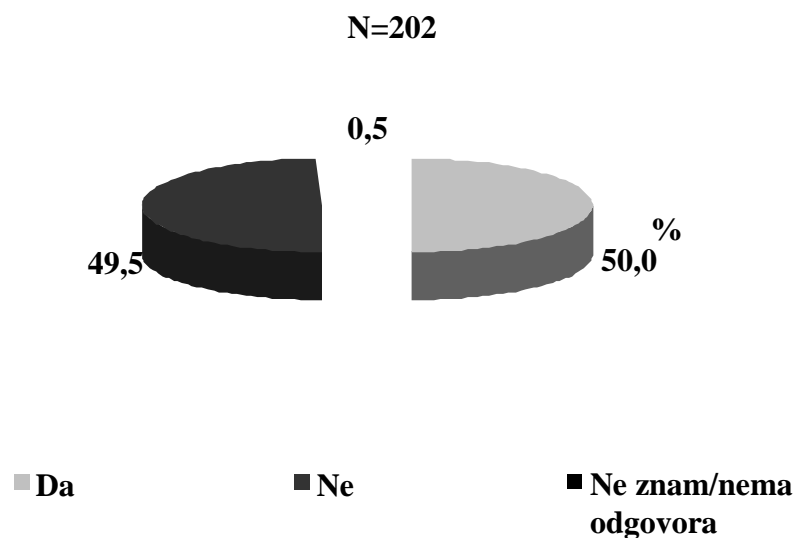
Ne primam nikakvu publikaciju koja bi stizala kod mene u kancelariju. Obično imaju neki ABBA CEELI kompakt-diskovi ali čak i njih moramo sami pronaći. (Advokat, Gnjilane)

Za Službene novine nisam siguran/a kada ih dobijamo zato što nisu tako redovne ali ABBA CEELI kompakt-diskove smo dobijali pre, ali u zadnje vreme nismo primili nijedan. (Osoblje Okružnog suda, Priština)

Ne primam nikakav materijal koji bi stizao redovno; uglavnom se informišem sam/a. Sam/a nalazim obe publikacije „UNMIK-ove „Službene novine” i ostale publikacije koje advokatima trebaju. (Advokat, Mitrovica)

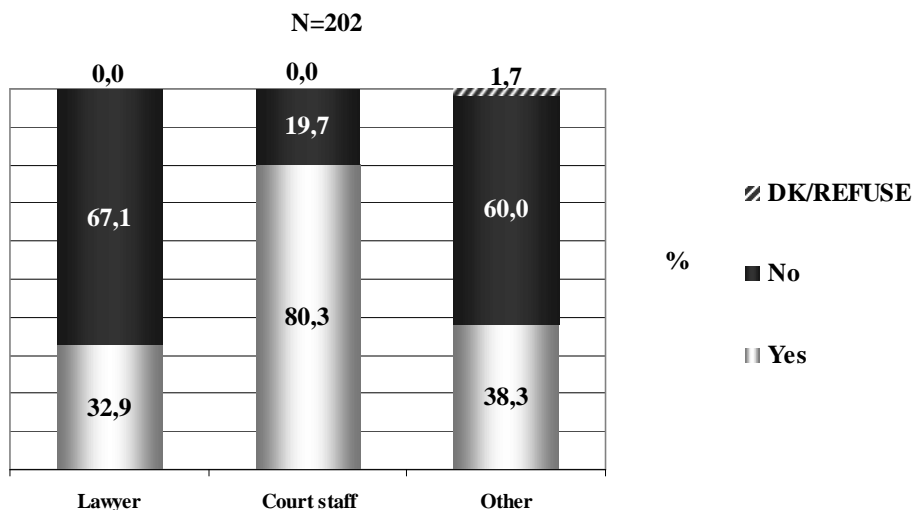
Kada su upitani da li redovno primaju neku vrstu publikacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu, tačno pola ispitanika je dalo pozitivan odgovor (vidi grafikon 07.).

Grafikon 07. Da li redovno primete neku vrstu publikacije o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu?



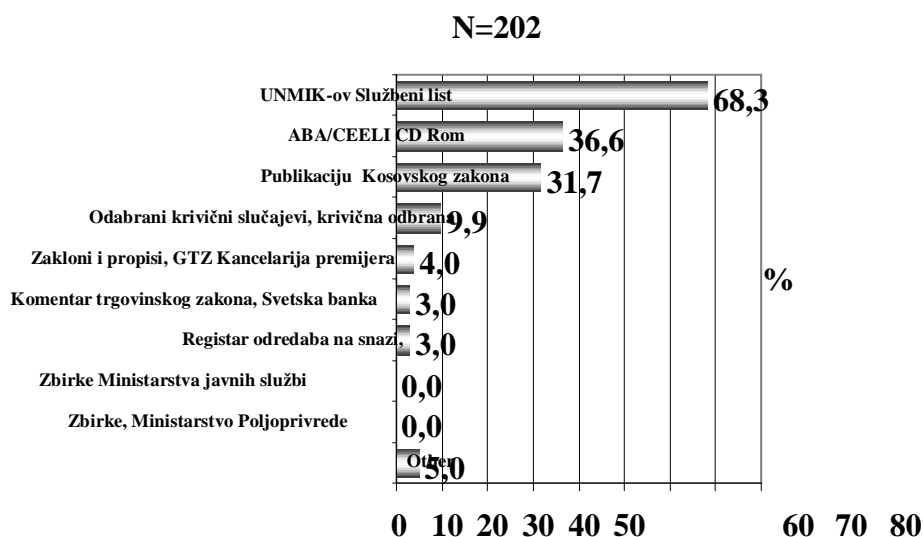
Ustanovljeno je da postoji statistički značajna razlika između određenih grupa ispitanika u vezi sa njihovom profesijom. Kao što se može videti na grafikonu ispod (vidi grafikon 08.), statistički veći broj sudskog osoblja (80.3%), u odnosu na advokate (32.9%) i ostale (38.3%) redovno prima neku vrstu publikacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu.

Grafikon 08. Da li redovno primete neku vrstu publikacije o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu (Poređenje advokata, sudskog osoblja i ostalih)



Većina ispitanika koji redovno primaju neku vrstu publikacije o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu je izjavila da primaju UNMIK-ov Službeni list (68.3%). Sledi ABA/CEELI CD Rom (36.6%), publikacija Kosovskog sudskog centra (31.7%), i ostale publikacije (vidi grafikon 09.). Zbog veličine uzorka, (N=101), nije bilo moguće izvršiti analizu rezultata za različite kategorije ispitanika.

Grafikon 09. Koju vrstu publikacije o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu primete?



Uopšteno, može se zaključiti da nema standardnog sistema za dostavljanje publikacija o zakonima koji se primenjuju na Kosovu, kroz koji bi zainteresovani kupci mogli doći do

materijala o pravnim pitanjima, tako da ne iznenađuje činjenica da značajan broj ispitanika (koji su učestvovali u kvantitativnom delu istraživanja), pored zvaničnog takođe koristi i dodatne izvore informacija o zakonima koji se primenjuju na Kosovo. Može se videti da ispitanici za svoje stručne potrebe često koriste privatne biblioteke, pravnu literaturu koju su prikupili tokom godina rada u profesiji i internet.

Takođe koristim moju privatnu biblioteku, u kojoj imam mnogo različitih materijala koje sam prikupio/la tokom godina. (Osoblje okružnog suda, Priština)

Obično se sam/a interesujem za zakone, zato što ne postoji publikacija u kojoj možemo naći sve materijale na jednom mestu. (Advokat, Priština)

Ne primam nikakvu publikaciju ali uvek moram sam/a da tražim literaturu. Veoma bih voleo/la da se ova publikacija objavi, da ima efikasan sistem dostave i da advokati ne moraju tražiti ovakve publikacije sami. (Advokat, Priština)

Često koristim moju privatnu biblioteku da se informišem o zakonima. (Osoblje okružnog suda, Priština)

Ispitanici koji su izjavili da redovno primaju neku vrstu publikacije o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovo su upitani koliko često primaju takve publikacije. Analiza rezultata je provedena za tri publikacije za koje je utvrđeno da se najviše koriste. Tabela pokazuje (vidi tabelu 03.) da većina ispitanika koji koriste UNMIK-ov Službeni list primaju ovu publikaciju mesečno (37.7%) i svaka tri meseca (30.4%). Što se tiče ABA/CEELI CD Rom publikacije za koju rečeno da se koristi od strane 37 ispitanika, približno jedna trećina ispitanika je izjavila da ovu publikaciju primaju godišnje (32.4%), i svaka tri meseca (27%). Što se tiče publikacije Kosovskog sudskog centra za koju je rečeno da je redovno prima 32 ispitanika, raposred rezultata je pokazao da ova publikacija nema uobičajenu učestalost dostavljanja kupcima.

Tabela 03. Koliko često primete publikacije o zakonima i ostalom zakonodavanom materijalu koji se primenjuje na Kosovu?

	UNMIK Službeni list (N=69)	ABA/CEELI, CD Rom (N=37)	Publikacija Kosovskog sudskog centra (N=32)
Mesečno	37.7%	16.2%	25.0%
Svaka tri meseca	30.4%	27.0%	21.9%
Godišnje	4.3%	32.4%	21.9%
Ostalo	11.6%	16.2%	18.8%
Ne znam/Ne želim odgovoriti	15.9%	8.1%	12.5%

Dalje, bili smo zainteresovani da vidimo koji iznos novca bi potencijalni kupci štampanih publikacija o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu bili spremni dati za publikacije koje su trenutno na raspolaganju a za koje je prethodno utvrđeno da se najviše koriste. Na osnovu rezultata (vidi tabelu 04.) možemo videti da je većina publikacija za većinu respondenata besplatna, i da je maksimalan iznos novca koji su korisnici publikacija voljni izdvojiti za ovu svrhu 10 evra.

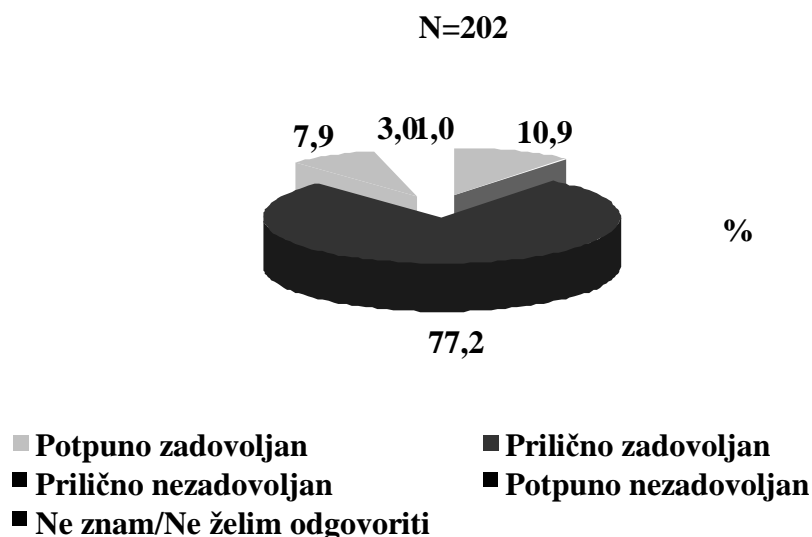
Tabela 04. Koliko plaćate za ovu publikaciju?

	UNMIK Službeni list N=69)	ABA/CEELI, CD Rom (N=37)	Publikacija Kosovskog sudskog centra (N=32)
Besplatna	82.6%	94.6%	87.5%
Manje od 5 evra	7.2%	0.0%	3.1%
Između 5 i 10 evra	2.9%	0.0%	6.3%
Između 10 i 15 evra	0.0%	0.0%	0.0%
Više od 15 evra	0.0%	0.0%	0.0%

Ne znam/Ne želim odgovoriti	7.2%	5.4%	3.1%
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Kupci raspoloživih publikacija o o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu su upitani do koje su mere zadovoljni sa raspoloživim publikacijama. Kupci su uglavnom zadovoljni sa publikacijama o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu, jer su tri od četiri ispitanika (77.2%) izjavila da su prilično zadovoljni sa raspoloživim publikacijama (vidi grafikon 10.). Skoro jedna petina ispitanika (18.8%) je međutim izjavila da su manje ili više nezadovoljni sa raspoloživim publikacijama o zakonima i ostalim zakonodavnim materijalima koji se primenjuju na Kosovu.

Grafikon 10. Do koje ste mere zadovoljni publikacijama o zakonima i ostalom zakonodavnom materijalu koji se primenjuje na Kosovu a koje vi primete?



Ispitanici koji su učestvovali u kvalitativnom delu istraživanja koji redovno primaju neke pod postojećih publikacija o zakonima koji se primenjuju na Kosovu su uglavnom nezadovoljni time što one nude. Možemo videti da su primedbe naših ispitanika uglavnom odnose na sadržaj kao i format publikacije. Kada se govori o sadržaju publikacije, ispitanici naglašavaju da nisu zadovoljni sa karakteristikama publikacije i sa činjenicom da ne ispunjava njihove profesionalne potrebe, bez daljeg objašnjenja ovih nedostataka. Takođe su ukazali na problem gramatičkih grešaka u ovim publikacijama. Kada se govori o pitanjima kojima se ove publikacije bave, gramatičke greške i greške u kucanju mogu lako promeniti značenje pisanog teksta, tako da su ispitanici koji su

učestvovali u ovom istraživanju bili mišljenja da bi ovakvi nedostaci trebali biti izbegnuti u toku pripremanja publikacije ovog tipa.

Veoma sam razočaran/a čak sa sadržajem ove publikacije, načinom na koji je objavljena i koricama takođe. (Osoblje okružnog suda, Priština)

Sadržaj novina ovog tipa često ima mnogo gramatičkih grešaka, jer znamo da čak i dnevne novine imaju mnogo gramatičkih grešaka. (Osoblje pravnog fakulteta, Priština)

Želeo/la bih naglasiti još jedan veliki problem u vezi sa Nacionalnim novinama koje se objavljuju. Obično, publikacije koje objavljuju institucije ne bi trebale imati gramatičke greške ili greške u sadržaju, a UNMIK-ove Nacionalne novine imaju i jedne i druge. Zbog toga sam mišljenja da bi zvaničnici trebali paziti kada objavljuju pravni materijal zato što samo jednom rečju cela rečenica promeni kontekst i imaćemo negativne posledice u društvu. (Advokat, Suha reka)

Kada govorimo o sadržaju, onda govorimo o veoma komplikovanoj temi, što se tiče zakona ja govorim kao pravni ekspert, i nisam nikako zadovoljan. (Advokat, Mitrovica)

Što se tiče sadržaja ovih publikacija, ja bih šeleo reći da nisam veoma zadovoljan. Mogle bi biti bolje i nadam se da će se u bliskoj budućnosti situacija promeniti. (Tužilac, Prizren)

Ispitanici su ukazali na specifičan problem koji se tiče publikacija sa ovakvim sadržajem. Ponekad se desi da sadržaj publikacije, ponajviše UNMIK-ovih "Službenih novina", nije dovoljno razumljiv korisnicima, što može biti objašnjeno neadekvatnim prevodima. Ispitanici pretpostavljaju da je gore navedeno rezultat upošljavanja nestručnih prevodilaca koji nisu upoznati sa pravnom terminologijom. Neadekvatni prevodi mogu potpuno promeniti smisao i značenje materijala, čineći ga nemogućim za korišćenje. Takođe, korišćenje ovakvih materijala zahteva dodatni angažman od strane korisnika kako bi proverili ili eventualno ispravili prevod. Ispitanici koji su uzeli učešća u ovom istraživanju su naglasili da bi prevodi trebali biti rađeni isključivo od strane prevodilaca koji su upoznati sa pravnom terminologijom i temama.

Želeo/la bih naglasiti da u ovim publikacijama ima mnogo grešaka. Za razumevanje zakona mora se mnogo čitati i na kraju se može desiti da se ništa ne razume. Mislim da je problem u prevodiocima koji ne znaju kako prevoditi zakone, i ne poznaju pravnu terminologiju. Uopšte, mislim dasu prevodi zakona veoma loši. (Advokat, Gnjilane)

Želeo/la bih malo zastati kod prevoda ovih zvaničnih publikacija. Svi prevodi su veoma loši. Može se videti da su prevodi Krivičnog zakona Kosova i Zakona o krivičnom postupku Kosova rađeni od strane tri ili četiri prevodioca, jer su za iste reči korišćeni različiti prevodi. (Advokat, Priština)

Kao prvo, ono što mi se ne dopada kod „Službenih novina” je prevod, jer ako uporedimo englesku i albansku verziju videćemo da ima mnogo grešaka jer koliko ja znam prevodioci

koji prevode [publikacije] nemaju nikakve veze sa zakonima i pravnim pitanjima. (Osoblje okružnog suda, Priština)

Kada se radi o distribuciji publikacija o zakonima koji se primenjuju na Kosovu, ispitanici su ocenili situaciju kao nezadovoljavajuću. Iako su neki ispitanici odgovorili da redovno primaju neke od publikacija, većina je istakla da način na koji se publikacije dostavljaju čitaocima nije pouzdan. Tako su se ispitanici izjasnili da ne mogu da se oslone na distribuciju publikacije i sistem isporuke, što se uglavnom odnosi na UNMIK-ov publikaciju «Službeni Glasnik». Često se dešava da isporuka publikacije kasni u odnosu na predviđeno vreme i odnosu na potrebe njenih čitalaca. Takođe, institucije koje redovno dobijaju publikacije, ponekad ne prime dovoljan broj primeraka u odnosu na broj čitalaca. S druge strane, primećujemo da su neki čitaoci zadovoljni isporukom, što navodi na pretpostavku da problem registrovanja čitalaca publikacije kao i njene distribucije nije sistematski rešen.

Obično se informišem o primenljivim zakonima na Kosovu iz UNMIK-ovog «Službenog glasnika». Sistem isporuke je tako slab, zato što nemaju nikakav koordinisani sistem isporuke. (advokat, Suva Reka)

Kada pričamo o primenjivim zakonima, od kad sam registrovan u advokatskoj komori Kosova, kada sam platio 560 evra, obećano mi jer da će dostaviti neophodni materijal. Sada, nakon tri meseca, ja i dalje nisam primio nikakvu publikaciju iz kosovske advokatske komore. (advokat, Mitrovica)

Zvaničnu publikaciju obično dostavlja služba pošte, ali u većini slučajeva u nedovoljno primeraka. Moramo uzeti u obzir i broj primeraka. Na primer, u kancelarijama prizrenskog tužilačkog okruga postoji 7 tužilaca i bilo bi dobro kada bi publikacija dolazila u istom broju. (tužilac, Prizren)

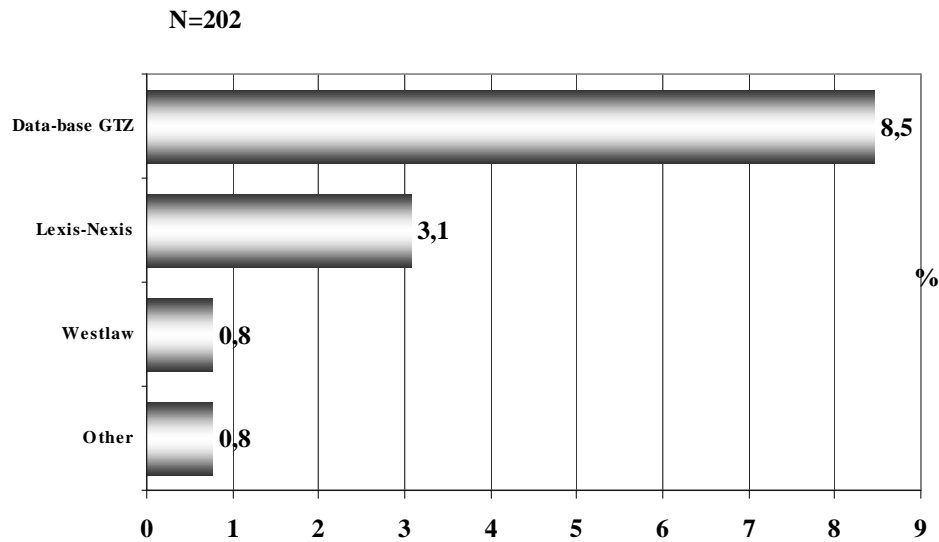
Sve publikacije mi primamo na vreme. Obično kada stignu ovde u Okružni sud u Peći, administrator je dostavi na vreme. Iz tog razloga sam zadovoljan isporukom. (sudija, Peć)

Sada imamo «Službeni priručnik» koji je bio od pomoći ali nisu još počeli da ga prodaju i mi ne možemo da ga kupimo. Bilo bi dobro kada bi ih ponudili ljudima koji rade sa zakonima i koji koriste priručnik u praksi. Pitao sam na mnogo mesta kao što je Pravni fakultet, Sudski institut, i Asocijacija sudija Kosova, i oni nisu mogli da mi obezbede priručnik. (pravnik, Priština)

Dalje nas je interesovalo da li su ispitanici pretplaćeni na, ili kupuju neku od pravnih baza podataka na internetu. Kao što možemo videti (vidi grafikon 11), veoma mali broj ispitanika je odgovorilo da koristi ovakvu vrstu publikacija. Među ponuđenim

publikacijama na internetu istakla se baza podataka GTZ jer 8.5% ispitanika je odgovorilo da su pretplaćeni na ovu publikaciju ili je kupuju.

Grafikon 11. Da li ste pretplaćeni ili kupujete neku od baza podataka na internetu, kao što su...?

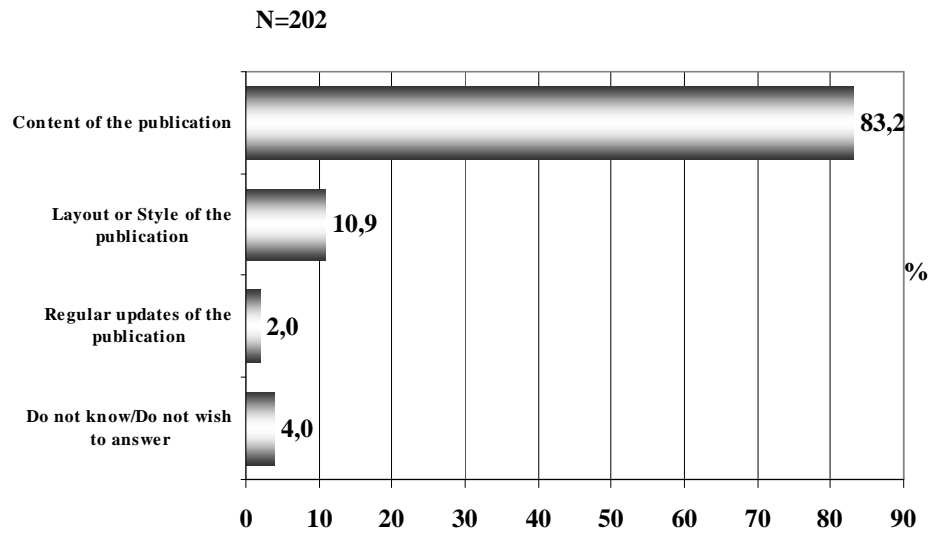


5.3.2. Važne karakteristike raspoloživih publikacija o zakonima i drugom zakonodavnom materijalu koji se primenjuju na Kosovu.

U okviru analize kvaliteta raspoloživih publikacija o zakonima i drugom zakonodavnom materijalu koji se primenjuju na Kosovu, bili smo zainteresovani na koji način će ispitanici oceniti određene karakteristike publikacija i koju će važnost dati određenim karakteristikama prilikom odabira publikacije. U vezi sa prethodno pomenutim, prvo pitanje koje smo postavili ispitanicima je bilo da definišu koja od ponuđenih karakteristika je najvažnija pri odabiru publikacije koju dobijaju na adresu ili kupuju.

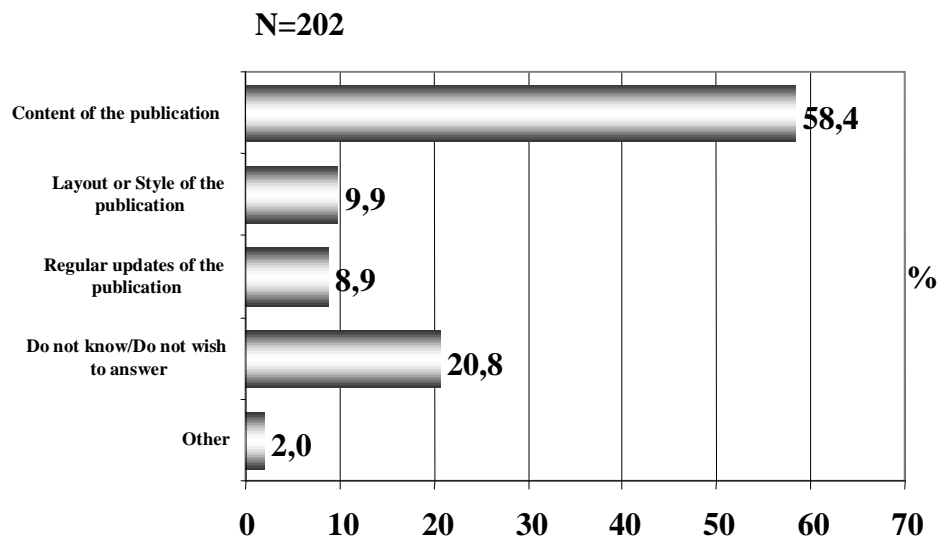
Kao što možete videti (vidi grafikon 12) ispitanici, za koje je prethodno utvrđeno da su pretplaćeni na neku od publikacija, su pricenili da je sadržaj najvažnija karakteristika prilikom odabira publikacije koji bi poručili ili kupili. Ovakav stav je imalo 83.2% ispitanika. Manji broj ispitanika je navelo da je izgled ili stil publikacije najvažnija karakteristika prilikom kupovine publikacije o zakonima ili zakonodavnom materijalu koji se primenjuje na Kosovu (10.9%), dok je 2% ispitanika navelo da je najbitnije redovno ažuriranje publikacije.

Grafikon 12. Kada Vi (Vaša kancelarija) birate publikaciju, koja je najvažnija karakteristika?



Kada se radilo o tome kojom su karakteristikom publikacije koju koriste najviše zadovoljni, ispitanici su odgovorili da je to sadržaj publikacije. Takav odgovor je dalo 58.4% ispitanika (vidi grafikon 13.). To je praćeno izgledom ili stilom publikacije (9.9%), i redovnim ažuriranjem publikacije (8.9%).

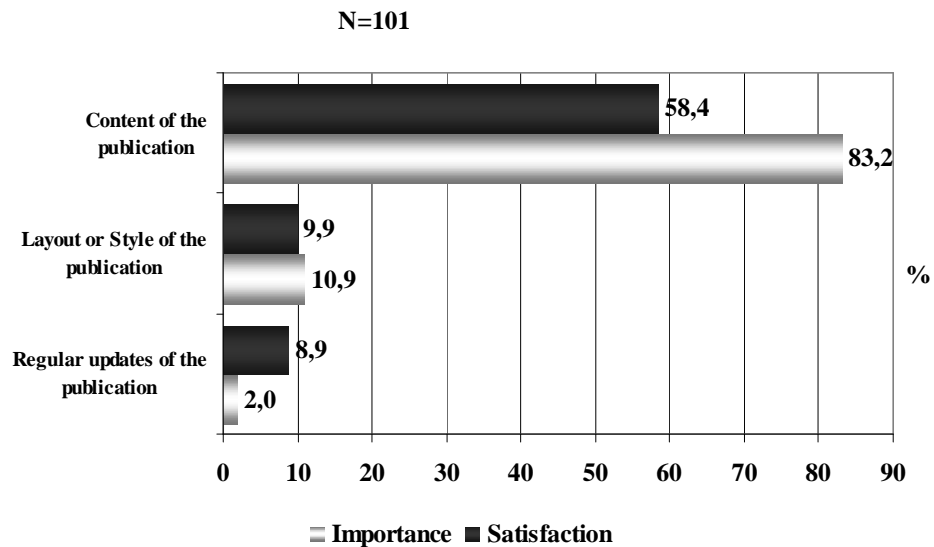
Grafikon 13. Od publikacija na Kosovu koje primete, sa kojim ste karakteristikam najviše zadovoljni?



Ukoliko uporedimo potrebe potencijalnih čitalaca u odnosu na određene karakteristike (opisane kroz ocenu važnosti karakteristika), sa stepenom zadovoljstva ovim karakteristikama, videćemo da postoji nesklad na relaciji karakteristike – sadržaj publikacije. Možemo videti (vidi grafikon 14.) da je nivo zadovoljstva ovim karakteristikama publikacija u upotrebi, statistički manji od važnosti koju su ispitanici dodelili istim karakteristikama prilikom odabira publikacije.

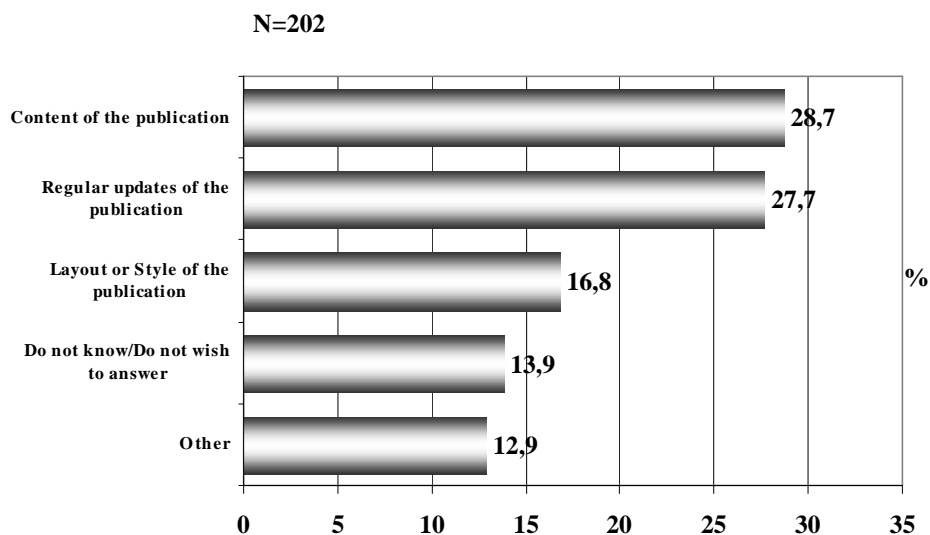
Ovo može da posluži kao osnova za zaključak da postoje publikacije koje ne zadovoljavaju potrebe čitalaca. Takođe primećujemo da sadržaj publikacije, za koji je utvrđeno da je najvažnija karakteristika publikacije, je istovremeno i karakteristika koja se može dalje unaprediti kako bi čitaocima obezbedila usluga koja u potpunosti odgovara njihovim potrebama i zahtevima.

Grafikon 14. Kada Vi (Vaša kancelarija) birate publikaciju, koja je najvažnija karakteristika/ sa kojim ste karakteristikama najviše zadovoljni?



Odgovori na sleća pitanja potvrđuju prethodni zaključak. Zapravo, kada su upitani sa kojom su karakteristikom publikacije koju primaju najmanje zadovoljni, ispitanici su odgovorili da je to sadržaj publikacije (28.7%). To je praćeno drugim odgovorima (vidi grafikon 15.), među kojima je karakteristika redovnog ažuriranja publikacije. 27.7% čitalaca raspoloživih publikacija koji su učestvovali u istraživanju je odgovorilo da su najmanje zadovoljni ovom karakteristikom.

Grafikon 15. Od pravnih publikacija na Kosovu koje primete, sa kojom ste njihovom karaktersitikom najmanje zadovoljni?



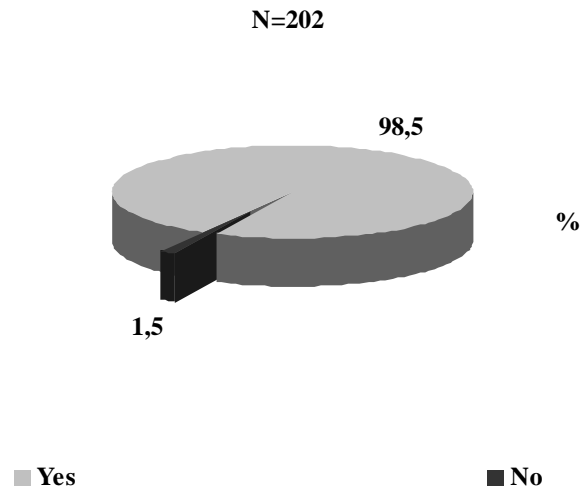
5.4. Potrebe potencijalnih čitalaca publikacija o zakonima i drugom zakonodavnom materijalu koji se primenjuju na Kosovu

5.3.2. Interesovanje za štampane publikacije o zakonima i drugom zakonodavnom materijalu koji se primenjuju na Kosovu

U nastavku ćemo razraditi evaluaciju potreba čitalaca. Od ispitanika je prvenstveno traženo da pretpostave da postoji publikacija koja će ih redovno informisati o aktuelnim zakonima i drugom zakonodavnom materijalu koji se primenjuju na Kosovo. Ispitanici su upitani da li be želeli da redovno primaju ovu publikaciju. Kao što možemo videti (vidi

grafikon 16.) većina ispitanika (98.5%) je pokazala interesovanje za ovakvu publikaciju. Bez obzira na profesije, pozitivno su odgovorili na ovo pitanje.

Grafikon 16. Da li biste želeli da redovno primete ovu publikaciju?



U skladu sa prethodnim zaključcima koji navode da je raspoloživost i kvalitet publikacija o zakonima na Kosovu na niskom nivou, možemo pretpostaviti da će ispitanici, koji su učestvovali u ovom istraživanju, potencijalni čitaoci štampane publikacije, pokazati interesovanje za publikaciju koja će u potpunosti odgovarati njihovim profesionalnim potrebama. Nesumnjivo je da postoji prostor na tržištu ovakvih publikacija na Kosovu koje be obezbedile pristup traženim informacijama o zakonima primenjenim na Kosovu njenim potencijalnim čitaocima.

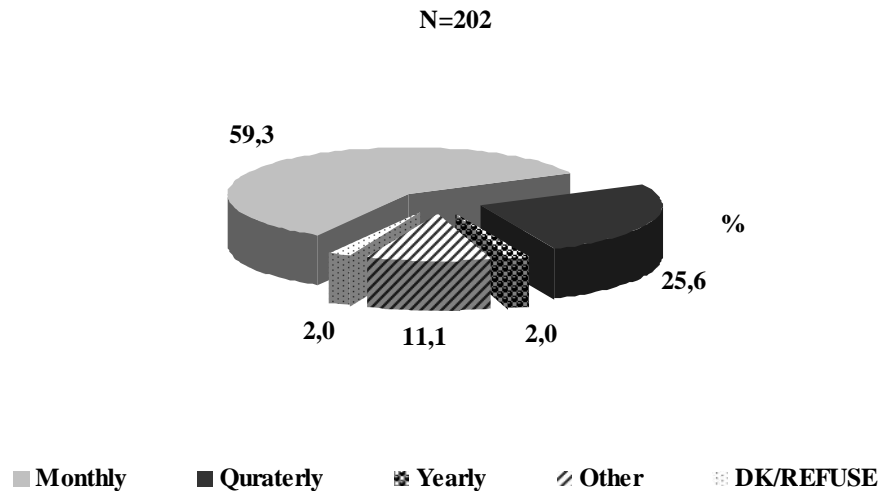
Veoma verujem u ovu publikaciju i mislim da bi ona imala pozitivne efekte. Ali ovde je problem kako ponuditi ovu publikaciju ljudima kojima je potrebna.
(advokat, Suva Reka)

Mislim da je publikacija pravnog materijala sjajna ideja. Tehnička je stvar kakva će to publikacija biti, kako će izgledati i koliki će biti tiraž, itd.
(advokat, Mitrovica)

Pre svega, nadam se da će ovakva publikacija biti kompletnija i sadržajnija zato što je sama pomisao na to da ćemo mi «sudski činovnici» naći sve što nam treba u jednoj publikaciji, sjajan osećaj.
(činovnik okružnog suda, Priština)

Dalje govoreći o publikacijama u njihovom interesu, skoro dve trećine ispitanika (56.3%) je reklo da bi želeli da ovakvu publikaciju primaju jednom mesečno. Otprilike jedna četvrtina (25.6%) ispitanika je rekla da bi više voleli da se publikacija dostavlja jednom u tri meseca (vidi grafikon 17).

Grafikon 17. Koliko često biste želeli da dobijate ovu publikaciju?

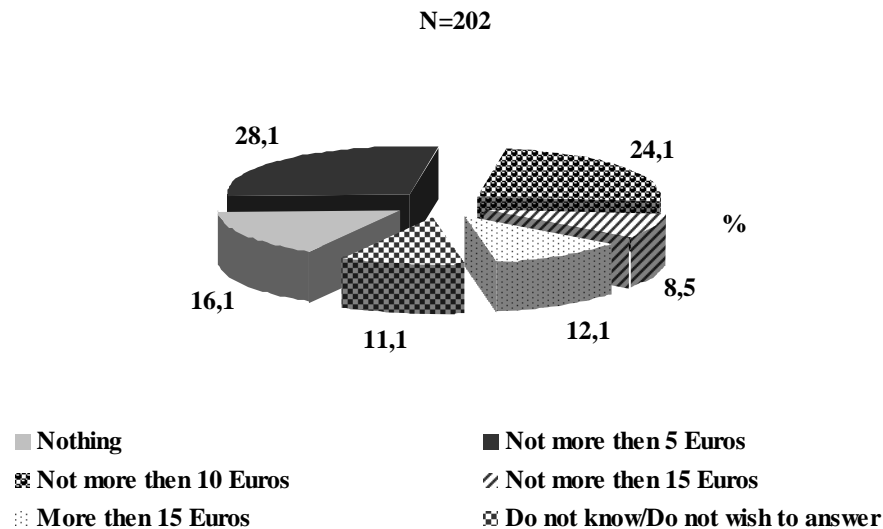


5.3.2 Cena publikacije

U odnosu na cenu publikacije, mišljenja potencijalnih čitalaca su bila prilično podeljena. Kao što možete videti (vidi grafikon 18.), 16.1% ispitanika nisu bili spremni da odvoje novac za ovakvu publikaciju i smatrali su da treba biti besplatna. Među ispitanicima koji su smatrali da publikaciju treba platiti, jedna polovina njih je bila spremna da plati ne više od 5 evra (28.1%) i ne više od 10 evra (24.1 %). Čak 12.1% ispitanika je odgovorilo da bi bili spremni da plate za nju preko 15 evra.

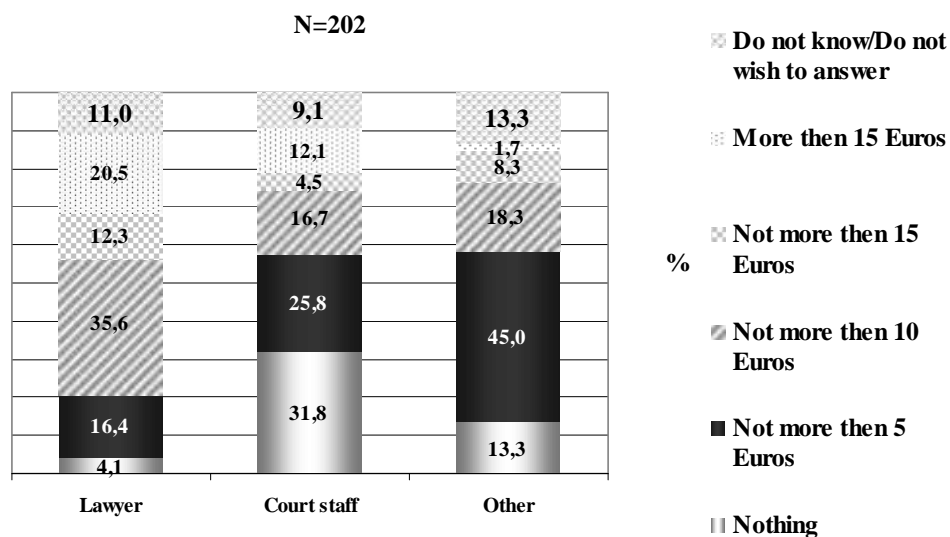
Ukoliko uzmemo u obzir da većina ispitanika prima trenutno raspoložive publikacije besplatno, pomalo je iznenađujuće da je znatno mali broj njih spreman da plati za ovakvu publikaciju. Ovo može biti opravdano uočenim nezadovoljstvom trenutno raspoloživih publikacija.

Grafikon 18. Koliko biste bili spremni da platite za ovu publikaciju?



Daljom analizom uočene su razlike među grupama u odnosu na njihovu profesiju. Tako možemo videti (vidi grafikon 19.) da statistički znatno veliki broj ispitanika iz kategorije “drugi” (45%), u odnosu na advokate (16.4%) i sudske činovnike (31.8%), su bili spremni da plate ne više od 5 evra za publikaciju.

Grafikon 19. koliko biste bili spremni da platite za ovu publiaciju (poređenje između advokata, sudskih činovnika i drugih)



U odnosu na cenu publikacije o zakonima primenjenim na Kosovu, mišljenja ispitanika koji su učestvovali u kvalitativnom delu istraživanja su se se veoma razlikovala. S jedne strane, neki ispitanici su smatrali da ukoliko publikacija odgovara njihovim profesionalnim potrebama, bila bi vredna izdvajanja novca u te svrhe. Čak i oni ispitanici, koji su istaklo nepovoljan finansijski status kosovske populacije, su izjavili da su spremni da plate razumnu cifru za publikaciju o zakonima primenjenim na Kosovu.

Obično plaćam za publikacije koje dobijam, i normalno je da bih platio za ovu publikaciju takođe ali samo pod jednom uslovom, a to je da ova publikacije bude primenljiva u praksi.
(advokat, Suva Reka)

Što se tiče novca, smatram da to nije nikakav problem, zato što ja volim da prikupljam različit materijal koji mi je potreban, i ukoliko bi ova publikacija imala dobar materijal, onda bih je platio bez problema. To je više tehnička stvar.
(advokat, Mitrovica)

Iako primam minimalnu platu zajedno sa mojim kolegama bio bih spreman da platim.
(sudija, Peć)

Za publikacije koje primamo nisam siguran da li išta plaćamo, i mislim da su one besplatne, ali za mene lično ne bi predstavljalo nikakav problem da platim zato što volim da imam svu literaturu koja ima veze sa mojim poslom.
(činovnik Okružnog suda, Priština)

Ali moramo uzeti u obzir da cena mora biti razumna zbog teške ekonomske situacije na Kosovu.
(advokat, Gnjilane)

S druge strane, bilo je ispitanika koji su izjavili da ne bi bili spremni da izdvoje novac za publikaciju, objašnjavajući svoj stav teškom finansijskom situacijom u kojoj se nalaze. Takođe, izgleda kao da profesionalci koji mogu koristiti publikaciju o zakonima primenjenim na Kosovu u poslovne svrhe, smatraju da institucije, organizacije ili kompanije treba da kupe ili obezbede publikaciju, i da to ne bi trebalo da bude obaveza pojedinca. Da vas podsetimo na ono što smo otkrili kroz kvantitativno istraživanje: tri četvrtine ispitanika se izjasnilo da bi bili spremni da plate za publikaciju koja bi obezbedila informacije o zakonima primenjenim na Kosovo.

...rekao bih da zbog malih plata koje primamo, nećemo biti u stanju da platimo čak ni jedan evro za ovu publikaciju.
(činovnik okružnog suda, Priština)

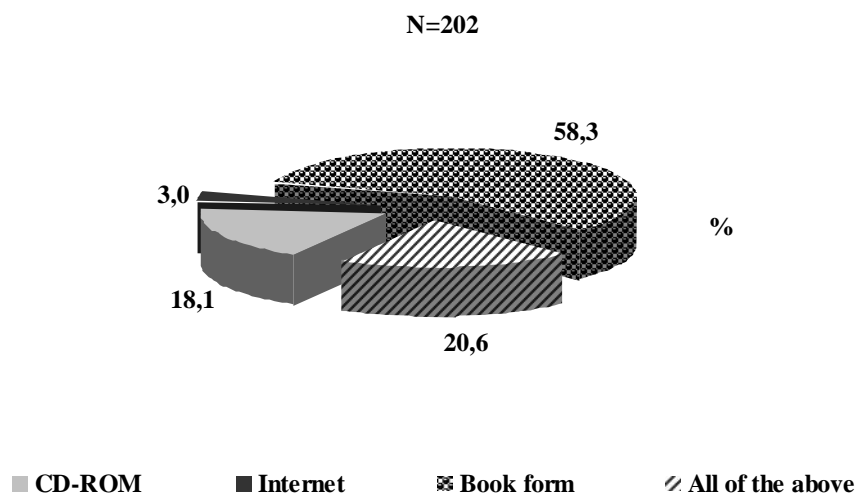
Ukoliko će Okružni sud pokriti troškove, smatram da ne ni bilo problema, ali ukoliko mi to moramo platiti pojedinačno, mislim da ne bih mogao da platim tu cenu jer u poređenju sa onim koliko radimo, naše plate su jako niske.
(činovnik Okružnog suda, Priština)

Obično do sada nisam morao da platim za ovakve publikacije jer su bile besplatne, kao na primer «Službeni glasnik», izdanje kosovskog pravnog centra, materijali koji su deljeni na seminarima. Možda bih mogao da platim manju sumu novca ali ne bih mogao da platim ukoliko je cena viša. (advokat, Priština)

5.4.3. Format publikacije

Prvenstveno smo bili zainteresovani koji oblici publikacije bi bili po volji ispitanika. Nešto manje od dve trećine (58.3%) potencijalnih čitalaca publikacije je smatralo da bi bilo najbolje da se ona štampa u obliku knjige (vidi grafikon 20.). Dok je veoma mali broj ispitanika (3%) pokazalo interesovanje za publikaciju na internetu, u proseku svaki peti ispitanik (18.1%) smatra da bi publikacija trebalo biti u cd-rom formatu. Jedna petina ispitanika (20.6%) je reklo da bi najprihvatljivija opcija bila kada bi se publikacija pojavila u sva tri formata.

Grafikon 20. U kom formatu biste želeli da bude publikacija?



Govoreći o formatu publikacije za koji su ispitanici pokazali interesovanje, većina ispitanika koji su učestvovali u kvalitativnom delu istraživanja je rekla da bi želeli da publikacija o zakonima koji se primenjuju na Kosovu bude u formatu knjige.

Ovaj tradicionalni format publikacije je ocenjen kao najpraktičniji i najadekvatniji. Opet, ispitanici ističu da bi ovakav format publikacije bio od koristi ukoliko ispuni onaj

standard kvaliteta koji je naveden kao važan tokom istraživanja. Ovo se prvenstveno odnosi na jednostavnost korišćenja knjige ili publikacije. Sa druge strane, bilo je onih ispitanika koji su podržavali cd-rom format publikacije koji je viđen kao jednostavan, praktičan, pregledan, i dugoročni izvor informacija o zakonima primenjenim na Kosovu. Kao pozitivan primer postoji "cd od ABBACEL-a", za koji korisnici kažu da je adekvatno dizajniran, i predstavlja model koji se može uzeti u obzir prilikom dizajniranja nove publikacije. Neki ispitanici su više voleli da publikacija bude u nekoliko različitih formata, prvenstveno knjige i cd-a. Važno je naglasiti da je format knjige ocenjen kao najpoželjniji čak i u kvantitativnom delu istraživanja.

Knjiga je dobra ukoliko može lako da se korsiti i nije komplikovana. (advokat, Suva Reka)

Više bih voleo ovu publikaciju u obliku knjige. (advokat, Gnjilane)

Prvo, knjiga mora biti upotrebljiva u praksi, mora biti laka za korišćenje i za razumevanje. (advokat, Mitrovica)

Bilo bi dobro da ova publikacija bude u formatu knjige, zato što knjige možete nositi gde god poželite. Lake su za korišćenje. (sudija, Peć)

Bilo bi dobro da publikacija bude takođe na cd-u, internetu i kao knjiga. I lično najviše volim knjige. Knjige su mnogo praktičnije, od samog početka sam naviknut više na knjige. (činovnik Okružnog suda, Priština)

Meni je svejedno da li je knjiga ili cd. Već sam pomenuo da smo naviknuti na cd-ove ABBACEL-a, tako da to nije problem. (advokat, Priština)

Ukoliko će publikacija biti na cd-u to je nešto drugo, na primer na ovim cd-ovima se dešava često da su oštećeni ili nisu sigurni. Ukoliko će biti na cd-u voleo bih da budu kao što su cd-ovi od ABBACEL-a . (sudija, Peć)

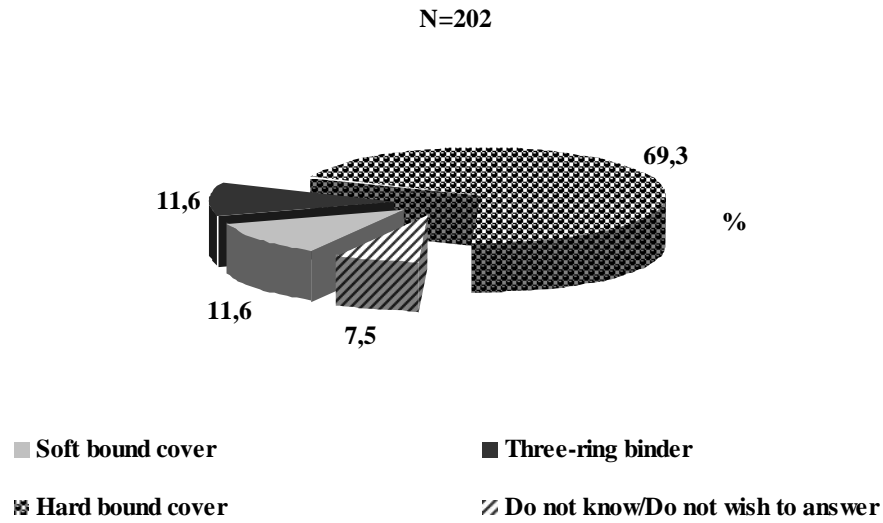
Želim da istaknem da sam zadovoljan sa cd-om ABBACEEL-a zato što ukoliko su u elektronskoj verziji mogu ih lako koristiti. I mnogo je lakše kada imate sav materijal na jednom mestu i ne morate da čitate i tražite u različitim knjigama. (činovnik Okružnog suda, Priština)

Pomenuo sam da je publikacija na cd-u adekvatnija, ali ukoliko bih imao primerak knjige to takođe ne bi bilo loše. To je zato što u ovim uslovima u kakvim živimo postoji mnogo situacija u kojima ne možemo koristiti kompjuter. Zato kažem da bi trebalo da postoji i knjiga. (činovnik Okružnog suda, Priština)

Ovu publikaciju bi valjalo izdati i kao knigu i u elektronskoj verziji, zato što sada imamo kompjutere i nije ih teško koristiti. (pravnik, Suva Reka)

Govoreći o oblicima publikacija, ispitanicima je postavljeno pitanje sa kakvim bi koricama želeli da bude štampana (vidi grafikon 21). Više od dve trećine ispitanika (69.3%) je preferiralo tvrdi povez. 11.6% ispitanika je više bilo za meki povez i opciju poveza sa tri prstena. 7.5% ispitanika se nije izjasnilo po ovom pitanju.

Grafikon 21. Da li biste više želeli da bude u tvrdom ili mekom povezu?



Manji broj ispitanika koji su učestvovali u kvalitativnom delu istraživanja je pomenuo povež publikacije o zakonima primenjenim na Kosovu. Ispitanici koji smatraju da publikacija treba da bude u formatu knjige, misle da kvalitet poveza takođe treba uzeti u obzir. Kako bi publikacija bilo često korišćena, ispitanici smatraju da je tvrdi povež adekvatniji i da bi tako obezbedili dugoročnu upotrebu publikacije. Pored prethodno pomenutog, bilo je ispitanika kojima ova karakteristika nije bila bitna i koji smatraju da treba specijalno povesti računa o kvalitetu sadržaja.

Dobro je da ste pitali, ja bih hteo tvrd povež i ne kao UNMIK-ov Službeni glasnik koji se ošteti nakon mesec dana i mi ne možemo da ga ponovo koristimo, ili moramo da ga fotokopiramo. Iz ovog razloga, a i zato što lepše izgleda, bi bilo bolje da bude tvrd povež. (činovnik Okružnog suda, Priština)

Što se tiče poveza, mislim da to nije toliko bitno zato što je mnogo bitnije da bude dobar sadržaj publikacije.

Dalje, od svih pomenutih karakteristika o kojima smo razgovarali sa ispitanicima, ispostavlja se da je jednostavnost najbitnija. U stvari, ispitanici naglašavaju da je veoma bitno da sadržaj publikacije bude jednostavno organizovan, čime će se obezbediti najbolja upotreba publikacije od strane čitalaca.

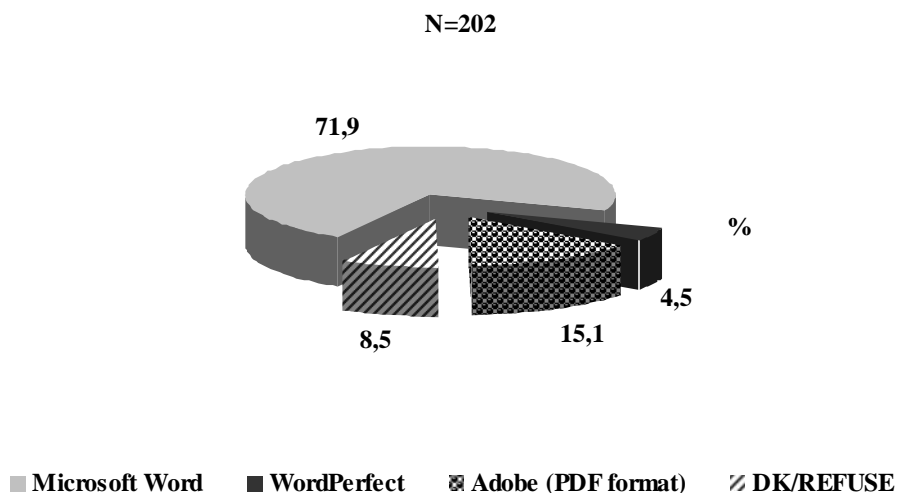
Da bi se publikacija približila čitaocu, ona prvo mora biti što je više pojednostavljena za korišćenje. (činovnik Okružnog suda, Priština)

Mislim da je veoma bitno da ova publikacija koja će biti izdata uključuje različit materijal koji će biti jednostavan za sudove, tužioce i advokate za upotrebu u praksi. (advokat, Priština)

Dobro je poznato da knjige moraju biti jednostavne za upotrebu dok cena nije toliko bitna. (tužilac, Priština)

U daljoj analizi bili smo zainteresovani koji će elektronski format najviše odgovarati čitaocima. Možemo videti (vidi grafikon 22.) da većina ispitanika (71.9%) najviše voli Microsoft Word format: dok manji broj ispitanika smatra da drugi, dole navedeni elektronski formati treba da budu korišćeni.

Grafikon 22. Kad bi ove publikacije bile dostupne u elektronskom formatu, koji je za Vas (Vašu kancelariju) najbolji format za korišćenje?



Govoreći o elektronskim formatima publikacije, ispitanici koji su učestvovali u kvalitativnom delu istraživanja uglavnom više vole upotrebu Microsoft Word programa. Izgleda da ovaj program za čitanje i editovanje teksta je u širokoj upotrebi među korisnicima kompjutera i stoga je program čija je upotreba poznata i bliska potencijalnim čitaocima. Takođe, ispitanici koji su učestvovali u kvalitativnom delu istraživanja smatraju da je program Adobe isto pogodan za upotrebu jer dozvoljava izmenu teksta, što je, kad se uzme u obzir materijal, veoma važno.

Meni lično ne smeta da koristim kompjuter, tako da svaka vrsta programa za mene neće predstavljati problem. Obično su publikacije na internetu u Adobe formatu, ali pošto ja nemam problema sa upotrebom kompjutera, pitanje softvera u kojem će biti publikacija uopšte nije problem.

(službenik Pravnog fakulteta, Priština)

Obično radim u Word-u ali mislim da je Adobe prikladniji jer možete manipulirati sadržajem zakona. (činovnik Okružnog suda, Priština)

Ukoliko će to biti u elektronskoj verziji što je bolje za mene, ja bih više voleo da bude u Word programu jer ga češće koristim. (advokat, Priština)

Ja koristim Word i želeo bih da ova publikacija bude u tom programu. (advokat, Suva Reka)

I ukoliko je elektronska verzija više bih voleo Word zato što znam bolje da ga koristim. (činovnik Okružnog suda, Priština)

5.3.2. Povoljne karakteristike publikacije

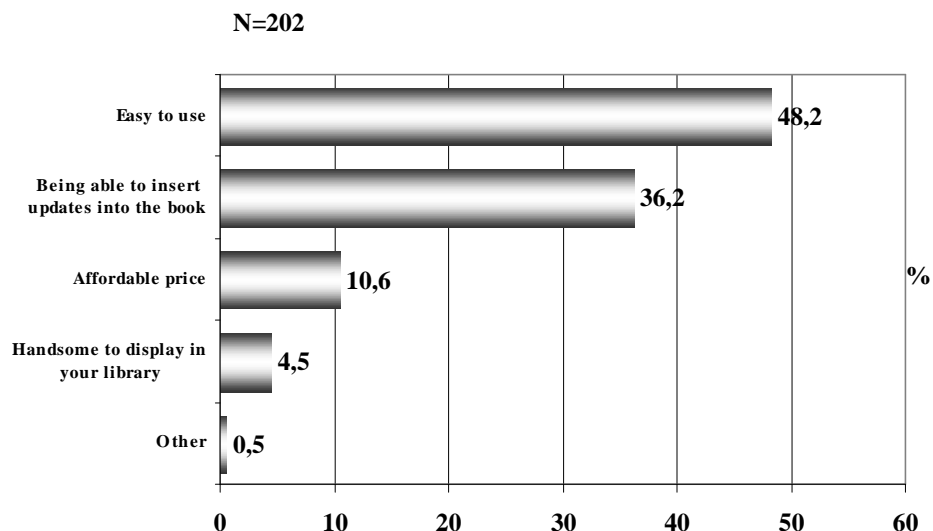
Govoreći o štampanoj publikaciji, za koju su ispitanici pokazali najviše interesovanja, zanimalo nas je koju važnost ispitanici pridaju određenim karakteristikama publikacije. Kao što možemo videti (vidi tabelu 05.) jednostavnost upotrebe i mogućnost ažuriranja knjige su karakteristike koje su ispitanici videli kao najvažnije. Tako, skoro četiti petine ispitanika je reklo da bi gore pomenute karakteristike bile najvažnije u slučaju da koriste publikaciju. Cena je veoma bitna karakteristika za više od polovine potencijalnih čitalaca (55.3%). Iako je 39.7% ispitanika izjavilo da stil publikacije nije bitan, skoro polovina ispitanika je smatralo da je ova karakteristika bitna (17.1%) i donekle bitna (26.1%).

Tabela 05. Za Vas (Vašu kancelariju) da bi kupili ovu publikaciju, od koje bi važnosti bile sledeće karakteristike?

	Mogućnost ažuriranja podataka	Da lepo izgleda u biblioteci	Pristupačne cene	Jednostavnost upotrebe
Veoma važne	77.9%	17.1%	54.3%	78.9%
Donekle važne	9.0%	26.1%	23.6%	10.6%
Donekle nevažne	7.0%	11.6%	15.1%	6.5%
Nevažne	3.0%	39.7%	5.0%	4.0%
Ne znam/ ne želim da odgovrim	3.0%	5.5%	2.0%	0.0%

U skladu sa prethodnim zaključcima, ispitanici su izabrali jednostavnost upotrebe kao najvažniju karakteristiku publikacije, i 48.2% ispitanika je podržalo ovaj stav (vidi grafikon 23.). To je praćeno “mogućnošću ažuriranja podataka u knjizi” što je 36.2% ispitanika odabralo kao najvažniju karakteristiku.

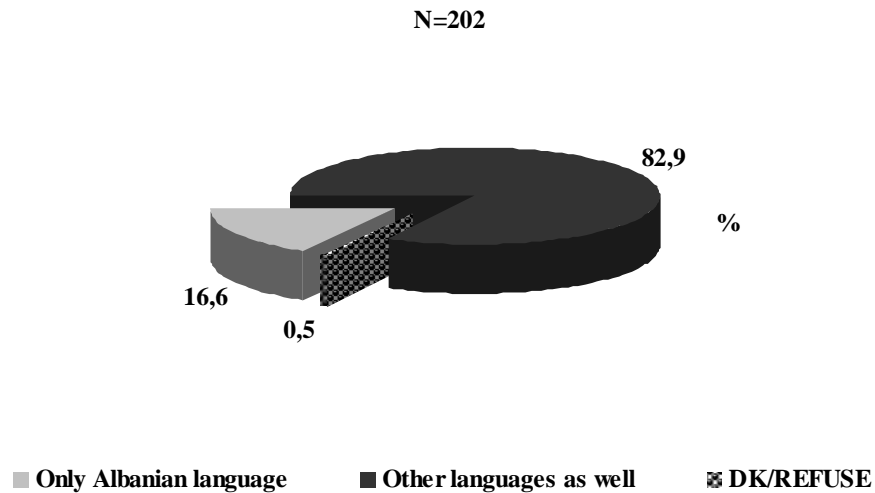
Grafikon 23. Koja bi bila najvažnija karakteristika publikacije?



U odnosu na jezik publikacije o zakonima i drugom zakonodavnom materijalu koji se primenjuju na Kosovu, ispitanici su se uglavnom složili (82.9%) da material treba biti objavljen i na drugim jezicima sem albanskog. Nešto manje od jedne petine ispitanika

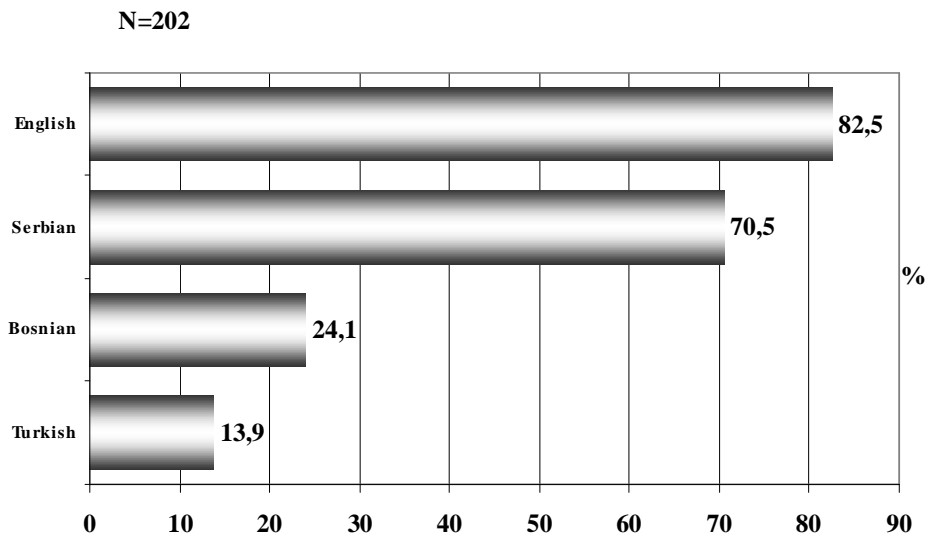
(16.6%) smatra da publikaciju treba objaviti isključivo na albanskom jeziku (vidi grafikon 24).

Grafikon 24. Da li biste više voleli da publikacija bude izdata samo na albanskom jeziku, ili i na drugim jezicima?



Ispitanici koji misle da publikaciju treba objaviti na još jezika sem albanskog, dalje su navodili koji bi to jezici trebalo da budu. Najčešći odgovor je bio engleski jezik i 82.5% ispitanika se složilo da engleski treba da bude jedan od jezika publikacije o zakonima i zakonodavnom materijalu koji se primenjuje na Kosovu (vidi grafikon 25). Manje od jedne četvrtine ispitanika je izjavilo da publikacije treba biti objavljena i na srpskom jeziku (70.5%), dok negde oko jedne četvrtine ispitanika smatra da publikacija treba biti objavljena i na bosanskom jeziku (24.1%).

Grafikon 25. Na kojim jezicima bi trebalo objaviti publikaciju?



Kada se radilo o jezicima na kojima bi publikacija o zakonima na Kosovu trebalo biti objavljena, kvalitativni deo istraživanja je pružio seriju različitih gledišta. Uopšteno govoreći, gledište da publikaciju treba objaviti na zvaničnim jezicima Kosova, koji su albanski i srpski, je prevagnulo. Međutim, kada se uzme u obzir opisani problem prevoda zakona kao i mogućnost upotrebe publikacije od strane profesionalaca koji ne pričaju neki od jezika u upotrebi na Kosovu, preporučljivo je da publikacije o zakonima na Kosovu budu štampane na engleskom jeziku. Uprkos činjenici da su izraženi različiti stavovi, stav da publikacija treba biti izdata na više jezika je prevagnuo, što je istovremeno zabeleženo i u kvantitativnom delu istraživanja.

Za mene je veoma važna zvanična verzija na engleskom, zato što se javljaju problemi u prevođenju zakona sa engleskog na albanski. Kad imate u vidu da samo jedna reč može da promeni ceo kontekst zakona. (službenik Pravnog fakulteta, Priština)

Smatram da bi bilo bolje kada bi publikacija takođe bila u tri zvanična jezika, ali da budu izdate kao zasebne publikacije. Svako će koristiti publikaciju na svom jeziku, a drugi uvek mogu uzeti publikaciju na nekom od jezika ukoliko su zainteresovani. Na primer, UNMIK-ov Službeni glasnik je veoma obiman i ljudi se plaše da ga čitaju. (službenik Pravnog fakulteta, Priština)

Možda sam pomalo patriota, ali smatram da ne bi bilo problem i kada bi ova publikacija bila samo na albanskom jeziku, zato što na saslušanjima imamo prevodioce. (činovnik Okružnog suda, Priština)

Slučajevi koje imam u procesu su na albanskom, ali ih imam i na srpskom jeziku. Ovo se desilo sa slučajevima kada sam predstavljao slučajeve pravne pomoći. Smatram da su dovoljne srpska i albanska verzija. (advokat, Priština)

Većina publikacija koja se objavi su na svim zvaničnim jezicima, tako da smatram da bi bilo dobro ukoliko bi i ova publikacija bila na svim zvaničnim jezicima, albanskom, engleskom i srpskom. (advokat, Gnjilane)

Ovakva vrsta publikacije bi bilo dobro da bude na svim zvaničnim jezicima, bez izuzetka. Da bi neka kniga bila približnija čitaocu ona mora biti takva da je čitalac može koristiti i u odgovarajućem formatu. (advokat, Priština)

Sem toga, bitno je istaći da su neki ispitanici smatrali da publikaciju treba izdati i na jezicima etničkih manjina koje žive na Kosovu.

Da bi jedna publikacija bila modernija, mora biti na svim zvaničnim jezicima, zato što ja imam stranke iz turske manjine i želeo bih kada bi zakon postojao i na njihovom jeziku takođe. (advokat, Suva Reka)

Ove publikacije kao sve druge publikacije treba izdavati na svim zvaničnim jezicima. Ovo ističem zato što postoje sudije koje pripadaju manjinskim grupama kao i slučajevi koji su u toku, koje sud drži i na drugim jezicima. (činovnik Okružnog suda, Priština)

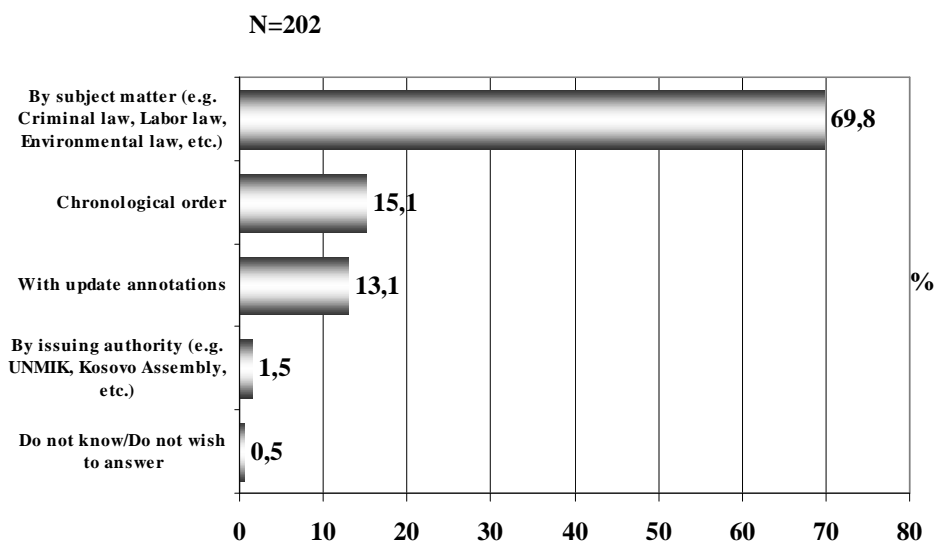
Mi smo multietničko društvo i bilo bi dobro kada bi publikacije postojale i na drugim jezicima. Na primer, u mojoj kancelariji ja radim zajedno sa turskom manjinom. Ukoliko ne bi postojala publikacija i na njegovom jeziku, to bi onda bila diskriminacija. (tužilac, Prizren)

Smatram da ove publikacije treba da budu na albanskom, engleskom, turskom, srpskom i bosanskom jeziku. Zato što živimo u multietničkom društvu, dobro je da svi građani imaju zakone na svom jeziku. Takođe pored stranaka imamo kolege koje rade zajedno i pripadaju manjinama, i zakoni moraju postojati i na njihovom jeziku. (sudija, Peć)

5.4.5. Sadržaj publikacije

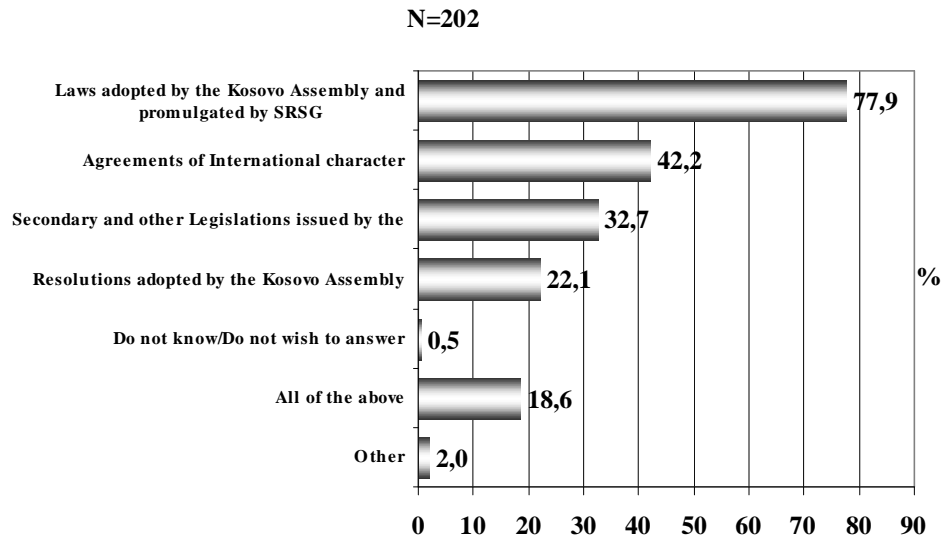
Govoreći o potrebama potencijalnih čitalaca publikacije, jedna od najvažnijih tema o kojoj smo diskutovali je pitanje sadržaja publikacije ili načina na koji bi trebalo da bude organizovan. Kao što možete videti (vidi grafikon 26.), većina ispitanika (69.8%) smatra da od ponuđenih opcija je najbolje organizovati sadržaj publikacije po temama (npr. krivično pravo, zakon o radu, zakon o životnoj sredini, itd). Manji broj ispitanika smatra da sadržaj treba biti uređen po hronološkom redosledu (15.1%), i sa ažuriranim beleškama.

Grafikon 26. Razmislite o sadržaju publikacije o kojoj smo govorili. Kako biste želeli da bude organizovan? Da li biste voleli da bude po hronološkom redosledu, temi, onom ko je izdaje, ažururanim beleškama, ili nečem drugom?



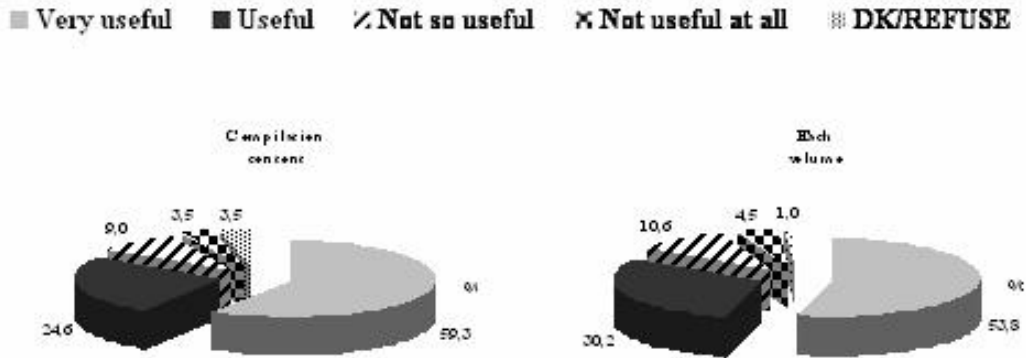
U pogledu zakonodavnog materijala koji publikacija treba da sadrži , većina ispitanika se složila da sadržaj publikacije treba da uključi zakone koje je usvojila Skupština Kosova i objavila SRSG (77.9%). Dalje, negde manje od jedne polovine ispitanika (42.2%) veruje da publikacije takođe treba da sadrži neke sporazume međunarodnog karaktera, zatim sekundarno i drugo zakonodavstvo koje je izdala Vlada i ministri (32.7%) i rezolucije koje je usvojila Skupština Kosova (21.1%). Skoro svaki peti ispitanik (18.6%) smatra da publikacije o zakonima i zakonodavnom materijalu koji se primenjuju na Kosovu treba da sadrži sve pomenuto (vidi grafikon 27).

Grafikon 27. Po Vašem mišljenju, koja vrsta zakonodavnog materijala treba biti sadržana u ovoj publikaciji?



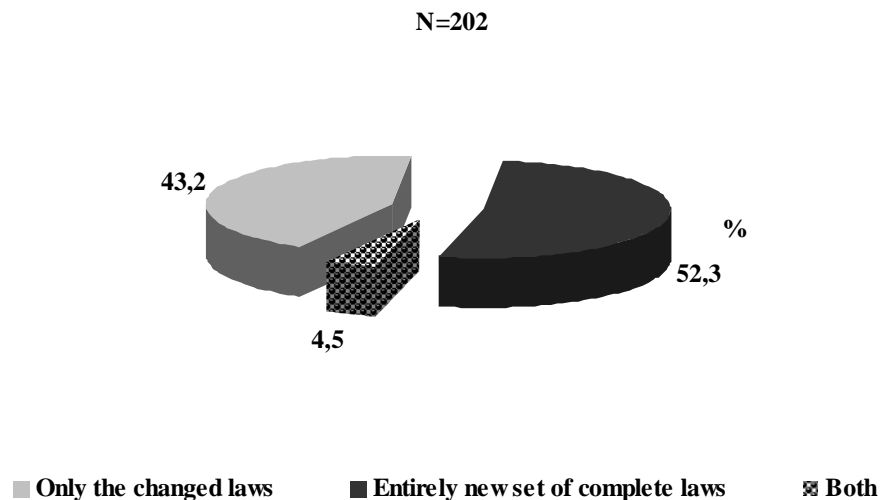
Sledeće pitanje koje smo postavili ispitanicima je bilo o indeksu koji bi trebalo da bude deo publikacije. Kako bi publikacije trebalo da sadrži dve vrste indexa: a) indeks komplilacijskog sadržaja i b) indeks za svaki tom, ispitanicima je postavljeno pitanje u kojim merama bi posebna vrsta indexa bila korisna. Kao što možemo videti na grafikonu (vidi grafikon 28) neke tri četvrtine ispitanika smatra da bi obe vrste indexa bile jako korisne ili korisne. Ne postoji značajnija statistička razlika u tražnji za različitim vrstama indexa. 10-15% ispitanika takođe smatra da indeksi (obe vrste) ne bi bili od neke korsiiti za njih.

Grafikon 28. Indeks predstavlja tabelu sadržaja, dve vrste indeksa će biti objavljene, a) indeks kompilacijskog sadržaja, b) indeks za svaki tom. Koliko će Vama koristiti ovakvi indeksi? (N199)



U smislu redovnog ažuriranja koje treba da uključi publikacija, mišljenja potencijalnih čitalaca su se razlikovala (vidi grafikon 29). Zapravo, 43.2% ispitanika je izjavilo da bi želeli da primaju samo izmenjene zakone, dok je negde preko polovine ispitanika (52.3%) smatralo da bi trebalo da primaju novi set kompletnih zakona.

Grafikon 29. Ukoliko redovno primate publikaciju o aktuelnim zakonima na Kosovu, koliko često biste želeli da dobijate ažurirane i dopunjene verzije?



Kada se radilo o sadržaju publikacije, mišljenja ispitanika koji su učestvovali u kvalitativnom delu istraživanja su se takođe razlikovala. Možemo videti da većina

ispitanika smatra da publikacija treba da sadrži sve zakone u primeni na Kosovo, bez obzira na vrstu zakona i njegovo poreklo. Ispitanici su istakli da je važno da zakoni budu interpretirani od strane pravnih eksperata, što treba da bude sastavni deo publikacije o zakonima u primeni na Kosovo.

Želeo bih da ova publikacija uključi sve zakone i odredbe koji se mogu primeniti na Kosovo, zato što je to materijal koji nam je potreban na ročištima. (činovnik okružnog suda, Priština)

Obično u materijalima koje imam, mogu da nađem sve što mi je potrebno. Bilo bi jako dobro kada bi ta nova publikacija koja će biti objavljena uključila sve vrste materijala uopšteno i ukoliko je to moguće da svi zakoni imaju tumačenja, i kada bi ta tumačenja davali pravni eksperti. (činovnik Okružnog suda, Priština)

Šta god da ima ova publikacija ili koje oblasti, jako je bitno da tumačenja budu uključena i treba im posvetiti mnogo vremena. Verujte, da je ovo veliki jaz u sudskom sistemu Kosova koji tokom primene pravnih pravila ne obraća pažnju ili ne koristi sudsku praksu. (advokat, Priština)

Bilo bi bolje kada vi ova publikacija sadržala sve primenljive zakone na Kosovo, uključujući odredbe UNMIK-s, zakone koje je odobrila Skupština Kosova, kao i međunarodne sporazume koji su takođe bitni. (sudija, Peć)

Ova publikacija treba da uključi sve pravne odredbe koje su na snazi. Zatim, zakone koje je odobrila Skupština Kosova, UNMIK-ove odredbe, kao i uopšteno zakone koji su na snazi, međunarodne sporazume itd. (advokat, Mitrovica)

Od svih ovih alternativa koje ste pomenuli, mislim da je moguće uključiti sve njih (alternative iz IDI vodiča). (činovnik Okružnog suda, Priština)

Na početku želim da istaknem da pravosudni sistem uključuje građanske, administrativne i krivične zakone. Svi ti zakoni mogu biti objavljeni zajedno u jednoj publikaciji. Nikada pre nisu bili u jednoj publikaciji. (advokat, Gnjilane)

Sa druge strane, bilo je ispitanika koji su procenili da među zakonima koji treba da budu uključeni u sadržaj publikacije, ne bi trebalo da budu zakoni koje usvoji Skupština Kosova. Šta više, ispitanici smatraju da su ovi zakoni već dostupni preko interneta, ali opet navode da bi bilo dobro da publikacije sadrže njihovu interpretaciju.

Smatram da zakone koje odobri Skupština Kosova ne treba objaviti u publikaciju zato što ih možemo naći na internetu, ali bi bilo dobro objaviti tumačenja određenih zakona. Ovo kažem zato što dosta advokata, ili ekonomista koji rade sa zakonima ili zakonodavstvom, nalaze tu dosta nejasnih stvari. (službenik Pravnog fakulteta, Priština)

Verujem da će veoma brzo biti objavljena publikacija koja će sadržati sve što nama treba. Bilo bi dobro kada bi Vrhovni sud Kosova objavio «sudsku praksu», kako primenjuju zakone u slučajevim, u krivičnim, građanskim ili administrativnim slučajevima. (sudija, Peć)

Jedan od ispitanika je primetio da bi bilo jako teško uključiti sve zakone u jednoj publikaciji i predložio da ih bude više. Vrste zakona bi u tom slučaju, bili osnovni kriterijum kojim bi se materijal izdelio na više publikacija.

Lično, smatram da bi bilo jako teško uključiti sav neophodni pravni materijal u jednoj publikaciji. Ali bi bilo dobro zasebne publikacije, na primer da krivično pravo ima jednu publikaciju, a građansko i administrativno pravo da ima drugu. (advokat, Priština)

Dalje, ispitanici su spominjali sadržaj publikacije i kriterijume kojih se treba držati prilikom razdvajanja sadržaja na delove. Tako možemo videti da su ispitanici smatrali da je tematska podela najbolja opcija za publikaciju ove vrste.

Što se tiče delova publikacije, voleo bih kada bi one bile izdvojene po temama. (činovnik Okružnog suda, Priština)

Knjige se razdvajaju po temama. Zato građanska i krivična oblast ne mogu biti zajedno u jednoj publikaciji. (tužilac, Prizren).

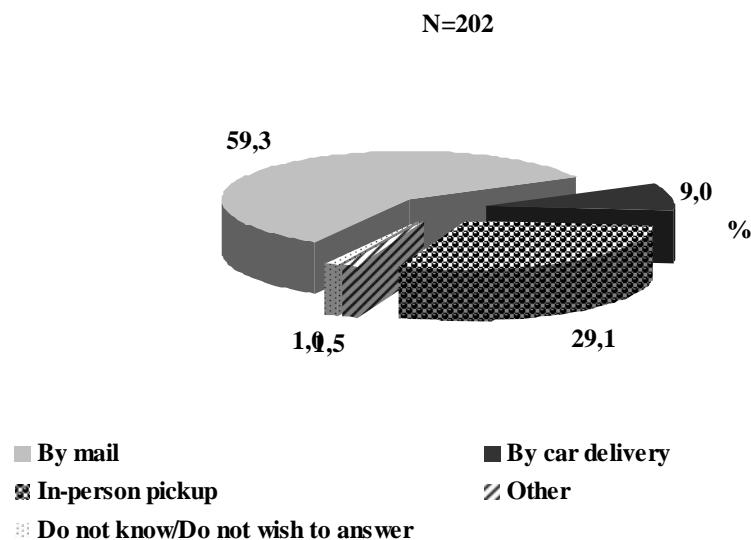
Kada se radilo o indeksu, kao strukturnom delu publikacije, većina ispitanika nije elaborirala ovu stavku. Dozvolite da podsetimo da je analiza kvalitativnog dela pokazala da potencijalni čitaoci publikacije o zakonima na Kosovu, koriste indeks, i da je jedan ispitanik objasnio da upotreba indeksa pojednostavljuje korišćenje materijala i da bi to bio poželjni deo publikacije.

Obično koristim indeks kako bih se orijentisao u knjizi, i smatram da bi indeks trebalo uključiti u tomome i zasigurno je da su indeksi od pomoći. (činovnik Okružnog suda, Priština)

5.4.6. Distribucija i pretplata

Dalje smo bili zainteresovani za mišljenje potencijalnih čitalaca publikacije o načinima na kojima bi je trebalo distribuisati. Mišljenja o ovome su takođe varirala (vidi grafikon 30.), ali možemo reći da je stav da ovu publikaciju treba slati poštom prevagnuo, i da ga je podržalo 59.3% ispitanika. Negde manje od jedne trećine ispitanika (29.1%) je izjavilo da bi volela da preuzima lično. Skoro svaki treći ispitanik je rekao/rekla da bi voleli da se isporuka vrši kolima.

Grafikon 30 Kako biste voleli da se distribuiše ova publikacija?



Suočeni sa negativnim ličnim iskustvom sa distribucijom postojećih publikacija o zakonima na Kosovu, ispitanici koji su učestvovali u kvalitativnom delu istraživanja su skrenuli pažnju na ovaj aspekt ovakvih publikacija. Veliki broj ispitanika smatra da publikaciju treba dostavljati na zvaničan način, preko pošte, što je podržala većina ispitanika. Takođe, manji broj ispitanika bi više voleo da lično preuzme publikaciju. Ovo je možda posledica nedovoljnog poverenja u zvanične kanale isporuke publikacija.

S obzirom da prethodne publikacije nisam mogao da obezbedim za sebe, voleo bih da ih lično preuzimam, ili makar da budem informisan o tome da su izdate. (činovnik Okružnog suda, Priština)

Obično se isporuka materijala koji stiže u sud obavlja preko pošte, zato što je to zvaničan način isporuke, i zato smatram da ovaj materijal takođe treba dostavljati tako. (činovnik Okružnog suda, Priština)

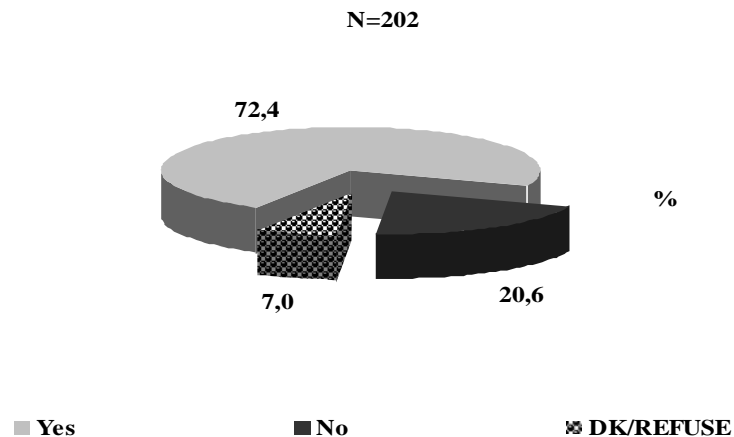
Jako je bitno da se isporuka ove publikacije vrši na zvaničan način. Spisak svih advokata je u našoj advokatskoj komori i u skladu sa tom listom oni mogu dostavljati materijal. Ukoliko bih ga lično preuzimao ne bi imalo efekta zato što i nezvanična dokumenta možete kupiti na štandovima. (advokat, Suva Reka)

Ja bih voleo lično da preuzimam ovu publikaciju zato što je tako lakše uzeti. (advokat, Gnjilane)

Isporuka treba da se vrši preko pošte zato što je to zvaničan način. (sudija, Peć)

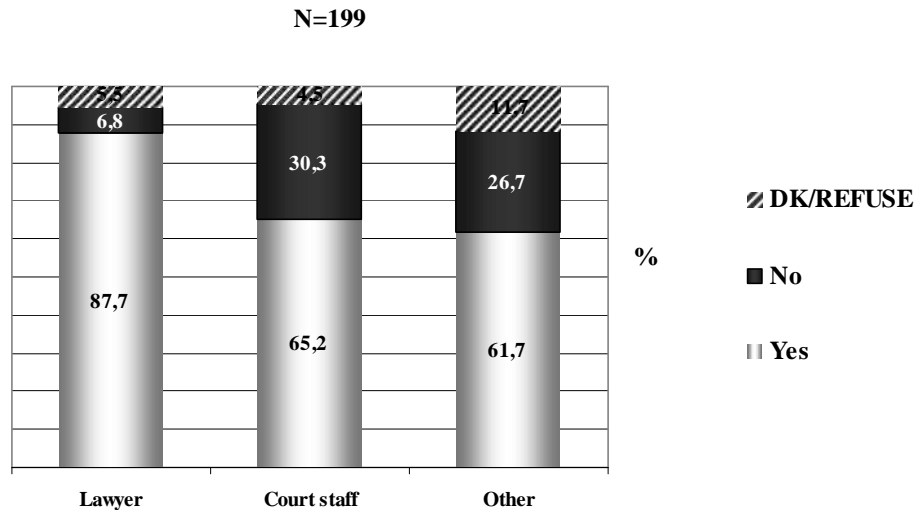
Što se tiče pretplate na publikaciju ispitanici su reagovali na sledeći način: skoro tri četvrtine ispitanika (72.4%) je izjavila bi bi želeli da budu pretplaćeni na publikaciju. Svaki peti ispitanik (20.6%) bi želeo/la da bude pretplaćen/a na publikaciju (vidi grafikon 31.)

Grafikon 31. Da li biste želeli da budete pretplaćeni na publikaciju?



Dalja analiza je pokazala da postoje određene razlike među grupama kada se radi o pretplati na publikaciju. Tako možemo videti (vidi grafikon 32.) da postoje značajne statističke razlike u odnosu na profesije ispitanika. Većina ispitanika – advokati (87.7%), u odnosu na sudske činovnike (65.2%) i druge (61.7%), je izjavila da bi voleli da budu pretplaćeni na ovu publikaciju.

Grafikon 32. Da li biste želeli da budete pretplaćeni na ovu publikaciju? (poređenje među advokatima, sudskim činovnicima i drugima)



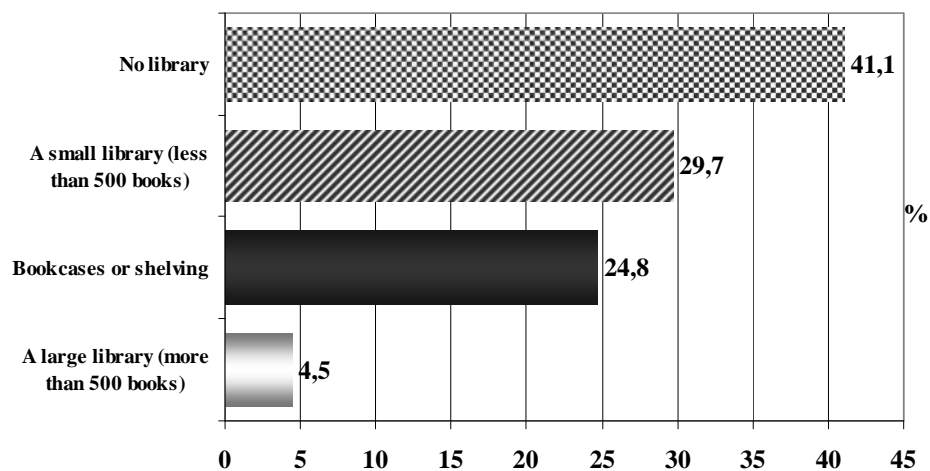
5.5. Glavne karakteristike i osobine potencijalnih čitalaca

5.5.1. Kapaciteti postojećih biblioteka

Sledeće pitanje koje smo postavili ispitanicima je vezano za dostupnost profesionalnog materijala i literature u njihovim kancelarijama i procenu kapaciteta postojećih biblioteka. Kao što možemo videti (grafikon 33.) veoma mali broj ispitanika je rekao da ima veliku biblioteku sa preko 500 knjiga u svojim kancelarijama (4.5%). Čak 41.1% ispitanika je izjavilo da nemaju nikakvu biblioteku u kancelariji. Skoro jedna trećina ispitanika je odgovorila da ima na raspolaganju malu biblioteku sa manje od 500 knjiga (29.7%) dok jedna četvrtina ispitanika (24.8%) je imalo samo knjige sa slučajevima na raspolaganju. Uopšteno možemo zaključiti da su postojeći kapaciteti koji bi mogli da služe ispitanicima kao izvor informacija o zakonima i drugom zakonodavnom materijalu u primeni na Kosovu nedovoljni.

Grafikon 33. Izaberite najverodostojniji opis biblioteke u Vašoj kancelariji (biblioteka ne mestu gde radite/učite):

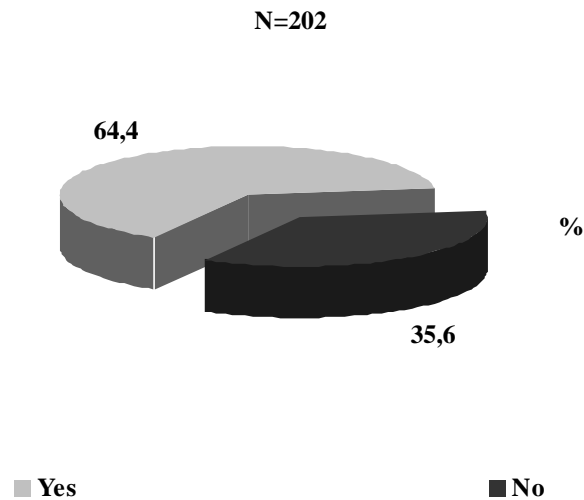
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17.3.2. Pristup internetu

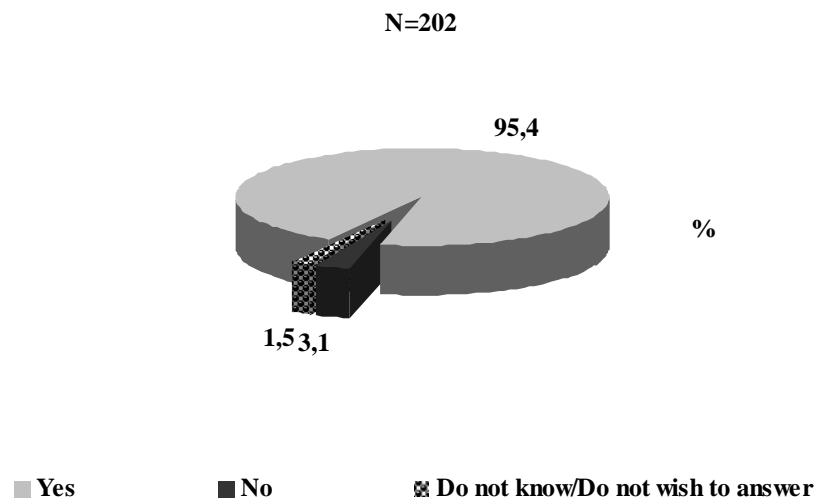
Što se tiče sklonosti ka upotrebi interneta, skoro dve trećine ispitanika (64.4%) je odgovorilo da koristi internet, dok 35.6% ne koristi internet (vidi grafikon 34.). Ispitanici koji koriste internet uglavnom to rade kod kuće (40.8%), na radnom mestu (33.1%), u internet kafeima (22.1%), i drugim mestima (vidi grafikon 34.).

Grafikon 34. Da li koristite internet?



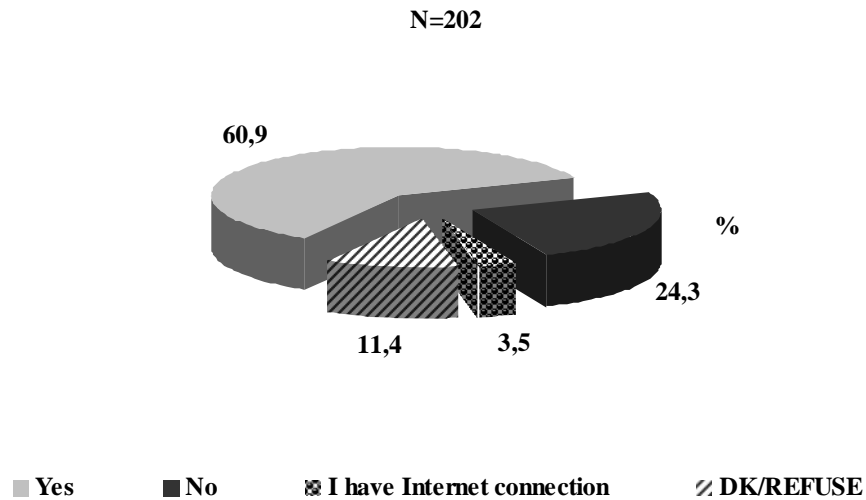
Među ispitanicima koji koriste internet, većina (95.4%) se složila da bi želeli da imaju internet pristup bazi podataka koja bi sadržala sve zakone i drugi zakonodavni material koji se primanjuje na Kosovu (vidi grafikon 35.).

Grafikon 35. Da li biste voleli da imate internet pristup bazi podataka koja bi sadržala sve zakone i zakonodavni material u primeni na Kosovu?



Što se tiče pristupa internetu na poslu, čak je 24.3% ispitanika odgovorilo na nema plan da u narednih šest meseci ima pristup internetu. Veoma mali broj njih (3.5%) već ima pristup internetu na poslu i 60.9% ispitanika planira da ostvari pristup internetu u narednih šest meseci (vidi grafikon 36.).

Grafikon 36. Da li planirate da ostvarite pristup internetu na Vašem radom mestu u narednih šest meseci?



Na kraju smo diskutovali sa ispitanicima u toku kvalitativnog istraživanja o njihovim sklonostima ka upotrebi kompjutera. Možemo zaključiti da većina ispitanika ove faze istraživanja ili već koristi kompjuter ili planira da počne da ga koristi u skorijoj budućnosti. U svakom slučaju, ispitanici su se složili da je poznavanje kopjutera danas neophodno.

Naravno da koristim kompjuter, zato što sav svoj posao završavam preko kompjutera. Sem što ga koristim za posao, koristim ga i u druge svrhe. (činovnik Okružnog suda, Priština)

Koristim kompjuter ali ne tako često, zato što se time obično bavi daktilograf. Drugi razlog zbog kojeg ne koristim kompjuter previše je taj što nemam internet vezu kod kuće. Već neko vreme nam govore kako ćemo imati internet vezu u kancelarijama ali se do sada to još nije dogodilo. (činovnik Okružnog suda, Priština)

Ne koristim kompjuter. Od kad sam počeo da radim do sada, koristim samo staru mašinu za kucanje. Sada sam promenio kancelariju i naručio sam kompjuter, tako da ću ga uskoro imati. (advokat, Gnjilane)

Danas nema advokata koji ne poseduje kopjuter, i to važi i za mene. Ja već duže vreme koristim kompjuter i sada je deo moje svakodnevice. (advokat, Priština)

Ja mnogo koristim kompjuter. Kada sam otvorio kancelariju ja sam kupio kompjuter. Kao što možete videti ja sav svoj posao završavam uz pomoć kompjutera. Mislim da u 2005. godini, ukoliko ne umete da koristite kompjuter, to je veliki hendikep za čoveka, i za advokata koji tokom svog posla mora da piše razna dokumenta itd. (advokat, Mitrovica)

Ovde u kancelariji ja radim zajedno sa pravnim saradnikom. Oni obično rade u minutama i ja nemam mnogo da pišem. (tužilac, Prizren)

Poznavanje interneta je takođe okarakterisano kao veoma važno. Veliki broj ispitanika je izjavilo da koristi internet generalno i tako i u profesionalne svrhe ili da planiraju da počnu da ga koriste u predstojećem periodu. Opet, bilo je ispitanika koji su potcenili važnost interneta kao medija. Izgleda da je situacija jako nepovoljna u državnim institucijama, koje zaostaju za opšte kompjuterizovanim trendom, što je okarakterisano sa nedovoljnim brojem kompjutera i nedostatkom internet pristupa u kancelarijama.

Veoma je bitno znati koristiti internet. Za one koji znaju da ga koriste, nije teško biti informisan jer na veb stranici skupštine Kosova možete naći sve zakone na internetu, tako da smatram da nije teško biti informisan o primenljivim zakonima. (advokat, Priština)

Imam internet vezu kod kuće i dosta je korsićim, koristim internet da bi ostao informisan o novim zakonima i koristim internet da bi komunicirao sa ljudima. (činovnik Okružnog suda, Priština)

Ja lično koristim internet i sve programe. Ovde u kancelariji ja imam internet ali profesorske i druge kancelarije nemaju internet vezu. (službenik Pravnog fakulteta, Priština)

Imam internet od kada sam otvorio kancelariju. Korsićim ga da bih bio informisan, ali i u privatne svrhe. (advokat, Priština)

Ne koristim internet zato što nemam internet vezu. (advokat, Gnjilane)

Skoro većinu posla ja obavljam uz pomoć kompjutera. Imam internet vezu u kancelariji; povezan sam telefonskom linijom. Međutim, koristim internet samo za razmenu elektronske pošte zato što mi moji prihodi ne dozvoljavaju da ostanem prikljućen 24 časa.

Ne koristim internet, zato što i onda kada deluje korisno, može biti samo gubljenje vremena. (advokat, Mitrovica)

Ovde tužilac nema internet vezu. (tužilac, Prizren)

Ovde u Okružnom sudu u Peći mi nemamo internet, zato što još uvek nije osposobljen ali planiraju da sprovedu internet u budućnosti. (sudija, Peć)

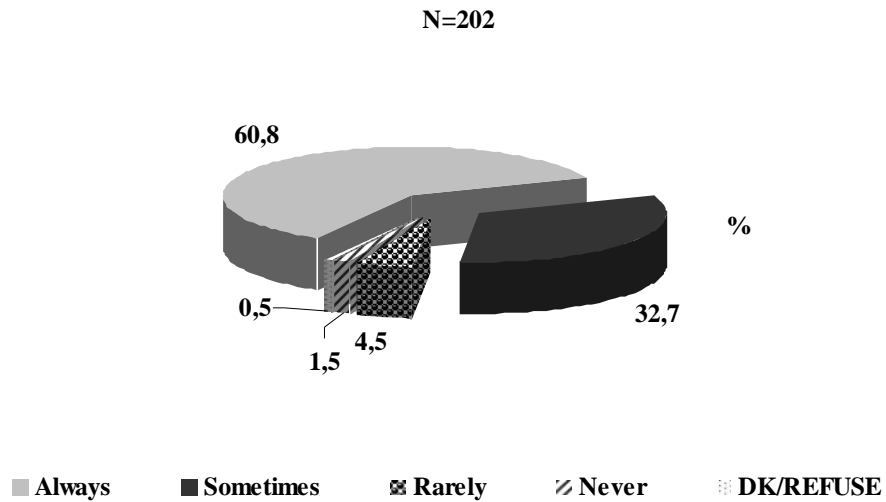
Mislimo da će u najskorijoj budućnosti svaki profesor na Pravnom fakultetu imati kabinet sa internet vezom, ali ovo još nije postignuto. (službenik Pravnog fakulteta, Priština)

Ovde u Okružnom sudu radim toliko godina i još uvek nemamo internet vezu. Internet nam je neophodan ovde i bilo je nekih priprema i sve je spremno za sprovođenje interneta ali ga mi još uvek nemamo. Još davno nam je obećano to, ali se još uvek ništa ne dešava. Ne znam kada će se to ostvariti. (činovnik Okružnog suda, Priština)

5.5.4. Indeks tabela

Na kraju smo pitali ispitanike da li koriste indeks tabelu kada čitaju knjige i publikacije koje se odnose na pravne teme. Velika većina ispitanika je potvrdila da uvek koristi indeks (60.8%), ili da ga ponekad koriste (32.7%). Veoma mali broj ispitanika je odgovorio da indeks tabelu ne koriste nikad ili pak retko (vidi grafikon 37.)

Grafikon 37. Da li obično koristite indeks u knjigama i publikacijama koje se tiču pravnih tema?



18. Zaključci

Potencijalni čitaoci štampane verzije publikacije o zakonima na Kosovu moraju pretežno koristiti neki drugi, nezvaničan izvor informacija o zakonima i pravnim temama.

Među konkretnim publikacijama koje su naši ispitanici pomenuli da koriste, izgleda da je standardno sredstvo informacija o zakonima u primeni na Kosovu UNMIK-ov „Službeni glasnik“.

Uopšteno, može se zaključiti da ne postoji standardni sistem isporuke publikacija o zakonima na primeni, kojima bi svi zainteresovani čitaoci mogli imati potreban material koji se odnosi na pravne probleme.

Ispitanici koji redovno primaju neka od postojećih publikacija o zakonima u primeni na Kosovu, uglavnom nisu zadovoljni ponudom tih publikacija. Uglavnom su nezadovoljni sadržajem i formatom publikacije.

Nesumnjivo je da postoji prostor na tržištu publikacija na Kosovu, koje bi obezbedile potencijalnim čitaocima pristup traženim informacijama o zakonima koji se primenjuju na Kosovu.

Govoreći o formatu publikacije o zakonima koji se primenjuju na Kosovu, većina ispitanika je izjavila da bi želeli da ovakva publikacije bude u formatu knjige.

Većina ispitanika veruje da bi bilo vredno izdvojiti novac za publikaciju ukoliko bi ona zaista odgovarala njihovim profesionalnim potrebama.

Većina ispitanika veruje da publikacija treba da sadrži sve zakone koji se primenjuju na Kosovu, bez obzira na njihovu vrstu i poreklo. Ispitanici su posebno naglasili da je veoma važno uključiti interpretaciju zakona od strane pravnih eksperata u publikaciju.

Iako su izražena različita mišljenja, stav da publikacija treba biti objavljena na više jezika je prevladao.



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Challenges and Possible Solutions in the Execution Procedure

Violaine Autheman
Rule of Law Advisor, IFES
March 23, 2006

Main Problems

- Excessive execution caseload, with 50 to 80% of cases based on authentic documents.
- Gaps in the legal framework.
- Insufficient access to information and unreliable information.

44,394 Pending Cases, But...

- The lack of real numbers of the breakdown of the caseload gives a distorted picture of the problem.
- Collection may simply be impossible in many cases.
- Many problems can be addressed without a new law by clarifying obligations and adopting informal solutions.

Priority Recommendations

- New legislation should be adopted.
- Information flows should be improved.
- Improved management systems should be implemented.

Law on Execution

- What works and what does not?
 - Problems with the law.
 - Problems with implementation.
- Why is reform important?
- Balance theory and practice to identify and remedy shortcomings and loopholes.

Law on Execution: Key Areas

- Respective roles of judges and clerks.
- Sanctions.
- Information.
- Consequences of objections and appeals on the nature of the procedure.
- Authority to close cases.

Assignment of Responsibilities

	Austria	England	France	Germany	Netherlands	Spain	Sweden
Execution order	A	A	B	B	B	A	B
Information	B	A/B/C	B	C	B	C/A	B
Attachment order	B	A/B	B	B	B	A	B
Attachment implemented	B	B	B	B	B	B	B
Sale of movable	B	B	B	B	B	A	B
Sale of immovable	B	B	A	A	B	A	B
Disputes	A	A	A	A/B	A	A	A/B

A = Judge; B = Enforcement Agent; C = Creditor/Lawyer

Sanctions: Best Practices

- Periodic fine for non compliance. (France, Netherlands, Sweden)
- Systematic use of fines for non disclosure of information about the debtor and his assets. (Spain)
- Publicly accessible register of the asset declarations of debtors. (Germany)
- Payment of costs by creditor for non-proportional actions. (France)
- Fines for abusive actions by the debtor, creditor or enforcement agent.

Remedies: Best Practices

- Main problem: often too complicated, allowing for multiple recourses on procedural or substantive grounds. (Germany, England)
- Key strengths:
 - Limited opportunities to suspend enforcement. (France, Spain, Sweden)
 - No remedy against executive title. (France, Sweden)
 - Limited objections based on substance: (1) already paid, (2) delay for enforcement expired, (3) debt settled. (Spain)
 - Summary proceedings or administrative procedure to adjudicate objections and claims. (Netherlands, Sweden)

Information

- Why is it important?
- What kind of information?
- What kinds of information collection mechanisms?
 - Compelled disclosure.
 - Investigative powers.
- What is the reality in Kosovo?

Information: Best Practices

- Key weaknesses:
 - Excessive/exclusive reliance on debtor.
 - Lack of updated information or means of information collection.
 - Reliance of a public entity whose primary task is not enforcement.
- Key strengths:
 - Broad powers to request information.
 - Comprehensive, updated public databases.
 - Subsidiary private databases

See, attached documents.

Information: What can be done?

- Enforce the obligation of the creditor to submit information.
- Institutionalize cooperation with existing registers.
- Institutionalize cooperation between courts.
- Create a judgment debtor database.
- Clarify the obligations of the debtor and third parties to provide information.

Management

- Why is it important?
 - Transparency
 - Efficiency
 - Perception
- First step: a clearer picture of the caseload which will distinguish active and inactive cases, highlight common bottlenecks, and point to cases which cannot be enforced and cases which can be easily finalized.

Management:

A Clearer Picture of the Caseload

- Counter complaints about court efficiency.
- Facilitate more efficient staff and resource allocation.
- Highlight common bottlenecks and solutions.
- Enable cross-referencing of cases.

Management: Approach

- Initial needs assessment.
- Enforcement case database.
- Inventory and classification of cases.
- Purging and disposition strategies:
 - Active cases
 - Inactive cases
- Tracking and prioritizing strategies for future caseload.

Immediate Steps to Address Challenges in Execution (1/2)

- Make full use of the powers of the court to dispose of cases which cannot be enforced.
- Adopt transparent case management systems to dispel flawed perception of pending cases and facilitate resource allocation.
- Develop information collection strategies in partnership with other stakeholders.
- Reassess the respective responsibilities of judges and execution clerks so that judges limit their involvement to the adjudication aspects of the execution process.

Immediate Steps to Address Challenges in Execution (2/2)

- Include the recommendations of practitioners (execution judges and clerks) in the revision of the law so that they have the legal tools they need to fulfill their duties.
- Give the court the power to collect information.
- Give the court the power to sanction parties who obstruct or abuse the execution process.
- Prevent the transformation of an execution procedure into a contested civil procedure.
- Institutionalize alternative dispute resolution mechanisms.

**Information on the Debtor and Assets
Best Practices from Europe**

If the creditor does not know the nature or location of the debtor's assets, two strategies for information gathering have been used in most countries:

- 1) **Compelled disclosure by the debtor**, i.e. the debtor, or a third-party, is obliged to disclose the whereabouts of his assets to the creditor or the execution agent.
- 2) **Investigative power of the execution agent**, i.e. the execution agent has a qualified, direct or indirect, access to public and non-public records.

	Country	Strengths	Weaknesses	Comments
Compelled disclosure (debtor)	England, Germany	Debtor is the best person to ask.	Must be given personally. Cumbersome. Non-compliance difficult to enforce.	Should not rely exclusively on this method because its weaknesses are difficult to overcome.
Indirect investigative power	France	Investigation entrusted to an agency which is respected and has access to many non-public sources of information.	The primary task of the agency is not enforcement.	
Direct investigative power (non fiscal or social)	Austria, Sweden, Spain	May request information from a wide variety of entities such as financial institutions, public registers, public bodies, and even from individual or legal persons.	In some countries, like Spain, the creditor must provide a justification as to why information held by these sources may be relevant.	
Direct investigative power (tax records)	France (since 2004), Spain, Sweden	Best source of information on the debtor's assets and financial situation	Records must contain usable, comprehensive, readily available information	
Direct investigative power (social insurance or employment records)	Austria, Belgium, Netherlands, Spain	Best source of information on employment.	Records must contain usable, comprehensive, readily available information	Some countries, such as Germany, do not maintain such records.

Information Sources
What does the execution agent have access to?

Country	Debtor Declaration	Garnishee Declaration	Tax Records	Social Insurance Records	Commercial Records	Debtor or Insolvency Records	Car Registry	Land Registry	Population Register
Austria	Yes (form)	Yes (4 weeks)		Yes	Yes	Yes	Yes	Yes, online	Yes, online
Belgium		Yes (2 weeks)		Yes	Yes		Yes, but only execution agent	Yes	Yes
England	Yes	Yes (1 week)			Yes, but not verified	Yes	Yes	Yes, only by property location	Yes, but no address
Finland	Yes	Yes		Yes	Yes, but not verified			Yes, online	Yes
France	Yes, but only for bank accounts	Yes (2 weeks)	Yes, only banking information		Yes	Yes	Yes	Yes, but municipal	Yes, but indirect access
Germany	Yes (form, public register)	Yes (2 weeks)			Yes	Yes		Yes, but municipal	Yes
Greece	Yes	Yes (1 week)			Yes	Yes		Yes	Yes
Ireland	Yes	Yes			Yes, but not verified	Yes		Yes	Yes, but no address
Italy		Yes	Yes, only for public debts		Yes	Yes	Yes	Yes	Yes
Luxemburg		Yes		Yes, but indirect access	Yes	Yes	Yes	Yes	Yes
Netherlands	Yes, but only earnings	Yes (4 weeks)		Yes	Yes, but not verified	Yes		Yes	Yes
Portugal	Yes, limited	Yes (2 weeks)			Yes	Yes	Yes	Yes	Yes
Scotland	No, but explored	No, but explored			Yes			Yes, online	Yes
Spain	Yes (form), limited	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sweden	Yes (form)	Yes	Yes		Yes	Yes	Yes	Yes, online	Yes

Other sources include electoral roll, phone book, private databases, etc. Main problems are non-centralized records (especially commercial and land registries), unreliable public records, and restricted access to reliable records (tax records).

**Attachment of Bank Accounts
Best Practices from Europe**

Country	Attachment order: which accounts?	Attachment order: which banks?	Effect of attachment on withdrawals	Effect of attachment on deposits	Other issues
Austria	All	N/A	Prohibited	No	
Belgium	All	All	Prohibited	Automatic	Mandatory personal service of attachment order.
England	Specified	Specified	Prohibited	No	
Finland	N/A	All	Prohibited	No	
France	All	All	Prohibited	Automatic	Mandatory personal service of attachment order.
Germany	All	Specified	Prohibited	Specified	Deposits in other account prohibited.
Greece	N/A	N/A	Prohibited	Specified	Attachment order issued by creditor.
Ireland	Specified	Specified	Prohibited	No	
Italy	All	N/A	Prohibited	Specified	Mandatory personal service of attachment.
Luxemburg	All	All (search order)	Prohibited	No	Attachment order issued by creditor.
Netherlands	All	N/A	Prohibited	Automatic	
Portugal	All	All (search order)	Prohibited	No	
Scotland	All	All (search order)	Prohibited	Specified	Deposits in other account prohibited.
Spain	All	All	Prohibited	Specified	
Sweden	N/A	All	Prohibited	No	

Enforcement Best Practices from Europe

	Austria	England	France	Germany	Netherlands	Spain	Sweden
Type of system	Court-based, clerk-driven	Court-based, clerk-driven (multiple clerks)	Private bailiff	Court-based, clerk-driven	Private bailiff	Court-based, judge-driven	Public administrative agency
Role of the judge	1) Certain complex cases (immovable) 2) Disputes	1) Attachment orders 2) Disputes	1) Certain cases (immovable, wages) 2) Disputes	1) Complex cases 2) Oversight 3) Disputes	1) Sanctions 2) Disputes	1) All decisions 2) Disputes	1) Limited role regarding disputes
Objections and claims	1) Limited grounds 2) All others raised in separate civil action	Different courts competent for different actions	1) Only irregular or illegal actions 2) No appeal against the execution document 3) Other claims raised in separate civil action 4) Stay of execution exceptional	1) Certain complaints brought to execution clerk 2) Substantive law claims admissible only if arose after last hearing of case on merits	Summary proceedings before the President of the competent court	1) Complaints based on new facts give rise to separate civil action 2) Stay of execution exceptional	1) Administrative procedure before the agency 2) Limited grounds for appeal to court 3) Stay of execution exceptional
Strengths	1) Good access to information 2) Simplified procedure for small debts 3) Use of technology (information, procedure)	1) New information collection mechanism 2) Contempt of court powers	1) Periodic penalties for non compliance 2) Neutral role of the bailiff	1) Registration of asset declaration of debtors working as incentive to pay	1) Periodic penalties for non compliance 2) Limited court action necessary	1) New information collection mechanisms	1) Time limit on enforcement 2) Good access to information 3) Presumption of ownership 4) Periodic penalties for non compliance
Weaknesses		1) Multiple actors 2) Different orders for different actions 3) Expensive	1) Difficult access to information	1) Complex remedy system (excessive litigation) 2) Difficult access to information	1) Difficult access to information 2) Ineffective methods of enforcement	1) Excessive role of the judge 2) Court caseload	

Albert Avdiu, POA
USAID – Justice System Reform Activity
(Unofficial translation)

Some of the observations made in Draft-Administrative Instruction (AI) for the implementation of the Regulation on Access to Public Documents (RAPD), are as following:

- a) Article 4.3 of RAPD foresees that “*Government will draft a list of documents that will be treated as sensitive from the scopes foreseen with in article 4 and 8 with the purpose of protecting the public interest*”. Since MPS regulates some issues that cover overall PISG, I consider that it would be best if this AI includes a list of all the documents that will be initially classified as sensitive, so all the other documents can be considered open and accessible to the public. I consider that this Instruction would complete this request successfully if a list with all closed documents would be compiled, by which the **Principle of maximum opening** would be implemented.
- b) Term ‘usage’ to be replaced with a more appropriate term. Term ‘access’ is appropriate as it has been used in the RAPD itself – no need to use different term, insteAI.
- c) Definitions explained on the regulation, no need to be explained again in the Draft AI.
- d) Any of the institutions, especially offices stated in section 11 of Constitutional Framework, don’t have archive offices and archivist, and this is why this AI might be incomplete since:
 - i. *This could lead to failure in implementing this AI, as due to the lack of archivist positions in some institutions, people who want access to official documents don’t know whom to turn to – which can lead to a legal gap, so above mentioned bodies can take advantage of this gap and deny access to official documents by calling onto the lack of an archivist.*
 - ii. *Establishment of archive office, and employing an archivist and archive staff will have budget implications, and it is well known that KCB can’t allow additional civil servants;*

Therefore I propose to leave this an open possibility that in case of the existence of the archivist/archive office this to be accomplished by the archivist, but in other case, AI must explicitly determine to whom to delegate this responsibility.

- e) Article 13 – each institution should create the archive with the archivist and archive staff. Apart from budget implications mentioned above, somehow, this AI appears to be a sub legal act of Law on Archives. The same also implies for other articles related to the archivist and archives.
- f) It is also known that RAPD foresees access to official documents in that way so the access can be requested not only for the archived documents but also for those still pending, or so called active documents, e.g. if a copy of an invoice which is still with the finance office, not archived, is requested by a journalist. With provisions in the present AI you get the impression that people can have access only to archived documents – so called passive documents.
- g) Title of the section VII is not clear (in article 42): “The usage of official court documents”. Maybe this should be “The usage of official document in court procedures”. As mentioned above, once more term usage does not seem appropriate.
- h) I consider that the court procedure enforcing access to public documents cannot be regulated with this AI. Even though in a preliminary meeting it was stated that in case of denying access to the documents, that person cannot initiate court procedure since this simply presents an Administrative conflict, I think that in order to give a stronger legal backing there should be a possibility of initiating a court procedure. Especially when having in mind European Convention on Human Right (ECHR), article 10 where it says “...[T]his right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.” As known, ECHR is applicable convention in Kosovo, so we might consider allowing initiation of court procedure if open information is refused by authorities. However, this should be regulated with another legal act deriving from either Department of Justice or future Ministry of Justice or in cooperation with them. This is also related to article 44. Another remark is that no one from DOJ was present in the meeting even though it directly affected their scope of work.
- i) Access in the documents located in the courts is another issue. If we look at RAPD, article 4.2, it says “*Access in document classifications related to reserved issues, such as security, defense and military matters, foreign affairs and monetary politics which fall under the responsibilities of Special Representative of Permanent Secretary will be regulated by UNMIK.*” Even though judiciary is not mentioned explicitly, it is understood that it is a reserved power (until the transfer of competencies takes place). On that regard, another legal act needs to be issued by competent bodies that would regulate this matter (similar to comment under h).
- j) Article 56. 2 – should be changed because if negative trends, including nepotism, that are present in the society need to be fought, then we should

make it possible to citizens and journalists, in the first place, to request **SOME** information on employees, but this should all be within the frames of fighting negative phenomena mentioned above.

- k) Last but not least, I would like to suggest a proper structure of the draft into chapters, as there is no clear chapter division i.e from article 8: access to official documents goes to article 13 dealing with the establishment of archive offices – so there is no structural division that would ease the work and the understanding of the AI. In Addition, there are no page numbers and no Table of Content as well.

Principles of Human Resources Management

Kosovo, 2005

Professor Terry Curry and
Ms. Kate Harrison

Why Is Human Resources Management Critical?

- n Courts are labor-intensive organizations:
 - Human resources enable the court to use fiscal, technological, and physical resources to achieve its purpose
 - Human resources are the drivers with which a court becomes a high achieving court, satisfying its own and the public's objectives

Why Is Human Resources Management Critical?

- n Courts need good people: competent, up to date, professional, ethical, and committed. Human Resources Management can enhance the contribution of every judge and court employee
- n Recruitment, selection, employee relations, job analysis, position classification, compensation, and performance management demonstrate the court's values and standards

What Is Human Resources Management?

The design of formal systems to ensure effective and efficient use of human talent to accomplish organizational goals

Goals of Court Human Resources Management

- n Fairness
- n Transparency
- n Representativeness
- n Efficiency
- n Certainty
- n Flexibility to meet court needs
- n Independence of the **judicial** branch in managing human resources where it matters

Overall Objective of HR

To structure and monitor the relationship between the court and its employees so that everybody gets a good deal

A Good Deal for Employers:

n The court:

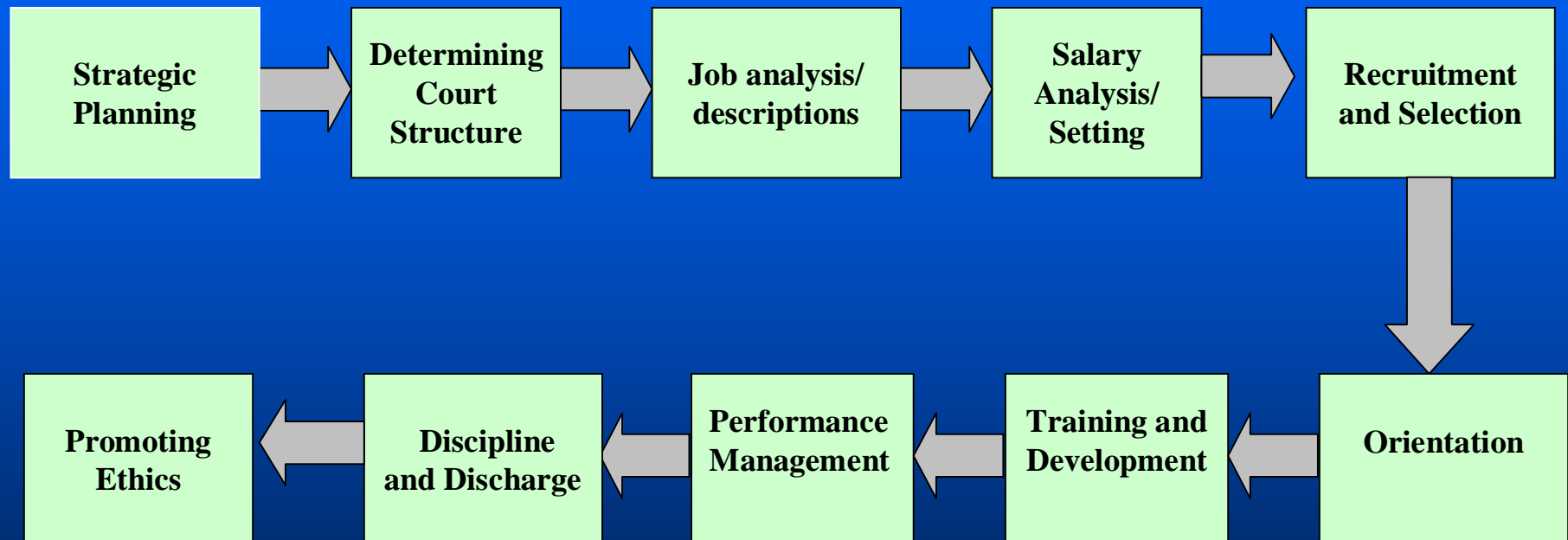
- Is able to attract and retain the kinds and numbers of people it needs to accomplish its mission
- Gets a fair days work at a fair price
- Gets commitment

A Good Deal for Employees:

n Employees feel that:

- They are treated fairly and equitably
- Their legitimate job related needs are considered and to the extent possible met

HRM Development System



National Association for Court Management Core Competencies



Core Competency – Human Resources

The aim is not good HR management in an otherwise mediocre court. It is a high performance court. The connection between caseload management ... budgeting and finance, information technology and human resources is seamless

Strategic Approach to HRM

- n Align human resources to the judicial branch's organizational strategy
- n Focus on performance: delivering quality services to court users in an efficient manner
- n Recognize human potential as an investment and key asset of the court

Delivery of HR Services

- n Decide who will deliver each HR service (Executive Branch, Central Judicial Management Entity, Individual Court) by considering:
 - ∅ The benefit to the management of the court (hiring qualified staff versus recording benefit changes)
 - ∅ The complexity/legal liability of the task (investigating discrimination complaints versus with maintaining personnel files)
 - ∅ How frequently the tasks needs to be carried out (from biweekly payroll processing to annual training)
- Consider where that authority should be laid out (e.g., statute, rule, local discretion)

Small Group Exercise 1

- n Please work in your group to identify three priority areas for human resources
- n Please indicate:
 - Ø whether the service is better provided by a central entity or individual courts
 - Ø how complex each service is
 - Ø how often the activity occurs
 - Ø how improving the management of each of the areas would benefit the courts,

HR Fundamentals

Job Analysis

Job Analysis

- n Definition – A systematic process for gathering and summarizing information about a job's content, requirements and environment

Job Analysis

n Critical Data

- Nature of Work

 - » Essential Functions

 - » Additional Duties

- Level of Work

 - » Knowledge, Skills and Abilities

 - » Level of Difficulty

 - » Working Conditions

 - » Reporting Relationships

Job Analysis

nSources of Information

- Direct Observation
- Individual Interviews
- Group Interviews
- Diaries/Logs
- Job Analysis Questionnaires

KSAs

- Knowledge
 - Skills
 - Abilities
- n Together these translate to the qualifications required to perform the job
- n Each competency should be evaluated separately

Examples of Competencies

TECHNICAL/ FUNCTIONAL	INTER- PERSONAL	ANALYTICAL
Court procedure Court rules Client assessment	Team player Customer focus Leadership Integrity	Organizing Judgment Decision- making

Level of Difficulty

n Junior Level Clerk

- Knowledge of limited variety of documents
- Ability to follow state rules

n Senior Level Clerk

- Knowledge of complex and varied documents
- Ability to identify and resolve errors

Small Group Exercise 2

- n For the positions of Court Administrator and Accountant, select one job related skill or ability critical to the position.
- n Write a short description of the KSA. For example, the ability of "judgment" for an accountant might be defined as:

Ability to reach logical conclusions based on available figures and decide if more information is needed

Job Descriptions:

The Written Summary of the Job Analysis

- n Ensure that similar position holders have similar rights, duties and responsibilities
- n Avoid overlap of functions, responsibilities
- n Clearly define the reporting relationship
- n Guide hiring and promotion of staff
- n Set a framework for determining grading
- n Direct training programs
- n Provide performance criteria
- n Guide organizational structure

Job Descriptions

nKey Elements

- Title
- Essential Duties
- Minimum Job Requisites
 - »Physical
 - »Mental
- Working Conditions

HR Fundamentals

Recruitment and Selection of Employees

Recruitment

The process through which job candidates are acquired

General Recruitment Process



Recruiting Decisions

n Recruiting method

- Internal vs. external
- Advertising medium
- Recruiting message

n Applicant qualifications required

- Education level and amount of experience necessary, for example

Benefits of Internal and External Recruitment

Internal

- n Motivates trained and capable employees
- n Improves retention
- n Increases performance

External

- n New pool of candidates bring fresh/innovative ideas
- n Allows court to select the best candidate available in the labor market

Selection and Placement

nSelection

- The process of choosing individuals with qualifications needed to fill jobs in an organization
- Organizations need qualified employees to succeed
 - » *“Good training will not make up for bad selection.”*

nPlacement

- Fitting a person to the right job

The Selection Process

1. Define the job in light of court values (Identify and define necessary KSAs, i.e. job analysis)
2. Identify and choose selection devices
3. Review applications/resumes
4. Develop a structured interview guide
5. Evaluate candidates: remember perceived fairness, consistency, and legal compliance
6. Conduct background check
7. A successful “probationary period” is critical
8. Orientation/training/development is critical

Selection Mechanisms

- ∅ Depends on the vacant position type and resources available
 - Written examination – multiple-choice test, essay, case study, skill test
 - Interview by local court
 - External examining board
 - Psychological test
 - References and background checks

Concerns in Testing

- n Job-relatedness (validity) of selection tests
- n Reliability of selection tests
- n Ease and cost of administration

Selection Blueprint For Court Administrator Position

n KSA

- Oral Communication Skills
- Legal Process Knowledge
- Organizational Skills
- Customer Service Skills

n Selection Device

Employment Interview Keys

- n Format – Rapport, Information getting, Information giving
- n Structured Interview Guide
- n Open Ended Questions
- n Behavioral Focus

Documenting Interview Results

- n Assess KSAs individually
- n Rate candidate immediately following
- n If you wait:
 - n Details and meaning of key words may be forgotten
 - n May tend to rate candidates against each other instead of against the standard
- n To make it less subjective, write comments

Small Group Exercise 3

For the positions of Court Administrator and Accountant:

- For the KSA selected in Exercise 2, write one or more selection questions measuring it.
- For the KSA selected, describe the level of answer that would lead to an excellent, acceptable and unsatisfactory rating.

The Probationary Period

1. The final step in the selection process
2. Ensure that there are clear expectations.
3. Provide regular review and feedback.
4. At the end of the probation period, if:
 - § You have done all you should have, and
 - § There are no extenuating circumstances, and
 - § The employee is not performing at a good level, then
 - § **CONSIDER** termination of employment.

HR Fundamentals

**Training and
Development**

New Employees Often Do Not Know:

- n The policies and procedures
- n Social norms
- n Organizational stories, myths, heroes
- n Where anything is
- n What is expected of them
- n What their boundaries are
- n To whom they should go for guidance

A Few Orientation Keys...

- n It starts before the first day
- n It is what managers do, more than HR
- n Purpose and values are the keys
- n Consider mentors
- n Get the key leaders involved -- in person, via video, on paper

The Context of Training & Development

n Development

- Efforts to improve employees' ability to handle a variety of assignments

n Training

- Enhancement of KSA's for current position

n Organization Competitiveness and Training

- Helps retain valuable employees
- No longer the first casualty of a business downturn.

n Integration of Job Performance, Training, and Learning

Strategic Training Plans

nA good training plan deals with the following questions:

- Is there really a need for the training?
- Who needs to be trained?
- Who will do the training?
- What form will the training take?
- How will knowledge be transferred?
- How will the training be evaluated?

Information Sources for Training Needs Assessment

Organizational Analyses

Organization-wide Sources

- ◆ Grievances
- ◆ Accidents
- ◆ Waste/scrap
- ◆ Training observations
- ◆ Observations
- ◆ Complaints
- ◆ Exit interviews
- ◆ Equipment use

Job/Task Analyses

Job/Task Sources

- ◆ Employee KSAs
- ◆ Job specifications

Individual Analyses

Individual Employee Sources

- ◆ Tests
- ◆ Records
- ◆ Assessment centers
- ◆ Questionnaires
- ◆ Surveys
- ◆ Job knowledge tools
- ◆ Performance appraisals

Training Objectives

nGap Analysis

- The distance between an organization's employee capabilities and the ideal

nTypes of Training Objectives

- *Knowledge*: Impart cognitive information and details to trainees
- *Skill*: Develop behavior changes in how job and tasks are performed
- *Attitude*: Create interest and awareness of the training importance

Training Delivery Considerations

- n Subject matter
- n Number of trainees
- n Individual vs. team
- n Self-paced vs. guided
- n Available resources
- n Costs
- n Geographic locations
- n Time allotted

HR Fundamentals

**Performance
Management**

Managing Employee Performance

§ Manage employee performance in order to

- Align: individual performance with organizational goals and objectives
- Hold People Accountable: measured as consistently and objectively as possible against established criteria/expectations
- Support: other human resource systems such as rewards/recognition, career development, selection/promotion, succession planning
- Foster: effective, two-way communication between supervisors and employees

Performance Management: Basic Assumptions

- n People are our most important resource
- n People's performance can improve and their behavior can change even though their basic personalities do not change much
- n While some forms and systems are better than others, line managers determine the success of any program

Basic Assumptions II

- n Performance management is a fundamental part of every supervisor's job
- § Performance management is one of the most universally hated tasks that managers have and it is one of the most important tasks that you perform
- n A good feedback session takes a minimum of one hour, plus preparation
- n The most effective performance appraisal is a part of a comprehensive program of every day performance management

Managing Employee Performance

- An effective performance management process/program is dynamic
 - It is not a once-a-year phenomena
 - It is on-going
 - It is iterative
 - It involves two-way communication

Managing Employee Performance

The Performance Management Process

- Planning
- Monitoring
- Evaluating

Planning Performance

- Setting performance expectations, (objectives/goals)
- Reviewing expectations with the employee
- Gaining employee understanding/agreement

Setting Expectations

Set balanced series of objectives to ensure that strategic plans are achievable and understood:

- t **S** - specific
- t **M** - measurable
- t **A** - attainable
- t **R** - realistic
- t **T** – time bound

Small Group Exercise 4

Thinking again about the positions of
Court Administrator and
Accountant, please develop three
performance expectations for each
position

Monitoring Performance and Interim Feedback

- § Reach consensus at the beginning of the performance period on the questions, “How will we know if you are successful? What will we track and review?”
- § Formal and informal feedback and discussions should be on-going throughout the performance cycle. This ensures that there is no confusion about expectations, conditions, performance, interpretation of appraisal areas or standards.
- § This facilitates you and the employee staying on track to meet performance objectives/goals.

Evaluating Performance

- Annual formal evaluation of actual performance
- Individual expectations/objectives/goals rated
- Overall performance rated
- No surprises

The Performance Evaluation Meeting

- Schedule a specific time
- Prepare for the discussion
- Provide objective, performance related feedback
- Provide positive and negative feedback
- Give the employee a chance to respond

The Performance Evaluation Meeting (Continued)

- Listen
- Be aware of your biases
- Plan for the future (next cycle)
- Schedule interim feedback

Common Rater Biases

- n Past Performance
- n Recency
- n Leniency/Severity/Central Tendency
- n Similarity
- n Stereotypes
- n Contrast Effect
- n Selective Perception

Give Positive Feedback

- n Do this when an employee:
 - Exceeds expectations
 - Consistently meets expectations
 - Meets minimum standards not usually met by that person

Steps for giving positive feedback

- n General reference to the performance being praised
- n Specific examples of noteworthy performance
- n Related personal qualities
- n Resulting benefits

Give constructive criticism when warranted

- n Identify the merits
- n Focus on the act, not the employee
- n Be specific about the error
- n Be specific about the remedy
- n Seek input
- n Choose the right time and place
- n Don't delay unnecessarily

Analyzing and Solving Employee Problems

Corrective Actions, Discipline, and
Discharge

Analyzing Problems

- n Describe the problem
 - specific
 - behaviorally-oriented

- n Determine if it's important

- n Analyze the cause
 - performance
 - behavior

Performance Problem

- n Ability
- n Clear Goals (Remember SMART)
- n Adequate Tools and Support
- n Motivation

Possible Motivators (Alternative Rewards)

- n Involvement in decision making
- n Goal setting
- n Praise
- n Assignment as a mentor
- n Training opportunity
- n Building variety into the job:
 - Special assignments, rotational assignments, cross training
 - The “lunch” strategy
 - » Remembering birthdays
 - » Bringing refreshments to the court

Behavior Problem

- n Clear expectations
- n Understanding of court policies
- n Policies consistently enforced
- n Stress, work-life imbalance

Ask, Don't Tell

- n What is causing the problem?
- n What is the current situation?
- n What is the desired situation?
- n Identify the gap
- n What barriers/challenges exist?
- n Are you committed to taking the necessary actions?

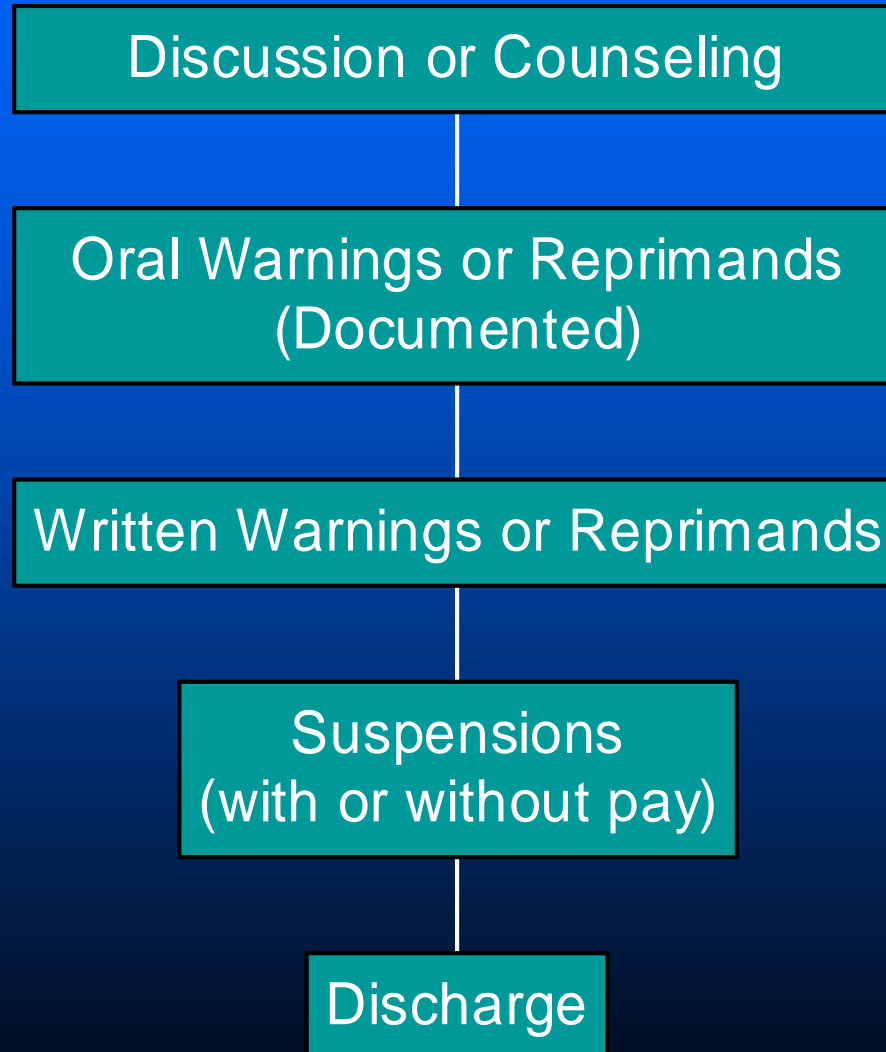
Develop A Plan

- n Involve the employee
 - Desired outcomes
 - Measures of success
 - Reporting/feedback mechanism
- n Implement the plan
- n Follow-up
- n Revise the plan

Possible Corrective Actions

- n Support
- n Training
- n Re-assignment
- n Coaching
- n Interim performance reviews
- n Corrective discipline
- n Probation
- n Demotion
- n Discharge

Typical Progressive Discipline Model



Behavioral Contract

- n Which of my behaviors will I stop, start, or change?
- n What, specifically, am I willing to do?
- n How will others know?
- n How might I sabotage myself?
- n What's the payoff in this for me?

Develop a Coaching Plan

- n Don't wait until the performance appraisal
- n Identify the areas in need of improvement
- n Be specific and behaviorally-oriented
- n Analyze the cause
- n Develop a plan
 - Performance area
 - Results desired by supervisor and support you will provide
 - Actions employee will take
 - Monitoring and completion date(s)

Small Group Exercise 5

n Al: we are working on a small group exercise on performance management. The slides that follow are what we did in Serbia. Let us know if this works or give us your thoughts about better examples of common performance problems in the courts (e.g., work hours).

Exercise 5: Developing a Coaching Plan

- n In your group, please develop a coaching plan to address one of the following situations. Include an analysis of the causes and alternative corrective actions:
 1. You find that a party has come to court several times seeking to know if a case is final. The registry employee cannot verify the judgment with the seal proving legal finality since the judge has not signed it yet. The registry employee does not visit the judge's office for clarification.

Exercise 5 (Continued)

2. A registry employee has been repeatedly unwilling to seek status information about cases that a judge had for 3-4 months. Instead, she/he continues to give the same answer to litigants each time they visit.
3. A judge continues to engage the same expert witness for 50 cases, although she/he is very slow and does not perform her/his tasks on time.

Discipline and Discharge: Goals and Responsibilities

- n Effective discipline is the cornerstone of effective employee relations
- n Train managers
- n Ensure legal and defensible disciplinary procedures
- n Monitor employee concerns
- n Resolve disputes
- n Engage in and facilitate continuous learning

Reasons Why Discipline Might Not Be Used

- n Organization culture of avoiding discipline
- n Lack of support by higher management
- n Guilt overcomes ability to discipline
- n Fear of Loss of friendship
- n Avoidance of time loss
- n Fear of lawsuits

The Word “Discipline”

- n Derived from the word Disciple – “to teach”
- n The intent of discipline is to allow the employee to learn rather than to inflict pain

Best Practices in Discipline and Discharge

- n Even application of rules for similar behaviors
- n Progressive discipline
- n Opportunity for employee to respond

Just Cause Considerations

- n Forewarning?
- n Reasonable rule or performance expectation?
- n Fair investigation?
- n Adequate proof/evidence?
- n Consistency?
- n Appropriate punishment in light of all relevant circumstances?

Remember With Any Disciplinary Action

- n Document, Document,
Document
- n Avoid Surprises
- n Avoid Constructive Discharge

Large Group Exercise

n Thinking back to Exercise 1 in light of today's training:

Ø Are your priority areas the same?

Ø Do you consider the benefits of improving the management in these areas to be the same?

Ø Have you changed your thinking about the complexity of managing the identified services?

Ø Have you changed your thinking about whether the service would be better provided by a central entity or by individual courts?

What Does this All Mean for Courts?

- n Courts need to be prepared to determine their human resource priorities in light of greatest benefit to the court
- n Courts need to develop relationships with external entities that may continue to play a role in court human resource management
- n Courts need to develop the staff and technological capability to carry out diverse, complex and sensitive human resource tasks

Check Out

- n The most important thing that I learned was...
- n We laughed most when...
- n What I wonder now is....
- n The one thing I want to share is...
- n I was most surprised by ...

Building Blocks for Budgeting and Fiscal Management in Courts

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**Pristina, Kosovo
March 2006**

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What is the Core of Budgeting?

1. Budgeting is fundamental policy making and it is at the core of organizational leadership and management.
2. Budgeting is acquisition of resources (getting the dollars).
3. Budgeting is the allocation of resources (what you do with the dollars you have). Reallocation forces change.
4. Budgeting is not just about dollars and balance sheet, but equally or more so about getting performance and outcomes.
5. Budgeting is about being able to convince others to give you money—what works and what doesn't in convincing others.
6. And budgeting is doing these things well in an inhospitable environment.

BUDGETING & FINANCIAL MANAGEMENT

X Acquisition

X Allocation

TOOLS

X Planning

X Trends and Environmental Sensing

X Organizational Change

X Budget Planning Formats

X Problem Diagnosis

X Strategic Thinking and Action

X Measurable Goals

X Stakeholders Analysis

X Communicating Essential Information

X Political Sensitivity/Sensibility

MANAGERIAL BUDGETING

and Goals

Resource

Levels

Requirements

O))))))) **A**))))))) **R**

NICE THEORY CONFRONTS NOT NICE REALITY

- 1. Resource Constraints**
- 2. Technical and Moral Constraints**
- 3. Marginal Utility**
- 4. Absence of Profit Yardstick**
- 5. Costs can be Measured in Dollars, Benefits Cannot**
- 6. Many Public Programs are Intentionally Inefficient**
- 7. The Full-Service Expectation**
- 8. Multiple and Conflicting Objectives**

Baseline and Incremental Requests

What is the Baseline Budget?

The baseline budget is a **maintenance-of-service** budget, with increases limited to areas of cost over which the court entity has little or no control. For example, the baseline budget for next year is each judicial branch entity's current fiscal year budget, adjusted as follows:

Less

1. Any significant one-time costs that are not expected to occur again next fiscal year (e.g., purchase of special equipment, year-end purchases to be used in the following year, consulting etc.).
2. Any significant planned reduction in operating costs (e.g., elimination of a current service, or anticipated reductions in workload based upon recent judicial branch policy or changes in legislation).

Plus

1. Any known contractual increases in services and supplies (e.g., maintenance contracts).
2. Established employee COLA's in existing labor agreements.
3. Other contractual cost increases.

Except for the kind of cost increases noted above, there is also no general or across-the-board adjustment made for inflation, nor are there any automatic adjustments for increased workload.

Implication: Individual court entities will have to absorb general inflation and minor to moderate increases in workload. Absorption can be accommodated either through deterioration of service, or through changes in work practices that result in increased efficiency (and hopefully effectiveness).

What is an Incremental Budget Request?

Requests for Incremental increases are for **new funding** beyond the baseline budget. Such funding may be requested for one year (e.g., to purchase equipment), for several years (e.g., for a multi-year special project), or as a permanent increase (e.g., to recognize a substantial and permanent increase in workload).

Because **new** funding is sought, special attention needs to be given to **explaining** and **justifying** the need using the approved support package for a proposed incremental budget Increases. Although a support package is used for any incremental increase request, most requests are in response to one or more of the following issues. Although proposals which respond to features of the judicial branch's strategic plan will be given added weight, proposals which address any of the categories below are welcome and may be recommended for funding.

1. Significant Increases in Workload
2. Mandated New Requirements
3. Historical Underfunding
4. Implementing Features of the Judicial Branch Strategic Plan
5. Special Project or New Services

PLANNING

WHAT IS IT

Planning is an orderly, systematic and continuous process of bringing anticipations of the future to bear on current decision making

WHY DO IT

1. Prepare for a future that cannot be altered
2. Change the future to our benefit
3. Change and improve the court
4. Preserve stability
5. Solve problems.

IMPLICATIONS

1. _____
2. _____
3. _____

THE CLASSIC PLANNING MODEL

1. Continuously search out goals
2. Identify problems
3. Forecast uncontrollable contextual changes
4. Identify all alternative strategies and tactics
5. Simulate all consequences of the alternatives
6. Pick the best and implement
7. Statistically monitor germane conditions
8. Feed results back to decision channels

SOME IMPLICATIONS:

1. _____
2. _____

A REVISED PLANNING MODEL

1. Identify goals and problems
2. Forecast
3. Generate and test alternatives

SOME COROLLARIES:

1. Find satisfactory rather than optimal solutions
2. Identify the most promising options
3. Assess their most probable outcomes

THE IMPLICATION: TRYING TO BE TOO RATIONAL IS IRRATIONAL

**BUDGETING
UNDER NEW CONDITIONS AND RULES:**

**IMPLICATIONS FOR TRIAL COURTS AND
TRIAL COURT LEADERS**

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And

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**Pristina, Kosovo
March 2006**

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Large-Scale Change Forces

Resource Trends:

People and Workforce Trends:

Organizational Design Trends:

Court Budget Reduction Actions

Examples from Summary of USA National Data

- ___ Imposed hiring freezes
- ___ Laid off temporary employees
- ___ Froze new judgeships
- ___ Laid off permanent employees
- ___ Delayed scheduled salary increases

- ___ Restricted or froze out of state travel
- ___ Scaled back general purchases
- ___ Reduced or eliminated training

- ___ Froze projects or studies
- ___ Delayed technology implementation
- ___ Reduced funding for special programs and courts

- ___ Imposed new fees.
- ___ Eliminated programs

Paradigm Shifts Impacting the Judicial Branch

- **Global Economic Integration and Interdependency.**

Implications for the Judicial Branch.

“Globalize” legal knowledge, speed case resolution, reduce cost of litigation, or risk....

litigants going elsewhere, decreased competitiveness, isolation from the global legal forum.

- **Cross-Border Population Migration, Labor Mobility and Multi-Culturalism.**

Implications for the Judicial Branch.

Become multi-culturally competent and sensitive in proceedings and outcomes or risk....

alienating ever larger portions of society.

- **The Impact of Science & Technology on Everyday Life.**

Implications for the Judicial Branch.

An invasion of science into the courtroom.

Value dilemmas over access to technology, appropriate uses, patent rights, forms of evidence and types of crime.

Constant learning of new ideas and jargon.

The need to routinely tap a widening array of specialized technical expertise.

- **Shrinking Half-Life of Useful Information.**

Implications for the Judicial Branch.

Courts need employees who are quick learners, constant learners, and tolerant of ambiguity and job change.

The court must become a constant learning organization with a pervasive commitment to human resource development.

- **Ordinary People Empowered By the WWWeb**

- Implications for the Judicial Branch.**

- A more informed citizenry demands more service and is possibly more litigious.

- Information-age citizens demand “virtual” transactions.

- Court personnel have to be computer “sophisticated.”

- Employees have the desktop tools to be analytical and inquisitive.

- **The Empowerment of Women and Racial Minorities.**

- Implications for the Judicial Branch.**

- Courts have to continuously search for and weed out discriminatory practices....

- and for a *widening* array of racial and ethnic groups.

- **An Aging Population**

- Implications for the Judicial Branch.**

- Elder issues (health care access/ cost/limits, crime, right-to-die) occupy more court time.

The need to attract, retain and retrain the older worker.

- **Shift to a Service- and Knowledge-Based Economy**

Implications for the Judicial Branch.

Qualified employees cost more (either in salaries or in costs of training the marginally qualified).

Qualified employees are portable---increasing turnover levels and replacement and training costs.

- **Decentralized Management and Performance Planning.**

Implications for the Judicial Branch.

Courts must find ways to motivate personnel through job enrichment and learning opportunities.

A wider array of higher-order KSAs are required of line employees.

CHANGING RULES: SUMMARY

1. Fixed ceiling budgeting.
2. Baseline budgeting coupled to forced efficiency.
3. Recurring v. non-recurring allocations.
4. Sufficiency, sustainability and protecting “core.”
5. Partnering expectations & internal reallocation.
6. Decentralized budgeting.
7. Forced responsiveness to strategic priorities.
8. Diversifying the funding stream and leveraging.
9. Multi-Year budgeting.
10. Stabilizing the vision.

Effective Budget Planning and Fiscal Management in Trial Courts

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STRATEGIC QUESTIONS IN BUDGET PLANNING FOR COURT HEADS

CONCERNING THE CURRENT BUDGET

- 1. Is there overspending/underspending?**
- 2. Why?**
- 3. Should more funds be requested now?**
- 4. Should the current budget be reallocated?**

CONCERNING AGENCY PROGRAMS

- 1. Are mandated programs sufficiently funded?**
- 2. Should some programs be eliminated?**
- 3. Should new programs be started or existing expanded?**
- 4. Are any programs underbudgeted/overbudgeted?**

ANTICIPATING NEXT YEAR

- 1. What will next year's costs be?**
- 2. What can the agency expect to get?**

CONTINGENCIES

- 1. What are the funding priorities?**
- 2. Should the budget begin positioning the agency for anticipated longer-range changes?**

1. _____ 2. _____ 3. _____

Characteristics and Components of Budgeting for Performance

1. Move focus from inputs to outputs.
2. Treat outputs as well as inputs as variables.

3. Switch from Maximizing Efficiency to Achieving Sufficiency

4. Expand audit: From "R" to "A" to "O."
5. Planning: Simultaneously consider "R" and "A" and "O."

6. Accountability with Aobjective@ measurement.
7. "CI"---A constantly shifting target.

8. Funding change via internal reallocation.
9. Strategic, long-term commitment to on-going marginal change.
10. Multi-year budgeting.

11. Leadership.

Whose responsibility is it to budget for performance?

METHODS OF BUDGETING: FINDING A SUBSTITUTE FOR PROFIT
--

ALTERNATIVE	THE PROFIT SUBSTITUTE
--------------------	------------------------------

1. **Lump Sum None**

2. **Line Item Control**

3. **Management Control Efficiency**

4. **PPB Control Efficiency Effectiveness**

5. **ZBB Control Efficiency Effectiveness**
Priorities

6. **ZBB(R) Control Efficiency Effectiveness**
Priorities

THE CONTROL ORIENTATION: Prior to 1932

- X The main emphasis is expenditure control (control of line items).
- X The information focus is on things government buys rather than on the accomplishments of government.
- X The emphasis is on resources and not on activities and objectives.
- X The measure of success is resource control.

THE MANAGEMENT ORIENTATION: 1932

- X The focus is on the management of resources rather than their control.
- X The information focus is on outputs (activity levels) and activity unit cost calculations (efficiency and performance).
- X Objectives are fixed -- resources/activities are adjusted optimally.
- X The measure of success is efficiency.

PROGRAM BUDGETING: 1965

- X Budgeting emphasis is on outcomes (the attainment of objectives).
- X By examining alternative goals, the budget process explicitly involves policy making.
- X Consequences: Some activities are discarded because they pursue no objective and some objectives are discarded because they are no longer valued, or they can't be achieved.
- X The measure of success is effectiveness.

LINE ITEM SUMMARY FORM OF MAJOR ACCOUNTS

2nd Prior Year	1st Prior Year	Current Year		Code #	Appropriation Class	Budget Request	Budget Recommended
		Budget	Experience Estimate				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	"				Personnel Services		
					Contractual Services		
					Materials and Supplies		
					Equipment		
					Capital Outlay (Land and Improvements)		

FORM FOR REPORTING PERFORMANCE AND WORKLOAD DATA

Name Of Work Unit	Number of Work Units			Number of Worker-Hours Or Worker-Days			Number Of Worker-Hours Per Work Unit			
	1st Prior Year	Current Year	Budget Year	1st Prior Year	Current Year	Budget Year	1st Prior Year	Current Year	Budget Year	Standard
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	20	30	40	5000	7500	9000	250	250	225	
	20	30	40	5000	7500	12000	250	250	300	
	100	100	100	4000	6000	8000	40	60	80	

ZERO BASE BUDGETING

ZBB: A system undertaken each year which re-examines priorities given to goals and objectives. It also re-examines alternative means for achieving goals and gives varying priorities to these alternative means (A form of program budgeting).

THE ZBB PROCESS HAS TWO ESSENTIAL STEPS:

- 1. Enveloping decision packages which analyze and describe *each discrete activity*, Either currently done or proposed to be done.**
- 2. Ranking decision packages and their associated costs in the order of their importance (setting priorities)..**

INFORMATION REQUIRED IN A DECISION PACKAGE:

- X A description of the activity being proposed.**
- X How the activity relates to goals and objectives.**
- X Consequences of not undertaking activity.**
- X Measures of performance.**
- X Alternative means for undertaking the activity (costs and benefits).**
- X Propose only one of the means as preferred.**
- X Differing levels of activity which may be undertaken.**

SETTING PRIORITIES:

- X Rank the proposed decision packages from most to least essential.**
- X Give cumulative budget totals at each level the rankings.**

ZBB DECISION PACKAGE

PACKAGE NAME Pre-judgement Custody Award investigation 1 to 3	FACILITY/UNIT 54th Court	RANK 3		
PURPOSE (Section 1) Pre-judgement investigation in court hearings must be conducted of the past and likely environments offered by each parent. Findings will enable court to determine likely environments offered by each parent, and is essential information for the court in reaching custody decisions, maximizing care of the child.				
DESCRIPTION OF ACTIVITY (Section 2) 1 investigator I, 1 investigator II, 1 Steno II. Investigate a maximum of 500 individuals per year (250 divorce proceedings per year involving juvenile custody issues). Interviews will be of each party to the divorce proceeding. Work unit is individuals interviewed.				
ACHIEVEMENTS FROM ACTIVITIES (Section 3) Will allow the systematic interviewing under oath of the parties to determine the nature of their community ties, employment, income, health statues, criminal record, and custody justification.				
QUANTITATIVE MEASURES (Section 4)	fy [] actual	fy [] budget	fy [] request	percent fy []/fy []
NUMBER OF WORK UNITS PERFORMED	---	500	500	100 %
COST PER WORK UNIT	---	\$ 128	\$ 134	105 %
WORK UNITS PER WORKER-HOUR 5760 MH available 48 weeks	---	0.1 rounded	0.1 rounded	100 %
NUMBER OF PERSONNEL	---	3 FTE	3 FTE	100 %

ZBB DECISION PACKAGE (continued)

CONSEQUENCES OF NOT APPROVING PACKAGE (Section 5)

- 1) Court delays in having to secure information through court testimony.
- 2) Professional interviewers will not be available to gather and analyze information.
- 3) Information gathered will not be systematic but will be dependent on the whims of courtroom proceedings.

ALTERNATIVES (DIFFERENT LEVELS OF ACTIVITY) AND COST (Section 6)

- 2 of 3 Extended interviewing to offspring to gather pertinent information including their desires for custody and reasons therefore: 18K; add one juvenile caseworker II to interview annually 350 offspring.
- 3 of 3 Extended interviewing to interested and knowledgeable other parties for the purpose of information corroboration: 16K; add one interviewer I to conduct 300 additional interviews.

ALTERNATIVES (DIFFERENT WAYS OF PERFORMING THE SAME ACTIVITY) (Section 7)

- 1) Contracting with County Department of Social Services at a per unit cost of \$100 - budget of \$50,000. Rejected because court would not receive top priority for interviewing thereby causing serious delays.
- 2) Contracting with A. G. Smith firm at a per unit cost of \$170. Rejected because of expense and because of difficulties in court maintaining control, and in maintaining privacy of the parties.

COST ESTIMATES (Section 8)

OBJECT CODE	fy []	fy []
PERSONNEL	44K	48K
FRINGE	9K	10K
CONTRACTUAL	---	---
TRAVEL	1K	1K
SUPPLIES	4K	4K
EQUIPMENT	3K	1K
CONSTRUCTION	---	---
TELECOM.	3K	3K
OTHER	---	---
TOTAL	64K	67K
% OF TOTAL FROM GRANTS	10%	0%

DECISION PACKAGE RANKING (Dollars In Thousands)

R A N K	Package Name	FY [] Budget			FY [] Request				Cumulative Request	
		Total \$	State \$	Pers. #	Total \$	Stat \$	Pers. #	State \$ as a % of FY [] State Budget	Cumul. State \$	Cumulative % of FY [] State Budget
		1	2	3	4	5	6	7	8	9
1	Judgements	100	100	3	110	110	3	38	110	38
2	Court Proceedings: Transcription	100	100	6	108	108	6	37	218	75
3	Pre-Judgement Custody Investigation 1 of 3	64	57.6	3	67	67	3	23	285	98
4	Post-Judgement Cu- stody 1 of 3	35	35	1.5	39	39	1.5	3	324	111
5	Pre-Judgement Custody Investigation 2 of 3	---	---	---	18	10	1	3	334	114
6	Pre-Judgement Custody Investigation 3 of 3	---	---	---	16	16	1	5	350	119
TOTALS		299	292.6	13.5	358	350	16.5			

BUDGET REQUEST SUPPORT SHEET

1. Describe the program (its activity):

2. If funded, what will be achieved?

3. If not funded, what will happen?

4. What are our options (different ways or different amounts)?

BUDGET SUPPORT PACKAGE

PROGRAM AREA/ACTIVITY:

WHAT PROBLEM AND OBJECTIVE ARE ADDRESSED?

DESCRIBE THE WORK PROGRAM (what will be done and how much)?

WHAT WILL BE ACHIEVED IF FUNDED AND WHAT ARE THE CONSEQUENCES OF NOT FUNDING?

WHAT ARE THE ALTERNATIVE LEVELS OF ACTIVITY AND WAYS TO ACHIEVE THE OBJECTIVE?

WHICH COURT-WIDE OBJECTIVES ARE ADDRESSED DIRECTLY BY THIS PACKAGE?

WHAT SERVICES ARE REQUIRED FROM OTHER UNITS BY THIS PACKAGE?

WHO BENEFITS AND WHO IS DISADVANTAGED BY THIS PACKAGE?

IDENTIFY PRINCIPAL WORK UNITS AND THE NUMBER OF EACH TO BE COMPLETED.

TYPES OF WORK UNITS	NUMBER EXPECTED

FINANCIAL SUMMARY

ITEM	CURRENT FY	REQUEST FY	% CHANGE
PERSONNEL			
Salaries and Wages			
Fringe			
PERSONNEL SUBTOTAL			
EQUIPMENT PURCHASE			
EQUIPMENT RENTAL			
EQUIPMENT MAINTENANCE			
SUPPLIES			
CONTRACTUAL SERVICES			
POSTAGE			
TELECOMMUNICATIONS			
NEW CONSTRUCTION			
RENOVATION & MAINTENANCE			
TRAVEL			
OTHER			
TOTAL ALL CATEGORIES			
TOTAL ONE YEAR EXPENSE	NA		NA
TOTAL ON-GOING EXPENSE	NA		NA

NOTES (OPTIONAL) TO EXPLAIN UNUSUAL EXPENDITURES OR EXPENDITURE AMOUNTS

DIRECTIONS FOR COMPLETING DECISION PACKAGES

GENERAL

All requests involving new funds (except to cover inflationary increases) require a separate decision package. Therefore, a separate decision package is required for each NEW area of programming or for an EXPANSION of activity in an existing program area.

One or more other area of operation under your direction also may be selected for decision-package analysis this year. You should consider first whether the various kinds of ON-GOING work, programs or activity under your direction should be considered as a unity or separately. If as a unit, one decision package will suffice. If, however, you believe that certain areas of your on-going operations should be given individual consideration, then a separate decision package should be constructed for each of these.

The number of packages that you will prepare and present is in itself an important decision for you to make. Too few decision packages will mean that detail is lost. Too large a number of decision packages will require that you subdivide operations into relatively small areas of activity and will require further that you assign specific resources to each of these areas.

Please complete all sections for each decision package submitted.

INDIVIDUAL SECTIONS OF THE DECISION PACKAGE

What Problem or Objective is Addressed:

If identifying a problem(s), describe it in concrete terms. Quantitative data would be helpful in this regard (e.g., giving some sense of the size or magnitude and growth of the problem, who is affected and how, etc.). If an objective or goal is referenced, also be as precise as possible. A package which addresses multiple goals or problems has added attraction. Be concrete with regard to stating goals: make sure that your goal statements at minimum are clear about how much (of what) is to be accomplished by when.

Describe the Work Program (What will be Done and How Much):

Provide a summary view of the kind of work supported by the funds in this decision package. If there are several important kinds or categories of work activity or processes supported by this package, each should be mentioned or briefly described. Also, provide an appropriate quantitative measure of the amount of work or activity for each (see directions for "Work measures" for additional information).

What will be Achieved; What are the Consequences of Not Funding:

For achievements, consider how the payoff from funding this decision package will be measured. What concrete benefits, products, or returns can be expected if this decision package is funded? What does this decision package promise by way of performance? Be concrete and quantitative to the extent feasible.

With regard to consequences, you should estimate in terms as concrete as possible what the effects will be on the Court and Court and its missions if the activity proposed by this decision package were not funded.

Alternatives:

There are two kinds of alternatives to be considered. First, if feasible, consider whether more or less of the work and activity proposed in this decision package might be undertaken (Is there a smaller version which might be considered; is there a larger version to consider?). In the case of either more or less activity, give a rough estimate of associated increased or decreased costs.

Second, consider whether there are alternative ways of performing the work or activity from that being proposed (e.g., done contractually rather than by Court employees).

Court-Wide Objectives:

Address how this proposed activity fits into current program or funding priorities of the Court.

Services Required from Other Units:

Carefully consider whether the work or activity of this decision package is vitally dependent on services being provided by other Court units or other non-court agencies outside your jurisdiction. Identify any such needed services and indicate whether the managers of these units have been made aware of the amount and kind of demands which this decision package places on their units.

Who will Receive Work Product:

Describe (if relevant, or if not obvious) which agencies or individuals will be recipients of work products from this proposed activity.

Work Measures:

Work units are convenient labels for activity or a set of associated activities which can be counted, thereby giving a rough estimate of both kind and amount of work to be done. Examples include number of cases processed, number of collections made, number of clients interviewed, number of interviews held, etc. There may be one or a few major categories of work which could be identified for your decision package.

Financial Summary and Personnel Detail Sheets:

Self explanatory; complete as necessary.

WHERE ARE WE HEADED AND HOW WILL WE KNOW IF WE GOT THERE?

Think: What do you want to happen or where do you want to end up
(Aend up@ is usually a signal about a goal or objectiveBor in other words
an outcome.

Turn this into something that can be measured.

Ask: Is it really worth expending resources/effort on accomplishing
thisBeven if successful?

MEASURABLE CRITERIA

1. Quantity (How much)
2. Quality (How good)
3. Timing (By when)

OUTPUTS AND OUTCOMES

Outputs measure amount of work or activityBoften used in efficiency
measures.

Outcomes measure the degree to which objectives have been
achievedBoften associated with effectiveness measures.

Both have their uses in good management and in budgeting and
managing for performance.

OUTCOMES VS. OUTPUTS

A REAL DIFFERENCE OR WORD GAMES

OUTCOMES

ACTIVITY/PROGRAM

OUTPUTS

Drop in child death rate

Child inoculation program

Number of children inoculated

Level of functional skill development

K-12 education

Number of children attending

Recidivism rate of children counseled

Juvenile court counseling

Number of cases counseled

Program Need

FOCUS SUPPORT FOR BUDGET REQUESTS

- 1. Human abilities to hold and to simultaneously consider bits of information are limited.**

- 2. It is normal for attention and decision to be focused on a few things.**

- 3. Both the absence of supporting information and information overload direct attention to other things.**

- 4. Attention is captured by clarity.**

- 5. Attention is held by raising personal interest.**

- 6. Key strategy for correctly refocusing budget reviews:**
 - X Divert focus away from bottom line and from line items.**
 - X Direct attention toward nature and amount of work.**
 - X Describe benefits in concrete terms.**
 - X Impress with consequences.**

JUSTIFYING THE REQUEST: CRITICAL ISSUES

1. Are problems and goals clear and "capturing"?
2. Is the work program clear?
3. Are benefits and consequences capturing?
4. Are options ruled out?
5. Do expenditures appear realistic and reasonable?
6. Are environmental constraints properly recognized?
7. What is your reputation for managing resources?

IMPORTANT INFORMATIONAL COMPONENTS

- X Problem Identification
- X Goals and Objectives
- X Stakeholders
- X Benefits
- X Consequences
- X Outputs
- X Outcomes
- X Work program
- X Alternatives
- X Presentation Technique

ILLUSTRATIVE PERFORMANCE MEASURES FOR BASIC ADJUDICATION FUNCTIONS

Budget Area	Measures				Comment
	Input	Output	Effectiveness	Efficiency	
Adjudication of Criminal cases	Indictments filed. Misdemeanor appeals filed.	Indictments, misdemeanors disposed. Trials, hearing conducted; court days.	Average cases time. Dispositions per judge pending cases.	Average cost per criminal case.	Due to legal pressure to move each criminal case to disposition, inputs are usually an adequate measure of criminal workload.
Adjudication of civil cases	Filings, cases set for trial	Trials conducted; court days. Cases disposed.	Dispositions per judge. Pending cases.	Average cost per civil case.	Civil cases may languish. The number of trial-ready cases may be a better measure of workload.
Adjudication of juvenile cases	Referrals; petitions.	Informal dispositions. Adjudications.	Average time for adjudicated case. Dispositions per judge, informal and formal pending cases.	Average cost per juvenile case.	Due to the high number of informal dispositions, which may not involve a judge, distinctions must be made between informal and formal elements of workload.

SOURCE: R. Tobin

PERFORMANCE MEASURES FOR VARIOUS TRIAL COURT COMPONENTS AND PROGRAMS

Component	Measure	Comment
Social Programs	<ul style="list-style-type: none"> X Persons screened X Persons interviewed X Persons under supervision (average level) X reports to court X court days 	Probation, diversion and various social programs involve personnel contact and attendance upon the court either in person or by written submission. These are reflected in the measures.
Clerical Functions	<ul style="list-style-type: none"> X pending cases X new cases processed X filing transactions X case closings X cash transactions handled X clerk courtroom days 	These measures deal in a gross way with record keeping activity, book-keeping activity, court room clerking and calendaring.
Court Reporting	<ul style="list-style-type: none"> X Court room days X transcripts 	The percentage of cases appealed is a key workload factor. In other respects, reporters are linked to judicial activity.
Juries	<ul style="list-style-type: none"> X jury questionnaires processed (if used) X jurors summoned X jurors qualified X juror days X jury trials X sequestered trial days 	There are two aspects: (1) work involved in jury 24, which may not be great and (2) costs involved in payments to jurors for meals, lodging and travel.
Clerk-Typists	<ul style="list-style-type: none"> X new docket pages prepared X pre-sentence investigation typed X correspondence typed 	The examples may not be germane to each court, but there are inevitably some standard work outputs for clerk-typists.
Electronic Data Processing	<ul style="list-style-type: none"> X reports generated X machine time 	Various other administrative functions could be included as appropriate.
Personnel administration	<ul style="list-style-type: none"> X new employee processed X interviews X tests X total personnel transactions 	
Microfilm	<ul style="list-style-type: none"> X records microfilmed 	SOURCE: R. Tobin

CHECKLIST FOR PROPOSALS

GENERAL ISSUES

1. Is the proposal within the grantors scope, priorities, and area(s) of "competence?"
2. Is the hasty reader signaled to the critically important points (e.g., benefits, work, payoffs)?
3. Is there sufficient detail for those who may wish to examine the proposal in some depth?
4. Are major questions anticipated and answered?
5. Does the organization flow logically (the reader is able to follow the proposal through from front to end without the necessity in earlier parts of having to refer to later parts for explanation)?
6. Is the proposal written clearly (minimal jargon, terms defined when necessary, examples given for complicated concepts)?

PROBLEM STATEMENT

7. Is the problem or issue to be addressed made clear? Does the problem statement convince the reader of the importance of the issue?
8. Does the problem statement clearly differentiate between what will be handled and what won't? (Does the problem statement seem to identify a manageable area or subset?)
9. Does the goal of the project logically flow from the problem statement?

RELATED EXISTING KNOWLEDGE

10. Does the proposal demonstrate an up-to-date awareness and understanding of pertinent existing knowledge and research findings?
11. Does the proposal indicate how the project will be distinctive or different from previous efforts (no reinventing the wheel)? Or, in the case of action proposals does it show how a previously successful project will be replicated?

OBJECTIVES

12. Do the objectives lend themselves to operational definition (e.g., can one or more concrete "products" be identified that will come out of the project)?
13. Are the objectives clean-cut and specific and do they seem reasonably achievable?
14. Are the objectives clearly related to addressing all or part of the problem(s) previously identified?
15. Are the objectives valued by the funding source?

PROCEDURE

16. Have the procedural steps (the work) of the project been described in sufficient detail (has the reader been provided an accurate picture of both the kinds of tasks and amount of activity or work involved in completing the tasks)?
17. Is a sequence of work-steps clearly specified?
18. Has sufficient time been budgeted for completing the work-steps (for each work-step and for the project as a whole)?
19. On reflection is more claimed than the work would seem to make possible?
20. Is the work program (the means) consistent with grantor's ethics?

SUPPORTS

21. Are there indicators that a sufficient number of people with the right kinds of skills will be available for the project?
22. Is there support for believing that personnel will be available in a timely manner?
23. Have requisite physical supports (facilities and equipment) been identified and is it likely that they will be available and adequate?
24. Have all probable costs been identified?
25. Is there reason to believe that the cost estimates are accurate?

BUDGET REVIEW CHECKLIST

Following is a list of questions to be considered when reviewing budget requests. Well-prepared budget estimates based on these points facilitate the coordination of various budget estimates into a sound comprehensive operating plan for all services. They simplify the decisions to balance this plan of action with the community's ability to pay.

YES NO

PROGRAMS

- | | | | |
|---|---|--|--|
| — | — | | 1. Have work programs been defined? |
| — | — | | 2. Have the objectives of new and expanded programs been clearly defined and explained? |
| — | — | | 3. Have all increases or decreases been explained? |
| — | — | | 4. Has attention been given to long-run costs? |
| — | — | | 5. Have new sources of revenue been suggested to support new and expanded programs? |
| — | — | | 6. Have efforts been made to reduce costs through improved work methods, mechanization, or better personnel utilization? |
| — | — | | 7. Have priorities been assigned to new and expanded programs and to equipment? |

BUDGET REVIEW CHECKLIST (Continued)

YES NO

- 8. Have the fees for rendering services been compared to the costs of rendering the service or enforcing the regulations?
- 9. Have major fiscal programs encountered during the year been explained?
- 10. Have economies achieved during the past year by improving work methods been explained?
- 11. Are there any recommendations for further reducing costs and increasing the efficiency of the operations?
- 12. Are there any recommendations regarding changes in the level of services (in either mandated or non-mandated services)?
- 13. What were the effects of budgetary limitations last year?

PERSONNEL

- 14. To what extent do the requested positions relate to defined activities and programs? Does an understanding or evaluation of duties and responsibilities warrant the need for new or existing positions?
- 15. Have provisions been made if there is delay in filling new and vacant positions?

BUDGET REVIEW CHECKLIST (Continued)

- 16. Does the opening of new capital facilities justify the need for

the personnel in the operating budget?

- — 17. Have employee turnover, overtime, seasonal personnel, leaves of absence, and the need for related appropriations been considered?

SERVICE

- — 18. Regarding contractual services, have expenditures and workload data of previous years been carefully examined?

- — 19. For each specific service to be rendered, is the need and manner of pricing explained? Has the level of service been examined to evaluate present methods?

- — 20. Are payments to companies and agencies for their services supported by detailed information about the service being provided? Has the effectiveness of such services been evaluated?

MATERIALS AND SUPPLIES

— —
21.

BUDGET REVIEW CHECKLIST (Continued)

YES NO

- — 22. Have price increases and supplies required by additional

personnel been considered? Does the need for additional supplies relate to increased workload or new and expanded programs? Have inventories been reviewed?

- — **23. Are there inventory or other control over the use of supplies? Have work methods been evaluated along with the type and quality of supplies?**

EQUIPMENT

- — **24. Has equipment been identified as replacement or new? Has the condition of the equipment being replaced, as well as its potential trade-in value, been reviewed? Have inventories of existing equipment been checked to determine the need for new equipment?**

- — **25. Have work methods, as well as the experience of others in using special types of equipment, been reviewed? Are requests for new equipment compatible with expanded work programs or to possible savings?**

- — **26. Have equipment needs of new personnel been considered?**

- — **27. Have repair costs, along with the advantages of leasing, or renting been analyzed?**

Enhance Revenues

1. Fees
 - * Plans for increasing fee revenues
 - * The propriety of fees: Entrepreneurial courts

2. Creative financing options
 - * Earmarked revenues
 - * Bond issues
 - * Transition funding/borrowing
 - * Pledging future revenues
 - * Mortgaging personnel positions
 - * Sharing costs (e.g., time sharing)
 - * Pledging future savings

3. Soft money options

4. Using volunteers

5. Fines

6. Cut of the action
 - ! Of Awards
 - ! Fixed portion of the general fund budget

7. Accessing multiple general fund sources

Managing and Diagnosing Problems and Goals

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**BUILDING A BRIDGE:
PROBLEMS MOTIVATE, GOALS DIRECT**

LINK THE MANAGEMENT OF PROBLEMS AND GOALS

1. Determine the present situation--Where are we now?

2. If we do nothing different, where will we be?

3. Do we prefer or want something different?

4. What is the problem (gap between what we have and want)?

5. What is the goal (How much of the gap to address in what time?)

6. What are the alternative courses of action and which looks best?

7. Choose from among alternatives, implement, monitor

8. Did it work (evaluate)? And, back to Step 1.

COMMON THREATS TO GOOD PROBLEM DIAGNOSIS

1. We frequently state problems in terms of preferred solutions.

X Solution in search of a problem

2. We frequently state problems in such a way as to make it impossible for us to resolve them.

X Self-fulfilling prophecies

X Confusing causes with effects

3. The statement of a problem often includes unwarranted assumptions or is based on inadequate evidence, guesses, hunches, intuitions, biases, rumors, and personal values.

X Please don't bother me with facts

4. We let faulty and/or irrelevant cognitions block effective action and analysis.

X _____

X _____

X _____

A MODEL FOR MANAGERIAL PROBLEM DIAGNOSIS

FIRST

Identify and describe a bothersome condition

SECOND

Identify and weigh positive effects as well as negative effects of the condition.

THIRD

Identify and understand the probably causes of the condition.

FOURTH

Then and only then (after the first three steps), think about, plan and implement solutions.

THINKING PROBLEMS THROUGH

Identify A <u>Condition</u> That Is Potential Problem	X		Magnitude
	X		Duration
	X		Rate Of Change
	X		Location
	X		Who Is Involved
Identify And Weigh <u>Effects</u> Produced By The Condition	X		Desirable Effects
	X		Undesirable Effects
Decide	X	Option 1:	Positives Outweigh No Problem (STOP)
	X	Option 2:	Negatives Outweigh There Is A Problem (CONTINUE)
Identify And Consider Potential <u>Causes</u> Of The Condition	X		Degree Of Contribution
	X		Permanence
	X		Manipulability
NOW CONSIDER SOLUTIONS			

WORKSHEET FOR ASSESSING EFFECTS

Effects	Impact on performance in terms of magnitude, duration, numbers of people involved, or critical units affected				
	Wide-ranging and/or strongly negative impact	Moderately negative	Limited impact (- or +)	Moderately positive	Wide-ranging and/or strongly positive impact
Negative Effects					
1.	()	()	()		
2.	()	()	()		
3.	()	()	()		
4.	()	()	()		
5.	()	()	()		
6.					
Positive Effects					
1.			()	()	()
2.			()	()	()
3.			()	()	()
4.			()	()	()
5.			()	()	()
6.			()	()	()

WORKSHEET FOR ASSESSING CAUSES

Causes	Degree of Contribution to the Condition			Degree of Permanence		Opportunity for Manipulation		
	High	Medium	Low	Long-range continuation and not self-correcting in foreseeable future	Temporary and self-righting in the near future	High	Medium	Low
1. LOW PAY	O		X	OX			X	O
2. BAD SUPERVISORS	O		X	OX		X	O	
3. JOB BORING	X		O	OX		X	O	
4. LOW JOB SECURITY		X	O	OX			OX	
5. HIGH JOB STRESS	OX			OX		O	X	
6.								
7.								
8.								
9.								
10.								

Characteristics of Effective Goals

Characteristics

1. Clear to and understood by those who will carry them out.
2. Expressed as results or outcomes.
3. Reviewed annually, although not necessarily changed.
4. Provide a foundation for defining more detailed objectives
5. Provide the basis for justifying actions and resource expenditures.

Types of Goals Include

Stretch Goals

- ! Increasing effectiveness in reaching existing goals.
- ! Improving productivity through greater efficiencies.
- ! Adopting new goals

Maintenance Goals

- ! Adaptation Goals: Changing the organization to meet new contingencies and constraints.
- ! Management and Position Goals: maintaining organizational divisions of labor, responsibilities, functions and priorities.
- ! Motivation Goals: ensuring employee job satisfaction

Of the two (stretch and maintenance), which is dominant in organizations?

Characteristics of Effective Objectives

Specific

- ! Practical, serving as guides to action, and written clearly and concisely
- ! Positive statements of what is to be accomplished rather than negative statements of what is to be avoided

Measurable

- ! Expressed so that you know when you have accomplished the objective
- ! Defined, when possible, with a unit of measure
- ! Subjective v. Objective measurement

Attainable

- ! Feasible in terms of personnel, financial, and other available resources
- ! Encouraging growth within reasonable limits

Result-Oriented

- ! Defined in terms of results, not just the activities to be performed
- ! Consistent with goal statements

Time-Limited

- ! Expressed with time limits
- ! Most are short term, one year or less

An effective objective is measurable. The measurement “yardsticks” are called indicators. The most important of these include:

! **VOLUME INDICATORS** _____

! **TIMING INDICATORS** _____

! **ERROR INDICATORS** _____

SAMPLE PERFORMANCE OBJECTIVES EXERCISE

1A. Draft and gain approval from the Director by the third quarter for plans to develop a new multipurpose Center for Children.

1B. By the end of the third quarter, start a new multipurpose Center for Children and Family which has a library, class and play rooms and recreational equipment.

2A. Collect \$50 thousand in delinquent parking ticket fines by the end of the fiscal year by tracking delinquents using the Automated Collection system.

2B. Continue the enforcement of Parking violations using the Automated Collection system.

3A. Develop plans to provide summer jobs for the Youth Program for the next year.

3B. Continue providing part time summer jobs to 200 community youths by planning and organizing work projects within budget constraints for the next year.

4A. Organize within the next two months a steering committee which will look into ways to provide housing and shelter for most of the homeless juveniles and families with juveniles

4B. Develop a detailed plan by the end of the fiscal year for identifying the resources available to reduce the number of homeless juveniles from the 38,000 to 30,000.

5A. Increase output of case reports from 20 per day on average of 25 per day.

5B. Increase work group productivity by 20 percent within the next six months.

6A. Maintain the completion of an average of 25 presentencing case reports per day with less than 10% returned for additions or corrections to information.

6B. Keep productivity at optimum levels during the next fiscal year without increasing costs associated with producing presentencing case reports.

Sample Goals for Courts and Allied Organizations

- 1) Increase the opportunity for all citizens to have equal access to the judicial process.
- 2) Cultivate an administrative environment which enables the court to adjudicate cases effectively.
- 3) Continue to clarify the distinction between administration and adjudication.
- 4) Strengthen, through performance, the trust and confidence in the court by all citizens and clients.
- 5) Increase the court's capacity to deliver assistance to clients and to the public.
- 6) Keep delay in processing cases and other work to an acceptable minimum.
- 7) Maintain and strengthen the capacity to ensure integrity in the operation of all court divisions and in the public's belief in that integrity.
- 8) Strengthen relationship and linkage between the court's top management, court clerks, probation officers, field personnel, and other court employees.
- 9) Strengthen the linkage between the court and the legislative and executive branches, Bar Associations, civic organization and others.
- 10) Create an internal administration environment in which all personnel are encouraged and allowed to achieve their potential as productive employees.
- 11) Create an organizational posture which will enhance rather than impede organizational objectives.
- 12) Strengthen the education opportunities for judges and other judicial employees and encourage the use of these opportunities.
- 13) Develop the internal capacity to identify desired results and potential problems, and to address those issues.
- 14) Improve the efficiency of operations and employee morale through improved internal and external communications and the consolidation of

scattered work sites.

- 15) **Strengthen the court's internal capacity to monitor and to evaluate its own performance.**
- 16) **Develop the capacity to develop budgets and to maintain program and fiscal accountability.**
- 17) **Strengthen the court's capacity to have complete, accurate and economically accessible records.**
- 18) **Improve the utilization and treatment of jurors.**
- 19) **Implement and keep up-to-date a personnel system that will ensure consistent and equitable personnel practices and equal employment opportunities.**
- 20) **Develop and implement a relevant and useful MIS the court.**
- 21) **Make optimum use of appropriate technology in the performance of judicial functions.**
- 22) **Build on and strengthen labor relations with all court employees.**
- 23) **Strengthen the court's ability to identify, seek and secure funds from outside sources when appropriate.**
- 24) **Develop the capacity to capture, collect, analyze and display statistical data necessary to project resource requirements, monitor activities and evaluate performance throughout the court's operations.**
- 25) **Expand the court's capacity to conduct subject matter research and develop innovative programs.**
- 26) **Expand the court's capacity to conduct program audits, operations research and cost benefit analysis.**

**Inter-Branch Behaviors and Inter-Branch
Budget Relations:
Issues for Courts & Court Systems**

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INTER-BRANCH ISSUES: AN AREA IN NEED OF PRODUCTIVE BEHAVIORS

1. The **judicial branch often is viewed as subservient to the legislature's** power of the purse and the executive's control over budget procedures. This view originates from a simplistic notion that
 - X courts must compete with others for scarce resources, and
 - X the legislative branch is the peoples' protector against out-of-control agency expenditures.
2. Partly in defense, many in the judicial branch have the view that **the power of court-ordered funding supersedes legislative powers of the purse** when the discharge of judicial-branch responsibilities is jeopardized by insufficient funding.

These contrary views avoid the real issue and need---branches of government need to view themselves as jointly responsible to achieve an effective allocation of scarce resources.

Implications for Executive and Legislative Branch Behaviors:

State and local budgeting practices need to provide courts with authority and accountability and incentives to manage their resources better.

1. **Reduce line-item detail** in budget allocations and free courts to move funds across line items and programs without prior approval.
2. **Permit the carryover of unspent funds** (up to certain amounts) across fiscal years without fear of loss now or in future budget allocations. The current reward system that breeds a "spend it or lose it" mentality.
3. **Permit courts to reallocate funds** to existing or new initiatives. Do not negatively reward good management capturing all such savings.
4. **Involve the judicial branch in assessments of the costs** of proposed legislation.
5. **Partner with the judicial branch to identify performance standards** and performance targets against which expenditure requests can be assessed.

Implications for Court Behaviors:

Courts must better manage the resources that they already have by:

1. **Thinking and behaving strategically when making resource allocation decisions.** Courts need to think about the long-range implications of allocations, and they need to drive priority setting by knowing their core missions, values, and objectives.
2. **Constantly examining current practices,** distinguishing (among other things) between what is mandated and *how* the mandate is met, looking for opportunities to do the job better (and even more efficiently) through changes in basic practices. The objective is **organizational re-engineering with a view of improving both cost and service.**
3. **Internally freeing and capturing existing resources for reallocation to higher priority needs.** The *internal reallocation of resources* is critical for organizations that confront a tight budget environment.
4. **Advising where changes in legislation would improve services, reduce costs** and better serve the law and public interests and priorities.

Factors Important to FA Review of Budgets

Hudzik Composite National Data (Rank Order of Importance)

1. Credibility of court head
2. Total dollars available to the funding agency
3. Your court's management credibility with the funding agency
4. Your court's performance as perceived by the funding agency
5. Written documentation supporting the funding request
6. Ability to generate revenues

7. Priorities and goals set by your court
8. Oral presentation of your budget request

9. The political influence of the court "head" with legislators
10. Federal and/or state mandates
11. Level of changes in your workloads

12. Pressure from constituent groups
13. The general public's attitude toward the court

“Turn-Off” Strategies/Tactics/Behaviors

Hudzik Composite National Data (Groupings in Rank Order)

12. A lie, a blatant cover up, a tricky move
13. Extreme claims that can be disproved.
14. Overestimating expenditures to justify increases.
15. Overestimating revenues.
16. Grand Standing-----“We are the Court.”
17. Threat of Court Orders—especially early in the process.

18. Failure to examine/consider alternatives—especially out of hand.
19. Proposing majoring new projects without laying the groundwork.
20. Overstated consequences of not funding.
21. Failure to answer legitimate questions (e.g., stonewalling).
22. Proposals that will negatively affect other County agencies.

JUSTIFYING REQUESTS: CRITICAL ISSUES

1. Are problems and goals clear and "capturing"?
2. Is the work program clear?
3. Are benefits and consequences capturing?
4. Are options ruled out?
5. Do expenditures appear realistic and reasonable?
6. Are environmental constraints properly recognized?
7. What is your reputation for managing resources?

Focusing Discussion

1. No supporting information or information overload in support of budget requests are equally damaging.
2. Human abilities to simultaneously consider bits of information are limited.
3. Attention is captured by clarity.
4. Problems motivate and goals direct
5. People have a right and need to know what they are going to get from their money: How much, by when and how good

BEHAVIORS THAT HURT BUDGET REQUESTS

- 1. Budget requests accompanied by a defeatist attitude which presupposes requests will be denied.**
- 2. A budget request which focuses on material items such as equipment and supplies.**
- 3. Great hue and cry over small items (e.g., lack of \$50 petty cash account), yet an unnecessary \$15,000 per year employee does not receive same concern.**
- 4. A history of shortages due to poor planning and expenditure management.**
- 5. Too much reliance on "saturation" to accomplish mission or to provide services.**
- 6. A history of shortages which result from waste.**
- 7. A lack of accurate records, analyses of past experience and forecasts of future revenues and costs.**
- 8. Failure to review activity and workload records.**
- 9. Failure to analyze mistakes made in previous forecast.**
- 10. Neglecting to periodically review individual activity reports, time studies, and comparing groups.**
- 11. Perpetuating programs, activities and work methods simply because they are traditional.**

**BEHAVIORS THAT HURT BUDGET REQUESTS
(continued)**

- 12. Failure to uncover factors leading to overages and shortages.**
- 13. Over specialization vs. over de-specialization; over centralization vs. over de-centralization.**
- 14. Failure to anticipate future (economic, social, construction, etc.) that will affect operations.**
- 15. Failure to fully cost a new program.**
- 16. Failure to adequately summarize problems and performances of past fiscal year.**
- 17. Inability to be flexible and not prepared to revise request or present alternate plan, and show revisions will affect service.**
- 18. Inability to sell the proposal, with emphasis on work program.**
- 19. Failure to keep performance from falling below expectations.**
- 20. Neglecting to keep notes and reports so that anticipated needs are forgotten during budget preparations.**
- 21. Using a request for additional personnel as a cover up for our inadequacies -- or a failure to know what we are doing.**
- 22. Destroying confidence in "statistics" by "padding" budget requests in hope that revised figures will be approximately what is needed.**

Revenues and Expenditures

(Adapted from Material Developed by Alan Carlson and John Hudzik)

Some General Issues:

- Role and limitations of courts in raising fee/fine revenue
- Expectations and limitations for entrepreneurial actions.
- Limitations on collection rates and abilities to pay
- Courts as net cost centers
- User pay schemes and expectations
- Access to justice for all

Do You Know Sources of Your Court's Revenues?

- General Fund – state or local
- Filing fees
- Surcharges on fees
- Fines
- Assessments on fines
- User fees
- Reimbursements for services
- State mandate payments
- Federal subsidies/reimbursements
- Grants and donations
- Other - Miscellaneous

Where Does the General Fund Revenue Come From?

1. Personal Income Tax
2. Dividends and Capital Gains Tax
3. Corporate Income Tax
4. Sales tax
5. Real Property tax
6. Personal property tax - e.g., vehicle license fees
7. "Sin" taxes - Tobacco/alcoholic beverage
8. Motor fuel taxes
1. Gaming revenues

2. User Fees and associated surcharges

3. Reimbursement

Do you Regularly Monitor in Order to Know Revenue Trends?

1. What is happening to revenues—trends?
2. What economic conditions are revenue sources susceptible to?
3. What is the near term prognosis regarding revenues?
4. Who is doing the forecasting and what is their credibility?
5. What affects the rebound of revenues and revenue growth?
6. Are the present trends short-term or long term?
7. Is there a link between state and local funding cycles and revenues?

What Are Limitations on Revenue Sources?

1. Special Funds/Dedicated use
2. Reimbursements; Over-recovery
3. Mandates
4. Earmarks

Other Important Inter-Branch and Environmental Issues:

1. Who determines accountability and performance standards
2. Who selects court employees
3. Who manages court support services (e.g., security)
4. Who controls the court's record – imaging system
5. Who runs programs supporting judicial processes
6. Who decides facilities needs and maintenance issues

For all of the issues above, how would you characterize your relationships with individuals/agencies who shape these issues?

Be Environmentally Informed and Savvy.

1. Know Your Audience

2. Who makes the decisions about funding?
3. Importance of budget analysts recommendations
4. What are the hot issues for the members of the funding body?
5. What are their priorities and long term objectives?
6. Know Your 'Competitors'
7. With whom is the court competing for funds?
8. Other public entities funded from same level of government?
9. Other criminal justice agencies
10. Other courts?
11. Know the Fiscal Condition of Your Funding Source
12. What is the state of the local economy that affects revenues?
13. What are revenue expectations?
14. Know Collaboration and Partnership Opportunities
15. Be realistic – if you say it will happen, and it does not, you lose credibility
16. Demonstrate the cost effectiveness of programs and practices
17. Demonstrate accountability regarding expenditures
18. Get to know funders
19. Regularly meet with them and their staff
20. Get to know and meet budget analysts
21. Build Personal Relationships with funders, budget analysts, other 'department heads'
22. Submit Realistic Budget Requests
23. Provide valid documentation supporting your budget requests
24. Build and maintain credibility

Budget Monitoring

1. Who monitors and audits your budget and expenditures?
2. Who does fiscal audits and what do they focus on?
3. Who does performance audits of your court?
4. Do you have an on-going internal monitoring/audit system? Do you:
5. Get monthly reports on revenues and expenditures
6. Monitor against targets, trend lines, plans and historical patterns

7. Monitor according to individual line items and individual program areas
8. Monitor staff behaviors in using and handling money
9. Are you able to differentiate among budgetary problems with high and low impacts on court performance or the cost of delivering court services?
10. What is your track record for accurately estimating costs and benefits?
11. What authorities do you have to adjust if estimates are in error?

Budget Process

1. To whom do you submit your budget request?
2. Who can change your budget request/submission?
3. Who approves your budget?
4. Can you move money between line items without prior permission?
5. Can you “overspend” one line item if funds are available in another line?

Typical Sources of Cost Increases – some within your control, some not.

1. COLA – cost of living adjustments in labor agreements
2. Employee Benefit costs
3. State legislative mandates- new legislation having explicit or implicit new costs
4. Judicial mandates – court decisions having explicit or implicit new costs
5. New programs and associated revenues for new programs given to the courts
6. Local mandates and priorities
7. New programs/ideas from you

Typical “Black Holes” in Court Budgets That Irritate Funders

1. Indigent defense, including investigators and experts
2. Interpreters
3. Jury Fees
4. Others _____

Anticipating Areas of Potential Problems in Budget Relations

1. Know your court’s weaknesses; where are you vulnerable
2. What is your court criticized for?
3. What do people think the court spends money on ‘frivolously’?
4. What terminology or buzz words trigger negative responses by the funding body or public?
5. What don’t people like about how the court operates?
6. What don’t people see the value of (program areas or expenditure items) for which you spend money?
7. What might come up at a budget hearing that has nothing to do with the budget request, but may affect the court’s success – what can the court be blind-sided about?

Know and Play on your Court’s Strengths

1. What programs or services are regarded as exemplary?
2. What have you done to reduce costs and save money?
3. What programs or services are considered valuable by various constituent groups or stakeholders? (court constituents and constituents of funding authority)

4. What terminology or buzz words trigger positive responses by the funding body or public?

Monitoring Revenues--Do you monitor?

1. Proper posting and distribution of revenues collected
2. Getting revenues into the proper agency's fund
3. Distributing the revenue to special funds
4. Enhanced revenue collection – enforcement of court orders

Link the court's strategic plan to resource acquisition and internal budget allocation

1. Identifying priorities
2. Planning and building a budget based on plan and priorities
3. Responding to budget review questions in light of the plan
4. Monitoring Expenditures according to the strategic plan
5. Examples of how courts or state judiciaries have successfully integrated their strategic plans and budgets

Responding to Funding Reductions and Fiscal Stress

Short Term Revenue Increase Strategies/Tactics

1. Redirecting resources from lower to higher priority needs
2. Use of reserve funds
3. Borrow:
 - Equipment financing
 - 'Tax anticipation notes'
 - Loans

Longer Term Revenue Increase Strategies/Tactics

1. Enhanced Revenue Collection
2. Improve the rate of collections
3. Issue more citations

4. Raise the fee/fine/assessment
5. New revenue sources
6. New fees
7. New assessments
8. Grant money
9. Leveraging Resources
10. Sharing of administrative support services with other entities
11. Use of volunteers, interns, or other school programs
12. Rally Support with Funding Body
13. Get the court's story told
14. Identify impact of a reduction in funding on: Public safety, Public services
15. Demonstrate the cost effectiveness of programs and practices
16. Demonstrate accountability regarding expenditures

Responding to Cuts by Reducing Expenditures

Three general categories of responses

1. "Nick and Cut" – short term or one time responses
2. "Rearranging the Deck Chairs" - Changing the way courts do business
3. "Rational Deconstruction" - Longer term, more fundamental responses

Usual First Responses to Cuts:

4. Across the board percentage cuts
5. Reduce training and travel
6. Cut management analysis capability
7. Reduce hours or close on some days

Options for Reducing Personnel Costs:

1. Reduction in overtime usage
2. Reduction in on-call staff coverage
3. Furlough

4. Reduce work hours
5. Hiring freeze
6. Layoffs
7. Postpone salary increases or raises
8. Wage freeze
9. Wage reduction
10. Renegotiate labor contracts
11. Reduce Benefits - "Take backs"
12. Reduce employer contribution toward benefit costs
13. Freeze vacation or comp time payouts
14. Shared approaches to reductions

Other Cost Reduction Strategies

1. Supplies - delay purchasing
2. Equipment - delay improvements, upgrades or purchasing
3. Services - reduce service levels or defer service

Strategies with More fundamental and Longer Term Change. What should the court stop doing, do much less of, or do radically differently

1. Performance management and evaluation
2. Redesigning court work flows
3. Changing business practices
4. Cross training of staff
5. Greater use of IT
6. Close high cost facilities
7. Business process outsourcing
8. Strategic planning - Prioritize functions, programs, services, and activities and stop doing lower priority items
9. Eliminate a practice or program
10. Eliminate or reduce program services
11. Eliminate programs

EXERCISE FOR PLANNING JUSTIFICATION OF A BUDGET PROPOSAL

1. WHAT PROBLEM DO YOU SEEK TO ADDRESS?

2. WHAT IS YOUR GOAL AND WHAT WILL BE ACHIEVED (OUTCOMES)?

3. BRIEFLY, WHAT WILL YOU DO (WORK OR ACTIVITY)

4. WHO WILL LIKE WHAT YOU ARE PROPOSING?

5. WHO IS LIKELY TO OFFER RESISTANCE TO WHAT YOU ARE PROPOSING?

6. WHICH ORGANIZATIONS AND PEOPLE, WILL BE CRITICAL TO YOUR GETTING THE FUNDING YOU REQUEST?

Factors Which Affect Acquiring Necessary Funds

- 1. List up to three factors that enhance the ability of the court to acquire the money that it needs.**

*

*

*

- 2. List up to three factors that hinder the ability of the court to acquire the money that it needs.**

*

*

*

- 3. What could be done to counteract the hindering factors?**

Relations With Funding Authorities (FA)

- 1 List the major "selling points" of court operations that can be "advertised" to the FA so as to improve the reception which the court's budget requests receive).

*

*

*

*

2. What are the major negative aspects of court operations which detract from how the FA views the court's budget requests?

*

*

*

*

FACTORS WHICH AFFECT THE COURT'S PUBLIC IMAGE

1. List up to three factors that positively affect the public's perception of your operations.

*

*

*

2. List up to three factors that negatively affect the public's perception of your operations.

*

*

*

3. List up to three specific actions which you could take to enhance your operation's public image?

*

*

*

THINK ABOUT STAKEHOLDERS

Stakeholder analysis is a crucial ingredient in strategic planning and

budgeting. A stakeholder is any person, group, or organization that can place a claim on an organization's attention, resources, or output, or is affected by that output.

So, stakeholder analysis is concerned with "politics"----figuring out who may become political allies or political opponents to the court and its budget requests.

Steps include:

1. Identify stakeholders (e.g., interest groups, political bodies, politicians, administrators, other agencies, employees, media, clients, taxpayers, suppliers).
2. Consider how stakeholders influence the court through demands that they make on it and through supports that they give it.
3. Specify criteria used by stakeholders to assess court performance.
4. Assess how well your court is doing in terms of stakeholder criteria (what they want from you).
5. Determine which stakeholders are most important to the court or to a particular request for funding and why.
6. For a particular funding request:
 - Who are likely supporters and what can you do to strengthen their support?
 - Who are likely opponents and what can you do to lessen or weaken their opposition?

COURTS STAKEHOLDER ANALYSIS EXERCISE

- 1. Working individually, take 2 or 3 minutes to write down the names of stakeholder groups which you consider are important to the particular funding request that you will make.**
- 2. Construct a composite list of stakeholders from these individual lists).**
- 3. Select the top three stakeholders that are most important to this proposal.**
- 4. What criteria will each of these three stakeholders use to assess your budget request—namely, whether they will like it or not.**

List 2-3 of the most important criteria each will use when rating your request.

- 5. Think about how well your budget proposal will meet stakeholders' criteria or wants.**
- 6. Finally, consider what might be done in the short run and/or in the long run to meet better the needs of stakeholder groups.**

INTERNAL AUDIT TRAINING

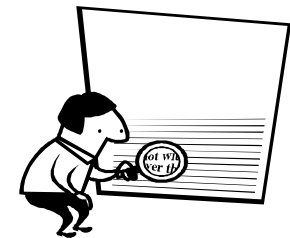
BEST PRACTICE GOVERNMENT INTERNAL AUDITING





THE NATURE OF MODERN INTERNAL AUDITING

- n Introduction and overview
- n The nature of internal auditing
- n The internal audit environment
- n Standards and principles
- n The scope of audit work





THE NATURE OF INTERNAL AUDIT

- n The independent appraisal of the adequacy, application and effectiveness of the organisation's systems of internal control.
- n The aim is to work with staff, managers and directors to help strengthen the framework of control by whatever means are appropriate.



IIA DEFINITION OF INTERNAL AUDITING

“Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation’s operations.

It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes”

Institute of Internal Auditors, June 1999



ROLE



- n Provide assurance on the adequacy, application and effectiveness of control, risk management and governance arrangements
- n Alert management to significant weaknesses in control that may lead or have led to material error, loss, waste, harm or other undesired result and failure to achieve the desired level of performance
- n Advise management and staff on improvements in control and performance



ROLE



- n Assist to a limited degree in addressing problems, improving controls, and effecting change
- n Agree action ..and the way forward



THE BAD OLD DAYS

60 years ago when internal audit was:

- n Financial in nature
- n Compliance-oriented
- n Transactions-based
- n Low level
- n Low profile
- n Poor status
- n Judged by errors and frauds found

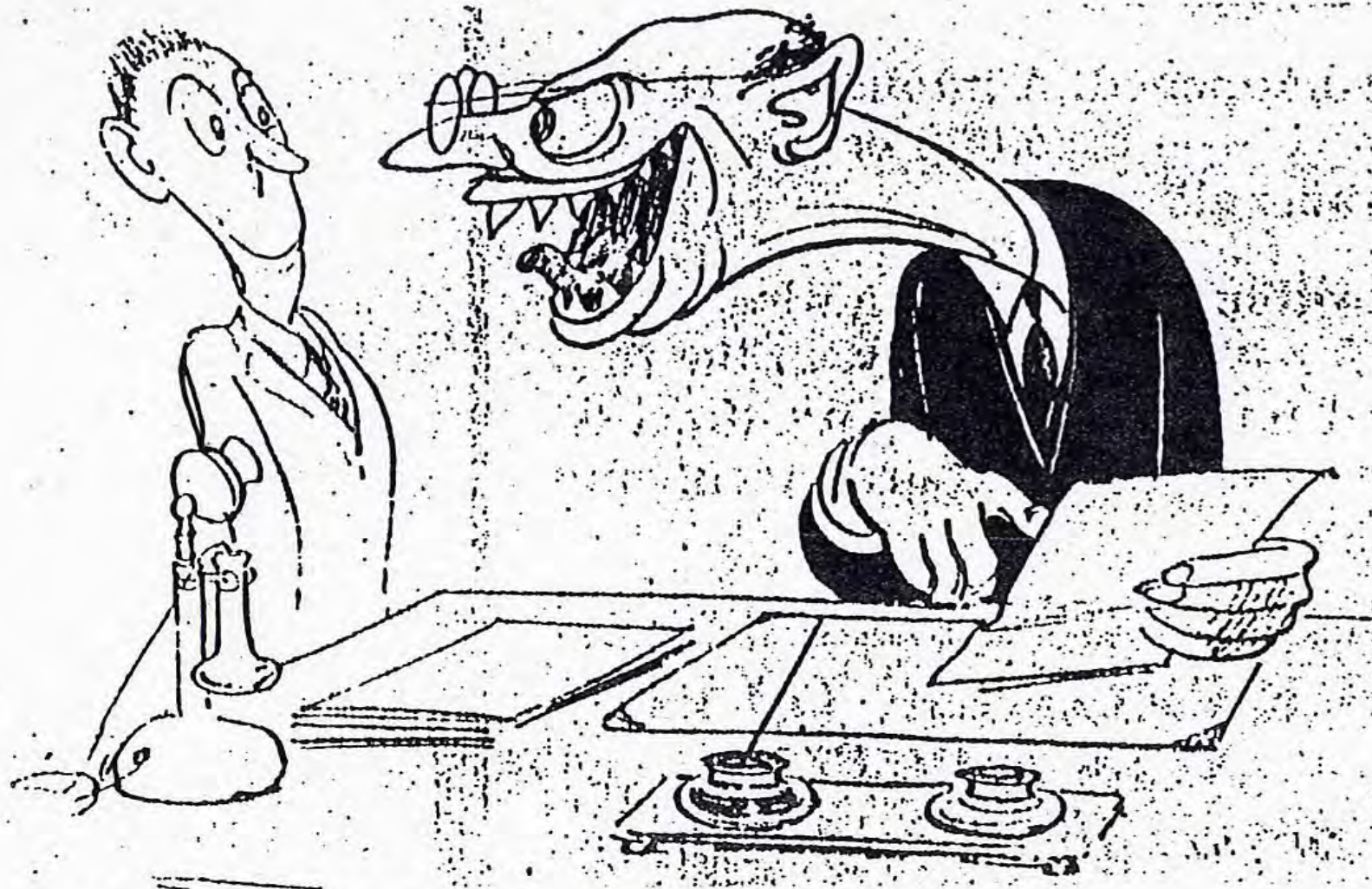


THE GOOD "NEW" DAYS

for the past 30 years:

- n Broad scope
- n Expertise in management control
- n Systems-based
- n High level
- n High profile
- n Professional status
- n Judged by improvements in attitudes, systems, performance and accountability





H.M. Bateman: 'The inspector discovers an error'



RISK MANAGEMENT



- n Part of the internal control framework
- n Not the responsibility of internal audit
- n But many auditors have an active role
- n Don't confuse with risk assessment for audit planning purposes

INTERNAL AND EXTERNAL AUDIT

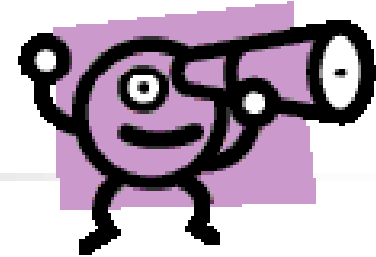


- n Differences in
 - n Status
 - n Role and objectives
 - n Responsibilities and reporting
 - n Nature
 - n Staffing, skills and experience
 - n Approach and techniques

- n Distinctions between private and public sector external audit



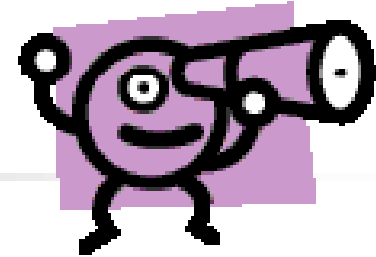
PERCEPTIONS



What words spring to mind if someone mentions “audit”?



PERCEPTIONS



- Image
- Reputation
- (Mis) understanding
- Reactions



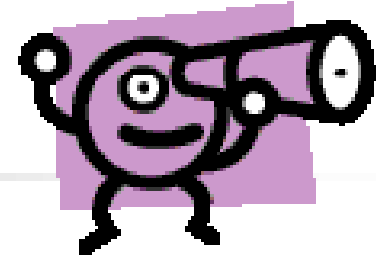
PERCEPTIONS



- n How would you explain to your family or friends what you do?
- n How do they react?



PERCEPTIONS



Are attitudes affected by:

- the connotations of the word
- experiences
- the nature of the work
- past approaches to the traditional tasks
- the way it is performed
- other matters?



FEATURES



- n Independent
- n Objective
- n Appraisal function
- n Evidence-based
- n Comprehensive
- n Multi-disciplinary
- n Continuous
- n Dependable
- n Professional
- n Constructive
- n Persistent
- n Adds obvious value
- n Rewarding



OBJECTIVES



- n Help achieve improvements in performance and accountability through improvements in systems of control, risk management and governance
- n Act as a catalyst for change
- n Provide an independent opinion and impartial advice on current and future control systems
- n Draw attention to significant problems and work constructively with others to help resolve them



SCOPE OF INTERNAL AUDITING

Evaluation of management's controls over:

- n Accomplishment of objectives to desired standards of quality and performance
- n Compliance with relevant laws, regulations, obligations and standards, and internal policies, plans and procedures
- n Reliability, completeness, usefulness.. of financial, operational and management information and the underlying records
- n Regularity of transactions and propriety of conduct
- n Economy and efficiency in the acquisition and use of resources
- n Safeguarding assets and interests against loss and harm of all kinds



APPROACH



- n Systems approach
- n Risk-based
- n Operating to laid down standards
- n **But use of initiative and judgement**
- n Working with others
- n **But maintaining impartial stance**
- n Due care and proper disciplines;
eg working papers, quality control
- n Range of techniques, including use of IT
- n Modern developments, eg control self assessment

RIGHTS, DUTIES, OPPORTUNITIES

n **Rights:** internal authority and professional support



n **Duties:** internal and external requirements, expectations and obligations



n **Opportunities:** to benefit audit and the organisation



THE NEW UK COMBINED CODE ON CORPORATE GOVERNANCE

C. ACCOUNTABILITY AND AUDIT



C.2 INTERNAL CONTROL

Main principle:

“The board should maintain a sound system of internal control to safeguard shareholders’ investment and the company’s assets”



THE NEW UK COMBINED CODE ON CORPORATE GOVERNANCE

Code provision:

“The board should, at least annually, conduct a review of the effectiveness of the group’s system of internal controls and should report to shareholders that they have done so. The review should cover all material controls, including financial, operational and compliance controls and **risk management systems**”

ACCOUNTABILITY, MANAGEMENT AND CONTROL IN GOVERNMENT

- n Need for demonstrably effective systems of governance, risk management and control
- n External drivers
- n Internal drivers
- n Adoption of private sector requirements
- n Annual Statements on Internal Control
- n Other developments,
eg Standards of Conduct



WHY IS THERE A NEED FOR INTERNAL AND FINANCIAL CONTROL?



- n To meet departmental objectives
- n To guard against specific risks
- n To help the ministry to cope with a changing and challenging environment
- n To maximise opportunities
- n To demonstrate accountability
- n To account for the use of external funds, eg from EU, World Bank
- n Other specific control objectives

THE NATURE OF GOVERNMENT AUDITING

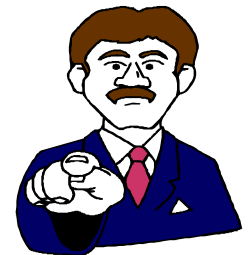


- n **External audit:** to provide independent assessments to external stakeholders, (eg Parliament in UK) of the reliability of financial statements, use of funds, strategic and operational performance, and accountability
- n **Internal Audit:** to provide independent assurance, advice and support to the most senior members of the organisation, eg Accounting Officer (and Audit Committee)



THE PURPOSE OF STANDARDS

- n "Delineate basic principles that represent the practice of internal auditing as it should be
- n Provide a framework for performing and promoting a broad range of value-added internal audit activities
- n Establish the basis for the measurement of internal audit performance
- n Foster improved organisational processes and operations."



IIA Inc.



NEW IIA DEFINITIONS: JANUARY 2004

“Assurance services involve the internal auditor’s objective assessment of evidence to provide an independent opinion or conclusions regarding a process, system or other subject-matter.

The nature and scope of the assurance engagement are determined by the internal auditor.

There are generally three parties involved in assurance services: (1) the person or group directly involved with the process, system or other subject-matter – the process owner; (2) the person or group making the assessment – the internal auditor; and (3) the person or group using the assessment: the user.”



NEW IIA DEFINITIONS

“Consulting services are advisory in nature, and are generally performed at the specific request of an engagement client.

The nature and scope of the consulting engagement are subject to agreement with the engagement client.

Consulting services generally include two parties: (1) the person or group offering the services - the internal auditor, and (2) the person or group seeking and receiving the advice – the engagement client.

When performing consulting services the internal auditor should maintain objectivity and should not assume management responsibility.”



ATTRIBUTE STANDARDS

- n Purpose, authority and responsibility
- n Independence and objectivity
- n Proficiency and due professional care
- n Quality assurance and improvement programme





PERFORMANCE STANDARDS

- n Managing the internal audit activity
- n Nature of work
- n Engagement planning
- n Performing the engagement
- n Communicating results
- n Monitoring progress
- n *Resolution of* management's acceptance of risks





SUMMARY OF IIA STANDARDS

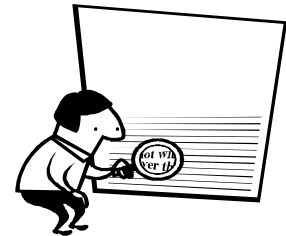
n Look at:

www.theiia.org



THE AUDIT APPROACH, AND ESTABLISHING AN INTERNAL AUDIT FUNCTION

- n Risk-based systems auditing
- n Internal control
- n The basic requirements
- n Introduction to audit management
- n Conditions for effective auditing



THE NATURE OF THE SYSTEMS APPROACH

- n Characteristics
- n Concepts
- n Methodology
- n Techniques
- n Applications





CHARACTERISTICS



n Essential features:

- * holistic: whole, not just parts
- * subjective
- * cuts across organisational boundaries
- * covers whole of system life-cycle
- * uses generic concepts (*"Audit is the art of applying the general to the particular"*)
- * concerned with the system, not just the immediate situation



CHARACTERISTICS

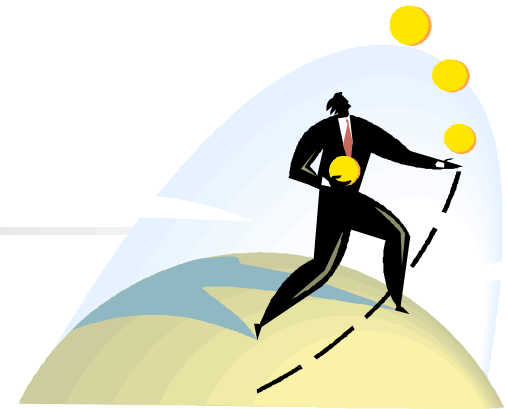


n Essential features:

- * focus is on the controls, not the system itself or its transactions
- * controls are linked to objectives, risks and environment
- * transactions serve as evidence about control
- * testing of controls and results is selective and purposeful



CHARACTERISTICS



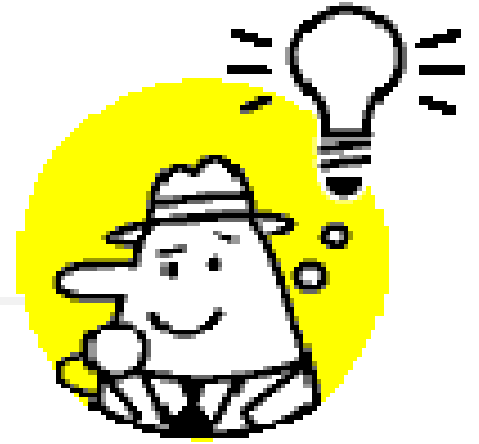
n Essential features:

- * considers cause, not just effect
- * concentrates on the real problem, not just symptoms
- * future-oriented, looking for long-lasting benefits
- * is concerned with control evaluation and improvement
- * top down approach; focus on higher level, management issues





SYSTEM



n Meaning:

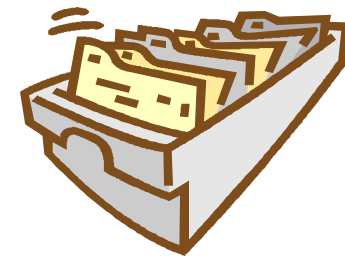
“ A collection of elements and sequence of events that combine to achieve a common objective”



TYPES OF SYSTEMS



- n Strategic: high level
 - * corporate functions
 - * across-the-board activities
 - * policy issues



- n Operational: day-to-day activities
 - financial
 - administrative
 - service provision
 - managerial
 - technical
 - IT etc





OBJECTIVES



- n Main and secondary aims
- n Short and long term objectives
- n From aspirations and goals to strategy, tactics and plans
- n Conflicting objectives
- n Obstacles in the way





Risk Defined

“Any factor that could influence the achievement of business objectives - for better or worse”

A decorative graphic on the left side of the slide, consisting of overlapping yellow, red, and blue squares with a black crosshair.

THE AUDITORS' QUESTIONS

Given the objectives, risks and environment of a system:

Design of Controls:

1. Do controls exist?
2. Are they appropriate?
3. Are they adequate for the task?

ADEQUACY

Control evaluation

Operation of Controls:

4. Are they implemented?
5. Are they complied with?
6. Are they effective?

APPLICATION

Compliance tests

EFFECTIVENESS

Substantive tests

STAGES OF AN AUDIT

- n Plan the assignment
- n Ascertain and record the system
- n Assess the controls
- n Test:
 - * controls
 - * results
- n Evaluate audit findings
- n Report and follow-up



PLANNING THE ASSIGNMENT

- n Deciding objectives, scope, priorities and approach
- n Determining resources: needed and available
- n Familiarisation
- n Project organisation
- n Developing guidance
- n Communication



ASCERTAINING THE SYSTEM

- n Defining and analysing the system
 - n Documenting the system
 - n Confirming the system
-
- * Considering the system “conceptually”
 - * Determining the actual system in question

Fact-finding techniques

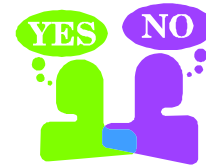




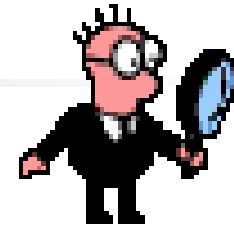
ASSESSING THE SYSTEM

Evaluating the design of controls and the control system

- n Identifying/confirming detailed objectives
- n Analysing specific risks
- n Identifying key controls
- n Evaluating strengths and weaknesses of controls and the control framework
- n Making an initial balanced assessment of the **adequacy** of the control system in principle



TESTING THE OPERATION OF THE CONTROLS



- n Determining the testing strategy
- n Designing and performing compliance tests on the application of the controls
- n Designing and performing substantive tests on the effectiveness of the controls

TESTING THE OPERATION OF THE CONTROLS



- n Designing and performing compliance tests on the application of the controls: are the key control mechanisms working properly: as they should?
- n Designing and performing substantive tests on the effectiveness of the controls: are they working successfully: in achieving their objectives?

EVALUATING FINDINGS



- n Assessing the quality of evidence
- n Sorting and sifting; grouping
- n Considering the significance of individual findings
- n Forming an opinion on the system as a whole: in design and operation
- n Drawing conclusions
- n Formulating recommendations
- n Preparing to report



REPORTING RESULTS



- n Considering how best to report
- n Drafting the formal report
- n Presenting and selling findings
- n Agreeing the Action Plan
- n Helping to achieve change
- n Following up implementation
- n Success!



APPLICATION

**FOR JUDICIAL AND PROSECUTORIAL
OFFICE / OR KOSOVO JUDICIAL COUNCIL**

APPLICANT PERSONAL DISCLOSURE FORM

1. PERSONAL DETAILS OF THE APPLICANT

1.1 Name:
(Given name, Father's name, Family name. Maiden name, if any)

1.2 Date of Birth:.....

1.3 Place of Birth:.....
(Country, Municipality, Town/Village)

1.4 Sex: Male
Female

1.5 National / Ethnic Origin:
Albanian
Serbian
Other (specify)

1.6 Habitual Residency:
Kosovo
Other (specify all)

1.7 Permanent Address:
City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

1.8 Current Address:
City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

1.9 Personal Identification Number
UNMIK ID.....
Passport No.....

1.10 Current Post (Most recent Post if not presently employed)

Name of Employer:.....
 Address of Employer:.....
 Title of Post:.....
 Name of Supervisor:.....
 Date: From:..... To:.....
 Reason for leaving the job:.....

1.11 Second Current Job:

Name of Employer:
 Address of Employer:.....
 Title of Post:.....
 Name of Supervisor:.....
 Date: From:.....To:.....

1.12 Marital Status: Single Married Divorced Widow(er)

1.13 Name and age of children within your household:

Name	Age	Relationship	Name	Age	Relationship

1.14 Languages: describe proficiency below, by ticking the appropriate box. Please start with your mother tongue.

Language	Speaking			Reading			Writing		
	Very Good	Good	Fair	Very Good	Good	Fair	Very Good	Good	Fair

1.15. List periods of residence away from home country, excluding holiday trips.

Country	Reason	Dates (From - To)

2. PERSONAL DETAILS OF THE FATHER OF THE APPLICANT

2.1 Name:
(Given name, Father's name, Family name. Maiden name, if any)

2.2 Date of Birth:.....

2.3 Place of Birth:.....
(Country, Municipality, Town/Village)

2.4 National / Ethnic Origin:
Albanian
Serbian
Other (specify)

2.5 Habitual Residency:
Kosovo
Other (specify all)

2.6 Permanent Address:
City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

2.7 Current Address:
City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

2.8 Personal Identification Number
UNMIK ID.....
Passport No.....

2.9 Current Post (Most recent Post if not presently employed)
Name of Employer:
Address of Employer:
Title of Post:
Name of Supervisor:
Date: From: To:.....

2.10. List periods of residence away from home country, excluding holiday trips.		
Country	Reason	Dates (From - To)

3. PERSONAL DETAILS OF THE MOTHER OF THE APPLICANT

3.1 Name:
(Given name, Father's name, Family name. Maiden name, if any)

3.2 Date of Birth:.....

3.3 Place of Birth:.....
(Country, Municipality, Town/Village)

3.4 National / Ethnic Origin:.....
Albanian
Serbian
Other (specify)

3.5 Habitual Residency:
Kosovo
Other (specify all)

3.6 Permanent Address:
City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

3.7 Current Address:
City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

3.8 Personal Identification Number
UNMIK ID.....
Passport No.....

3.9 Current Post (Most recent Post if not presently employed)

Name of Employer:
Address of Employer:
Title of Post:
Name of Supervisor:
Date: From: To:.....

3.10. List periods of residence away from home country, excluding holiday trips.		
Country	Reason	Dates (From - To)

4. PERSONAL DETAILS OF THE BROTHERS / SISTERS OF THE APPLICANT

4.1 Name:
(Given name, Father's name, Family name. Maiden name, if any)

4.2 Date of Birth:.....

4.3 Place of Birth:.....
(Country, Municipality, Town/Village)

4.4 National / Ethnic Origin:
Albanian
Serbian
Other (specify)

4.5 Habitual Residency: Kosovo
Other (specify all)

4.6 Permanent Address:
City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

4.7 Current Address:
City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

4.8 Personal Identification Number
UNMIK ID.....
Passport No.....

4.9 Current Post (Most recent Post if not presently employed)
Name of Employer:
Address of Employer:
Title of Post:
Name of Supervisor:
Date: From: To:.....

4.10. List periods of residence away from home country, excluding holiday trips.		
Country	Reason	Dates (From - To)

5. PERSONAL DETAILS OF THE WIFE / HUSBAND OR THE PERSON THE APPLICANT LIVES WITH

5.1 Name:
(Given name, Father's name, Family name. Maiden name, if any)

5.2 Date of Birth:.....

5.3 Place of Birth:.....
(Country, Municipality, Town/Village)

5.4 National / Ethnic Origin:

Albanian
Serbian
Other (specify)

5.5 Habitual Residency:

Kosovo
Other (specify all)

5.6 Permanent Address:

City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

5.7 Current Address:

City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

5.8 Personal Identification Number

UNMIK ID.....
Passport No.....

5.9 Current Post (Most recent Post if not presently employed)

Name of Employer:
Address of Employer:
Title of Post:
Name of Supervisor:
Date: From: To:.....

5.10. List periods of residence away from home country, excluding holiday trips.		
Country	Reason	Dates (From - To)

6. PERSONAL DETAILS OF APPLICANT'S CHILDREN OLDER THAN 14 YEARS

6.1 Name:
(Given name, Father's name, Family name. Maiden name, if any)

6.2 Date of Birth:.....

6.3 Place of Birth:.....
(Country, Municipality, Town/Village)

6.4 National / Ethnic Origin:.....
Albanian
Serbian
Other (specify)

6.5 Habitual Residency:
Kosovo
Other (specify all)

6.6 Permanent Address:
City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

6.7 Current Address:
City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

6.8 Personal Identification Number
UNMIK ID.....
Passport No.....

6.9 Current Post (Most recent Post if not presently employed)
Name of Employer:
Address of Employer:
Title of Post:
Name of Supervisor:
Date: From: To:.....

6.10. List periods of residence away from home country, excluding holiday trips.		
Country	Reason	Dates (From - To)

7. ADDITIONAL DETAILS OF FAMILY / RELATIVES

Please give details of any member of your family or relatives to the second degree who works or has worked in any court, prosecutor's office or private attorney's office within Kosovo.

Name	Relationship	Title of Post	Date Job Started	Date Job Ended

8. EDUCATION

8.1. University or equivalent

(Copy of the Diploma must be attached)

Name, Place and Country	Attended From / To	Degrees and Academic Distinctions Obtained	Degrees and Academic Distinctions Obtained

8.2. Schools or other formal training from age 14:

Name, Place and Country	Type	Years Attended	Certificates or Diplomas obtained

9. PROFESSIONAL QUALIFICATIONS

9.1 Bar Examination

Authority Awarding Bar Examination Certificate	Date of Bar Examination	Results

9.2 Professional Examination

Authority Awarding Professional Examination Certificate	Date of Professional Examination	Results

9.3 Professional Training / Seminars

Date	Training /Seminar	Organizer of Training / Seminar

10. PROFESSIONAL EXPERIENCE

10.1 Appointments to Judicial, Prosecutorial and Ministerial Office:

List all judicial prosecutorial and ministerial appointments, which you have held in reverse chronological order, starting with the most recent post which you have held.

Title of Post	Date of Appointment	Appointing Authority	Date of Termination of Appointment	Reason for Termination

10.2 Judicial, Prosecutorial or Other Legal Activity

Have you ever participated as a judge, prosecutor or a defense counsel in criminal investigations, court cases or military proceedings involving civilians or soldiers?

Yes.....

No.....

If “Yes” please provide the following information:

Name of Court, Prosecutor’s Office or Other Agency:		Title of Your Post	
Address:		Name and Contact Details of Supervisor:	
Appointing Authority:	Date of Appointment:	Date of Termination:	
Description of Your Duties:			
Name of Court, Prosecutor’s Office or Other Agency:		Title of Your Post	

Address:		Name and Contact Details of Supervisor:	
Appointing Authority:	Date of Appointment:	Date of Termination:	
Description of Your Duties:			

Name of Court, Prosecutor's Office or Other Agency:		Title of Your Post	
Address:		Name and Contact Details of Supervisor:	
Appointing Authority:	Date of Appointment:	Date of Termination:	
Description of Your Duties:			

Name of Court, Prosecutor's Office or Other Agency:		Title of Your Post	
Address:		Name and Contact Details of Supervisor:	
Appointing Authority:	Date of Appointment:	Date of Termination:	
Description of Your Duties:			

10.3 Government Service or Compulsory Work Obligation

Have you ever performed government service, quasi-government service (e.g. for temporary or interim governing organs or public bodies), or compulsory work obligation?

Yes.....

No.....

If “Yes”, provide the following information:

Name of Organ or Organization:	Title of Post:	Name and Contact Details of Supervisor	Period From / To
Description of your activities during the period of Service:			

Name of Organ or Organization:	Title of Post:	Name and Contact Details of Supervisor	Period From / To
Description of your activities during the period of Service:			

Name of Organ or Organization:	Title of Post:	Name and Contact Details of Supervisor	Period From / To
Description of your activities during the period of Service:			

10.4 Employment Record

Start with your current or most recent position and list all positions in reverse chronological order. You should also include details of all judicial, prosecutorial and ministerial positions set out in section 9.1. (Attach additional sheets if necessary)

Name of Employer		Address and Tel No of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

Name of Employer		Address and Tel No of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

Name of Employer		Address and Tel No of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

Name of Employer		Address and Tel No of Employer of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

Name of Employer		Address and Tel No of Employer Address of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

Name of Employer		Address and Tel No of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

Name of Employer		Address and Tel No of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

Name of Employer		Address and Tel No of Employer	
Date: From	To	Title of Post	Name of Supervisor & Contact Details
Reason for Leaving:			
Description of your Duties:			

11. PUBLICATIONS AND LECTURES

Title of Publication / Lecture:
Name of Journal, etc., in which publication was made (or where lecture was delivered)
Date of Publication / Lecture:
Brief Summary of Publication / Lecture: (attach copy)

Title of Publication / Lecture:
Name of Journal, etc., in which publication was made (or where lecture was delivered)
Date of Publication / Lecture:
Brief Summary of Publication / Lecture: (attach copy)

Title of Publication / Lecture:
Name of Journal, etc., in which publication was made (or where lecture was delivered)

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Title of Publication / Lecture:
Name of Journal, etc., in which publication was made (or where lecture was delivered)
Date of Publication / Lecture:
Brief Summary of Publication / Lecture: (attach copy)

12. MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

Name of Organization		
Date of Joining the Organization	Date of Termination of Membership	Reason for Termination of Membership
Details of any position held in the Organization:		

Name of Organization		
Date of Joining the Organization	Date of Termination of Membership	Reason for Termination of Membership
Details of any position held in the Organization:		

Name of Organization		
Date of Joining the Organization	Date of Termination of Membership	Reason for Termination of Membership
Details of any position held in the Organization:		

Name of Organization		
Date of Joining the Organization	Date of Termination of Membership	Reason for Termination of Membership
Details of any position held in the Organization:		

13. DETAILS OF CRIMINAL CONVICTIONS

HAVE YOU EVER BEEN ARRESTED INDICTED OR SUMMONED INTO COURT AS A DEFENDANT IN A CRIMINAL PROCEEDING, OR CONFINED OR IMPRISONED FOR THE VIOLATION OF ANY LAW (excluding minor traffic violations)

YES
NO.....

If “YES” give full particulars in an attached statement and submit copies of any court decisions.

14. DETAILS OF PROFESSIONAL DISCIPLINARY PROCEEDINGS

HAVE YOU EVER BEEN UNDER INVESTIGATION OR SANCTIONED FOR VIOLATION OF PROFESSIONAL OR DISCIPLINARY CODE OF CONDUCT?

YES.....
NO.....

Please supply full details of any professional disciplinary proceedings ever initiated against you, including the body conducting the proceedings and details of their disposition, including any sanction or other measure imposed.

(Attach copies of any documentation relevant to such proceedings, including copies of decisions of the relevant authority.)

15. HEALTH

15.1 Please give details of any medical condition which may affect your ability to carry out judicial or prosecutorial duties.

The following additional questions about the candidate's family members only relate to an assessment of the security risk of the candidate, and not to the candidate's competence.

15.2 Have you or any member of your family ever been treated for any mental disorder?

YES...
NO.....

Please specify.

15.3 Have you or any member of your family ever been on drugs or other controlled substances?

YES.....
NO.....

Please specify.

15.3 Do you or any member of your family have history of alcohol abuse?

YES.....
NO.....

Please specify.

16. MILITARY SERVICE

Have you ever served in a military or paramilitary organization or comparable unit?

Yes.....

No.....

If “Yes” provide the following information for all types of military or comparable service.

Name and number of the organization or unit	Your Rank	Date of Service From / to
Description of your activities during the period of service:		

Name and number of the organization or unit	Your Rank	Date of Service From / to
Description of your activities during the period of service:		

17. POLITICAL PARTIES AND OTHER ORGANIZATIONS

Have you been a member of or performed duties in political party organs or associations or foundations connected to political?

Yes.....

No.....

If “Yes” provide the following information:

Name of Political Party, Foundation or Association	Title of Position	Membership		Reason for leaving
		From	To	

PROPERTY LAW COMPLIANCE DISCLOSURE FORM

1. Residence.

1.1 Permanent Residence

1.1.1 Residence Type:

- House.....
- Apartment.....
- Other (specify).....

1.1.2 Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.1.3 What is the legal basis for your occupancy of the permanent residence?

- Private Ownership (attach a copy of land registry reference)
- Rental Agreement (attach a copy of the rental contract)
- Other Legal Basis (attach legal instrument on occupancy right use)
- No Legal Basis

1.1.4 Did any prior occupant or other person initiate any proceedings before any competent judicial or administrative authority to regain possession of the residence?

Yes.....

No.....

If “Yes”, please provide the following information:

- Name of Person initiating proceeding:
.....
- Name of Adjudicating Authority:
.....
- Case Number

What is the case status?

- Completed case (attach final decision)
- Claim Withdrawn
- Pending Case (summarize status below)

1.2 Current Residence

1.2.1 Residence Type:

- House.....
- Apartment.....
- Other (specify)

1.2.2 Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.2.3 What is the legal basis for your occupancy of the current residence?

- Private Ownership (attach a copy of land registry reference)
- Rental Agreement (attach a copy of the rental contract)
- Other Legal Basis (attach legal instrument on occupancy right use)
- No Legal Basis

1.2.4 Did any prior occupant or other person initiate any proceedings before any competent judicial or administrative authority to regain possession of the residence?

Yes.....

No.....

If “Yes”, please provide the following information:

- Name of Person initiating proceeding:
.....
- Name of Adjudicating Authority:
.....
- Case Number

What is the case status?

- Completed case (attach final decision)
- Claim Withdrawn
- Pending Case (summarize status below)

1.3 Second Current Residence

1.3.1 Residence Type:

- House.....
- Apartment.....
- Other (specify)

1.2.2 Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.2.5 What is the legal basis for your occupancy of the current residence?

- Private Ownership (attach a copy of land registry reference)
- Rental Agreement (attach a copy of the rental contract)
- Other Legal Basis (attach legal instrument on occupancy right use)
- No Legal Basis

1.2.6 Did any prior occupant or other person initiate any proceedings before any competent judicial or administrative authority to regain possession of the residence?

Yes.....

No.....

If “Yes”, please provide the following information:

- Name of Person initiating proceeding:
.....
- Name of Adjudicating Authority:
.....
- Case Number

What is the case status?

- Completed case (attach final decision)
- Claim Withdrawn
- Pending Case (summarize status below)

1.3 Previous residences:

You must provide information below in respect of each and every address at which you resided for a period longer than one month during the past five years. Start with the

property where you resided as of March 1999 and provide complete property information for all residences thereafter. Full details regarding the property where you currently reside should be given at Section 1.2 and 1.3 above.

(If necessary attach additional sheets in respect of each additional address at which you resided)

1.3.1 First Residence

Date residence commenced: Day:..... Month:.....Year:.....

Date residence ceased: Day:..... Month:.....Year:.....

1.3.1.1 Residence Type:

- House.....
- Apartment.....
- Other (specify)

1.3.1.2 Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.3.1.3 Allocation Right Holder:.....

1.3.1.4 What is the legal basis for your occupancy of the residence?

- Private Ownership (*attach a copy of land registry reference*)
- Rental Agreement (*attach a copy of the rental contract*)
- Other Legal Basis (*attach legal instrument on occupancy right use*)
- Permanent Occupancy Right (*attach decision of allocation right holder and contract on use*)
- Temporary Occupancy Right (*attach decision of allocation right holder and contract on use*)
- Expired Temporary Occupancy Right (*attach decision of allocation right holder and contract on use and decision concealing occupancy right*)
- No Legal Basis

1.3.1.5 Vacation of Property:

A: Why did you vacate the Property?

- Temporary Occupancy Right Expired
- Voluntary Vacation of Property to enable pre-war occupant to regain possession

- Pre-war occupant obtained decision from competent authority / court ordering repossession
- HPD Decision confirmed legal occupancy / ownership of pre-war occupant
- Forcible eviction pursuant to lawful order
- Other (*specify*)

B: Did you vacate the property within the legal deadline pursuant to e decision issued by a competent authority?

Yes.....

No.....

Date of legal deadline to vacate (attach copy of relevant decision)

If the answer is “No”, explain why.

1.3.2 Second Residence

Date residence commenced: Day:..... Month:.....Year:.....

Date residence ceased: Day:..... Month:.....Year:.....

1.3.2.1 Residence Type:

- House.....
- Apartment.....
- Other (*specify*)

1.3.2.2 Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.3.2.3 Allocation Right Holder:.....

1.3.2.4 What is the legal basis for your occupancy of the residence?

- Private Ownership (*attach a copy of land registry reference*)
- Rental Agreement (*attach a copy of the rental contract*)
- Other Legal Basis (*attach legal instrument on occupancy right use*)
- Permanent Occupancy Right (*attach decision of allocation right holder and contract on use*)
- Temporary Occupancy Right (*attach decision of allocation right holder and contract on use*)

- Expired Temporary Occupancy Right (*attach decision of allocation right holder and contract on use and decision concealing occupancy right*)
- No Legal Basis

1.3.2.5 Vacation of Property:

A: Why did you vacate the Property?

- Temporary Occupancy Right Expired
- Voluntary Vacation of Property to enable pre-war occupant to regain possession
- Pre-war occupant obtained decision from competent authority / court ordering repossession
- HPD Decision confirmed legal occupancy / ownership of pre-war occupant
- Forcible eviction pursuant to lawful order
- Other (*specify*)

B: Did you vacate the property within the legal deadline pursuant to e decision issued by a competent authority?

Yes.....

No.....

Date of legal deadline to vacate (attach copy of relevant decision)

If the answer is “No”, explain why.

2. Construction and Renovation

2.1 Within the past six years, has construction or renovation been started or completed on any apartment, house or building where you have resided or now reside?

Yes.....

No.....

2.2 If “Yes”, please list all such construction or renovation projects.

2.2.1 For each construction and / or renovation projects listed in section 2.2. , please list each of the construction permits supplied by the municipality concerned (*attach copies*)

2.2.2 If you answered “Yes” to section 2.1, but you are unable you are unable to produce the required permits for each such construction or renovation, please, provide complete explanations for these circumstances.

2. PERSONAL INCOME

2.1

INCOME (current year (ie. 2005))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

All Individual Sources of Income

(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)

Amount

(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)

**Type of Work
or
Reason for Income Receipt**

2.2**INCOME (1 year prior to current year (ie. 2004))**

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

2.3**INCOME (2 years prior to current year (ie. 2003))**

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

All Individual Sources of Income

(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)

Amount

(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)

**Type of Work
or
Reason for Income Receipt**

2.4

INCOME (3 years prior to current year (ie. 2002))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

All Individual Sources of Income (including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)	Amount (for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)	Type of Work or Reason for Income Receipt

2.5

INCOME (4 years prior to current year (ie. 2001))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children..

All Individual Sources of Income (including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)	Amount (for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)	Type of Work or Reason for Income Receipt

2.6

INCOME (5 years prior to current year (ie. 2000))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

All Individual Sources of Income (including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)	Amount (for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)	Type of Work or Reason for Income Receipt

3. ASSETS

3.1. Personal Assets

Please itemize your assets, including real estate property, bank accounts and shares. Assets with a value less than 1,000 Euro need not be itemized.

Type of Asset	Value

3.2 Family Assets

Family Member	Type of Asset	Value

4. LIABILITIES

4.1 Personal Liabilities

Please give details of all your liabilities. You should also state to whom you are liable. State the value of the liability to the nearest 1000 Euro. Liabilities with a value less than 1000 Euro need not be itemized.

Description of Liability	Amount of Liability	To whom Liability is Due

--	--	--

4.2 Family Members' Liabilities

Family Member	Description of Liability	Amount of Liability	To whom Liability is Due

5. Estimated Total Worth.

Estimate your total personal worth (*to the nearest 1000 Euro*).....

If the figure does not correspond to that of your assets minus your liabilities, explain why.

--

6. PUBLIC OR PRIVATE COMPANY ACTIVITY

6.1 Have you, your spouse, children within your household been a founding member of a private company or other legal body?

Yes.....

No.....

If "Yes", provide the following information for you family members, including yourself, if applicable:

Family member	Relationship	Name of Company or Legal Body	Date of Foundation

6.2 Have you, your spouse, children within your household been an executive or supervisory board of public or private companies or other legal bodies?

Yes.....

No.....

If “Yes”, provide the following information for you family members, including yourself, if applicable:

Family Member	Relationship	Name of Company or Legal Body	Title of Post	Date of Appointment	Date of Termination

6.3 Do you manage, administer or otherwise deal with the assets or property of any person or entity?

Yes.....

No.....

If “Yes”, provide the following information for each such responsibility.

Name of Recipient (Person / Entity)	Relationship	Property or Asset	Value of Property or Asset

7. References: List three persons not related to you by blood or marriage, who are familiar with your character and qualifications. Do not repeat supervisor(s) given in item 10.4.

Name	Full address	Telephone	Profession/Relationship

DECLARATION

I hereby certify that the information provided in this form, and documents submitted as a part thereof, are true, complete and accurate. I understand that I have a continuing duty to correct any inaccurate information and to supply any further information which comes to my attention after the date of submission of this form and which is relevant to my application. I further understand that if it is discovered that any of the information which I have provided is not true or is misleading in any material respect, I may be excluded from consideration for nomination to the position(s) for which I have applied, that if I am appointed to judicial or prosecutorial office such appointment may be terminated on this basis, and that I may be subject to civil and/or criminal sanctions.

Specifically:

1. I authorize the SRSG , the Kosovo Judicial Council, and competent authorities acting on behalf of the SRSG and the Kosovo Judicial Council, to obtain and examine my personnel files from past employers.
2. I authorize the SRSG , the Kosovo Judicial Council, and competent authorities acting on behalf of the SRSG and the Kosovo Judicial Council, to obtain information, records and documents regarding me from any disciplinary body, any law enforcement agency, any bar association, any occupational licensing board, any educational institution, and any financial institutions.
3. I further authorize these institutions, organizations, and individuals, and any other institutions, organizations and individuals to make available to the competent authorities all confidential and non-confidential documents, records and information concerning me that may be requested.
4. I understand that by my signature below, and the submission of this application, I agree to allow the SRSG, the Kosovo Judicial Council, and all competent authorities acting on behalf of SRSG and the Kosovo Judicial Council, to investigate my financial affairs, including personal assets and liabilities, and any past criminal activity.
5. Any and all information obtained by the SRSG, the Kosovo Judicial Council, and any competent authorities acting on behalf of the SRSG and the Kosovo Judicial Council, will remain confidential and will only be used by the SRSG or the Kosovo Judicial Council for the purpose of considering my application for this position.

Signature:

Date:

Place:

Number of Additional Sheets Attached: _____

LEXO ME VËMENDJE :

Aplikimi i juaj për këtë detyrë është çështje plotësimi të përfundimtar të biografisë që përbëhet nga të dhënat: personale, familjare, financiare, penale dhe të punësimit.

Çfarëdo deklaratimi i gabuar i fakteve, ose lënie jashtë (heqje) e të dhënave të kërkuara thelbësore në këtë pyetësor, do të paraqet bazë për diskualifikimin tuaj e punësimit në këtë gjyqësi. Të gjitha përgjigjet e dhëna nga ju do të mbahen (trajtohen) në fshhtësi.

NË RAST SE NUK JENI PËRGJIGJUR NË TË GJITHA PYETJET E PARASHTRUARA NË KËTË PYETËSOR, ATËHERË NUK DO TË INTERVISTOHENI, KËSHTU QË KJO DO TË REZULTOJË ME DISKUALIFIKIMIN TUAJ NGA PROCEDURA ZGJEDHORE.

NËSE JEPNI INFORMATA TË RREME NË KËTË PYETËSORE JU DO TË NËNSHTROHENI DISKUALIFIKIMIT NGA PROCEDURA E PËR ZGJEDHJESH SI DHE PËR NDJEKJES PENALE.

Udhëzime për plotësimin e këtij pyetësi

1. Shtyp(makin e shkrimi ose kompjuter) dhe shkruaj me gërma shtypi dhe me ngjyrë të kaltërt.

2. Përgjigju secilës pyetje. Nëse informacioni nuk është i aplikueshëm, atëherë shëno në hapësirën e zbrazët: n/a (jo i aplikueshëm).

3. Plotësisht përgjigju në të gjitha pyetjeve.

4. Nëse nuk ka hapësirë të mjaftueshme për përgjigjet tuaja, BASHKANGJITË FLETA SHITESË me referenca të duhura të numrit të pyetjës (pyetjeve).

5. Lutemi të përdorni kopjet e bashkëngjitura të faqeve 8 dhe 9 të kopjes 4 dhe faqet 12 dhe 13 të pjesës 6 të Pyetësit, nëse ka nevojë. Nëse ju duhen më shumë kopje, ju lutem na njoftoni ose lirisht bëni kopje të fletëve të dhëna.

6. DEKLARATA E BASHKËNGJITUR mund të jetë e shkruar me dorë ose e shtypur dhe duhet ta ketë NËNSHKRIMIN ORIGJINAL

PROČITAJ PAŽLJIVO

Vaša prijava za tu dužnost je pitanje konačnog popunjavanja biografije, koju čine sledeći podaci: lični, porodični, finansijski, krivični i podaci o zapošljavanju.

Davanje bilo kakvih pogrešnih podataka, ili izostavljanje zahtevanih suštinskih podataka u ovom upitniku, predstavljaće osnovu za vašu diskvalifikaciju u vezi sa mogućnošću zapošljavanja u pravosudju. Svi odgovori koje budete dali smatraće se i biće sačuvani u tajnosti.

UKOLIKO NISTE ODGOVORILI NA SVA POSTAVLJENA PITANJA U OVOM UPITNIKU, NEĆETE BITI POZVANI NA RAZGOVOR, TAKO DA ĆE TO REZULTIRATI VAŠOM DISKVALIFIKACIJOM IZ IZBORNOG POSTUPKA.

UKOLIKO DATE POGREŠNE PODATKE U OVOM UPITNIKU, BIĆETE DISKVALIFIKOVANI IZ IZBORNE PROCEDURE, UZ MOGUĆNOST KRIVIČNOG GONJENJA.

Uputstvo za popunjavanje ovog Uptnika

1. Štampaj (na mašini za kucanje ili kompjuteru) ili piši štampanim slovima u plavoj boji.
2. Odgovori na sva pitanja. Ukoliko informacija nije primenjiva naznači u praznom prostoru **n/p** (nije primenjiva).
3. Odgovori na sva pitanja u potpunosti.
4. Ukoliko nema dovoljno prostora za vaš odgovor **KORISTI DODATNE STRANICE PAPIRA** i naznačite brojeve pitanja.
5. Molimo vas da, ukoliko je potrebno, koristite priložene kopije stranica 8 i 9 sekcije 4 i stranice 12 i 13 sekcije 6 Upitnika. Ukoliko vam budu trebale dodatne stranice molimo vas da nam se obratite ili napravite kopije stranica koje smo vam dostavili.
6. **PRILOŽENA IZJAVA** može biti napisana ručno ili odštampana i mora imati **ORIGINALAN POTPIS.**

READ CAREFULLY:

Your application for this assignment is subject to a complete background review consisting of family, personal, financial, criminal, and employment history.

Any misstatement of fact, or omission of material information requested in this questionnaire will be ground to disqualify you from employment with the judicial system. All responses made by you will be held in the strictest confidence.

IF YOU HAVE NOT ANSWERED ALL OF THE QUESTIONS CONTAINED IN THIS QUESTIONNAIRE YOU WILL NOT BE INTERVIEWED, WHICH WILL RESULT IN DISQUALIFICATION FORM THE SELECTION PROCEDURE.

IF YOU PROVIDE FALSE INFORMATION IN THIS QUESTIONARIE, YOU WILL SUBJECT YOURSELF TO DISQUALIFICATION FROM THE SELECTION PROCEDURE, AS WELL AS POTENTIAL CRIMINAL PROSECUTION.

Instructions for Completion of this Questionnaire

1. Type or print all answers in blue ink.
2. Answer every question. If information does not apply, indicate n/a in the blank space.
3. 3Answer all questions completely.
4. If there is insufficient space for your answers, ATTACH ADDITIONAL SHEETS with appropriate references to the question numbers.
5. Please use attached copies of the pages 8 and 9 of part 4 and pages 12 and 13 of part 6 of the Questionnaire, if needed. If you would require more copies let us know or feel free to make copies of already provided pages.
6. ATTACHED STATEMENTS can be hand written or typed, and must have ORIGINAL SIGNATURE.

APLIKACIONI

**PËR GJYQËSI DHE ZYRA TË
PROKURORIVE/OSE KËSHILLIN GJYQËSOR
TË KOSOVËS**

PRIJAVA

**ZA SUDSKE I TUŽILAÇKE FUNKCIJE / ILI
SUDSKO VEÇE KOSOVA**

APPLICATION

**FOR JUDICIAL AND PROSECUTORIAL
OFFICE / OR KOSOVO JUDICIAL COUNCIL**

FORMULARI MBI TË DHËNA PERSONALE TË KANDIDATIT

LIČNI PODACI KANDIDATA
APPLICANT PERSONAL DISCLOSURE FORM

1

TË DHËNA PERSONALE TË KANDIDATIT
LIČNI PODACI KANDIDATA
PERSONAL DETAILS OF THE APPLICANT

- 1.1 Emri:**
(Emri, Emri i babait, Mbiemri, Mbiemri i vajzërisë, nëse ka)
Ime:
(Ime, ime oca, prezime. Devojačko prezime, ako postoji)
Name:
(Given name, Father's name, Family name. Maiden name, if any)
- 1.2 Vendi i Lindjes:**.....
(Shteti, Komuna, Qyteti/fshati)
Mesto rodenja:.....
(Država, opština, grad/selo)
Place of Birth:.....
(Country, Municipality, Town/Village)
- 1.3 Gjinia:** Mashkull.....
Femër.....
- Pol:** Muški.....
Ženski.....
- Sex:** Male.....
Female.....
- 1.4 Nacionaliteti/përkatësia etnike:**
Shqiptar.....
Serb.....
Të tjerë (specifiko).....
- Nacionalnost:**
Albanska.....
Srpska.....
Druga (navesti).....
- National / Ethnic Origin:**
Albanian.....

Serbian.....
Other (specify).....

1.5 Vendbanimi:

Kosovë.....
Tjetër (specifiko të gjitha)

Uobičajeno boravište:

Kosovo.....
Drugo (navesti sve).....

Habitual Residency:

Kosovo.....
Other (specify all).....

1.6 Adresa e përhershme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Nr. i telefonit të shtëpisë:.....

Stalna adresa:

Grad:.....
Ulica:.....
Sprat i broj stana:.....
Kuçni telefonski broj:.....

Permanent Address:

City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

1.7 Adresa e tanishme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Numri i telefonit të shtëpisë
E-mail adresa

Sadašnjja adresa:

Grad:.....
Ulica:.....
Sprat i broj stana
Broj telefona.....
E-mail adresa.....

Current Address:

City:.....

Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

1.8 Numri personal i identifikimit

Letërnjoftimi i UNMIK-ut
Nr. i Pasaportës

Liçni brojevi

Broj UNMIK-ove liçne karte.....
Broj pasoša.....

Personal Identification Number

UNMIK ID.....
Passport No.....

1.9 Vendi i tanishëm i punës (nëse tani nuk është në marrëdhënie pune, punësimi i fundit)

Emri i punëdhënësit:.....
Adresa e Punëdhënësit:.....
Titulli i vendit të punës:.....
Emri i mbikëqyrësit:.....
Data: Nga:..... Deri më:.....
Arsyeja e ndërprerjes së marrëdhënies së punës:.....

Sadaşnje radno mesto (ako trenutno ne radite, poslednje radno mesto)

Ime poslodavca:.....
Adresa poslodavca:.....
Naziv radnog mesta:.....
Ime nadređenog:.....
Datum: Od:..... Do:.....
Razlog napuštanja radnog mesta:.....

Current Post (Most recent Post if not presently employed)

Name of Employer:.....
Address of Employer:.....
Title of Post:.....
Name of Supervisor:.....
Date: From:..... To:.....
Reason for leaving the job:.....

1.10 Vendi i dytë i tanishëm i punës:

Emri i punëdhënësit:.....
Adresa e Punëdhënësit:.....
Titulli i vendit të punës:.....
Emri i mbikëqyrësit:.....
Data: Nga:..... Deri më:.....

Pretposlednje radno mesto:

Ime poslodavca:
 Adresa poslodavca:.....
 Naziv radnog mesta:.....
 Ime nadređenog:.....
 Datum: Od:.....Do:.....

Second Current Job:

Name of Employer:.....
 Address of Employer:.....
 Title of Post:.....
 Name of Supervisor:.....
 Date: From:.....To:.....

1.11 Gjendja martesore: Beqar/e I/e martuar I/e shkurorëzuar i/e ve

Bračno stanje: Neoženjen/Neudata Oženjen/Udata Razveden/a Udovac/udovica

Marital Status: Single Married Divorced Widow(er)

1.12 Emri dhe mosha e fëmijës/ve në shtëpinë tuaj:

Ime i starost dece u Vašëm domaćinstvu:

Name and age of children within your household:

Emri Ime Name	Mosha Starost Age	Lidhja familjare Rodbinska veza Relationship	Emri Ime Name	Mosha Starost Age	Lidhja familjare Rodbinska veza

1.13 Njohja e gjuhëve; përshkruani aftësitë më poshtë, duke plotësuar kutinë e duhur. Ju lutemi filloni me gjuhën tuaj amtare.

Jezici: opishihte kako se njima služite tako da označite odgovarajući deo. Molimo da počnete sa maternjim jezikom.

Languages: describe proficiency below, by ticking the appropriate box. Please start with your mother tongue.

Gjuha Jezik Language	Të folurit Govor Speaking			Të lexuarit Çitanje Reading			Të shkruarit Pismo Writing		
	Shumë Mirë Veoma Dobro Very Good	Mirë Dobro Good	Mjaftus hëm Srednje Fair	Shumë mire Veoma Dobro Very Good	Mirë Dobr o Good	Mjaftu shem Srednj e Fair	Shumë Mirë Veoma Dobro Very Good	Mirë Dobro Good	Mjaftu shëm Srednj e Fair

15. Njohja e gjuhëve; përshkruani aftësitë më poshtë, duke plotësuar kutinë e duhur. Ju lutemi filloni me gjuhën tuaj amtare.

Navedite periode boravka van svoje države, ne uključujući putovanja tokom odmora.

List periods of residence away from home country, excluding holiday trips.

Shteti Država Country	Arsyeja Razlog Reason	Datat (Nga – Deri më) Datumi (Od- Do) Dates (From - To)

TË DHËNA PERSONALE PËR BABAIN E KANDIDATIT
LIÇNI DETALJI OCA KANDIDATA
PERSONAL DETAILS OF THE FATHER OF THE APPLICANT

2.9 Emri:
(Emri, Emri i babait, Mbiemri)

Ime :
(Ime, ime oca, prezime.)

Name:
(Given name, Father's name, Family name. Maiden name, if any)

2.10 Data e lindjes:.....

Datum rodenja:.....

Date of Birth:.....

2.11 Vendi i Lindjes:.....

(Shteti, Komuna, Qyteti/fshati)

Mesto rodenja:.....

(Država, opština, grad/selo)

Place of Birth:.....

(Country, Municipality, Town/Village)

2.4 Nacionaliteti/përkatësia etnike:

Shqiptar.....

Serb.....

Të tjerë (specifiko).....

Nacionalnost:

Albanska.....

Srpska.....

Druga (navesti).....

National / Ethnic Origin:

Albanian.....

Serbian.....

Other (specify).....

2.5 Vendbanimi:

Kosovë.....

Tjetër (specifiko të gjitha).....

Uobiçajeno boravište:

Kosovo.....

Drugo (navesti sve).....

Habitual Residency:

Kosovo.....

Other (specify all).....

2.6 Adresa e përhershme:

Qyteti:.....

Rruga:.....
Kati dhe numri i banesës:
Nr. i telefonit të shtëpisë:.....

Stalna adresa:

Grad:.....
Ulica:.....
Sprat i broj stana:
Kuçni telefonski broj:.....

Permanent Address:

City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

2.7

Adresa e tanishme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Numri i telefonit të shtëpisë
E-mail adresa

Sadašnja adresa:

Grad:.....
Ulica:.....
Sprat i broj stana.....
Broj telefona.....
E-mail adresa.....

Current Address:

City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

2.8

Numri personal i identifikimit

Letërjoftimi i UNMIK-ut
Nr. i Pasaportës

Liçni brojevi

Broj UNMIK-ove liçne karte
Broj pasoša.....

Personal Identification Number

UNMIK ID.....
Passport No.....

2.9

Vendi i tanishëm i punës (nëse tani nuk është në marrëdhënie pune, punësimi i fundit)

Emri i punëdhënësit:.....
 Adresa e Punëdhënësit:.....
 Titulli i vendit të punës:.....
 Emri i mbikëqyrësit:.....
 Data: Nga:..... Deri më:.....

Sadašnje radno mesto (Ukoliko nije trenutno zaposlen, poslednje radno mesto)

Ime poslodavca:.....
 Adresa poslodavca:.....
 Funkcija:.....
 Ime nadređenog:.....
 Datum: Od: Do:.....

Current Post (Most recent Post if not presently employed)

Name of Employer:.....
 Address of Employer:.....
 Title of Post:.....
 Name of Supervisor:.....
 Date: From:..... To:.....

2.10. Shënoni periudhën kohore të qëndrimit jashtë vendit, duke përjashtuar udhëtimet për pushime.

Periodi boravišta van svoje države, bez putovanja tokom odmora.

List periods of residence away from home country, excluding holiday trips.

Shteti Država Country	Arsyeja Razlog Reason	Datat (Nga – Deri më) Datumi (Od- Do) Dates (From - To)

2. TË DHËNA PERSONALE PËR NËNËN E KANDIDATIT

LIČNI PODACI MAJKE KANDIDATA
PERSONAL DETAILS OF THE MOTHER OF THE APPLICANT

3.1 Emri:
(Emri, Emri i babait, Mbiemri)

Ime :
(Ime, ime oca, prezime.)

Name:
(Given name, Father's name, Family name. Maiden name, if any)

3.2 Data e lindjes:.....

Datum rodenja:.....

Date of Birth:.....

3.3 Vendi i Lindjes:.....

(Shteti, Komuna, Qyteti/fshati)

Mesto rodenja:.....

(Država, opština, grad/selo)

Place of Birth:.....

(Country, Municipality, Town/Village)

3.4 Nacionaliteti/përkatësia etnike:

Shqiptar.....

Serb.....

Të tjerë (specifiko).....

Nacionalnost:

Albanska.....

Srpska.....

Druga (navesti).....

National / Ethnic Origin:

Albanian.....

Serbian.....

Other (specify).....

3.5 Vendbanimi:

Kosovë.....

Tjetër (specifiko të gjitha).....

Uobičajeno boravište:

Kosovo.....

Drugo (navesti sve).....

Habitual Residency:

Kosovo.....

Other (specify all).....

3.6 Adresa e përhershme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Nr. i telefonit të shtëpisë:.....

Stalna adresa:

Grad:.....
Ulica:.....
Sprat i broj stana:
Kući telefonski broj:.....

Permanent Address:

City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

3.7 Adresa e tanishme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Numri i telefonit të shtëpisë
E-mail adresa

Sadašnja adresa:

Grad:.....
Ulica:.....
Sprat i broj stana.....
Broj telefona.....
E-mail adresa.....

Current Address:

City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

3.8 Numri personal i identifikimit

Letërjoftimi i UNMIK-ut
Nr. i Pasaportës

Lični brojevi

Broj UNMIK-ove lične karte
Broj pasoša.....

Personal Identification Number

UNMIK ID.....
Passport No.....

3.9 Vendi i tanishëm i punës (nëse tani nuk është në marrëdhënie pune, punësimi i fundit)

Emri i punëdhënësit:.....
Adresa e Punëdhënësit:.....
Titulli i vendit të punës:.....
Emri i mbikëqyrësit:.....
Data: Nga:..... Deri më:.....

Sadašnje radno mesto (Ukoliko nije trenutno zaposlen, poslednje radno mesto)

Ime poslodavca:.....
Adresa poslodavca:.....
Funkcija:.....
Ime nadređenog:.....
Datum: Od: Do:.....

Current Post (Most recent Post if not presently employed)

Name of Employer:.....
Address of Employer:.....
Title of Post:.....
Name of Supervisor:.....
Date: From:..... To:.....

3.10. Shënoni periudhën kohore të qëndrimit jashtë vendit, duke përjashtuar udhëtimet për pushime.

Periodi boravišta van svoje države, bez putovanja tokom odmora.

List periods of residence away from home country, excluding holiday trips.

Shteti Država Country	Arsyeja Razlog Reason	Datat (Nga – Deri më) Datumi (Od- Do) Dates (From - To)

**4. TË DHËNAT PERSONALE PËR VËLLEZËRIT/MOTRAT E
KANDIDATIT
LIÇNI PODACI BRAÇE/SESTARA KANDIDATA
PERSONAL DETAILS OF THE BROTHERS / SISTERS OF THE
APPLICANT**

4.1 Emri:
(Emri, Emri i babait, Mbiemri)

Ime :
(Ime, ime oca, prezime.)

Name:
(Given name, Father's name, Family name. Maiden name, if any)

4.2 Data e lindjes:.....

Datum rodenja:.....

Date of Birth:.....

4.3 Vendi i Lindjes:.....

(Shteti, Komuna, Qyteti/fshati)

Mesto rodenja:.....

(Država, opština, grad/selo)

Place of Birth:.....

(Country, Municipality, Town/Village)

4.4 Nacionaliteti/përkatësia etnike:

Shqiptar.....

Serb.....

Të tjerë (specifiko).....

Nacionalnost:

Albanska.....

Srpska.....

Druga (navesti).....

National / Ethnic Origin:

Albanian.....

Serbian.....

Other (specify).....

4.5 Vendbanimi:

Kosovë.....

Tjetër (specifiko të gjitha)

Uobiçajeno boravište:

Kosovo.....

Drugo (navesti sve).....

Habitual Residency:

Kosovo.....
Other (specify all).....

4.6 Adresa e përhershme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Nr. i telefonit të shtëpisë:.....

Stalna adresa:

Grad:.....
Ulica:.....
Sprat i broj stana:
Kuçni telefonski broj:.....

Permanent Address:

City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

4.7 Adresa e tanishme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Numri i telefonit të shtëpisë
E-mail adresa

Sadašnja adresa:

Grad:.....
Ulica:.....
Sprat i broj stana.....
Broj telefona.....
E-mail adresa.....

Current Address:

City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

4.8 Numri personal i identifikimit

Letërnjoftimi i UNMIK-ut
Nr. i Pasaportës

Liçni brojevi

Broj UNMIK-ove liçne karte
Broj pasoša.....

Personal Identification Number

UNMIK ID.....

Passport No.....

4.9 Vendi i tanishëm i punës (nëse tani nuk është në marrëdhënie pune, punësimi i fundit)

Emri i punëdhënësit:.....

Adresa e Punëdhënësit:.....

Titulli i vendit të punës:.....

Emri i mbikëqyrësit:.....

Data: Nga:..... Deri më:.....

Sadašnje radno mesto (Ukoliko nije trenutno zaposlen, poslednje radno mesto)

Ime poslodavca:.....

Adresa poslodavca:.....

Funkcija:.....

Ime nadređenog:.....

Datum: Od: Do:.....

Current Post (Most recent Post if not presently employed)

Name of Employer:.....

Address of Employer:.....

Title of Post:.....

Name of Supervisor:.....

Date: From:..... To:.....

4.10. Shënoni periudhën kohore të qëndrimit jashtë vendit, duke përjashtuar udhëtimet për pushime.**Periodi boravišta van svoje države, bez putovanja tokom odmora.****List periods of residence away from home country, excluding holiday trips.**

Shteti Država Country	Arsyeja Razlog Reason	Datat (Nga – Deri më) Datumi (Od- Do) Dates (From - To)

**5. TË DHËNA PERSONALE PËR
BASHKËSHORTEN/BASHKËSHORTIN APO PERSONIN ME
TË CILIN KANDIDATI JETON
LIÇNI PODACI SUPRUGE/SUPRUGA ILI LICA SA KOJIM
KANDIDAT ŽIVI
PERSONAL DETAILS OF THE WIFE / HUSBAND OR THE
PERSON THE APPLICANT LIVES WITH**

5.1 Emri:
(Emri, Emri i babait, Mbiemri)

Ime :
(Ime, ime oca, prezime.)

Name:
(Given name, Father's name, Family name. Maiden name, if any)

5.2 Data e lindjes:.....

Datum rodenja:.....

Date of Birth:.....

5.3 Vendi i Lindjes:.....

(Shteti, Komuna, Qyteti/fshati)

Mesto rodenja:.....

(Država, opština, grad/selo)

Place of Birth:.....

(Country, Municipality, Town/Village)

5.4 Nacionaliteti/përkatësia etnike:

Shqiptar.....

Serb.....

Të tjerë (specifiko).....

Nacionalnost:

Albanska.....

Srpska.....

Druga (navesti).....

National / Ethnic Origin:

Albanian.....

Serbian.....

Other (specify).....

5.5 Vendbanimi:

Kosovë.....

Tjetër (specifiko të gjitha)

Uobičajeno boravište:

Kosovo.....
Drugo (navesti sve).....

Habitual Residency:

Kosovo.....
Other (specify all).....

5.6 Adresa e përhershme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Nr. i telefonit të shtëpisë:.....

Stalna adresa:

Grad:.....
Ulica:.....
Sprat i broj stana:
Kuçni telefonski broj:.....

Permanent Address:

City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

5.7 Adresa e tanishme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Numri i telefonit të shtëpisë
E-mail adresa

Sadašnjja adresa:

Grad:.....
Ulica:.....
Sprat i broj stana.....
Broj telefona.....
E-mail adresa.....

Current Address:

City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

5.8 Numri personal i identifikimit

Letërnjoftimi i UNMIK-ut
Nr. i Pasaportës

Lični brojevi

Broj UNMIK-ove lične karte

Broj pasoša.....

Personal Identification Number

UNMIK ID.....

Passport No.....

5.9 Vendi i tanishëm i punës (nëse tani nuk është në marrëdhënie pune, punësimi i fundit)

Emri i punëdhënësit:.....

Adresa e Punëdhënësit:.....

Titulli i vendit të punës:.....

Emri i mbikëqyrësit:.....

Data: Nga:..... Deri më:.....

Sadašnje radno mesto (Ukoliko nije trenutno zaposlen, poslednje radno mesto)

Ime poslodavca:.....

Adresa poslodavca:.....

Funkcija:.....

Ime nadređenog:.....

Datum: Od: Do:.....

Current Post (Most recent Post if not presently employed)

Name of Employer:.....

Address of Employer:.....

Title of Post:.....

Name of Supervisor:.....

Date: From:..... To:.....

5.10. Shënoni periudhën kohore të qëndrimit jashtë vendit, duke përjashtuar udhëtimet për pushime.**Periodi boravišta van svoje države, bez putovanja tokom odmora.****List periods of residence away from home country, excluding holiday trips.**

Shteti Država Country	Arsyeja Razlog Reason	Datat (Nga – Deri më) Datumi (Od- Do) Dates (From - To)

**6. TË DHËNA PERSONALE PËR FËMIJËT E
KANDIDATIT MË TË VJETËR SE 14 VJET
LIÇNI PODACI DECE KANDIDATA KOJA SU STARIJA
OD 14 GODINA
PERSONAL DETAILS OF APPLICANT'S CHILDREN
OLDER THAN 14 YEARS**

6.1 Emri:
(Emri, Emri i babait, Mbiemri)

Ime :
(Ime, ime oca, prezime.)

Name:
(Given name, Father's name, Family name. Maiden name, if any)

6.2 Data e lindjes:.....

Datum rodenja:.....

Date of Birth:.....

6.3 Vendi i Lindjes:.....

(Shteti, Komuna, Qyteti/fshati)

Mesto rodenja:.....

(Država, opština, grad/selo)

Place of Birth:.....

(Country, Municipality, Town/Village)

6.4 Nacionaliteti/përkatësia etnike:

Shqiptar.....

Serb.....

Të tjerë (specifiko).....

Nacionalnost:

Albanska.....

Srpska.....

Druga (navesti).....

National / Ethnic Origin:

Albanian.....

Serbian.....

Other (specify).....

6.5 Vendbanimi:

Kosovë.....

Tjetër (specifiko të gjitha)

Uobičajeno boravište:

Kosovo.....
Drugo (navesti sve).....

Habitual Residency:

Kosovo.....
Other (specify all).....

6.6 Adresa e përhershme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Nr. i telefonit të shtëpisë:.....

Stalna adresa:

Grad:.....
Ulica:.....
Sprat i broj stana:
Kuçni telefonski broj:.....

Permanent Address:

City:.....
Street:.....
Floor and apartment number.....
Home telephone No:.....

6.7 Adresa e tanishme:

Qyteti:.....
Rruga:.....
Kati dhe numri i banesës:
Numri i telefonit të shtëpisë
E-mail adresa

Sadašnjja adresa:

Grad:.....
Ulica:.....
Sprat i broj stana.....
Broj telefona.....
E-mail adresa.....

Current Address:

City:.....
Street:.....
Floor and apartment No.....
Telephone No.....
E-mail Address.....

6.8 Numri personal i identifikimit

Letërnjoftimi i UNMIK-ut
Nr. i Pasaportës

Lični brojevi

Broj UNMIK-ove lične karte

Broj pasoša.....

Personal Identification Number

UNMIK ID.....

Passport No.....

6.9 Vendi i tanishëm i punës (nëse tani nuk është në marrëdhënie pune, punësimi i fundit)

Emri i punëdhënësit:.....

Adresa e Punëdhënësit:.....

Titulli i vendit të punës:.....

Emri i mbikëqyrësit:.....

Data: Nga:..... Deri më:.....

Sadašnje radno mesto (Ukoliko nije trenutno zaposlen, poslednje radno mesto)

Ime poslodavca:.....

Adresa poslodavca:.....

Funkcija:.....

Ime nadređenog:.....

Datum: Od: Do:.....

Current Post (Most recent Post if not presently employed)

Name of Employer:.....

Address of Employer:.....

Title of Post:.....

Name of Supervisor:.....

Date: From:..... To:.....

6.10. Shënoni periudhën kohore të qëndrimit jashtë vendit, duke përjashtuar udhëtimet për pushime.**Periodi boravišta van svoje države, bez putovanja tokom odmora.****List periods of residence away from home country, excluding holiday trips.**

Shteti Država Country	Arsyeja Razlog Reason	Datat (Nga – Deri më) Datumi (Od- Do) Dates (From - To)

7. TË DHËNA SHITESË PËR FAMILJEN / FAREFISIN DODATNI PODACI ČLANOVA PORODICE/SRODNIKA ADDITIONAL DETAILS OF FAMILY / RELATIVES

Ju lutem shënoni detajet për çdo anëtar të familjes suaj apo farefisin deri në brezin e dytë i cili punon apo ka punuar në ndonjë gjykatë, prokurori apo në avokaturë private brenda Kosovës

Molimo da navedete podatke bilo kojeg člana Vaše porodice ili srodnika do drugog kolena koji rade ili su radili u bilo kojem sudu, tužilaštvu ili advokatskoj kancelariji na Kosovu.

Please give details of any member of your family or relatives to the second degree who works or has worked in any court, prosecutor's office or private attorney's office within Kosovo.

Emri Ime Name	Lidhja Familjare Veza Relationship	Titulli i vendit të punës Naziv radnog mesta Title of Post	Data e fillimit të punës Datum kada je počeo rad Date Job Started	Data e mbarimit të punës Datum kada je rad završio Date Job Ended

8. ARSIMIMI OBRAZOVANJE EDUCATION

8.1. Universiteti apo ekuivalent

(Kopja e Diplomës duhet të bashkëngjitet)

Univerzitetsko obrazovanje ili ekvivalent takvog obrazovanja

(Mora se priložiti fotokopija diplome)

University or equivalent

(Copy of the Diploma must be attached)

Emri, Vendi dhe Shteti Ime, mesto i država Name, Place and Country	Vijuar nga / deri më Pohadao/la od / do Attended From / To	Diplomat dhe të arriturat akademike të fituara Stepen stručne spreme/navesti diplome s odličnim uspehom Degrees and Academic Distinctions Obtained	Diplomat dhe të arriturat akademike të fituara Stepen stručne spreme/navesti diplome s odličnim uspehom Degrees and Academic Distinctions Obtained

8.2. Shkollat apo trajnimet tjera formale nga mosha 14 vjeçare:

Školovanje ili druga stručna obuka nakon navršenih 14 godina:

Schools or other formal training from age 14:

Emri, Vendi dhe Shteti Ime, mesto i država Name, Place and Country	Vijuar nga / deri më Vrsta Type	Diplomat dhe të arriturat akademike të fituara Godine pohađanja Years Attended	Diplomat dhe të arriturat akademike të fituara Dobivena uverenja ili diplome Certificates or Diplomas obtained

**9. KUALIFIKIMET PROFESIONALE
STRUČNE KVALIFIKACIJE
PROFESSIONAL QUALIFICATIONS**

9.4 Provimi i judicatures

Pravosudni ispit

Bar Examination

Organi i cili ka lëshuar çertifikatën e judikaturës Organ koji je izdao uverenje o pravosudnom ispitu Authority Awarding Bar Examination Certificate	Data e provimit të judikaturës Datum pravosudnog ispita Date of Bar Examination	Rezultatet Rezultati Results

9.5 Provimi profesional

Stručni ispit

Professional Examination

Organi i cili ka lëshuar çertifikatën për provimin profesional Organ koji je izdao uverenje o stručnom ispitu Authority Awarding Professional Examination Certificate	Data e provimit profesional Datum stručnog ispita Date of Professional Examination	Rezultatet Rezultati Results

9.6 Trajnimi/ Seminaret Profesional/e

Stručna obuka/ seminari

Professional Training / Seminars

Data Datum Date	Trajnimi / Seminari Obuka /Seminar Training /Seminar	Organizatori i Trajnimit / Seminarit Organizator obuke/seminara Organizer of Training / Seminar

10. PËRVOJA PROFESIONALE STRUČNE KVALIFIKACIJE PROFESSIONAL EXPERIENCE

10.1 Emërimet në pozitat Gjyqësore, Prokuroriale dhe Ministrore:

Shënoni të gjitha emërimet në pozitat gjyqësore, prokuroriale dhe ministrore të cilat i keni pasur sipas radhitjes së kundërt kronologjike, duke filluar nga pozita e fundit të cilën e keni pasur.

Naimenovanja na sudijske, tužilačke i ministarske funkcije:

Navedite sva sudijska, tužilačka i ministarska naimenovanja koja ste imali, u obrnutom hronološkom redu, počevši od Vašeg poslednjeg radnog mesta.

Appointments to Judicial, Prosecutorial and Ministerial Office:

List all judicial prosecutorial and ministerial appointments, which you have held in reverse chronological order, starting with the most recent post which you have held.

Titulli i pozitës Data e emërimit Naziv radnog mesta Title of Post	Data e emërimit Datum naimenovanja Date of Appointment	Organi emërues Organ koji je izvršio naimenovanje Appointing Authority	Datum završetka naimenovanja Data e largimit nga funksioni Date of Termination of Appointment	Arsyeja e largimit nga funksioni Razlog završetka Reason for Termination

10.2 Veprimtaria Gjyqësore, Prokuroriale apo veprimtaritë të tjera juridike

A keni marrë ndonjëherë pjesë si gjyqtar, prokuror apo si avokat mbrojtës në hetime penale, lëndë gjyqësore apo procedurat ushtarake të cilat kanë përfshirë civilët apo ushtarët?

Po.....

Jo.....

Naimenovanja na sudijske, tužilačke i ministarske funkcije:

Da li ste ikada kao sudija, tužilac ili branilac učestvovali u krivičnim istragama, sudskim predmetima ili vojnim postupcima u koje su bili uključeni civili ili vojnici?

Da.....

Ne.....

Judicial, Prosecutorial or Other Legal Activit

Have you ever participated as a judge, prosecutor or a defense counsel in criminal investigations, court cases or military proceedings involving civilians or soldiers?

Yes.....

No.....

Nëse “**Po**” iu lutem siguroni informacionet vijuese:

Ukoliko je odgovor “**Da**” molimo da navedete sledeće podatke:

If “**Yes**” please provide the following information:

Emri i Gjykatës, Prokurorisë apo Agjencisë tjetër: Naziv suda, tužilaštva ili drugog organa: Name of Court, Prosecutor’s Office or Other Agency:	Titulli i pozitës suaj Naziv Vaše funkcije Title of Your Post	
Adresa: Adresa: Address:	Emri dhe të dhënat kontaktuese të mbikëqyrësit: Ime i podaci za kontakt nadređenog: Name and Contact Details of Supervisor:	
Organi emërues: Organ koji je izvršio naimenovanje: Appointing Authority:	Data e emërimit: Datum naimenovanja: Date of Appointment:	Data e largimit nga funksioni: Datum završetka: Date of Termination:

Përshkrimi i detyrave tuaja: Përshkrimi i detyrave tuaja: Description of Your Duties:		
Emri i Gjykatës, Prokurorisë apo Agjencisë tjetër: Naziv suda, tužilaštva ili drugog organa: Name of Court, Prosecutor's Office or Other Agency:		Titulli i pozitës suaj Naziv Vašeg radnog mesta Title of Your Post
Adresa: Adresa: Address:		Emri dhe të dhënat kontaktuese të mbikëqyrësit: Ime i podaci za kontakt nadređenog: Name and Contact Details of Supervisor:
Organi emërues: Organ koji je izvršio naimenovanje: Appointing Authority:	Data e emërimit: Datum naimenovanja: Date of Appointment:	Data e largimit nga funksioni: Datum završetka: Date of Termination:
Përshkrimi i detyrave tuaja: Përshkrimi i detyrave tuaja: Description of Your Duties:		

Emri i Gjykatës, Prokurorisë apo Agjencisë tjetër: Naziv suda, tužilaštva ili drugog organa: Name of Court, Prosecutor's Office or Other Agency:		Titulli i pozitës suaj Naziv Vašeg radnog mesta Title of Your Post	
Adresa: Adresa: Address:		Emri dhe të dhënat kontaktuese të mbikëqyrësit: Ime i podaci za kontakt nadređenog: Name and Contact Details of Supervisor:	
Organi emërues: Organ koji je izvršio naimenovanje: Appointing Authority:	Data e emërimit: Datum naimenovanja: Date of Appointment:	Data e largimit nga funksioni: Datum završetka: Date of Termination:	
Përshkrimi i detyrave tuaja: Përshkrimi i detyrave tuaja: Description of Your Duties:			
Emri i Gjykatës, Prokurorisë apo Agjencisë tjetër: Naziv suda, tužilaštva ili drugog organa: Name of Court, Prosecutor's Office or Other Agency:		Titulli i pozitës suaj Naziv Vašeg radnog mesta Title of Your Post	
Adresa: Adresa: Address:		Emri dhe të dhënat kontaktuese të mbikëqyrësit: Ime i podaci za kontakt nadređenog: Name and Contact Details of Supervisor:	
Organi emërues: Organ koji je izvršio naimenovanje: Appointing Authority:	Data e emërimit: Datum naimenovanja: Date of Appointment:	Data e largimit nga funksioni: Datum završetka: Date of Termination:	

Përshkrimi i detyrave tuaja:
Opis Vaših zadataka:
Description of Your Duties:

10.3 Shërbimi shtetëror apo angazhimi në punën e detyruar

A keni kryer ndonjëherë ndonjë shërbim shtetëror, pothuaj-shërbim shtetëror (p.sh. për organet qeverisëse kalimtare apo të përkohshme apo organet publike), apo angazhim në punën e detyruar?

Po.....

Jo.....

Rad za vladine organe ili radna obaveza

Da li ste ikada radili za vladine organe, polu-vladine organe¹ (npr. za privremene ili prelazne vladajuće organe ili javna tela), ili imali radnu obavezu?

Da.....

Ne.....

Government Service or Compulsory Work Obligation

Have you ever performed government service, quasi-government service (e.g. for temporary or interim governing organs or public bodies), or compulsory work obligation?

Yes.....

No.....

Nëse “**Po**” iu lutem siguroni informacionet vijuese:

Ukoliko je odgovor “**Da**”, molimo da navedete sledeće podatke:

If “**Yes**”, provide the following information:

Emri i organit apo i organizatës. Ime organa ili organizacije: Name of Organ or Organization:	Titulli i vendit të punës : Naziv radnog mesta: Title of Post:	Emri dhe të dhënat kontaktuese të mbikëqyrësit Ime i podaci za kontakt nadređenih Name and Contact Details of Supervisor	Periudha Nga / Deri më Period od / do Period From / To
<p>Përshkrimi i veprimtarive tuaja gjatë periudhës së shërbimit: Opis Vaših aktivnosti tokom perioda službe: Description of your activities during the period of Service:</p>			

Emri i organit apo i organizatës: Ime organa ili organizacije: Name of Organ or Organization:	Titulli i vendit të punës : Naziv radnog mesta: Title of Post:	Emri dhe të dhënat kontaktuese të mbikëqyrësit : Ime i podaci za kontakt nadređenih: Name and Contact Details of Supervisor	Periudha Nga / Deri më Period od / do Period From / To
<p>Përshkrimi i veprimtarive tuaja gjatë periudhës së shërbimit: Opis Vaših aktivnosti tokom perioda službe: Description of your activities during the period of Service:</p>			

Emri i organit apo i organizatës: Ime organa ili organizacije: Name of Organ or Organization:	Titulli i vendit të punës : Naziv radnog mesta: Title of Post:	Emri dhe të dhënat kontaktuese të mbikëqyrësit : Ime i podaci za kontakt nadređenih: Name and Contact Details of Supervisor:	Periudha Nga / Deri më Period od / do Period From / To
Përshkrimi i veprimtarive tuaja gjatë periudhës së shërbimit: Opis Vaših aktivnosti tokom perioda službe: Description of your activities during the period of Service:			

10.4 Të dhënat mbi punësimin

Filloni me punësimin tuaj të tanishëm apo të fundit dhe i shënoni të gjitha vendet e punës sipas radhitjes së kundërt kronologjike. Ju gjithashtu duhet t'i përfshini detajet e të gjitha pozitive gjyqësore, prokuroriale dhe ministrore të caktuara në seksionin 9.1. (Bashkëngjitni fleta shtesë sipas nevojës)

Podaci o zaposlenju

Počevši od Vašeg sadašnjeg ili poslednjeg zaposlenja, navedite sva radna mesta obrnutim hronološkim redom. Takođe treba da uključite podatke o svim sudijskim, tužilačkim i ministarskim funkcijama kako je navedeno u članu 9.1. (Ukoliko je potrebno, priložite dodatne listove)

Employment Record

Start with your current or most recent position and list all positions in reverse chronological order. You should also include details of all judicial, prosecutorial and ministerial positions set out in section 9.1. (Attach additional sheets if necessary)

Emri i Punëdhënësit Ime poslodavca Name of Employer	Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer

Data: Nga Datum: Od Date: From	Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post	Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details
Arsyeja e ndërprerjes së marrëdhënies së punës: Razlog odlaska: Reason for Leaving:			
Përshkrimi i detyrave tuaja: Opis Vaših zaduženja: Description of your Duties:			

Emri i Punëdhënësit Ime poslodavca Name of Employer		Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer	
Data: Nga Datum: Od Date: From		Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post
			Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details
Arsyeja e ndërprerjes së marrëdhënies së punës: Razlog odlaska: Reason for Leaving:			
Përshkrimi i detyrave tuaja: Opis Vaših zaduženja: Description of your Duties:			

Emri i Punëdhënësit Ime poslodavca Name of Employer		Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer	
Data: Nga Datum: Od Date: From	Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post	Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details
Arsyeja e ndërprerjes së marrëdhënies së punës: Razlog odlaska: Reason for Leaving:			
Përshkrimi i detyrave tuaja: Opis Vaših zaduženja: Description of your Duties:			

Emri i Punëdhënësit Ime poslodavca Name of Employer		Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer of Employer	
Data: Nga Datum: Od Date: From	Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post	Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details
Arsyeja e ndërprerjes së marrëdhënies së punës: Razlog odlaska: Reason for Leaving:			
Përshkrimi i detyrave tuaja: Opis Vaših zaduženja: Description of your Duties:			

Emri i Punëdhënësit Ime poslodavca Name of Employer		Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer Address of Employer	
Data: Nga Datum: Od Date: From	Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post	Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details
Arsyeja e ndërprerjes së marrëdhënies së punës: Razlog odlaska: Reason for Leaving:			

Përshkrimi i detyrave tuaja:
 Opis Vaših zaduženja:
 Description of your Duties:

Emri i Punëdhënësit Ime poslodavca Name of Employer		Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer	
Data: Nga Datum: Od Date: From	Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post	Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details
Arsyeja e ndërprerjes së marrëdhënies së punës: Razlog odlaska: Reason for Leaving:			
Përshkrimi i detyrave tuaja: Opis Vaših zaduženja: Description of your Duties:			

Emri i Punëdhënësit Ime poslodavca Name of Employer		Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer	
Data: Nga Datum: Od Date: From	Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post	Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details
Arsyeja e ndërprerjes së marrëdhënies së punës: Razlog odlaska: Reason for Leaving:			
Përshkrimi i detyrave tuaja: Opis Vaših zaduženja: Description of your Duties:			

Emri i Punëdhënësit Ime poslodavca Name of Employer		Adresa dhe Nr. i Tel. të Punëdhënësit Adresa i telefonski broj poslodavca Address and Tel No of Employer	
Data: Nga Datum: Od Date: From	Deri më Do To	Titulli i vendit të punës Naziv radnog mesta Title of Post	Emri & të dhënat kontaktuese të mbikëqyrësit Ime nadređenog i podaci za kontakt nadređenog Name of Supervisor & Contact Details

Arsyeja e ndërprerjes së marrëdhënies së punës:

Razlog odlaska:

Reason for Leaving:

Përshkrimi i detyrave tuaja:

Opis Vaših zaduženja:

Description of your Duties:

11. PUBLIKIMET DHE LIGJËRIMET PUBLIKACIJE I PREDAVANJA PUBLICATIONS AND LECTURES

<p>Emri i Publikimit / Ligjëratës: Naziv publikacije / predavanja: Title of Publication / Lecture:</p>
<p>Emri i Revistës, etj., në të cilën është bërë publikimi (apo ku është mbajtur ligjërata) Naziv lista ili mesta gde je izdata publikacija (ili gde je održano predavanje) Name of Journal, etc., in which publication was made (or where lecture was delivered)</p>
<p>Data e Publikimit/ Ligjëratës: Datum publikacije /predavanja: Date of Publication / Lecture:</p>
<p>Përmbledhja e shkurtër e Publikimit / Ligjëratës: (bashkëngjitni kopjen): Kratak siže publikacije /predavanja: (priložiti kopiju) Brief Summery of Publication / Lecture: (attach copy)</p>

<p>Emri i Publikimit / Ligjëratës: Naziv publikacije / predavanja: Title of Publication / Lecture:</p>
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<p>Emri i Revistës, etj., në të cilën është bërë publikimi (apo ku është mbajtur ligjërata)</p> <p>Naziv lista ili mesta gde je izdata publikacija (ili gde je održano predavanje)</p> <p>Name of Journal, etc., in which publication was made (or where lecture was delivered)</p>
<p>Data e Publikimit/ Ligjëratis:</p> <p>Datum publikacije /predavanja:</p> <p>Date of Publication / Lecture:</p>
<p>Përmbledhja e shkurtër e Publikimit / Ligjëratis: (bashkëngjitni kopjen):</p> <p>Kratak siže publikacije /predavanja: (priložiti kopiju)</p> <p>Brief Summery of Publication / Lecture: (attach copy)</p>

<p>Emri i Publikimit / Ligjëratis:</p> <p>Naziv publikacije / predavanja:</p> <p>Title of Publication / Lecture:</p>
<p>Emri i Revistës, etj., në të cilën është bërë publikimi (apo ku është mbajtur ligjërata)</p> <p>Naziv lista ili mesta gde je izdata publikacija (ili gde je održano predavanje)</p> <p>Name of Journal, etc., in which publication was made (or where lecture was delivered)</p>
<p>Data e Publikimit/ Ligjëratis:</p> <p>Datum publikacije /predavanja:</p> <p>Date of Publication / Lecture:</p>
<p>Përmbledhja e shkurtër e Publikimit / Ligjëratis: (bashkëngjitni kopjen):</p> <p>Kratak siže publikacije /predavanja: (priložiti kopiju)</p>

Brief Summery of Publication / Lecture: (attach copy)

Emri i Publikimit / Ligjëratës:
Naziv publikacije / predavanja:
Title of Publication / Lecture:

Emri i Revistës, etj., në të cilën është bërë publikimi (apo ku është mbajtur ligjërata)
Naziv lista ili mesta gde je izdata publikacija (ili gde je održano predavanje)
Name of Journal, etc., in which publication was made (or where lecture was delivered)

Data e Publikimit/ Ligjëratës:
Datum publikacije /predavanja:
Date of Publication / Lecture:

Përmbledhja e shkurtër e Publikimit / Ligjëratës: (bashkëngjitni kopjen):
Kratak siže publikacije /predavanja: (priložiti kopiju)
Brief Summery of Publication / Lecture: (attach copy)

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Emri i Publikimit / Ligjëratës: Naziv publikacije / predavanja: Title of Publication / Lecture:
Emri i Revistës, etj., në të cilën është bërë publikimi (apo ku është mbajtur ligjërata) Naziv lista ili mesta gde je izdata publikacija (ili gde je održano predavanje) Name of Journal, etc., in which publication was made (or where lecture was delivered)
Data e Publikimit/ Ligjëratës: Datum publikacije /predavanja: Date of Publication / Lecture:
Përmbledhja e shkurtër e Publikimit / Ligjëratës: (bashkëngjitni kopjen): Kratak siže publikacije /predavanja: (priložiti kopiju) Brief Summery of Publication / Lecture: (attach copy)

Emri i Publikimit / Ligjëratës: Naziv publikacije / predavanja: Title of Publication / Lecture:
Emri i Revistës, etj., në të cilën është bërë publikimi (apo ku është mbajtur ligjërata) Naziv lista ili mesta gde je izdata publikacija (ili gde je održano predavanje)

Name of Journal, etc., in which publication was made (or where lecture was delivered)
Data e Publikimit/ Ligjëratës: Datum publikacije /predavanja: Date of Publication / Lecture:
Përmbledhja e shkurtër e Publikimit / Ligjëratës: (bashkëngjitni kopjen): Kratok siže publikacije /predavanja: (priložiti kopiju) Brief Summery of Publication / Lecture: (attach copy)

Emri i Publikimit / Ligjëratës: Naziv publikacije / predavanja: Title of Publication / Lecture:
Emri i Revistës, etj., në të cilën është bërë publikimi (apo ku është mbajtur ligjërata) Naziv lista ili mesta gde je izdata publikacija (ili gde je održano predavanje) Name of Journal, etc., in which publication was made (or where lecture was delivered)
Data e Publikimit/ Ligjëratës: Datum publikacije /predavanja: Date of Publication / Lecture:
Përmbledhja e shkurtër e Publikimit / Ligjëratës: (bashkëngjitni kopjen): Kratok siže publikacije /predavanja: (priložiti kopiju) Brief Summery of Publication / Lecture: (attach copy)

**12. ANËTARËSIA NË ORGANIZATAT PROFESIONALE
 ČLANSTVO U PROFESIONALNIM ORGANIZACIJAMA
 MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS**

Emri i Organizatës / Ime organizacije /Name of Organization		
Data e anëtarësimit në organizatë Datum pristupanja organizaciji Date of Joining the Organization	Data e largimit nga anëtarësia Datum završetka članstva Date of Termination of Membership	Arsyeja për largimin nga anëtarësia Razlog za završetak članstva Reason for Termination of Membership
Detajet për secilën pozitë në Organizatë: Podaci o bilo kojoj funkciji u organizaciji: Details of any position held in the Organization:		

Emri i Organizatës / Ime organizacije /Name of Organization		
Data e anëtarësimit në organizatë Datum pristupanja organizaciji Date of Joining the Organization	Data e largimit nga anëtarësia Datum završetka članstva Date of Termination of Membership	Arsyeja për largimin nga anëtarësia Razlog za završetak članstva Reason for Termination of Membership
Detajet për secilën pozitë në Organizatë: Podaci o bilo kojoj funkciji u organizaciji: Details of any position held in the Organization:		

Emri i Organizatës / Ime organizacije /Name of Organization		
Data e anëtarësimit në organizatë Datum pristupanja organizaciji Date of Joining the Organization	Data e largimit nga anëtarësia Datum završetka članstva Date of Termination of Membership	Arsyeja për largimin nga anëtarësia Razlog za završetak članstva Reason for Termination of Membership
Detajet për secilën pozitë në Organizatë: Podaci o bilo kojoj funkciji u organizaciji: Details of any position held in the Organization:		

Emri i Organizatës / Ime organizacije /Name of Organization		
Data e anëtarësimit në organizatë Datum pristupanja organizaciji	Data e largimit nga anëtarësia Datum završetka članstva Date of Termination of	Arsyeja për largimin nga anëtarësia Razlog za završetak članstva

Date of Joining the Organization	Membership	Reason for Termination of Membership
<p>Detajet për secilën pozitë në Organizatë: Podaci o bilo kojoj funkciji u organizaciji: Details of any position held in the Organization:</p>		

13. DETAJET PËR DËNIMET PENALE

A KENI QENË NDONJËHERË I ARRESTUAR, I AKUZUAR APO I FTUAR PARA GJYQIT NË CILËSI TË TË PANDEHURIT NË PROCEDURËN PENALE, OSE I PARABURGOSUR APO I BURGOSUR PËR SHKELJEN E NDONJË LIGJI (duke i përjashtuar shkeljet e kundërvajtjes në trafik)?

Po.....

Jo.....

PODACI O KRIVIČNOM KAŽNJAVANJU

DA LI STE IKADA HAPŠENI, BILI POD OPTUŽNICOM ILI POZVANI NA SUD U SVOJSTVU OKRIVLJENOG U KRIVIČNOM POSTUPKU, ILI ZATVORENI ZBOG POVREDE BILO KOJEG ZAKONA (ne uključuje saobraćajne prekršaje

Da.....

Ne.....

DETAILS OF CRIMINAL CONVICTIONS

HAVE YOU EVER BEEN ARRESTED INDICTED OR SUMMONED INTO COURT AS A DEFENDANT IN A CRIMINAL PROCEEDING, OR CONFINED OR IMPRISONED FOR THE VIOLATION OF ANY LAW (excluding minor traffic violations)

Yes.....

No.....

Nëse“**PO**” shënoni të dhëna të plota me anë të një deklaratë të bashkangjitur dhe dorëzoni kopjet e çfarëdo vendimi gjyqësor.

Ukoliko je odgovor “**DA**”, dajte pune detalje u priloženoj izjavi i podnesite fotokopije bilo kojih sudskih odluka.

If “**YES**” give full particulars in an attached statement and submit copies of any court decisions.

14. TË DHËNA PËR PROCEDURA PROFESIONALE DISIPLINORE

A KENI QENË NDONJËHERË NËN HETIME APO TË NDËSHKUAR PËR SHKELJEN E KODIT TË MIRËSJELLJES PROFESIONALE APO DISIPLINORE?

Po.....

Jo.....

Ju lutem siguroni hollësitë e plota për ndonjë procedurë profesionale disiplinore ndonjëherë e zhvilluar ndaj jush, përfshirë edhe organin i cili ka zhvilluar procedurën dhe hollësitë rreth vendimit të tyre, duke përfshirë çfarëdo ndëshkimi apo mase të shqiptuar.

(Bashkëngjitni kopjet e çdo dokumenti të ndërlidhur me procedurën e tillë, përfshirë edhe kopjet e vendimeve të organit relevant.)

PODACI O PROFESIONALNIM DISCIPLINSKIM POSTUPCIMA

DA LI STE IKADA BILI POD ISTRAGOM ILI SU VAM IZREČENE SANKCIJE
ZBOG POVREDE PROFESIONALNOG ILI DISCIPLINSKOG KODEKSA
PONAŠANJA?

Da.....

Ne.....

Molimo da navedete pune detalje svih profesionalnih disciplinskih postupaka koji su ikada pokrenuti protiv Vas, uključujući i naziv tela koje je vodilo postupak i podatke o njihovoj odluci, uključujući bilo koju sankciju ili drugu izrečenu meru.
(Priložite fotokopije bilo koje dokumentacije koja je relevantna za takve postupke, uključujući fotokopije odluka relevantnih organa.)

DETAILS OF PROFESSIONAL DISCIPLINARY PROCEEDINGS

HAVE YOU EVER BEEN UNDER INVESTIGATION OR SANCTIONED FOR
VIOLATION OF PROFESSIONAL OR DISCIPLINARY CODE OF CONDUCT?

Yes.....

No.....

Please supply full details of any professional disciplinary proceedings ever initiated against you, including the body conducting the proceedings and details of their disposition, including any sanction or other measure imposed.
(Attach copies of any documentation relevant to such proceedings, including copies of decisions of the relevant authority.)

15. SHËNDETI ZDRAVSTVENO STANJE HEALTH

15.1 Ju lutem ofroni hollësitë për çfarëdo gjendje shëndetësore e cila mund të ndikojë në aftësinë tuaj për t'i kryer detyrat gjyqësore apo prokuroriale.

Molimo da navedete podatke o bilo kojem zdravstvenom stanju koje bi moglo da ima uticaja na Vašu sposobnost da izvršavate svoja sudijska ili tužilačka zaduženja.

Please give details of any medical condition which may affect your ability to carry out judicial or prosecutorial duties.

Pyetjet vijuese shtesë lidhur me anëtarët e familjes së kandidatit janë vetëm në lidhje me një vlerësim të rrezikshmërisë për kandidatin e jo për kompetencën e kandidatit.

Sledeća dodatna pitanja o članovima porodice kandidata odnose se samo na procenu rizika bezbednosti kandidata a ne na njegove sposobnosti.

The following additional questions about the candidate's family members only relate to an assessment of the security risk of the candidate, and not to the candidate's competence.

15.2 A jeni mjekuar ju ndonjëherë apo ndonjë anëtar i familjes suaj për ndonjë çrregullim mental?

Po.....

Jo.....

Ju lutem specifikoni.

Da li ste Vi ili bilo koji član Vaše porodice ikada bili lečeni od bilo kakvog mentalnog poremećaja?

Da.....

Ne.....

Molimo da precizirate.

Have you or any member of your family ever been treated for any mental disorder?

Yes.....

No.....

Please specify.

15.3 A keni konsumuar ju ndonjëherë apo ndonjë anëtar i familjes suaj drogë (substancë narkotike) apo substanca tjera të kontrolluara?

Po.....

Jo.....

Ju lutem specifikoni.

Da li ste Vi ili bilo koji član Vaše porodice ikada koristili droge ili druge kontrolisane supstance?

Da.....

Ne.....

Molimo da precizirate.

Have you or any member of your family ever been on drugs or other controlled substances?

Yes.....

No.....

Please specify.

15.4 A keni ju apo ndonjë anëtar i familjes suaj histori të konsumimit të tepruar të alkoolit?

Po.....

Jo.....

Ju lutem specifikoni.

Da li Vi ili bilo koji član Vaše porodice imate istoriju alkoholizma?

Da.....

Ne.....

Molimo da precizirate.

Do you or any member of your family have history of alcohol abuse?

Yes.....

No.....

Please specify.

16. SHËRBIMI USHTARAK

A keni shërbyer ndonjëherë në një organizatë ushtarake apo paramilitare apo në ndonjë njësi të ngjashme?

Po.....

Jo.....

SLUŽENJE VOJSKE

Da li ste ikada služili u vojnoj ili para-vojnoj organizaciji ili uporedivoj jedinici?

Da.....

Ne.....

MILITARY SERVICE

Have you ever served in a military or paramilitary organization or comparable unit?

Yes.....

No.....

Nëse “**Po**” siguron informacionet vijuese për të gjitha llojet e shërbimit ushtarak apo të ngjashme.

Ukoliko je odgovor “**Da**”, molimo da navedete sledeće informacije za sve vrste vojne ili uporedive službe.

If “**Yes**” provide the following information for all types of military or comparable service.

Emri dhe numri i organizatës apo njësisë Ime i broj organizacije ili jedinice Name and number of the organization or unit	Grada e juaj Vaš čin Your Rank	Data e shërbimit Nga / Deri më Datum služnja Od/ Do Date of Service From / to
Përshkrimi i aktiviteteve tuaja gjatë periudhës së shërbimit: Opis Vaših aktivnosti tokom perioda služnja: Description of your activities during the period of service:		

Emri dhe numri i organizatës apo njësisë Ime i broj organizacije ili jedinice Name and number of the organization or unit	Grada e juaj Vaš čin Your Rank	Data e shërbimit Nga / Deri më Datum služenja Od/ Do Date of Service From / to
Përshkrimi i aktiviteteve tuaja gjatë periudhës së shërbimit: Opis Vaših aktivnosti tokom perioda služenja: Description of your activities during the period of service:		

17. PARTITË POLITIKE DHE ORGANIZATAT TJERA POLITIČKE STRANKE I DRUGE ORGANIZACIJE POLITICAL PARTIES AND OTHER ORGANIZATIONS

A keni qenë anëtar i ndonjë partie politike apo keni kryer detyra në organet e partisë politike ose në shoqatat apo në fondacione të ndërlidhura me politikë?

Po.....

Jo.....

Da li ste ikada bili član ili vršili dužnosti u organima ili udruženjima političkih stranaka ili u politički povezanim fondacijama?

Da.....

Ne.....

Have you been a member of or performed duties in political party organs or associations or foundations connected to political?

Yes.....

No.....

Nëse **“Po”** siguron informacionet vijuese:

Ukoliko je odgovor **“Da”**, molimo da navedete sledeće informacije:

If **“Yes”** provide the following information:

Emri i Partisë Politike, Fondacionit apo Shoqatës Ime političke stranke, fondacije ili udruženja Name of Political Party, Foundation or Association	Titulli i vendit të punës Naziv funkcije Title of Position	Anëtarësia Članstvo Membership		Arsyeja e largimit Razlog za odlazak Reason for leaving
		Nga Od From	Deri më Do To	

**FORMULARI PËR DEKLARIMIN E
PASURISË SIPAS LIGJIT MBI PRONËN
PROPERTY LAW COMPLIANCE
DISCLOSURE FORM**

**2. Vendbanimi
Boravište.
Residence.**

**1.4 Vendbanimi i përhershëm
Stalno boravište
Permanent Residence**

1.4.1 Lloji i vendbanimit:

- Shtëpi
- Banesë
- Tjetër (specifiko).....

Vrsta boravišta:

- Kuća.....
- Stan.....
- Drugo (precizirajte).....

Residence Type:

- House.....
- Apartment.....
- Other (specify).....

1.4.2 Adresa e vendbanimit:

- Komuna:.....
- Kodi postal:.....
- Qyteti/ Qyteza:.....
- Emri dhe numri i rrugës:.....
- Emri dhe numri i rrugës para luftës:.....
- Kati dhe numri i banesës:.....

Adresa boravišta:

- Opština:.....
- Poštanski broj:.....
- Grad:.....
- Ulica i broj:.....
- Ime ulice i broj pre rata:.....
- Sprat i broj stana

Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Emri dhe numri i rrugës para luftës:.....
- Apartment floor and No.....

1.4.3 Cila është baza ligjore për zotimin tuaj të vendbanimit të përhershëm?

- Pronë private (bashkëngjitni kopjen e listës poseduese)
- Kontrata mbi qiranë (bashkëngjitni kopjen e kontratës)
- Baza tjera ligjore (bashkëngjitni dokumentin ligjor mbi të drejtën e shfrytëzimit të banimit)
- Nuk ka baza ligjore

Koji je pravni osnov za Vaše stanovanje u stalnom boravištu?

- Privatno vlasništvo (priložiti kopiju uverenja iz zemljišnih knjiga)
- Ugovor o najmu (priložiti kopiju ugovora o najmu)
- Drugi pravni osnov (priložiti pravni instrumenat korišćenja stanarskog prava)
- Nema pravnog osnova.

What is the legal basis for your occupancy of the permanent residence?

- Private Ownership (attach a copy of land registry reference)
- Rental Agreement (attach a copy of the rental contract)
- Other Legal Basis (attach legal instrument on occupancy right use)
- No Legal Basis

1.4.4 A ka iniciuar ndonjë banues i mëparshëm apo ndonjë person tjetër procedurën pranë ndonjë organi kompetent gjyqësor apo administrativ për ripozitim të vendbanimit?**Po.....****Jo.....**Nëse “**Po**”, iu lutem siguroni informacionet vijuese:

- Emri i personit i cili ka iniciuar procedurën:
.....

- Emri i organit gjyqësor:
.....
- Emri i organit gjyqësor:
.....

Da li je bilo koji bivši stanar ili neko drugo lice pokrenulo bilo kakav postupak pred bilo kojim nadležnim pravosudnim ili administrativnim organom kako bi ponovo ušao u posed tog boravišta?

Da.....

Ne.....

Ukoliko je odgovor “**Da**”, molimo da navedete sledeće informacije:

- Ime lica koje je pokrenulo postupak:
.....
- Ime organa koji donosi odluku:
.....
- Broj predmeta.....

Did any prior occupant or other person initiate any proceedings before any competent judicial or administrative authority to regain possession of the residence?

Yes.....

No.....

If “**Yes**”, please provide the following information:

- Name of Person initiating proceeding:
.....
- Name of Adjudicating Authority:
.....
- Case Number

1.1.5 Çfarë është statusi i lëndës ?

- Lëndë e përfunduar (bashkëngjitni vendimin e plotfuqishëm)
- Është tërheq kërkesëpadia
- Lënda e mbetur pezull (shpjegoni më poshtë këtë status)

Koji je status predmeta?

- Predmet završen (priložite završnu odluku)
- Zahtev povučen
- Predmet u toku (dole dati siže statusa)

What is the case status?

- Completed case (attach final decision)
- Claim Withdrawn
- Pending Case (summarize status below)

1.5 Vendbanimi i tanishëm
Sadašnje boravište
Current Residence

1.2.1 Lloji i vendbanimit:

- Shtëpi
- Banesë
- Tjetër (specifiko).....

Vrsta boravišta:

- Kuća.....
- Stan.....
- Drugo (precizirajte).....

Residence Type:

- House.....
- Apartment.....
- Other (specify)

1.2.2 Adresa e vendbanimit:

- Komuna:.....
- Kodi postal:.....
- Qyteti/ Qyteza:.....
- Emri dhe numri i rrugës:.....
- Emri dhe numri i rrugës para luftës:.....
- Kati dhe numri i banesës:.....

Adresa boravišta:

- Opština:.....
- Poštanski broj:.....
- Grad:.....
- Ulica i broj:.....
- Ime ulice i broj pre rata:.....
- Sprat i broj stana

Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.3.3 Cila është baza ligjore për zotimin tuaj të vendbanimit të përhershëm?

- Pronë private (bashkëngjitni kopjen e listës poseduese)
- Kontrata mbi qiranë (bashkëngjitni kopjen e kontratës)
- Baza tjera ligjore (bashkëngjitni dokumentin ligjor mbi të drejtën e shfrytëzimit të banimit)
- Nuk ka baza ligjore

Koji je pravni osnov za Vaše stanovanje u stalnom boravištu?

- Privatno vlasništvo (priložiti kopiju uverenja iz zemljišnih knjiga)
- Ugovor o najmu (priložiti kopiju ugovora o najmu)
- Drugi pravni osnov (priložiti pravni instrumenat korišćenja stanarskog prava)
- Nema pravnog osnova.

What is the legal basis for your occupancy of the current residence?

- Private Ownership (attach a copy of land registry reference)
- Rental Agreement (attach a copy of the rental contract)
- Other Legal Basis (attach legal instrument on occupancy right use)
- No Legal Basis

1.3.4 A ka iniciuar ndonjë banues i mëparshëm apo ndonjë person tjetër procedurën pranë ndonjë organi kompetent gjyqësor apo administrativ për riposeditim të vendbanimit?

Po.....

Jo.....

Nëse “**Po**”, iu lutem siguroni informacionet vijuese:

- Emri i personit i cili ka iniciuar procedurën:
.....
- Emri i organit gjyqësor:
.....
- Emri i organit gjyqësor:
.....

Da li je bilo koji bivši stanar ili neko drugo lice pokrenulo bilo kakav postupak pred bilo kojim nadležnim pravosudnim ili administrativnim organom kako bi ponovo ušao u posed tog boravišta?

Da.....

Ne.....

Ukoliko je odgovor “**Da**”, molimo da navedete sledeće informacije:

- Ime lica koje je pokrenulo postupak:
.....
- Ime organa koji donosi odluku:
.....
- Broj predmeta.....

Did any prior occupant or other person initiate any proceedings before any competent judicial or administrative authority to regain possession of the residence?

Yes.....

No.....

If “Yes” , please provide the following information:

- Name of Person initiating proceeding:
.....
- Name of Adjudicating Authority:
.....
- Case Number

1.2.5 Çfarë është statusi i lëndës ?

- Lëndë e përfunduar (bashkëngjitni vendimin e plotfuqishëm)
- Është tërheq kërkesëpadia
- Lënda e mbetur pezull (shpjegoni më poshtë këtë status)

Koji je status predmeta?

- Predmet završen (priložite završnu odluku)
- Zahtev povučen
- Predmet u toku (dole dati siže statusa)

What is the case status?

- Completed case (attach final decision)
- Claim Withdrawn
- Pending Case (summarize status below)

1.3 Vendbanimi i dytë i tanishëm Drugo sadašnje boravište Second Current Residence

1.3.1 Lloji i vendbanimit:

- Shtëpi
- Banesë
- Tjetër (specifiko).....

Vrsta boravišta:

- Kuća.....
- Stan.....
- Drugo (precizirajte).....

Residence Type:

- House.....
- Apartment.....
- Other (specify)

1.3.2 Adresa e vendbanimit:

- Komuna:.....
- Kodi postal:.....
- Qyteti/ Qyteza:.....
- Emri dhe numri i rrugës:.....
- Emri dhe numri i rrugës para luftës:.....
- Kati dhe numri i banesës:.....

Adresa boravišta:

- Opština:.....
- Poštanski broj:.....
- Grad:.....
- Ulica i broj:.....
- Ime ulice i broj pre rata:.....
- Sprat i broj stana

Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.3.3 Cila është baza ligjore për zotimin tuaj të vendbanimit të përhershëm?

- Pronë private (bashkëngjitni kopjen e listës poseduese)
- Kontrata mbi qiranë (bashkëngjitni kopjen e kontratës)
- Baza tjera ligjore (bashkëngjitni dokumentin ligjor mbi të drejtën e shfrytëzimit të banimit)
- Nuk ka baza ligjore

Koji je pravni osnov za Vaše stanovanje u stalnom boravištu?

- Privatno vlasništvo (priložiti kopiju uverenja iz zemljišnih knjiga)
- Ugovor o najmu (priložiti kopiju ugovora o najmu)
- Drugi pravni osnov (priložiti pravni instrumenat korišćenja stanarskog prava)
- Nema pravnog osnova.

What is the legal basis for your occupancy of the current residence?

- Private Ownership (attach a copy of land registry reference)
- Rental Agreement (attach a copy of the rental contract)
- Other Legal Basis (attach legal instrument on occupancy right use)
- No Legal Basis

1.3.4 A ka iniciuar ndonjë banues i mëparshëm apo ndonjë person tjetër procedurën pranë ndonjë organi kompetent gjyqësor apo administrativ për riposeditim të vendbanimit?

Po.....

Jo.....

Nëse “**Po**”, iu lutem siguroni informacionet vijuese:

- Emri i personit i cili ka iniciuar procedurën:
.....
- Emri i organit gjyqësor:
.....
- Emri i organit gjyqësor:
.....

Da li je bilo koji bivši stanar ili neko drugo lice pokrenulo bilo kakav postupak pred bilo kojim nadležnim pravosudnim ili administrativnim organom kako bi ponovo ušao u posed tog boravišta?

Da.....

Ne.....

Ukoliko je odgovor “**Da**”, molimo da navedete sledeće informacije:

- Ime lica koje je pokrenulo postupak:
.....
- Ime organa koji donosi odluku:
.....
- Broj predmeta.....

Did any prior occupant or other person initiate any proceedings before any competent judicial or administrative authority to regain possession of the residence?

Yes.....

No.....

If “Yes” , please provide the following information:

- Name of Person initiating proceeding:
.....
- Name of Adjudicating Authority:
.....
- Case Number

1.3.5 Çfarë është statusi i lëndës ?

- Lëndë e përfunduar (bashkëngjitni vendimin e plotfuqishëm)
- Është tërheq kërkesëpadia
- Lënda e mbetur pezull (shpjegoni më poshtë këtë status)

Koji je status predmeta?

- Predmet završen (priložite završnu odluku)
- Zahtev povučen
- Predmet u toku (dole dati siže statusa)

What is the case status?

- Completed case (attach final decision)
- Claim Withdrawn
- Pending Case (summarize status below)

1.3 Vendbanimet e mëhershme:

Më poshtë ju duhet të siguron informata lidhur me secilën dhe çdo adresë në të cilin keni banuar për një periudhë më të gjatë kohore se një muaj gjatë pesë viteve të kaluara. Filloni me pronën ku keni banuar që nga muaji mars i vitit **1999** dhe siguron informata të plota mbi pronën për të gjitha vendbanimet prej asaj kohe e tutje. Hollësitë e plota lidhur me pronën ku ju tani banoni duhet të jepen në seksionin **1.2.** dhe **1.3** të lartshënuara.

(Nëse është e nevojshme bashkëngjitni fleta shtesë për sa i përket secilës adresë shtesë në të cilën keni banuar)

Bivša boravišta:

Treba da date informacije u pogledu svake adrese na kojoj ste stanovali u toku perioda dužeg od jednog meseca tokom proteklih pet godina. Počnite sa imovinom gde ste živeli od marta **1999.** godine i dajte potpune informacije o imovini za sva boravišta posle toga. Puni detalji u pogledu imovine gde trenutno boravite treba da se navedu u gornjim članovima **1.2** i **1.3.**

(Ukoliko je potrebno, priložite dodatne listove u pogledu svake dodatne adrese na kojoj ste živeli)

Previous residences:

You must provide information below in respect of each and every address at which you resided for a period longer than one month during the past five years. Start with the property where you resided as of March **1999** and provide complete property information for all residences thereafter. Full details regarding the property where you currently reside should be given at Section **1.2** and **1.3** above. *(If necessary attach additional sheets in respect of each additional address at which you resided)*

1.3.1 Vendbanimi i parë

Data kur ka filluar banimi: Dita:.....Muaji:.....Viti:.....

Data kur ka përfunduar banimi: Dita:..... Muaji:..... Viti:.....

Prvo boravište

Datum kada je boravak počeo: Dan:..... Mesec:.....Godina:.....

Datum kada je boravak prestao: Dan:.....Mesec:.....Godina

First Residence

Date residence commenced: Day:.....Month:.....Year:.....

Date residence ceased: Day:..... Month:.....Year:.....

1.3.1.1 Lloji i vendbanimit:

- Shtëpi
- Banesë
- Tjetër (specifiko).....

Vrsta boravišta:

- Kuća.....
- Stan.....
- Drugo (precizirajte).....

Residence Type:

- House.....
- Apartment.....
- Other (specify).....

1.3.1.2 Adresa e vendbanimit:

- Komuna:.....
- Kodi postal:.....
- Qyteti/ Qyteza:.....
- Emri dhe numri i rrugës:.....
- Emri dhe numri i rrugës para luftës:.....
- Kati dhe numri i banesës:.....

Adresa boravišta:

- Opština:.....
- Poštanski broj:.....
- Grad:.....
- Ulica i broj:.....
- Ime ulice i broj pre rata:.....
- Sprat i broj stana

Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.3.1.3 Bartësi i së drejtës për banim:.....**Nosilac prava na korišćenje:.....****Allocation Right Holder:.....****1.3.1.4 Cila është baza ligjore për zotimin tuaj të vendbanimit të përhershëm?**

- Pronë private (bashkëngjitni kopjen e listës poseduese)
- Kontrata mbi qiranë (bashkëngjitni kopjen e kontratës)
- Kontrata mbi qiranë (bashkëngjitni kopjen e kontratës)
- E drejta për banim të përhershëm (bashkëngjitni aktvendimin mbi ndarjen e banesës dhe kontratën mbi shfrytëzimin)
- E drejta për banim të përkohshëm (bashkëngjitni aktvendimin mbi ndarjen e banesës dhe kontratën mbi shfrytëzimin)
- Skadimi i së drejtës për banim të përkohshëm (bashkëngjitni aktvendimin mbi ndarjen e banesës dhe kontratën mbi shfrytëzimin si dhe aktvendimin për anulimin e së drejtës për banim)
- Nuk ka baza ligjore

Koji je pravni osnov za Vaše stanovanje u tom boravištu?

- Privatno vlasništvo (*priložiti fotokopiju uverenja iz zemljišnih knjiga*)
- Ugovor o najmu (*priložiti fotokopiju ugovora o najmu*)
- Drugi pravni osnov (*priložiti fotokopiju o stanarskom pravu*)
- Stalno stanarsko pravo (*priložiti odluku o nosiocu prava na korišćenje i ugovor o korišćenju*)
- Privremeno stanarsko pravo (*priložiti odluku o nosiocu prava na korišćenje i ugovor o korišćenju*)
- Isteklo privremeno stanarsko pravo (*priložiti odluku o nosiocu prava na korišćenje i ugovor o korišćenju i odluku o stanarskom pravu*)
- Nema pravnog osnova

What is the legal basis for your occupancy of the residence?

- Private Ownership (*attach a copy of land registry reference*)
- Rental Agreement (*attach a copy of the rental contract*)
- Other Legal Basis (*attach legal instrument on occupancy right use*)
- Permanent Occupancy Right (*attach decision of allocation right holder and contract on use*)
- Temporary Occupancy Right (*attach decision of allocation right holder and contract on use*)
- Expired Temporary Occupancy Right (*attach decision of allocation right holder and contract on use and decision concealing occupancy right*)
- No Legal Basis

1.3.1.5 Lirimi i Pronës:

Oslobadnje imovine:

Vacation of Property:

A: Pse e liruati pronën ?

- Ka skaduar e drejta e banimit të përkohshëm
- Lirimi vullnetar i pronës për t'i mundësuar banuesit të para luftës për ta riposeduar.
- Banuesi para luftës ka siguruar vendimin nga organi/gjykata kompetent/e i/e cili/a ka urdhëruar riposedimin
- Aktvendimi i DQPB ka konfirmuar banimin / pronësinë e ligjshëm/me të banorit para luftës.
- Dëbimi i dhunshëm sipas urdhrit të ligjshëm
- Tjetër (specifiko)

Zašto ste napustili imovinu?

- Isteklo je privremeno stanarsko pravo
- Dobrovoljno napuštanje imovine kako bi se omogućilo ulaženje u posed predratnog stanara
- Predratni stanar dobio je odluku nadležnog organa / sud je odredio ulaženje u posed
- Odluka Direktorata za stambena i imovinska pitanja potvrdila je zakonsko stanarsko pravo / vlasništvo predratnog stanara
- Prisilno izbacivanje shodno zakonitom nalogu
- Drugo (*precizirati*)

Why did you vacate the Property?

- Temporary Occupancy Right Expired
- Voluntary Vacation of Property to enable pre-war occupant to regain possession
- Pre-war occupant obtained decision from competent authority / court ordering repossession
- HPD Decision confirmed legal occupancy / ownership of pre-war occupant
- Forcible eviction pursuant to lawful order
- Other (*specify*)

B: A e keni lëshuar pronën brenda afatit ligjor në pajtim me aktvendimin e lëshuar nga një organ kompetent?

Po.....

Jo.....

Data e afatit ligjor për largim (bashkëngjitni kopjen e aktvendimit përkatës)
Nëse përgjigja është “Jo”, shpjegoni pse.

Da li ste imovinu napustili u zakonskom roku shodno odluci koju je izdao nadležni organ?

Da.....

Ne.....

Datum zakonskog roka za napuštanje (priložiti kopiju relevantne odluke)
Ukoliko je odgovor “Ne”, objasnite zašto.

Did you vacate the property within the legal deadline pursuant to e decision issued by a competent authority?

Yes.....

No.....

Date of legal deadline to vacate (attach copy of relevant decision)
If the answer is “No”, explain why.

1.3.2 Vendbanimi i Dytë

Data kur ka filluar banimi: Dita:..... Muaji:..... Viti:.....
Data kur ka përfunduar banimi: Dita:..... Muaji:..... Viti:.....

Drugo boravište

Datum kada je boravište započelo: Dan:..... Mesec:..... Godina:.....
Datum kada je boravište prestalo: Dan:..... Mesec:..... Godina:.....

Second Residence

Date residence commenced: Day:..... Month:..... Year:.....
Date residence ceased: Day:..... Mothe:..... Year:.....

1.3.2.2 Lloji i vendbanimit:

- Shtëpi
- Banesë
- Tjetër (specifiko).....

Vrsta boravišta:

- Kuća.....
- Stan.....
- Drugo (precizirati).....

Residence Type:

- House.....
- Apartment.....
- Other (specify)

1.3.2.3 Adresa e vendbanimit:

- Komuna:.....
- Kodi postal:.....
- Qyteti/ Qyteza:.....
- Emri dhe numri i rrugës:.....
- Emri dhe numri i rrugës para luftës:.....
- Kati dhe numri i banesës:.....

Adresa boravišta:

- Opština:.....
- Poštanski broj:.....
- Grad:.....
- Ulica i broj:.....
- Ime ulice i broj pre rata:.....
- Sprat i broj stana

Residence Address:

- Municipality:.....
- Postcode:.....
- City / Town:.....
- Street Name and No:.....
- Pre-war Street Name and No:.....
- Apartment floor and No.....

1.3.2.3 Bartësi i së drejtës për banim:.....

Nosilac prava na korišćenje:.....

Allocation Right Holder:.....

1.3.2.4 Cila është baza ligjore për zotimin tuaj të vendbanimit të përhershëm?

- Pronë private (bashkëngjitni kopjen e listës poseduese)
- Kontrata mbi qiranë (bashkëngjitni kopjen e kontratës)
- Kontrata mbi qiranë (bashkëngjitni kopjen e kontratës)
- E drejta për banim të përhershëm (bashkëngjitni aktvendimin mbi ndarjen e banesës dhe kontratën mbi shfrytëzimin)
- E drejta për banim të përkohshëm (bashkëngjitni aktvendimin mbi ndarjen e banesës dhe kontratën mbi shfrytëzimin)
- Skadimi i së drejtës për banim të përkohshëm (bashkëngjitni aktvendimin mbi ndarjen e banesës dhe kontratën mbi shfrytëzimin si dhe aktvendimin për anulimin e së drejtës për banim)
- Nuk ka baza ligjore

Koji je pravni osnov za Vaše stanovanje u tom boravištu?

- Privatno vlasništvo (priložiti fotokopiju uverenja iz zemljišnih knjiga)

- Ugovor o najmu (*priložiti fotokopiju ugovora o najmu*)
- Drugi pravni osnov (*priložiti fotokopiju o stanarskom pravu*)
- Stalno stanarsko pravo (*priložiti odluku o nosiocu prava na korišćenje i ugovor o korišćenju*)
- Privremeno stanarsko pravo (*priložiti odluku o nosiocu prava na korišćenje i ugovor o korišćenju*)
- Isteklo privremeno stanarsko pravo (*priložiti odluku o nosiocu prava na korišćenje i ugovor o korišćenju i odluku o stanarskom pravu*)
- Nema pravnog osnova

What is the legal basis for your occupancy of the residence?

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- Other Legal Basis (*attach legal instrument on occupancy right use*)
- Permanent Occupancy Right (*attach decision of allocation right holder and contract on use*)
- Temporary Occupancy Right (*attach decision of allocation right holder and contract on use*)
- Expired Temporary Occupancy Right (*attach decision of allocation right holder and contract on use and decision concealing occupancy right*)
- No Legal Basis

1.3.2.6 Lirimi i Pronës:

Oslobađanje imovine:

Vacation of Property:

A: Pse e liruat pronën ?

- Ka skaduar e drejta e banimit të përkohshëm
- Lirimi vullnetar i pronës për t'i mundësuar banuesit të para luftës për ta riposeduar.
- Banuesi para luftës ka siguruar vendimin nga organi/gjykata kompetent/e i/e cili/a ka urdhëruar riposedimin
- Aktvendimi i DQPB ka konfirmuar banimin / pronësinë e ligjshëm/me të banorit para luftës.
- Dëbimi i dhunshëm sipas urdhrit të ligjshëm
- Tjetër (specifiko)

Zašto ste napustili imovinu?

- Isteklo je privremeno stanarsko pravo
- Dobrovoljno napuštanje imovine kako bi se omogućilo ulaženje u posed predratnog stanara
- Predratni stanar dobio je odluku nadležnog organa / sud je odredio ulaženje u posed

- Odluka Direktorata za stambena i imovinska pitanja potvrdila je zakonsko stanarsko pravo / vlasništvo predratnog stanara
- Prisilno izbacivanje shodno zakonitom nalogu
- Drugo (*precizirati*)

Why did you vacate the Property?

- Temporary Occupancy Right Expired
- Voluntary Vacation of Property to enable pre-war occupant to regain possession
- Pre-war occupant obtained decision from competent authority / court ordering repossession
- HPD Decision confirmed legal occupancy / ownership of pre-war occupant
- Forcible eviction pursuant to lawful order
- Other (*specify*)

B: A e keni lëshuar pronën brenda afatit ligjor në pajtim me aktvendimin e lëshuar nga një organ kompetent?

Po.....

Jo.....

Data e afatit ligjor për largim (bashkëngjitni kopjen e aktvendimit përkatës)
Nëse përgjigja është “Jo”, shpjegoni pse.

Da li ste imovinu napustili u zakonskom roku shodno odluci koju je izdao nadležni organ?

Da.....

Ne.....

Datum zakonskog roka za napuštanje (priložiti kopiju relevantne odluke)
Ukoliko je odgovor “Ne”, objasnite zašto.

Did you vacate the property within the legal deadline pursuant to e decision issued by a competent authority?

Yes.....

No.....

Date of legal deadline to vacate (attach copy of relevant decision)
If the answer is “No”, explain why.

2. Ndërtimi dhe Renovimi

Gradnja i renoviranje

Construction and Renovation

2.1 Brenda gjashtë viteve të kaluara, a ka filluar apo ka përfunduar ndërtimi apo renovimi në ndonjë banesë, shtëpi apo ndërtesë ku keni banuar apo tani banoni?

Po.....

Jo.....

U toku proteklih šest godina, da li je započela ili završena gradnja ili renoviranje na bilo kojem stanu, kući ili zgradi gde ste živeli ili sada živite?

Da.....

Ne.....

Within the past six years, has construction or renovation been started or completed on any apartment, house or building where you have resided or now reside?

Yes.....

No.....

2.2 Nëse **“Po”** , iu lutem shënoni të gjitha ndërtimet apo projektet e tilla të renovimit Ukoliko je odgovor **“Da”** , molimo da navedete svaku takvu gradnju ili renoviranje. If **“Yes”** , please list all such construction or renovation projects.

2.2.1 Për çdo ndërtim dhe/apo projektet e renovimit të shënuara në seksionin **2.2.** , iu lutem shënoni çdo leje për ndërtim të lëshuar nga komuna përkatëse (*bashkëngjitni kopjet*)

Za svaku gradnju i/ili renoviranje navedenu u članu **2.2** , molimo da navedete svaku građevinsku dozvolu koju je dala dotična opština (*priložiti kopije*)

For each construction and / or renovation projects listed in section **2.2.** , please list each of the construction permits supplied by the municipality concerned (*attach copies*)

2.2.2 Nëse jeni përgjigjur me **“Po”** në seksionin **2.1** , por nuk jeni në gjendje të siguronit lejet e kërkuara për çdo ndërtim apo renovim të tillë, iu lutem, siguronit shpjegime të plota lidhur me këto rrethana.

Ukoliko ste odgovorili sa **”Da”** u članu **2.1** , ali niste u mogućnosti da priložite potrebne dozvole za svaku od tih gradnji i renoviranja, molimo da date potuna objašnjenja za te okolnosti.

If you answered **“Ye s”** to section **2.1** , but you are unable you are unable to produce the required permits for each such construction or renovation, please, provide complete explanations for these circumstances.

2. TË HYRAT PERSONALE LIČNI DOHODAK PERSONAL INCOME

2.1	<p>TË HYRAT (të këtij viti (p.sh. 2005)) Iu lutem jepni hollësitë për të gjitha burimet individuale të të hyrave që iu janë paguar, bashkëshortes/it s/tuaj, partnerit shtëpiak apo fëmijëve të varur nga ju.</p> <p>DOHODAK (sadašnja godina (odnosno. 2005. g.)) Molimo da navedete sledeće detalje svih individualnih izvora prihoda koji je isplaćen Vama, Vašem supругu/supruzi, partneru u domaćinstvu ili izdržavanoj deci.</p> <p>INCOME (current year (ie. 2005)) Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.</p>	
<p style="text-align: center;">Të gjitha burimet e të hyrave</p> <p>(përfshirë punësimin me pagë, vetëpunësimin, tregtinë me pakicë, pagesat nga pala e tretë, të hyrat nga përqindja, të hyrat nga korporata dhe partneritetet ndihmëse, të hyrat nga qiraja, shitja e patundshmërisë, të hyrat të tjera)</p> <p style="text-align: center;">Svi pojedinačni izvori prihoda</p> <p>(uključujući zaposlenje uz platu, lično zaposlenje, maloprodaju, isplatu od treće strane, prihod od provizije, prihod od podružnica i pomoćnih partnerstava, prihod od najma, prodaja nepokretnosti, druge prihode)</p> <p style="text-align: center;">All Individual Sources of Income</p> <p>(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)</p>	<p style="text-align: center;">Shuma</p> <p>(për çdo të hyrë të shënuar, iu lutem specifikoni nëse të hyrat janë shuma mesatare për një muaj, apo vetëm si pranimi i 1 të hyre)</p> <p style="text-align: center;">Iznos</p> <p>(za svaki navedeni prihod, molimo da precizirate da li se radi o prosečnom mesečnom iznosu, ili jednokratnom prihodu)</p> <p style="text-align: center;">Amount</p> <p>(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)</p>	<p style="text-align: center;">Lloji i Punës apo Arsyeja për pranimin e të hyrave</p> <p style="text-align: center;">Vrsta posla ili razlog za potvrdu o prihodu</p> <p style="text-align: center;">Type of Work or Reason for Income Receipt</p>

2.2

TË HYRAT (1 vit para vitit aktual (p.sh. 2004)

Iu lutem jepni hollësitë për të gjitha burimet individuale të të hyrave që iu janë paguar, bashkëshortes/it s/tuaj, partnerit shtëpiak apo fëmijëve të varur nga ju.

PRIHOD (1 godina pre sadašnje (odnosno 2004. g.)

Molimo da navedete sledeće detalje svih individualnih izvora prihoda koji je isplaćen Vama, Vašem suprugu/supruzi, partneru u domaćinstvu ili izdržavanoj deci.

INCOME (1 year prior to current year (ie. 2004)

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

<p>Të gjitha burimet e të hyrave</p> <p>(përfshirë punësimin me pagë, vetëpunësimin, tregtinë me pakicë, pagesat nga pala e tretë, të hyrat nga përqindja, të hyrat nga korporata dhe partneritetet ndihmëse, të hyrat nga qiraja, shitja e patundshmërisë, të hyrat të tjera)</p> <p>Svi pojedinačni izvori prihoda</p> <p>(uključujući zaposlenje uz platu, lično zaposlenje, maloprodaju, isplatu od treće strane, prihod od provizije, prihod od podružnica i pomoćnih partnerstava, prihod od najma, prodaja nepokretnosti, druge prihode)</p> <p>All Individual Sources of Income</p> <p>(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)</p>	<p>Shuma</p> <p>(për çdo të hyrë të shënuar, iu lutem specifikoni nëse të hyrat janë shuma mesatare për një muaj, apo vetëm si pranimi i 1 të hyre)</p> <p>Iznos</p> <p>(za svaki navedeni prihod, molimo da precizirate da li se radi o prosečnom mesečnom iznosu, ili jednokratnom prihodu)</p> <p>Amount</p> <p>(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)</p>	<p>Lloji i Punës apo Arsyeja për pranimin e të hyrave</p> <p>Vrsta posla ili razlog za potvrdu o prihodu</p> <p>Type of Work or Reason for Income Receipt</p>

2.3

TË HYRAT (2 vite para vitit aktual (p.sh. 2003))

Iu lutem jepni hollësitë për të gjitha burimet individuale të të hyrave që iu janë paguar, bashkëshortes/it s/tuaj, partnerit shtëpiak apo fëmijëve të varur nga ju.

PRIHOD (2 godine pre sadašnje godine (odnosno 2003. g.))

Molimo da navedete sledeće detalje svih individualnih izvora prihoda koji je isplaćen Vama, Vašem suprugu/supruzi, partneru u domaćinstvu ili izdržavanoj deci.

INCOME (2 years prior to current year (ie. 2003))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

<p>Të gjitha burimet e të hyrave</p> <p>(përfshirë punësimin me pagë, vetëpunësimin, tregtinë me pakicë, pagesat nga pala e tretë, të hyrat nga përqindja, të hyrat nga korporata dhe partneritetet ndihmëse, të hyrat nga qiraja, shitja e patundshmërisë, të hyrat të tjera)</p> <p>Svi pojedinačni izvori prihoda</p> <p>(uključujući zaposlenje uz platu, lično zaposlenje, maloprodaju, isplatu od treće strane, prihod od provizije, prihod od podružnica i pomoćnih partnerstava, prihod od najma, prodaja nepokretnosti, druge prihode)</p> <p>All Individual Sources of Income</p> <p>(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)</p>	<p>Shuma</p> <p>(për çdo të hyrë të shënuar, iu lutem specifikoni nëse të hyrat janë shuma mesatare për një muaj, apo vetëm si pranimi i 1 të hyre)</p> <p>Iznos</p> <p>(za svaki navedeni prihod, molimo da precizirate da li se radi o prosečnom mesečnom iznosu, ili jednokratnom prihodu)</p> <p>Amount</p> <p>(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)</p>	<p>Lloji i Punës apo Arsyeja për pranimin e të hyrave</p> <p>Vrsta posla ili razlog za potvrdu o prihodu</p> <p>Type of Work or Reason for Income Receipt</p>

2.4

TË HYRAT (3 vite para vitit aktual (p.sh. 2002))

Iu lutem jepni hollësitë për të gjitha burimet individuale të të hyrave që iu janë paguar, bashkëshortes/it s/tuaj, partnerit shtëpiak apo fëmijëve të varur nga ju.

PRIHOD (3 godine pre sadašnje godine (odnosno 2002. g.))

Molimo da navedete sledeće detalje svih individualnih izvora prihoda koji je isplaćen Vama, Vašem suprugu/supruzi, partneru u domaćinstvu ili izdržavanoj deci.

INCOME (3 years prior to current year (ie. 2002))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

<p>Të gjitha burimet e të hyrave</p> <p>(përfshirë punësimin me pagë, vetëpunësimin, tregtinë me pakicë, pagesat nga pala e tretë, të hyrat nga përqindja, të hyrat nga korporata dhe partneritetet ndihmëse, të hyrat nga qiraja, shitja e patundshmërisë, të hyrat të tjera)</p> <p>Svi pojedinačni izvori prihoda</p> <p>(uključujući zaposlenje uz platu, lično zaposlenje, maloprodaju, isplatu od treće strane, prihod od provizije, prihod od podružnica i pomoćnih partnerstava, prihod od najma, prodaja nepokretnosti, druge prihode)</p> <p>All Individual Sources of Income</p> <p>(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)</p>	<p>Shuma</p> <p>(për çdo të hyrë të shënuar, iu lutem specifikoni nëse të hyrat janë shuma mesatare për një muaj, apo vetëm si pranimi i 1 të hyre)</p> <p>Iznos</p> <p>(za svaki navedeni prihod, molimo da precizirate da li se radi o prosečnom mesečnom iznosu, ili jednokratnom prihodu)</p> <p>Amount</p> <p>(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)</p>	<p>Lloji i Punës apo Arsyeja për pranimin e të hyrave</p> <p>Vrsta posla ili razlog za potvrdu o prihodu</p> <p>Type of Work or Reason for Income Receipt</p>

2.5

TË HYRAT (4 vite para vitit aktual (p.sh. 2001))

Iu lutem jepni hollësitë për të gjitha burimet individuale të të hyrave që iu janë paguar, bashkëshortes/it s/tuaj, partnerit shtëpiak apo fëmijëve të varur nga ju.

PRIHOD (4 godine pre sadašnje godine (odnosno 2001. g.))

Molimo da navedete sledeće detalje svih individualnih izvora prihoda koji je isplaćen Vama, Vašem suprugu/supruzi, partneru u domaćinstvu ili izdržavanoj deci.

INCOME (4 years prior to current year (ie. 2001))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children..

<p>Të gjitha burimet e të hyrave</p> <p>(përfshirë punësimin me pagë, vetëpunësimin, tregtinë me pakicë, pagesat nga pala e tretë, të hyrat nga përqindja, të hyrat nga korporata dhe partneritetet ndihmëse, të hyrat nga qiraja, shitja e patundshmërisë, të hyrat të tjera)</p> <p>Svi pojedinačni izvori prihoda</p> <p>(uključujući zaposlenje uz platu, lično zaposlenje, maloprodaju, isplatu od treće strane, prihod od provizije, prihod od podružnica i pomoćnih partnerstava, prihod od najma, prodaja nepokretnosti, druge prihode)</p> <p>All Individual Sources of Income</p> <p>(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)</p>	<p>Shuma</p> <p>(për çdo të hyrë të shënuar, iu lutem specifikoni nëse të hyrat janë shuma mesatare për një muaj, apo vetëm si pranimi i 1 të hyre)</p> <p>Iznos</p> <p>(za svaki navedeni prihod, molimo da precizirate da li se radi o prosečnom mesečnom iznosu, ili jednokratnom prihodu)</p> <p>Amount</p> <p>(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)</p>	<p>Lloji i Punës apo Arsyeja për pranimin e të hyrave</p> <p>Vrsta posla ili razlog za potvrdu o prihodu</p> <p>Type of Work or Reason for Income Receipt</p>

2.6

TË HYRAT (5 vite para vitit aktual (p.sh. 2000))

Iu lutem jepni hollësitë për të gjitha burimet individuale të të hyrave që iu janë paguar, bashkëshortes/it s/tuaj, partnerit shtëpiak apo fëmijëve të varur nga ju.

PRIHOD (5 godina pre sadašnje godine (odnosno 2000. g.))

Molimo da navedete sledeće detalje svih individualnih izvora prihoda koji je isplaćen Vama, Vašem suprugu/supruzi, partneru u domaćinstvu ili izdržavanoj deci.

INCOME (5 years prior to current year (ie. 2000))

Please give the following details of all individual sources of income paid to you, your spouse, domestic partner or dependent children.

<p>Të gjitha burimet e të hyrave</p> <p>(përfshirë punësimin me pagë, vetëpunësimin, tregtinë me pakicë, pagesat nga pala e tretë, të hyrat nga përqindja, të hyrat nga korporata dhe partneritetet ndihmëse, të hyrat nga qiraja, shitja e patundshmërisë, të hyrat të tjera)</p> <p>Svi pojedinačni izvori prihoda</p> <p>(uključujući zaposlenje uz platu, lično zaposlenje, maloprodaju, isplatu od treće strane, prihod od provizije, prihod od podružnica i pomoćnih partnerstava, prihod od najma, prodaja nepokretnosti, druge prihode)</p> <p>All Individual Sources of Income</p> <p>(including salaried employment, self-employment, retail businesses, third party payments, commission income, income from subsidiary corporation and subsidiary partnerships, rental income, sale of real estate other income)</p>	<p>Shuma</p> <p>(për çdo të hyrë të shënuar, iu lutem specifikoni nëse të hyrat janë shuma mesatare për një muaj, apo vetëm si pranimi i 1 të hyre)</p> <p>Iznos</p> <p>(za svaki navedeni prihod, molimo da precizirate da li se radi o prosečnom mesečnom iznosu, ili jednokratnom prihodu)</p> <p>Amount</p> <p>(for each listed income, please specify whether income is an average amount per month, or a 1 time receipt of income)</p>	<p>Lloji i Punës apo Arsyeja për pranimin e të hyrave</p> <p>Vrsta posla ili razlog za potvrdu o prihodu</p> <p>Type of Work or Reason for Income Receipt</p>

3. PASURITË AKTIVE ASSETS

3.1. Pasuritë personale

Ju lutem specifikoni pasuritë tuaja, përfshirë pasurinë e patundshme, xhirollogaritë dhe aksionet. Pasuritë në vlerë më të vogël se 1,000 euro nuk kanë nevojë të specifikohen.

Liçna dobra (aktive)

Molimo da navedete svoje aktive, uključujući nepokretnu imovinu, bankovne račune i deonice. Nije potrebno navoditi aktive u vrednosti manjoj od 1000 evra.

Personal Assets

Please itemize your assets, including real estate property, bank accounts and shares. Assets with a value less than 1,000 Euro need not be itemized.

Lloji i pasurisë Vrsta dobara Type of Asset	Vlera Vrednost Value

3.2 Pasuritë familjare
Porodična dobra
Family Assets

Anëtarë i familjes Član porodice Family Member	Lloji i pasurisë Vrsta dobra Type of Asset	Vlera Vrednost Value

4. DETYRIMET
ZADUŽENJA
LIABILITIES

4.1 Detyrimet Personale

Ju lutem jepni detajet e të gjithave detyrimeve tuaja. Ju gjithashtu duhet të theksoni ndaj kujt keni detyrime. Çekni vlerën e detyrimit mbi 1,000 euro. Detyrimet në vlerë më të vogël se 1,000 euro nuk kanë nevojë të specifikohen.

Lična zaduženja

Molimo da navedete detalje o svim svojim zaduženjima. Takođe treba da navedete kome ste dužni. Navedite vrednost duga do najbliže 1000 evra. Nije potrebno navoditi zaduženja u vrednosti manjoj od 1000 evra.

Personal Liabilities

Please give details of all your liabilities. You should also state to whom you are liable. State the value of the liability to the nearest 1000 Euro. Liabilities with a value less than 1000 Euro need not be itemized.

Përshkrimi i detyrimit Opis zaduženja Description of Liability	Vlera e detyrimit Iznos zaduženja Amount of Liability	Ndaj kujt duhet të kryhet ky detyrim Kome treba da se isplati zaduženje To whom Liability is Due

**4.2 Detyrimet e anëtarëve të familjes
Zaduženja članova porodice
Family Members' Liabilities**

Anëtari i familjes Član porodice Family Member	Përshkrimi i detyrimit Opis zaduženja Description of Liability	Vlera e detyrimit Iznos zaduženja Amount of Liability	Ndaj kujt duhet të kryhet ky detyrim Kome zaduženje treba da se isplati To whom Liability is Due

**5. Gjithsej vlera e parashikuar.
Procena ukupne vrednosti.
Estimated Total Worth.**

Përcaktoni vetë shumën totale të vlerës (*mbi 1000 euro*).....
Nëse shuma nuk korrespondon me atë të pasurisë suaj minus detyrimet tuaja, shpjego pse.

Procenite svoje ukupne lične vrednosti (*do vrednosti najbliže 1000 evra*).....

Ukoliko broj ne odgovara broju Vaših dobara od kojih se oduzmu Vaša zaduženja, molimo da objasnite.

Estimate you total personal worth (*to the nearest 1000 Euro*).....

If the figure does not correspond to that of your assets minus your liabilities, explain why.

**6. VEPRIMTARIA NË KOMPANI PUBLIKE APO PRIVATE
AKTIVNOSTI JAVNIH ILI PRIVATNIH PREDUZEĆA
PUBLIC OR PRIVATE COMPANY ACTIVITY**

6.1 A keni qenë ju, bashkëshortja e juaj, fëmijët brenda shtëpisë suaj anëtar themelues të ndonjë kompanie private apo ndonjë subjekti tjetër juridik?

Po.....

Jo.....

Da li ste Vi, Vaš suprug/supruga, ili deca u Vašem domaćinstvu bili osnivač privatnog preduzeća ili drugog pravnog lica?

Da.....

Ne.....

Have you, your spouse, children within your household been a founding member of a private company or other legal body?

Yes.....

No.....

Nëse “**Po**” , siguroni informacionet vijuese për anëtarët tuaj të familjes, përfshirë edhe veten, nëse e zbatueshme:

Ukoliko je odgovor “**Da**” , molimo da navedete sledeće informacije o svojim članovima porodice, uključujući Vas, ukoliko je primenjivo:

If “**Yes**” , provide the following information for you family members, including yourself, if applicable:

Anëtari i familjes Član porodice Family member	Lidhja familjare Veza Relationship	Emri i kompanisë apo subjektit juridik Ime preduzeća ili pravnog lica Name of Company or Legal Body	Data e Themelimit Datum osnivanja Date of Foundation

6.2 A keni qenë ju, bashkëshortja e juaj, fëmijët brenda shtëpisë suaj në ndonjë bord ekzekutiv apo mbikëqyrës të kompanive publike apo private apo të subjekteve të tjera juridike ?

Po.....

Jo.....

Da li ste Vi, Vaš suprug/supruga, ili deca u Vašem domaćinstvu bili izvršni službenik ili u nadzornom odboru privatnog preduzeća ili drugog pravnog lica?

Da.....

Ne.....

Have you, your spouse, children within your household been an executive or supervisory board of public or private companies or other legal bodies?

Yes.....

No.....

Nëse “**Po**”, siguroni informacionet vijuese për anëtarët tuaj të familjes, përfshirë edhe veten, nëse e zbatueshme:

Ukoliko je odgovor “**Da**”, molimo da navedete sledeće informacije o svojim članovima porodice, uključujući Vas, ukoliko je primenjivo:

If “**Yes**”, provide the following information for you family members, including yourself, if applicable:

Anëtar i familjes Çlan porodice Family Member	Lidhja familjare Veza Relationship	Emri i kompanisë apo subjektit juridik Ime preduzeća ili pravnog lica Name of Company or Legal Body	Titulli i vendit të punës Naziv funkcije Title of Post	Data e emërimit Datum imenovanja Date of Appointment	Data e largimit Datum završetka Date of Termination

6.3 A i menaxhoni, administroni apo në mënyrë tjetër merreni me pasurinë apo pronën e ndonjë personi apo subjekti tjetër?

Po.....

Jo.....

Da li ste Vi, Vaš suprug/supruga, ili deca u Vašem domaćinstvu bili izvršni službenik ili u nadzornom odboru privatnog preduzeća ili drugog pravnog lica?

Da.....

Ne.....

Do you manage, administer or otherwise deal with the assets or property of any person or entity?

Yes.....

No.....

Nëse “**Po**”, siguroni informacionet vijuese për cilëndo përgjegjësi të tillë.

Ukoliko je odgovor “**Da**”, molimo da navedete sledeće informacije o svojim članovima porodice, uključujući Vas, ukoliko je primenjivo:

If “**Yes**”, provide the following information for each such responsibility.

Emri i marrësit (Person / Subjekt) Ime primaoca (Lice/Celina) Name of Recipient (Person / Entity)	Lidhja familjare Veza Relationship	Pronë apo pasuri Imovina ili dobro Property or Asset	Vlera e pronës apo pasurisë Vrednost imovine ili dobra Value of Property or Asset

7. Referencat: Shënoni tre persona me të cilët nuk keni lidhje farefisnie a martesore; të cilët janë të afërm me karakterin dhe kualifikimet tuaja. Mos i përsërisni mbikëqyrësin-(të) të cilët figurojnë në pikën 10.4

Preporuke: Navedite tri lica koja nisu sa Vama u srodstvu ili u braku, a koja su upoznata sa Vašim karakterom i kvalifikacijama. Nemojte da ponavljate imena nadređenih iz tačke 10.4.

References: List three persons not related to you by blood or marriage, who are familiar with your character and qualifications. Do not repeat supervisor(s) given in item 10.4.

Emëri Ime Name	Adresa e plotë Puna adresa Full address	Nr. i telefonit Broj telefona Telephone	Profesioni/raporti- marrëdhëniet Profesija/Veza sa kandidatom Profession/Relationship

DEKLARATË

Me anë të kësaj deklarate vërtetoj se informatat e dhëna në këtë formular, dhe dokumentet e dorëzuara si pjesë e saj, janë të vërteta, të plota dhe të sakta. E kuptoj se është detyrë imja e vazhdueshme të korrigjojë çfarëdo informate të pasaktë dhe të sigurojë çfarëdo informate shtesë e cila më vihet në dijeni pas datës së dorëzimit të këtij formulari dhe i cili është i rëndësishëm për aplikacionin tim. Më tutje e kuptoj faktin se nëse zbulohet se çfarëdo informate të cilën e kam dhënë nuk është e saktë apo është mashtruese në çfarëdo baze materiale, mund të jem i përjashtuar nga marrja në konsiderim për emërim për pozitën (pozitat) për të cilat kam aplikuar, dhe nëse jam i emëruar për vendin e punës gjyqtar apo prokuror, një emërim i tillë mund të ndërpritet mbi këto baza, dhe se mund të jem subjekt i ndëshkimeve civile dhe/ose penale.

Në mënyrë të veçantë:

1. Autorizoj PSSP-në, Këshillin Gjyqësor të Kosovës, dhe autoritetet kompetente që veprojnë në emër të PSSP-së apo Këshillit Gjyqësor të Kosovës, të sigurojnë dhe të kontrollojnë dosjet e mia të personelit nga punëdhënësit e mëparshëm.

2. Autorizoj PSSP-në, Këshillin Gjyqësor të Kosovës, dhe autoritetet kompetente që veprojnë në emër të PSSP-së dhe Këshillit Gjyqësor të Kosovës, të sigurojnë informata, të dhëna dhe dokumente për mua nga cilido organ disiplinor, agjenci për zbatim të ligjit, Odës së Avokatëve, nga cilido bord licencues profesional, institucion arsimor dhe nga cilido institucion financiar.

3. Më tutje, autorizoj këto institucione, organizata, dhe individë, dhe çfarëdo lloj tjetër institucioni, organizate apo individë t'i vejë në dispozicion autoriteteve kompetente të gjitha dokumentet, të dhënat dhe informatat konfidenciale dhe jo-konfidenciale për mua të cilat mund të kërkohen.

4. E kuptoj se me nënshkrimin tim më poshtë, dhe me dorëzimin e këtij aplikacioni, pajtohem që të lejojë PSSP-në, Këshillin Gjyqësor të Kosovës, dhe të gjitha autoritetet kompetente që veprojnë në emër të PSSP-së dhe në emër të Këshillit Gjyqësor të Kosovës, të hetojnë çështjet e mia financiare, duke përfshirë pasuritë dhe detyrimet e mia personale, dhe çfarëdo veprimi penal në të kaluarën.

5. Secila dhe të gjitha informatat e siguruar nga PSSP-ja, Këshilli Gjyqësor i Kosovës, dhe cilido autoritet kompetent që vepron në emër të PSSP-së dhe Këshillit Gjyqësor të Kosovës, do të mbesin konfidenciale dhe do të përdoren vetëm nga PSSP-ja ose Këshilli Gjyqësor i Kosovës me qëllim të marrjes në konsiderim të aplikacionit tim për këtë pozitë.

Nënshkrimi:

Data:

Vendi:

Numri i bashkangjitur i fletëve shtesë: _____

IZJAVA

Ovime potvrđujem da su informacije date u ovom formularu i dokumenta podnesena kao njegov deo, potpune i tačne. Shvatam da imam trajnu dužnost da ispravim bilo koje netačne informacije i da dam bilo koje dalje informacije koje mi budu poznate posle datuma podnošenja ovog formulara, a koje su relevantne za moju aplikaciju. Dalje, shvatam da ukoliko se otkrije da bilo koja od informacija koje sam dao/dala nisu tačne ili na bilo koji materijalan način navode na pogrešan zaključak, mogu da budem isključen/a iz razmatranja za nominaciju na mesto/mesta za koje sam se prijavio/la, a da, budem li imenovan/a na sudijsko ili tužilačko mesto, to imenovanje može da se obustavi na ovom osnovu i mogu da budem podložan/podložna građanskim i/ili krivičnim sankcijama.

Preciznije:

6. Ovlašćujem SPGS-a, Sudsko veće Kosova i nadležne organe koji postupaju u ime SPGS-a i i Sudskog veća Kosova da traže i prouče moje dosijee od prethodnih poslodavaca.
7. Ovlašćujem SPGS-a, Sudsko veće Kosova i nadležne organe koji postupaju u ime SPGS-a i i Sudskog veća Kosova da prikupe informacije, zapise i dokumenta koja se tiču mene od bilo kojeg disciplinskog tela, bilo kojeg organa za sprovođenje zakona, bilo kojeg organa, bilo koje advokatske komore, bilo kojeg odbora za izdavanje profesionalnih dozvola, bilo koje obrazovne institucije i bilo koje finansijske institucije.
8. Dalje, ovlašćujem te institucije, organizacije i pojedince, i bilo koje druge institucije, organizacije i pojedince da stave na raspolaganje nadležnim organima sva poverljiva dokumenta i ona koja nisu označena kao poverljiva dokumenta, zapise i informacije koji se tiču mene a koji bi mogli da se traže.
9. Shvatam da svojim potpisom i podnošenjem ove aplikacije pristajem da dopustim SPGS-u, Sudskom veću Kosova i svim nadležnim organima koji postupaju u ime SPGS-a i Sudskog veća Kosova da ispitaju moja finansijska poslovanja, uključujući lična dobra i dugove, i bilo koje bivše krivične aktivnosti.
10. Bilo koje i sve informacije koje dobije SPGS, Sudsko veće Kosova i bilo koji nadležni organi koji postupaju u ime SPGS-a i Sudskog veća Kosova, ostaće poverljivi i koristiće ih samo SPGS ili Sudsko veće Kosova u svrhu razmatranja moje aplikacije za ovo radno mesto.

Potpis:

Datum:

Mesto:

Broj priloženih dodatnih listova: _____

DECLARATION

I hereby certify that the information provided in this form, and documents submitted as a part thereof, are true, complete and accurate. I understand that I have a continuing duty to correct any inaccurate information and to supply any further information which comes to my attention after the date of submission of this form and which is relevant to my application. I further understand that if it is discovered that any of the information which I have provided is not true or is misleading in any material respect, I may be excluded from consideration for nomination to the position(s) for which I have applied, that if I am appointed to judicial or prosecutorial office such appointment may be terminated on this basis, and that I may be subject to civil and/or criminal sanctions.

Specifically:

11. I authorize the SRSG , the Kosovo Judicial Council, and competent authorities acting on behalf of the SRSG and the Kosovo Judicial Council, to obtain and examine my personnel files from past employers.
12. I authorize the SRSG , the Kosovo Judicial Council, and competent authorities acting on behalf of the SRSG and the Kosovo Judicial Council, to obtain information, records and documents regarding me from any disciplinary body, any law enforcement agency, any bar association, any occupational licensing board, any educational institution, and any financial institutions.
13. I further authorize these institutions, organizations, and individuals, and any other institutions, organizations and individuals to make available to the competent authorities all confidential and non-confidential documents, records and information concerning me that may be requested.
14. I understand that by my signature below, and the submission of this application, I agree to allow the SRSG, the Kosovo Judicial Council, and all competent authorities acting on behalf of SRSG and the Kosovo Judicial Council, to investigate my financial affairs, including personal assets and liabilities, and any past criminal activity.
15. Any and all information obtained by the SRSG, the Kosovo Judicial Council, and any competent authorities acting on behalf of the SRSG and the Kosovo Judicial Council, will remain confidential and will only be used by the SRSG or the Kosovo Judicial Council for the purpose of considering my application for this position.

Signature:

Date:

Place:

Number of Additional Sheets Attached: _____



Justice System Reform Activity in Kosovo

Training of Journalists

Background

As shown by two consecutive surveys conducted in 2004 and 2005, media play the most significant role in providing information on the variety of issues to the public, including information on justice sector. Taking this fact into consideration, NCSC, in cooperation with its sub-contractor IFES, will, in addition to support of justice system reform process, also provide training seminars to journalists. In contrary to the past when trainings were delivered mainly to general public, NCSC/IFES is now turning its attention to training journalists and their reporting on the justice system, as this is proven to be of crucial importance. Especially, this segment in particular gains significance when taking into account

- a) the public's lack of understanding in judicial issues stems not only from the lack of information but also from uninformed media; and
- b) the role and the importance that media play in developing the public's perception over judiciary.

The justice system and the courts can be very complex and confusing for young and even more experienced journalists. The purpose of the training is to expand the knowledge of journalists about the legal system of Kosovo, its actors and other aspects of the legal system, including the position of the courts' Public Information Officer, court structure, court procedures, access channels, fair reporting, etc. The training will focus on enhancing the print and broadcast community's knowledge and understanding of developments within Kosovo justice.

These training seminars will be organized in cooperation with USAID's partner IREX, which runs the "Support to Independent Media" project. NCSC/IFES will design and present a four to six four-hour seminar sessions to educate key journalists on the

importance of the rule of law, as well as the obligation of the print and broadcast media to accurately, objectively, and responsibly report on issues related to justice. The training is intended to serve as a basic course in covering the courts, including both criminal and civil trials and procedures. In addition to practical discussion of the system, journalists will be given background information on the penal code, a glossary of legal terms, contact information for the courts and other handouts to help them in reporting on the courts and legal issues.

Beneficiaries

The primary beneficiaries of this project will be the 20 participants who will undergo the training program.

Other indirect beneficiaries will be the general public. Taking into consideration the fact that in both above-mentioned surveys, media are listed as primary source of information on justice sector, ultimately it will be public who will gain from this project.

Participants

Each 4 (or 6)¹ seminar sessions shall be attended by twenty journalists (Annex 1), who will upon successful completion of the course be awarded certificates, but only if the participant attends at least 80% of total seminar hours. The participants (List of Participants is attached) will be selected by IFES and IREX, in close co-operation with Chief Editors. The list is representative in terms of region, gender, print and electronic media and ethnicity.

Training Methods

A total of four (or six) national experts will be contracted to deliver the training program. The experts will be different in each seminar, depending from the topic covered, and shall include prominent university professors, judges, prosecutors, lawyers, etc.

This concept paper suggests a number of different interactive pedagogical techniques to help the learning process. Using a variety of approaches helps to keep participants interested. It also helps each person contribute and enhances the retention of knowledge and the ability to apply that knowledge practically. The best approach would be to try to

¹ Initially it is foreseen to conduct 4 trainings. Nonetheless, if the lecturers deem important to have additional training sessions, the number of sessions may be increased to 6.

balance theory and practice and to encourage the facilitator to be creative and flexible in how he or she presents the material.

Lecturers can use several different teaching methods in training. One of the methods is the use of case studies; the trainer should lead the group in a discussion using a case study. Problem posing through a “case”, a specific definition of a situation followed by a relevant question i.e. “What do you think?” In addition, to leading the group into the program by a case study, the lecturer may also use

- **PLENARY:** Large discussions;
- **SMALL GROUP:** Dividing people into working groups helps build relationships and increases participation;
- **PANEL DISCUSSIONS/DEBATES:** Choosing a few people to lead a discussion with the rest of the group;
- **ROLE-PLAYING:** i.e. one group has to play the role of the Prosecutor.

The facilitator also brings all other relevant materials for reference purposes. This material would be useful for background information and for putting the learning in the context of your country. It can also assist in answering questions from participants. These can include:

- The Constitutional Framework of Kosovo
- The Law on Courts
- The Law on Prosecutors
- Other relevant materials

The topics that should be covered include the following:

- **What are laws** (Why do we need laws; how are laws adopted; changing laws and regulations, role of SRSG in adoption of laws, etc)
- **Constitutional Framework** (PISG; Rights and freedoms; International Covenants applicable in Kosovo as per the Constitutional Framework, etc)
- **Court Structures** (How are the courts organized; the role of the courts; other courts; alternative dispute resolutions; etc)
- **Civil procedure** (Initiating civil procedure; how are the civil proceedings conducted; how are the cases decided in the civil proceedings, etc)
- **Criminal procedure** (Initiating criminal procedure; how are the criminal proceedings conducted; how are the cases decided in the criminal proceedings, appealing procedure; etc)
- **Media Law** (Media Commissioner; laws related to media; defamation: civil or criminal offence?; “Article 19” materials, etc)

- **The role of the citizens** (citizens' role in the proceedings, witnessing, how to obtain information on courts, etc)
- **Public Information Officer** (the role of PIO, duties and responsibilities, etc).

EVALUATION

The evaluation is to be administered through IREX's subcontractor Social Impact (SI), specialized in this area. The "Evaluation Tool" helps to evaluate the effectiveness of training workshops for journalists. This tool follows a pretest-posttest design and asks journalists involved in training workshops to reflect on their past stories and their intended future stories related to the training. At the completion of the analysis, IREX will be able to gauge progress of the training.

Procedures

1. **Develop 20 True/False questions** (10 questions for the pre-test and 10 questions for the post-test).
 - a. Write out essential content statements. Each IREX training seminar should include content related to underrepresented groups in the media. This should be reflected in the content statements and measured in the pre-test and post-test.
 - b. Convert half to false, though not negative, statements.
 - c. Make true and false statements equal in length.
 - d. Randomly select 10 questions for the pre-test and 10 questions for the post-test.
 - e. Group questions by content.
 - f. Build up to difficulty (encourage with simpler questions first).
 - g. Randomize sequences of T/F responses to avoid a discernable pattern.
 - h. Vary the quantity of true/false statements from test to test, recognizing that "true" is marked more often in guessing, and that assessing false statements tends to be more challenging.

The pre-test has been completed by Albert Avdiu, POA – NCSC/IFES and Emine Berisha, DCoP - IREX (Annex 2); it is pending approval by SI.

2. **Develop questions asking journalists to identify their past story topics.** This section of the test should also ask journalist to include the demographics for people interviewed in these stories. The answers to these questions will create the baseline of their past journalistic practices.

3. **Administer the pre-test.** This test is administered at the beginning of the seminar to all attendees. Before the test, give clear, proactive instructions on what content is covered, level of detail, and what type of questions will be asked.
4. **Administer the post-test.** At the conclusion of the seminar, the journalists will be asked to complete another short True/False test. In addition to the True/False test, the journalists will be asked to identify the topics that they plan to write about in the future. These answers will be compared to the baseline surveys where they listed their most recent story topics. More importantly, the survey will ask them how they can apply gained knowledge in these future stories.

Data Analysis

The pretest posttest surveys will be examined and archived for longitudinal analysis. After each workshop or training seminar, the Media Advisor will scan the completed surveys into PDFs and send them to SI. SI will create a spreadsheet to archive the data.

At the end of each quarter, semi annually, and annually, the past story topics and the intended story topics will counted and evaluated for increased accurate coverage of judicial reporting. The results will be used as evidence for USAID's goal of increasing accurate coverage of judicial reporting.

BUDGET BREAKDOWN

Training of Journalists (6 seminars)			9,860 €
Training Officer	6	200 €	1,200 €
Travel Allowance (min. 10 journalists)	60	10 €	600 €
Lunch (6x20 journalists + 4 NCSC)	144	15 €	2,160 €
Materials	6	200 €	1,200 €
Interpreter (Serbian - Albanian)	6	150 €	900 €
Interpreter (English - Albanian)	2	150 €	300 €
Media Handbook Preparation	2	500 €	1,000 €
Handbook Translation	2	500 €	1,000 €
Handbook Production (all languages)	300	5 €	1,500 €

Annex 1
LIST OF PARTICIPANTS

MEDIA	JOURNALIST	PHONE	EMAIL
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Annex 2
Pre-test Questionnaire

Training of Journalists on Judicial System
Pristina
08 April 2006

Pre-test

IREX and NCSC will evaluate the course that you are attending in depth. Your answers to all evaluation questionnaires are **anonymous**.

Please read each statement below. Decide whether it is **TRUE or FALSE**. Indicate what you believe to be the correct answer by circling the corresponding letter in front of it.

The purpose of these questions is **not to test you**, but to evaluate our effectiveness in providing you with a quality course.

1. According to UNMIK regulations, laws do not enter into force until signed by SRSG
 - A. **TRUE**
 - B. **FALSE**

2. In all five District Courts in Kosovo, you can not file a complaint against a decision of Municipal Court
 - A. **TRUE**
 - B. **FALSE**

3. People under arrest, are automatically considered guilty of the offence they have been arrested for
 - A. **TRUE**
 - B. **FALSE**

4. For the same case, District Court can decide differently from the Municipal Court
 - A. **TRUE**
 - B. **FALSE**

5. The courts of Kosovo do not fall under competencies of the Ministry of Justice
 - A. **TRUE**
 - B. **FALSE**

6. International judges, same as local judges, are appointed by SRSG, after recommended by KJPC and approved by the Parliament of Kosovo
 - A. **TRUE**

- B. FALSE**
7. Every person can file a criminal charge?
- A. TRUE**
B. FASLE
8. The term “suspect” refers to the person against whom a criminal indictment has been filed?
- A. TRUE**
B. FALSE
9. Only the President and the Members of Government are above the law?
- A. TRUE**
B. FALSE
10. People who commit criminal offence and are less than 18 years of age, are tried under Juvenile Criminal Law?
- A. TRUE**
B. FASLE

Your past story topics

Please identify 5 of your past story topics. For each story, who did you interview? From what demographic group were the interviewees.

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

Thank you for completing this test.



USAID | **KOSOVO**
NGA POPULLI AMERIKAN
OD AMERIČKOG NARODA

MEASURING AND IMPROVING CITIZENS' UNDERSTANDING OF THE JUSTICE SYSTEM

Survey of Attitudes Towards the Judicial System
Among Court Users in Kosovo

March, 2006

This publication was prepared for review by the United States Agency for International Development. It was prepared by IFES

MEASURING AND IMPROVING CITIZENS' UNDERSTANDING OF THE JUSTICE SYSTEM

Survey of Attitudes Towards the Judicial System
Among Court Users in Kosovo

USAID's Justice System Reform Activity in Kosovo

Disclaimer:

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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INTRODUCTION AND KEY FINDINGS

This report details the findings from a first-of-its-kind survey of citizens in Kosovo who have filed a case with the country's district or municipal courts. USAID commissioned this survey to gauge court users' attitudes on a variety of issues dealing with the courts specifically and the judicial system more broadly.

This survey was conducted through face-to-face interviews between August 2005 and October 2005 with 403 persons who have had experience with Kosovo's court system. More specifically, interviews were conducted with 124 criminal defendants, 36 victims in criminal cases, 25 lawyers who represented victims, 99 civil case defendants and 119 plaintiffs in civil cases.

Due to project constraints and the real-world difficulties of conducting a survey of this kind in Kosovo, this is not a strict probability survey from which inferences about the population as a whole can be made—i.e. when each respondent has a known chance of being chosen for an interview. Instead, the courts from which respondents were selected were purposively chosen with an eye toward geographic and ethnic diversity. Nevertheless, within courts, respondents were chosen at random from among all people who had filed a case between January 2002 and August 2005. Thus, while courts were chosen in a purposeful manner, respondents within courts were selected randomly and were not allowed to self-select into the sample. However, as is the case with any survey, we cannot rule out the possibility that respondents who refused to be interviewed or who could not be located from the court's records differ in systematic ways from those with whom interviews were successfully completed. See the methodological appendix for more detail on the sampling method and response rates within courts.

Although this survey is not a strict probability sample, we have chosen to apply the statistical rules of inference when evaluating group differences. We use significance testing to direct analytical reasoning and recognize that this is a judgment call on our part rather than standard methodology. We use what is considered the more conservative cut-off and report group difference at the .01 level or greater. That is, if this were a strict probability sample in which courts as well as respondents within courts were chosen at random, we could say with 99% confidence that highlighted group differences among categories of court users are real and not chance differences based on the particular sample drawn.

Every effort was made to make the sample as representative of the universe of court users as possible. Yet the reader should also be aware that only 10% of interviews were conducted with women as very few court cases list them as either plaintiffs or defendants. Additionally, because we selected the courts from which respondents were chosen with the aim of achieving ethnic diversity, the proportion of respondents who self-identify as Serbs is slightly higher than in the general population (12% vs. 8%).

Many of the questions in this survey of court users were also administered in a nationally representative survey USAID's Justice System Reform Activity in Kosovo conducted among 1,126 residents of Kosovo between 08 and 26 August 2005. Where applicable, data from a general population survey is listed as well, but differences in the proportion of women and Serb respondents among court users should be taken into consideration when evaluating any differences in the responses between court users and the general population.

Below are key findings, followed by a detailed analysis of the survey results.

Key Findings

Moderate levels of trust in judicial institutions

- Court users express a fair amount rather than a great deal of trust in the courts.
- The police are among the officials most trusted by court users. More have high confidence in the police than in many other institutions, including judges or public prosecutors.
- There is moderate trust in the legal system to maintain law and order and to protect rights.
- About half of court users agree the judicial system treats all equally.
- The majority of court users believe judges have the training to effectively administer law and order.

Corruption perceive to be common

- Most court users believe corruption is at least somewhat common—especially among lawyers and judges and much less so among court registrars.
- The most cited source of corruption is payments made by ordinary people to push their case in their favor.

General lack of knowledge among court users

- There are low levels of knowledge about the court system and its basic procedures, including how to register a case or how to appeal a decision.

Most had an overall good experience in courts and would use them again

- A majority of court users view the speed with which court cases are processed at least somewhat favorably.
- Court users believe the overburdening of judges is the biggest reason for delays.
- The vast majority of court users would use courts again to resolve a similar issue.

Procedures not always followed or explained...

- Only a quarter of court users are certain that all proper procedures were followed or well explained.

...Yet the following and explanation of procedures influences court users' views about a wide variety of issues related to the judicial system

- Those who strongly believe proper procedures were followed or thoroughly explained:
 - Express high levels of confidence in the courts;
 - Have higher confidence in the police, judges and public prosecutors;
 - Possess a stronger belief that the judicial system is unbiased, treats all people equally and makes decisions without outside influence;
 - Are more satisfied with the speed with which cases are resolved.
- But they are no different from those who feel less strongly that procedures were followed or explained with regard to perceptions of corruption or knowledge levels.

On many issues court users who self-identify as Serbian Kosovars hold different attitudes than their Albanian Kosovars counterparts

- Court users who self-identify as Serbian Kosovars are less likely to believe procedures were followed or explained.
- They have less confidence in the courts in general as well as in the police, judges and public prosecutors.
- They have less faith in the legal system to maintain law and order or protect their rights.
- They are less likely to believe Kosovo's judicial system treats all equally, judges' rulings are made without outside influence, and judges have the training needed to effectively administer law and order.
- Court users of Albanian Kosovar or Serbian Kosovar background have similar ideas about the pervasiveness of corruption but hold differing opinions about its sources: Serbian Kosovars are more likely to believe criminal gangs, ethnic bias, and influence from organizations are sources of corruption whereas court users who self-identify as Albanian Kosovars point more often to lawyers and judges.
- Despite many differences in these two groups, they have similarly low levels of knowledge about the court system.
- On the positive side, both court users, Albanian Kosovars and Serbian Kosovars, say at similarly high rates that they would use the courts again.

Users of courts that USAID's Justice System Reform Activity in Kosovo project has worked with often have more positive attitudes towards Kosovo's court system than users of other courts

- Respondents from courts that USAID's Justice System Reform Activity in Kosovo project has worked with are more likely to:
 - Express overall confidence in the courts and confidence in prosecutors and judges;
 - Have more trust in the ability of the legal system to maintain law and order and protect rights;
 - Believe judges have the training needed to effectively perform their jobs;
 - Have more information about the different types of courts in Kosovo and their respective responsibilities as well as procedures for registering case, appealing a decision, enforcing a court ruling, and getting advice on legal matters; and
 - Think their specific case was resolved without unreasonable delays and that all proper procedures were followed and explained.

Users of district courts differ from municipal court users on a wide variety of issues.

- People with direct experience in district courts are more likely than municipal court users to:
 - Express overall confidence in the courts and in public prosecutors;
 - Believe judges possess the education and training needed to effectively administer law and order
 - Have more information about the different courts and their responsibilities, know how to register and appeal, and know where to go for advice on legal matters;
 - Believe their case was resolved without undue delay and court procedures were

followed and explained; and

- Think the judge decided their case fairly and the decision was enforced.
- However, district court users are also more likely to admit to knowing about a bribe being paid than are municipal court users.

OPINIONS OF KOSOVO AND ITS INSTITUTIONS

Many dissatisfied with overall situation in Kosovo

Court users, like the general public, are split in what they think about the overall situation in Kosovo. Forty-five percent of court users are at least somewhat satisfied with the situation in Kosovo today. A somewhat larger fraction express at least some dissatisfaction and say they are somewhat (22%) or very dissatisfied (33%) with the overall situation in Kosovo.

How satisfied are you with the overall situation in Kosovo?

	COURT USERS n=403	KOSOVO WIDE n=1226
Very satisfied	3%	5%
Somewhat satisfied	42%	38%
Somewhat dissatisfied	22%	21%
Very dissatisfied	33%	35%
Don't know / Refused	1%	*

Most have some but not a great deal of confidence in the Kosovo Assembly and international bodies

Court users express similar levels of confidence in the Kosovo Assembly, OSCE and UNMIK as the general population.

A majority of court users have at least a fair amount of confidence in the Kosovo Assembly, with the bulk expressing a fair amount (47%) rather than a great deal (11%) of confidence.

A similarly sized majority (55%) also express at least a fair amount of confidence in the OSCE.

Fewer have confidence in the UN Mission in Kosovo. Roughly twice as many say they have not too much or no confidence at all in UNMIK as say they a fair amount or a great deal of confidence (68% vs. 31%).

Do you have a great deal of confidence, a fair amount of confidence, not much confidence, or no confidence at all in these institutions or individuals?

	COURT USERS n=403	KOSOVO WIDE n=1226
> The Kosovo Assembly		
Great deal	11%	29%
Fair amount	47%	40%
Not too much	21%	17%
None at all	20%	13%
Don't know / Refused	1%	2%
> OSCE		
Great deal	14%	7%
Fair amount	41%	41%
Not too much	26%	36%
None at all	17%	12%
Don't know / Refused	3%	3%
> UN Mission in Kosovo (UNMIK)		
Great deal	4%	5%
Fair amount	27%	36%
Not too much	34%	31%
None at all	34%	26%
Don't know / Refused	2%	2%

Majorities express at least some confidence in municipal assemblies, the media, and community leaders.

Court users' confidence in their municipal assemblies, the media, and community leaders also closely mirrors the confidence levels among the general public.

Solid majorities of roughly six in 10 court users interviewed say they have at least a fair amount of confidence in their municipal assembly (60%), the media (60%), and community leaders (57%), with the bulk of these expressing a fair amount rather than a great deal of confidence. For each, fewer than one in five say they have no confidence at all.

Do you have a great deal of confidence, a fair amount of confidence, not much confidence, or no confidence at all in these institutions or individuals?		
	COURT USERS n=403	KOSOVO WIDE n=1226
> Your municipal assembly		
Great deal	19%	20%
Fair amount	41%	46%
Not very much	21%	21%
None at all	16%	10%
Don't know / Refused	2%	3%
> The media		
Great deal	16%	16%
Fair amount	44%	61%
Not very much	27%	18%
None at all	11%	2%
Don't know / Refused	2%	3%
> Your community leaders		
Great deal	20%	17%
Fair amount	39%	49%
Not very much	24%	24%
None at all	16%	6%
Don't know / Refused	2%	5%

COURT USERS' OPINIONS OF THE JUDICIAL SYSTEM

Fair amount of confidence in the courts

Users of the Kosovo court system express levels of confidence on par with that of the general public.

A slim majority of court users say they have a fair amount (40%) or great deal of confidence (15%). A quarter (26%) say they have not very much confidence in the courts while 17% of those who have direct experience with the courts say they have no confidence at all.

Those who have had a case filed with the district courts (64%) are somewhat more likely than those in municipal courts (52%) to have at least a fair amount of confidence in the court system. Likewise, citizens who have filed a court case with a court that USAID's Justice System Reform Activity in Kosovo has worked with are more likely to express a fair amount or a great deal of trust than those with a case in a court USAID's Justice System Reform Activity in Kosovo has not worked with (66% vs. 44%).

Court users who self-identify as Serbs¹ are less likely to express confidence in Kosovo's courts.

Do you have a great deal of confidence, a fair amount of confidence, not much confidence, or no confidence at all in the courts in Kosovo

	COURT USERS n=403	KOSOVO WIDE n=1226
Great deal	15%	14%
Fair amount	40%	46%
Not very much	26%	22%
None at all	17%	11%
Don't know / Refused	1%	7%

¹ For proper description of respondents' answers, the proper reference to Kosovo residents - Albanian Kosovar and Serb Kosovar will not be used in certain parts of the text.

Police among most trusted

Court users also express levels of confidence comparable to those of the general public when asked about people who hold key roles in the legal system.

Three-quarters (77%) of court users interviewed say they have at least a fair amount of confidence in Kosovo’s police force. In fact, among the institutions discussed, the police appear to be the most trusted with a full two in five (41%) expressing the highest levels of confidence in the police.

Fewer, but still a majority (53%), say they have at least a fair amount of trust in Kosovo’s judges, although the bulk say they have a fair amount (38%) rather than a great deal (15%) of confidence in judges.

When it comes to evaluating public prosecutors in Kosovo, somewhat more people say they have at least a fair amount of confidence (47%) than say they have not very much or no confidence at all (41%).

Those with cases filed in district courts (61% vs. 43%) and those who have a case in a court USAID’s Justice System Reform Activity in Kosovo has worked with (56% vs. 38%) trust prosecutors more often than municipal court users and those who have a case filed in a court USAID’s Justice System Reform Activity in Kosovo has not worked with. Court users in courts USAID’s Justice System Reform Activity in Kosovo has worked with are also more likely than those with experience in other courts to express at least a fair amount of trust in judges (62% vs. 44%).

As with the court system in general, court users in Kosovo who self-identify as Serbs have less confidence than Albanians in Kosovo in the police, judges, and public prosecutors.

	COURT USERS n=403	KOSOVO WIDE n=1226
Do you have a great deal of confidence, a fair amount of confidence, not much confidence, or no confidence at all in these institutions or individuals?		
➤ The police in Kosovo		
Great deal	41%	46%
Fair amount	36%	35%
Not very much	11%	12%
None at all	11%	6%
Don't know / Refused	0%	1%
➤ Judges in Kosovo		
Great deal	15%	13%
Fair amount	38%	43%
Not very much	29%	26%
None at all	16%	11%
Don't know / Refused	2%	7%
➤ The public prosecutors in Kosovo		
Great deal	12%	10%
Fair amount	35%	45%
Not very much	23%	25%
None at all	18%	10%
Don't know / Refused	12%	12%

Majority of court users trust the legal system to protect rights and maintain law and order

Three in five court users (61%) say they have at least a moderate amount of trust in the legal system to maintain law and order. A slightly smaller majority (55%) say they have a moderate amount of trust in the legal system to protect their rights. And while majorities have at least a moderate amount of trust, sizable minorities say they don't have any trust at all in the legal system to maintain law and order (13%) or to protect their rights (21%).

Trust is higher in the courts USAID's Justice System Reform Activity in Kosovo has worked with. Courts users who have filed a case in a court that USAID's Justice System Reform Activity in Kosovo has worked with are more likely to have at least a moderate amount of trust in the legal system to maintain law and order (72% vs. 50%) or protect their rights (63% vs. 46%) than those with experience in other courts.

Serbian Kosovars court users in Kosovo are less trustful than Albanian Kosovars court users in Kosovo's legal system's ability to maintain law and order or protect their rights.

How much trust do you have in the legal system in Kosovo to...

	COURT USERS n=403	KOSOVO WIDE n=1226
➤ Maintain law and order		
Trust a great deal	9%	14%
Trust somewhat	52%	64%
Do not have much trust	25%	12%
Do not have any trust at all	13%	5%
Don't know / Refused	1%	4%
➤ Protect your rights		
Trust a great deal	10%	16%
Trust somewhat	45%	58%
Do not have much trust	23%	13%
Do not have any trust at all	21%	8%
Don't know / Refused	2%	5%

Increased confidence in institutions increases faith in the legal system

Not surprisingly, trust in major institutions and in the ability of Kosovo's legal system to protect rights and maintain law and order are related. Those with higher levels of confidence in judges, the police, the courts, and public prosecutors are more likely to believe in the legal system's ability to protect rights and maintain law and order. Thus, as people come to see individual institutions as capable and legitimate actors, their trust in the capacity of the legal system to provide basic protections increases.

Many believe there is bias in the judicial system

A slim majority of court users (52%) believe that the judicial system in Kosovo is unbiased and treats all persons equally. While somewhat fewer disagree that the judicial system treats everyone equally (45%), it is notable that many more *strongly* believe that the judicial system is biased (21%) than *strongly* believe it is unbiased (9%).

Those with experience in district and municipal courts and in civil and criminal cases are equally likely to believe the courts are unbiased or biased. However, Serbian court users are more likely to disagree that the

Do you agree or disagree, the judicial system in Kosovo is unbiased and treats all persons equally?

	COURT USERS n=403	KOSOVO WIDE n=1226
Strongly agree	9%	14%
Somewhat agree	43%	56%
Somewhat disagree	24%	10%
Strongly disagree	21%	6%
Don't know / Refused	3%	15%

judicial system treats all equally than their Albanian counterparts

Judges viewed more favorably but many doubt their impartiality

When asked specifically about favoritism shown by judges, court users are more favorable—one in five (21%) *strongly* believe that judges in Kosovo are impartial. An additional 34% somewhat agree that judges in Kosovo ensure that all people get a fair trial regardless of gender, income or ethnicity. On the flip side, a minority of four in 10 somewhat (23%) or strongly (17%) disagree that judges are impartial and that all people get a fair trial.

Although a small majority believe that judges ensure all persons get a fair trial regardless of gender, income, or ethnicity, court users are split as to whether or not they think judges make decisions based only on the law. Nearly half (46%) hold that judges in Kosovo make decision based only on the law and without any influence from outside parties. Roughly as many somewhat or strongly disagree (49%) with this statement. It is notable that more *strongly disagree* that judges make decisions without outside influence than *strongly believe* that judges make decisions based on the law irrespective of outside interests (19% vs. 9%)

When evaluating the impartiality of judges, there is no difference between district or municipal court users, respondents from civil or criminal cases, or those with experience in courts USAID’s Justice System Reform Activity in Kosovo has worked with versus those with cases in other courts. Yet there is a strong ethnic component to these evaluations. Court users who self-identify as Serbs are more likely than Albanians to disagree that all—regardless of their gender, income, or ethnicity—get a fair trial. They are also more likely to disagree that judges make decisions based only on the law and without outside influence.

Do you agree or disagree that judges in Kosovo ensure that all persons, no matter their gender, income, or ethnicity, get a fair trial.		
	COURT USERS n=403	KOSOVO WIDE n=1226
Strongly agree	21%	32%
Somewhat agree	34%	42%
Somewhat disagree	23%	11%
Strongly disagree	17%	5%
Don't know / Refused	6%	11%

Do you agree or disagree that judges in Kosovo make decisions based only on the law and without any influence from outside parties		
	COURT USERS n=403	KOSOVO WIDE n=1226
Strongly agree	9%	29%
Somewhat agree	37%	37%
Somewhat disagree	30%	16%
Strongly disagree	19%	7%
Don't know / Refused	5%	12%

Court users more confident in the competency of judges than the general public

A solid majority of 64% somewhat or strongly believe that judges in Kosovo have the education and training to effectively administer law and order. Roughly a third (32%) disagree that judges possess the education and training they need.

Those with experience in the district courts and the courts USAID’s Justice System Reform Activity in Kosovo has worked with are more likely than municipal court users or those with cases in courts that USAID’s Justice System Reform Activity in Kosovo has not worked with to believe that judges have the education and training they need to effectively do their jobs. In addition, Serbs in Kosovo who have used the courts are less likely than their Albanian counterparts to believe judges have the education and training they need to effectively administer the law.

Do you agree or disagree that judges in Kosovo have the education and training to effectively administer law and order in Kosovo.

	COURT USERS n=403	KOSOVO WIDE n=1226
Strongly agree	23%	17%
Somewhat agree	41%	19%
Somewhat disagree	20%	14%
Strongly disagree	12%	39%
Don't know / Refused	4%	11%

Courts resolve cases in a *somewhat* timely manner

A solid majority of three in five court users agree that, overall, cases are processed in a timely manner. Two in five (40%) somewhat agree that cases are resolved without unreasonable delays while one in five (21%) strongly agree. Nearly two in five (36%) disagree and believe there are unreasonable delays in the amount of time it takes for a case to make its way through the system.

Respondents involved in criminal cases are a bit more likely than those who have had contact with civil courts to disagree that courts process cases in a timely manner. A user’s perception that most court cases are resolved without unreasonable delay is not impacted by whether or not that user has filed a case with a court with which USAID’s Justice System Reform Activity in Kosovo has worked.

Thinking about the total amount of time it takes for a case to be resolved—from the filing of the case to when the final decision is made—would you agree or disagree that *most* court cases are resolved without unreasonable delay?

	COURT USERS n=403
Strongly agree	21%
Somewhat agree	40%
Somewhat disagree	18%
Strongly disagree	18%
Don't know / Refused	4%

PERCEPTIONS OF CORRUPTION IN THE COURTS

Majority believe corruption in the courts is at least somewhat common

Akin to opinions among the general public, a majority of court users believe corruption in the judicial system is at least somewhat common. A quarter of court users (24%) believe the corruption is very common within the judicial system. An additional third (34%) think it is somewhat common. Only a minority of two in 10 think that corruption in the judicial system is somewhat rare (13%) or never happens (6%).

District court and municipal court users, those with experience in USAID's Justice System Reform Activity in Kosovo, and those involved in civil and criminal cases all have similar perceptions about the frequency of corruption in Kosovo's judicial system.

In your opinion, how common a problem is corruption in the judicial system in Kosovo?

	COURT USERS n=403	KOSOVO WIDE n=1226
Very common	24%	21%
Somewhat common	34%	43%
Somewhat rare	13%	10%
Never happens	6%	3%
Don't know / Refused	24%	25%

Lawyers singled out for corruption

We asked those who believe corruption in the judicial system occurs at least rarely, where corruption takes place. Court users and the larger population of Kosovo have similar opinions about the occurrence of corruption among various persons or institutions.

Corruption is believed to occur most often among lawyers. Six in 10 (59%) think that corruption among lawyers happens at least sometimes and nearly a quarter believe that it is commonplace (23%).

The perception that corruption among lawyers is commonplace is particularly strong among district court users. Thirty-six percent of district court users say corruption among lawyers happens all the time compared with only 16% of municipal court users. Those with a case in a court USAID's Justice System Reform Activity in Kosovo has worked with are also more likely to point to corruption among lawyers.

A majority (56%) of those who think corruption in the judicial system happens also believe corruption occurs among judges at least sometimes, with more than one in 10 (15%) believing it occurs all the time.

In your opinion, how often does corruption take place among the following members of the justice system in Kosovo?

	COURT USERS N=284*	KOSOVO WIDE n=888*
> Lawyers		
Happens all the time	23%	19%
Happens sometimes	36%	46%
Only happens once in awhile	25%	22%
Never	10%	5%
Don't know / Refused	6%	9%
> Judges		
Happens all the time	15%	22%
Happens sometimes	41%	48%
Only happens once in awhile	26%	19%
Never	11%	3%
Don't know / Refused	8%	7%
> Public prosecutors		
Happens all the time	12%	21%
Happens sometimes	32%	37%
Only happens once in awhile	25%	24%
Never	14%	3%
Don't know / Refused	17%	15%

*Asked only of those who say corruption occurs at least rarely

Four in 10 (42%) believe corruption happens among public prosecutors at least some of the time, with 14% saying that it happens all the time.

Few believe corruption among court registrars and the police is commonplace

Many fewer believe that corruption happens on a regular basis among court registrars or other court employees. Fewer than three in 10 think that corruption occurs among court registrars (29%) or other court employees (25%) at least sometimes. Only a handful believe corruption happens all the time among court registrars (9%) and other court employees (7%).

The police are singled out least often. Two in 10 (22%) believe that corruption happens within the ranks of the police at least sometimes, with only very few (5%) saying that corruption happens among the police all the time. The majority believe that corruption is a rare occurrence among the police (31%) or never happens (35%).

Only a small minority admit to knowing about a bribe being paid

About twice as many court users admit that they know of someone who has offered a bribe or other inducement to improperly influence a judicial proceeding when compared to the general public. However, the percentage of people who say they know of a case of bribery is still rather low (15%).

District court users more often say they have knowledge of a bribe being paid than do municipal court users surveyed (24% vs. 11%).

In your opinion, how often does corruption take place among the following members of the justice system in Kosovo?		
	COURT USERS n=284*	KOSOVO WIDE n=888*
> Court registrars		
Happens all the time	9%	17%
Happens sometimes	20%	32%
Only happens once in awhile	25%	26%
Never	24%	5%
Don't know / Refused	24%	20%
> Other court employees		
Happens all the time	7%	17%
Happens sometimes	18%	34%
Only happens once in awhile	22%	27%
Never	27%	4%
Don't know / Refused	26%	19%
> Police		
Happens all the time	5%	10%
Happens sometimes	17%	33%
Only happens once in awhile	31%	35%
Never	35%	16%
Don't know / Refused	12%	7%
*Asked only of those who say corruption occurs at least rarely		
Do you know of anyone who has offered a bribe or other inducement to improperly influence a judicial proceeding?		
	COURT USERS n=403	KOSOVO WIDE n=1226
Yes	15%	6%
No	78%	90%
Don't know / Refused	7%	5%

Bribes made by ordinary people to push cases in their favor perceived to be biggest source of corruption

Despite the low percentage of people who say they know someone who paid a bribe, half of all court users (49%) name payments or gifts made by ordinary people to push cases in their favor as a source of corruption. This is by far the most often cited source of corruption in the judicial system. Presumably these payments are thought to be made by ordinary people to lawyers, judges, and/or public prosecutors rather than police or court registers as these people are said by respondents to participate most often in corruption.

Roughly three in 10 say payments or gifts made by lawyers (31%) or the influence of criminal gangs (27%) are sources of corruption. Even fewer say that judicial system is corrupted by the influence of political parties (17%), government (12%), favoritism due to ethnic bias (6%), the influence of international organizations (4%), or other causes (7%).

Although Serbian Kosovar and Albanian Kosovar court users have similar ideas about how widespread corruption is in the courts, they have different ideas about its sources. Serbian Kosovars court users are more likely to point to criminal gangs, ethnic bias, and influence from international organizations as sources of bias whereas court users of Albanian Kosovar backgrounds are a bit more likely to single out lawyers and judges.

Municipal and district court users and respondents involved in civil and criminal case have similar ideas about the sources of corruption.

Which of the following do you think are sources of corruption for the members of the justice system in Kosovo? (multiple responses allowed)

	COURT USERS n=403	KOSOVO WIDE n=1226
Payments or gifts made by ordinary people to push cases in their favor	49%	49%
Payments or gifts made by lawyers	31%	47%
Influence of criminal gangs	27%	58%
Influence of political parties	17%	25%
Influence of government	12%	38%
Ethnic bias	6%	20%
Influence of international organizations	4%	13%
Other	7%	1%
Don't know	27%	16%

KNOWLEDGE ABOUT THE JUDICIAL SYSTEM

Lack of knowledge about the different types of courts and their responsibilities

Court users report having low levels of information about the different courts that make up Kosovo’s judicial system and the responsibilities assigned to each type of court.

Only three in 10 (or fewer) say they have at least a fair amount of knowledge about the different levels of the courts in Kosovo (29%) or the division of responsibilities between these courts (25%). Instead, a plurality say they have “not very much” information about the different levels of courts in Kosovo (36%) or the division of responsibilities between these courts (40%). For each question, significant minorities of 39% say they have no information at all.

The court users surveyed report having somewhat less knowledge about the different levels of the court system than the average citizen. However, this finding is mainly due to the low levels of information that municipal court users profess. Municipal court users consider their knowledge levels to be lower than do district court users and are more likely to say they have no information at all on the different levels of the courts (32% vs. 21%) and their respective responsibilities (33% vs. 20%).

In addition, court users from courts USAID’s Justice System Reform Activity in Kosovo has not worked are more likely to have no information at all about the different levels of courts (40% vs. 19%) or the responsibilities of the different types of courts (39% vs. 21%) than are those courts involved with USAID’s Justice System Reform Activity in Kosovo project.

How much information do you have on ...		
	COURT USERS n=403	KOSOVO WIDE n=1226
> Different levels of the court system in Kosovo		
Great deal	6%	5%
Fair amount	23%	36%
Not very much	36.%	40%
None at all	29%	14%
Don't know / Refused	6%	6%
> Responsibilities of the different types of courts in Kosovo		
Great deal	5%	4%
Fair amount	20%	28%
Not very much	40%	43%
None at all	29%	19%
Don't know / Refused	8%	6%

Similarly low levels of information among court users about specific procedures

Majorities of more than six in 10 say they have not very much or no knowledge at all when it comes to the procedures for registering a case, appealing a court decision or the procedures for enforcing a court judgment.

Only three in 10 say they have a great deal (7%) or a fair amount of knowledge (25%) about how to register a case with the courts in Kosovo. Roughly as many say they have not very much information (36%) or no information at all about how to register a case (27%).

Likewise, three in 10 court users say they have either a great deal (11%) or a fair amount of knowledge (18%) about how to appeal a court decision. In fact, two-thirds say they have not very much information (33%) or no information at all (33%) on the procedures for appealing.

When it comes to understanding the procedures for enforcing a decision made by the courts, only a quarter say they have at least a fair amount of information. By contrast, roughly a third report having not very much information (32%) or no information at all (36%).

Municipal and district court users have roughly equal levels of information about how to register a case and how to appeal a decision. However, municipal court users are more likely to feel a lack of information about the procedures for enforcing a decision handed down by the court than those who have filed a case with a district court.

In contrast, those with experience in USAID’s Justice System Reform Activity in Kosovo courts have higher information levels. They are more likely than users in courts USAID’s Justice System Reform Activity in Kosovo has not worked with to have a fair amount or a great deal of knowledge about the procedures for registering a case (40% vs. 23%), appealing a decision (38% vs. 20%), and procedures for enforcing a court decision (39% vs. 14%).

There are no significant differences in knowledge levels between court users who self-identify as Serbs and those who self-identify as Albanians.

How much information do you have on ...		
	COURT USERS n=403	KOSOVO WIDE n=1226
➤ Procedures for registering a case in the courts in Kosovo		
Great deal	7%	5%
Fair amount	25%	28%
Not very much	36%	41%
None at all	27%	21%
Don't know / Refused	6%	5%
➤ Procedures for appealing a court decision		
Great deal	11%	6%
Fair amount	18%	28%
Not very much	33%	42%
None at all	34%	19%
Don't know / Refused	5%	6%
➤ Procedures for enforcing a court decision		
Great deal	7%	4%
Fair amount	19%	29%
Not very much	32%	40%
None at all	36%	21%
Don't know / Refused	5%	6%

More know where to go with legal problems...

More know where to go for assistance or advice on legal matters than have knowledge about specific legal procedures. Forty-two percent of court users say they have at least a fair amount of knowledge about this topic, and only two in 10 (20%) say they have no information about how to go about seeking legal advice.

How much information do you have on ...		
	COURT USERS n=403	KOSOVO WIDE n=1226
➤ Where to go for assistance and advice on legal matters		
Great deal	14%	8%
Fair amount	28%	34%
Not very much	35%	35%
None at all	20%	18%
Don't know / Refused	4%	5%

...Yet information about where to go to report judicial misconduct is not widespread

Only a quarter of court users say they have a great deal (8%) or fair amount (19%) of knowledge about where to go to report judicial misconduct. In fact, the majority of the court users interviewed say they have not very much (33%) or no information at all (31%) about reporting judicial misconduct.

Knowledge about where to go to get legal assistance or report judicial misconduct are largely equal among district and municipal court users.

When it comes to where to get advice on legal matters, court users in district courts (48% vs. 39%) and in courts where USAID's Justice System Reform Activity in Kosovo has worked (49% vs. 35%) are more likely to have moderate to high levels of information than are court users from municipal courts or courts where USAID's Justice System Reform Activity in Kosovo has not worked. All groups have similar amounts of information about where to go to report judicial misconduct

THow much information do you have on ...		
	COURT USERS n=403	KOSOVO WIDE n=1226
➤ Where to go to report judicial misconduct		
Great deal	8%	6%
Fair amount	19%	31%
Not very much	33%	34%
None at all	31%	22%
Don't know / Refused	8%	8%

More information about court procedures and general information about the court system cited as needs

Court users were asked if there were to be a Public Information Officer in every municipal court in Kosovo who was responsible for answering questions about the court system, what type of information would be helpful to people like them. A large number of respondents (64%) were not able to name an issue. Of those who responded, most wanted more general information about the judicial system and citizen's rights. Several respondents would like more information about court procedures in general or on how to initiate a case.

COURT USERS' EXPERIENCE IN THE COURTS

Cases largely processed in timely manner

More respondents say they at least somewhat agree that their court case was resolved/is being resolved without unreasonable delays than disagree that their case was processed in a timely manner (52% vs. 28%). These responses are very similar to court users' assessment of how quickly court cases in general are resolved, indicating that people's overall opinion of the court system is heavily informed by their own experiences in the courts.

Thinking about the court case in which you were involved, do you agree or disagree with the following statement about your experience during this case: The court case was resolved without unreasonable delays

	COURT USERS n=403
Strongly agree	27%
Somewhat agree	25%
Somewhat disagree	10%
Strongly disagree	18%
Don't know / Refused	21%

Those who have had a case processed by district courts are more likely than municipal court users to say that their cases are resolved without unreasonable delays (63% vs. 49%). Likewise, respondents who had a court case processed by a court with which USAID's Justice System Reform Activity in Kosovo has worked are more likely to agree that the case was resolved without significant delays (64% vs. 40%).

Judges' caseload believed to be biggest reason for delays

We asked court users who believed there were unreasonable delays in the processing of their cases why they thought that their case has been delayed. The number one reason cited is that the judge's caseload is too heavy. Nearly half (46%) believe judges' caseloads to be a contributing factor.

Bribes are the next most often mentioned cause of delays. Twenty percent believe their failure to pay a bribe slowed down their case. Seven percent believe that their case was delayed because the other side paid a bribe.

The lawyers' caseloads (7%) and the incompetence of lawyers (6%) or judges (5%) are mentioned by only roughly one in 20 respondents.

Why do you think your case was delayed? (multiple responses allowed)

	COURT USERS (n=110)*
Judge's caseload too heavy	46%
I didn't pay a bribe	20%
Other side paid a bribe	7%
Lawyer(s) caseload too heavy	7%
Lawyer(s) incompetent	6%
Judge incompetent	5%
Other reasons	6%
Don't know / Refused	21%

*Asked only of those who somewhat or strongly believe their case has been delayed.

Only a quarter strongly believe procedures followed or well explained

Only about a quarter of the court users surveyed *strongly* agree that, to the best of their knowledge, all proper procedures were followed in the court case in which they were involved (23%) or that all aspects of the procedures were explained to them (26%).

However, when combined with those who *somewhat* agree, more agree than disagree that all procedures were followed (57% vs. 22%) and properly explained (62% vs. 22%).

More district court users say that procedures were followed (80% vs. 49%) or that procedures were well explained (78% vs. 57%) than municipal court users. Likewise, courts that USAID’s Justice System Reform Activity in Kosovo has worked with are more likely to strongly or somewhat agree that proper procedures were followed (74% vs. 38%) or that the procedures were explained (76% vs. 48%).

Court users who self-identify as Serbs are less likely than those from Albanian backgrounds to strongly agree that all procedures were followed or that procedures were well explained.

Thinking about the court case in which you were involved, do you agree or disagree with the following statements about your experience during this case.

COURT
USERS
(n=403)

➤ To the best of my knowledge, all proper procedures were followed by the courts for the case in which I was involved	
Strongly agree	23%
Somewhat agree	34%
Somewhat disagree	14%
Strongly disagree	8%
Don't know / Refused	22%
➤ All aspects of the judicial procedures were explained to me during my case	
Strongly agree	26%
Somewhat agree	36%
Somewhat disagree	17%
Strongly disagree	5%
Don't know / Refused	17%

The following and explanation of procedures inspires confidence in the courts

Importantly, those who *strongly* believe that procedures were followed, and those who *strongly* agree that judicial procedures were explained, have distinctly different attitudes about Kosovo’s judicial system than those who are less sure that procedures were followed or well explained.

Court users who *strongly* believe procedures were followed or were well explained to them are much more likely to express high levels of confidence in the court. Those who strongly agree that all the procedures in their court cases were correctly followed (44% vs. 9%) or explained (37% vs. 9%) are four times more likely to say they have a great deal of confidence in the court than those who are less sure proper procedures were observed or explained.

Likewise, those who *strongly* believe procedures were followed or were well explained to them are much more likely to express high levels of confidence in the police, judges and public prosecutors than those who were less satisfied with the implementation of procedures or the way procedures were explained to them. They are also more likely to have a *great deal* of trust in the judicial system to protect their rights and maintain law and order.

Court users who *strongly* believe procedures were followed or were well explained to them are more likely to have favorable opinions of judges. They are more likely to strongly agree that the judicial system in Kosovo is unbiased and treats all persons equally, that judges in Kosovo make decisions based only on the law and without any influence from outside parties, and that judges in Kosovo have the education and training to effectively administer law and order.

Perhaps because they felt they understood the process better, those who strongly believe procedures were followed or were well explained to them are much more likely to *strongly* agree that on the whole, cases in the Kosovo judicial system are processed without unreasonable delays.

Attitudes about the prevalence of corruption in the courts is one area where—notably—court users who strongly believe that procedures were followed or explained do not differ from those who are less sure procedures were followed or well explained.

Courts do a good job enforcing judgments

Two-thirds of court users who have received a ruling on their case either somewhat (35%) or strongly (32%) agree that the judge decided their case fairly. On the other end of the scale, fewer than one in three somewhat (12%) or strongly (16%) disagree that their case was decided fairly.

Even more respondents strongly (42%) or somewhat (36%) agree that the court was able to enforce the judgment rendered in their case. Only a small minority somewhat (7%) or strongly (9%) disagree that courts are able to effectively enforce judgments.

Those who have received a ruling in a criminal case are more likely than those involved in a civil case to disagree that the judge decided the case fairly (37% vs. 21%) or that the court was able to enforce the judgment (22% vs. 12%).

In addition, district court users are more likely than municipal court users to *strongly* agree (46% vs. 25%) that the judge decided their case fairly and enforced the judgment (59% vs. 32%).

Court users who strongly believe procedures were followed (79% vs. 12%) or strongly believe that procedures were explained to them (77% vs. 11%) are also much more likely to believe the judge decided their case fairly. Those who strongly believe procedures were followed (83% vs. 26%) or explained (83% vs. 24%) also have strong positive feelings about the ability of the court to enforce the judge’s ruling.

Thinking about the court case in which you were involved, do you agree or disagree with the following statements about your experience during this case?

	COURT USERS (n=246)*
➤ I was satisfied that the judge decided my case fairly	
Strongly agree	32%
Somewhat agree	35%
Somewhat disagree	12%
Strongly disagree	16%
Don't know / Refused	4%
➤ The court was able to enforce the judgment that was rendered in my case	
Strongly agree	42%
Somewhat agree	36%
Somewhat disagree	7%
Strongly disagree	9%
Don't know / Refused	5%

*Asked only of those whose court case has been resolved

Costs may discourage use of the civil courts

Nearly two-thirds (64%) of civil court users believe that the costs associated with using the courts may cause some not to use the courts to resolve a dispute.

Two in 10 (18%) civil court users interviewed say they think that it is very common for people not to use the courts to resolve a matter because it is too expensive. An additional nearly five in 10 (46%) believe that it is somewhat common

Thinking about all the expenses you've had to pay to process your court case, how often do you think people do not use the courts to resolve a matter or issue because it is too expensive?

	COURT USERS (n=215)*
Very common	18%
Somewhat common	46%
Somewhat rare	19%
Never happens	4%
Don't know / Refused	13%

*Asked only of those involved in civil cases.

for people to avoid using the courts because of costs. A little more than two in 10 believe that this happens only somewhat rarely (19%) or never happens (4%).

Plurality of criminal defendants choose their own lawyer...

A plurality of defendants in criminal cases chose their own lawyer (40%). A third had their defense attorney appointed to them (32%), and 16% say they did not have a lawyer.

And are largely pleased with the quality of defense attorneys

A majority of criminal defendants say they were somewhat (40%) or very satisfied (19%) with the quality of their defense attorney. Only a handful (12%) expresses moderate or severe dissatisfaction.

What is more, there is no difference in levels of satisfaction between those who had their lawyer appointed to them and those who chose their own lawyer.

Was your lawyer appointed to you or did you hire your own lawyer?	
	COURT USERS (n=99)*
Had appointed lawyer	32%
Chose own lawyer	40%
Did not have lawyer (volunteered)	16%
Other	3%
Don't know / Refused	8%

*Asked only of defendants in criminal cases.

How satisfied were you with the quality of your defense attorney?	
	COURT USERS (n=124)*
Very satisfied	19%
Somewhat satisfied	40%
Somewhat dissatisfied	5%
Very dissatisfied	7%
Not applicable	22%
Don't know / Refused	8%

*Asked only of defendants in criminal cases.

Vast majority would use the courts again

Perhaps the best overall evaluation of how Kosovo's judicial system is working is whether or not people would choose to use the court system to resolve a similar dispute again. (This question was not asked of defendants in criminal cases or of the handful of lawyers interviewed.)

Most (86%) say they would use the courts again to resolve a similar dispute. Only a handful (4%) says they would not use the courts to resolve a similar issue in the future. Some of the reasons given for why they would not return to the courts include a belief that the process takes too long and lack of trust in the courts or a bad experience with the courts.

Court users who self-identify as Serbs and those who self-identify as Albanians are about equal in their propensity to use the courts again to resolve a similar dispute.

All things considered, would you use the court again to resolve a similar issue or dispute?	
	COURT USERS (n=254)*
Yes	86%
No	4%
Maybe (volunteered)	3%
Don't know / Refused	7%

*Asked only of plaintiffs and defendants in civil case and victims in criminal cases.

Survey results suggest success of USAID’s Justice System Reform Activity in Kosovo programmatic activities

Because USAID’s Justice System Reform Activity in Kosovo project works in all district courts but only some municipal courts, it is difficult to evaluate whether the effects between district courts and municipal courts detailed in this report are a result of USAID’s Justice System Reform Activity in Kosovo activities in district courts or if the observed differences are because district courts differ from municipal courts independent of the influence of USAID’s Justice System Reform Activity in Kosovo. Advanced statistical analysis was used to attempt to disentangle this relationship by, in essence, examining whether the attitudes of respondents from municipal courts with which USAID’s Justice System Reform Activity in Kosovo works more closely resemble those of respondents of district courts where USAID’s Justice System Reform Activity in Kosovo also works (indicating that the influence of USAID’s Justice System Reform Activity in Kosovo is the key), or if they more closely mirror the responses of those from municipal courts where USAID’s Justice System Reform Activity in Kosovo does not work (indicating that municipal courts are different from district courts for reasons other than USAID’s Justice System Reform Activity in Kosovo work with district courts).

The result of this analysis suggests that in most instances—namely increased confidence in the courts, judicial institutions, and the ability of the legal system to maintain law and order and protect rights as well as higher knowledge levels about courts and court procedures—the more positive responses are due to USAID’s Justice System Reform Activity in Kosovo influence and not because district courts are simply different than municipal courts.

The exception to this has to do with following and explaining procedures. In the instance of these two questions, the data suggest that district court users are still more likely to say that proper procedures were followed independent of USAID’s Justice System Reform Activity in Kosovo involvement with these courts. This indicates that for whatever reason, district courts do a better job than municipal courts of making people believe that proper procedures are being followed and explaining the judicial process to them, and this difference cannot merely be attributed to the activities of USAID’s Justice System Reform Activity in Kosovo.

Methodological Appendix

This methodological report summarizes the field procedures employed by Prism Research in the November 2005 survey of court users in Kosovo. The survey was paid for with USAID funds. The purpose of this survey was gauge court users trust in and information about the judicial system as well as to better understand court users' experiences with courts and the challenges they contend with. The survey was also designed to evaluate differences between respondents drawn from courts USAID's Justice System Reform Activity in Kosovo project has worked and those with experience in courts that were not part of the project.

Face-to-face interviews with 403 people with first-hand knowledge of the court system by PRISM from August 5 to October 28, 2005. Interviews were conducted among ethnic Albanians, Serbs, and non-Serb ethnic minorities as well as respondents from both district and municipal courts.

Questionnaire

The questionnaire was designed by IFES' Applied Research Center (ARC) and IFES' Rule of Law team. After reaching agreement on the pretest questionnaire, the questionnaire was translated into Albanian and Serbian. Both the Albanian and Serbian questionnaires were independently back translated into English and reviewed by ARC senior researchers to ensure the accuracy and consistency of the survey instrument.

Sample design

A four-phase stratified quota sample was used to select courts from which case files were drawn. Interviews were attempted with both parties to each selected court cases, but in some instances completed interviews were achieved with only the defendant or the plaintiff.

In the first phase, interviews were allocated to courts part of the USAID's Justice System Reform Activity in Kosovo project and courts that were not a part of this project.

In phase two, 125 interviews were allocated to district courts and 275 to municipal courts. Interviews were allocated disproportionately between district and municipal courts to allow for separate analysis of both categories—according to 2003 caseload statistics, there are approximately 53 municipal court cases filed for every one district case filed.

In the third phase of the design, municipal and district courts were selected from which respondents would be selected. Each of the five district courts in Kosovo were selected and for each 25 interviews were allocated. For municipal courts, 14 were selected from among Kosovo's 24 municipal courts. Out of these, four were municipal courts were selected because of their participation in USAID's Justice System Reform Activity in Kosovo project, whereas the other 10 were randomly selected with an eye towards geographic and ethnic diversity.

In the fourth phase of the sampling, interviews were allocated to criminal and civil cases.

In the fifth phase, court cases were randomly selected directly from the registrars' index in that court. These indexes each court case is registered and organized sequentially – every day they enter the new cases filed. In each court one index is maintained for civil cases and another for criminal cases. Each year new cases are recorded in new registers. Interviewers

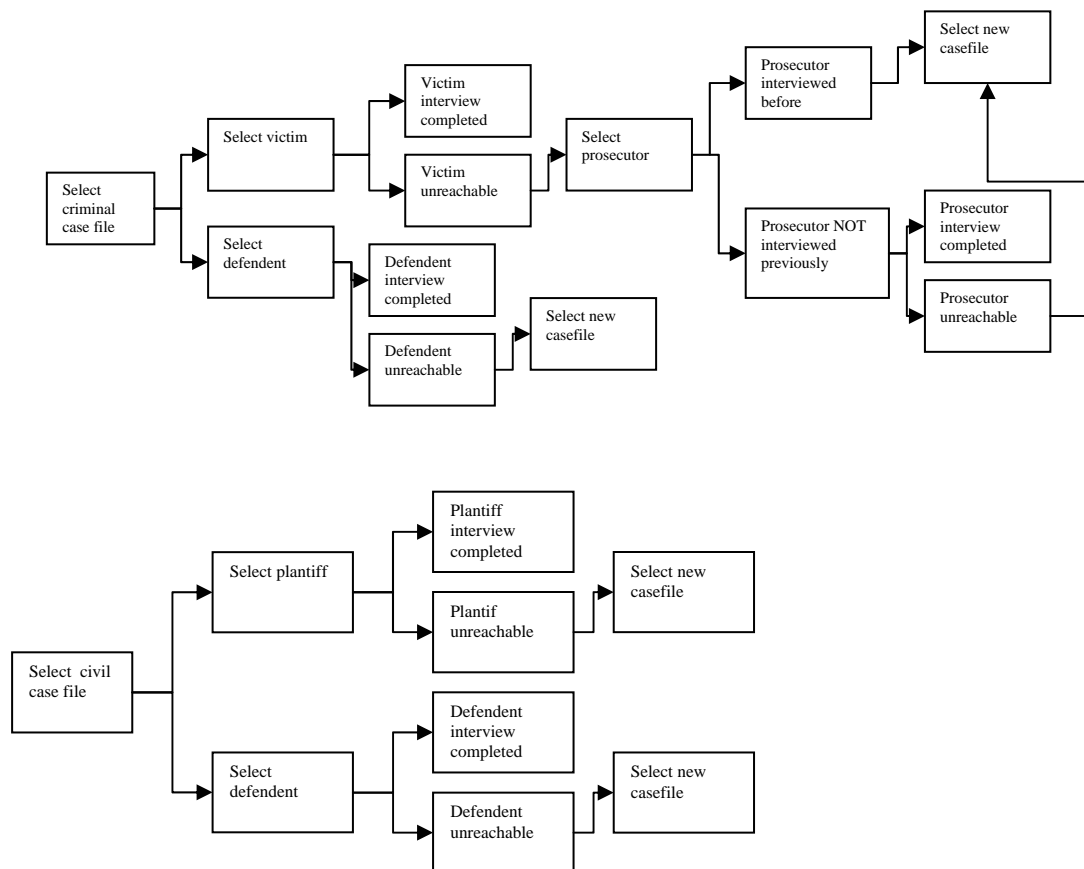
were instructed to select two-thirds of the allocated interviews among cases file between 2002-2004 and one-third from cases filed in 2005.

Respondent Selection

Upon contacting the courts, interviewers asked for access to registrar's indexes. After receiving these registers, they have determined the number of cases filed in criminal and civil cases and in accordance to the quotas they had for each category, selected a random sample of cases using the random start and interval method.

Based on the sample design, interviewers were provided with a table specifying the number of respondents per each group. Out of the cases selected, contact details of the persons engaged in those cases were recorded. For each case, contact details for both parties were recorded. For each quota contact details were recorded for at least twice the number needed to allow for the replace of the contact in case of refusal or inability to identify the address of the selected respondent.

Below are the decision trees for selecting respondents from criminal and civil cases:



Key characteristics of respondents in the survey are presented in the following table, broken down by whether or not the respondent was chosen from a court USAID's Justice System Reform Activity in Kosovo project worked with or not.

	Respondent from a court in USAID's Justice System Reform Activity project	Respondent NOT from a court in USAID's Justice System Reform Activity project	Total (n)
District Court			
Gjilan district court	21	--	21
Prizren district court	19	--	19
Mitrovice district court	26	--	26
Peja district court	20	--	20
Pristine district court	26	--	26
Municipal Court			
Decan municipal court	--	25	25
Ferizaj municipal court	--	8	8
Gjilanj municipal court	4	--	4
Kamenice municipal court	--	25	25
Leposavic municipal court	--	24	24
Lipjan municipal court	--	25	25
Malisheve municipal court	--	27	27
Mitrovice municipal court	20	--	20
Peje municipal court	--	24	24
Pristine municipal court	24	--	24
Prizren municipal court	25	--	25
Shtime municipal court	--	9	9
Skenderaj municipal court	24	--	24
Zubin Potok municipal court	--	27	27
Gender			
Male	178	183	361
Female	30	12	42
Ethnicity			
Albanian	201	140	341
Serb	1	49	50
Other	6	6	12
Year case filed			
2002	43	26	69
2003	56	45	101
2004	48	63	111
2005	61	61	122
Case status			
Completed	93	154	247
In process	54	102	156
Case type			
Criminal	99	86	185
Civil	109	109	218
Respondent type			
Defendant (civil case)	47	52	99
Defendant (criminal case)	65	59	124
Plaintiff (civil case)	62	57	119
Prosecutor (criminal case)	11	14	25
Victim (criminal case)	23	13	36
TOTAL	208	195	403

Fieldwork

Interviews encountered many difficulties in selecting cases and tracking down potential respondents. In some cases, there were not enough cases in the selected court to be able to satisfy the quota. Filling the quotas for criminal cases was more difficult than for civil cases due to the fact that these cases were mainly filed by a small number of public prosecutors.

Problem with the addresses in Kosovo was also a key concern. Inaccurate addresses made it very difficult to identify respondents whose contact details were taken from the registrars' index. For example, still in many towns there are neighborhoods that are not named, streets whose name was changed couple of times in the last couple of years, people are not familiar with the names of the roads and do not recognize addresses, as well as lack of tables that mark streets. Frequently interviewers had to spend many hours trying to identify certain addresses, and in the very end it seldom occurred that the respondent could not be identified. This was more of an obstacle in urban areas; in rural areas people know each other and it was easier to identify a household based on the family name.

Interviewers also noted a higher refusal rate than is common in general population surveys in which respondents are randomly chosen from households rather specifically targeted because of their involvement in the courts. Respondents were surprised to be contacted because of a court case that they had and some of them hesitated to take part on the survey. Others showed disbelief that the information will be kept confidential, whereas majority of people who refused to participate did not give any further explanation. It is worth mentioning that females were more likely to refuse to take part in the survey than males. Refusals also occurred at a higher rate in criminal case and district court cases.

Response rate

The response rate for the survey is 58%. In total, interviews attempted to make contact with 694 respondents. Of these 403 resulted in a successful interview. The disposition for the sampled respondents is as follows:

Respondents selected	694	100%
Unable to make contact with household after three visits	69	10%
Respondent away/abroad	76	11%
Respondent not available after 2 visits	8	1%
Language difficulties	0	0%
Person who opened the door refused to participate	38	5%
Interview interrupted-respondent refused to complete	18	3%
Respondent refusal	82	12%
Completed interviews	403	58%



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MEASURING AND IMPROVING CITIZENS' UNDERSTANDING OF THE JUSTICE SYSTEM

Public Opinion Survey in Kosovo
2005

January 2006

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MEASURING AND IMPROVING CITIZENS' UNDERSTANDING OF THE JUSTICE SYSTEM

Public Opinion Survey in Kosovo 2005

Justice System Reform Activity in Kosovo

Disclaimer:

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EXECUTIVE SUMMARY

This report details the findings from a public opinion survey in Kosovo. The survey was conducted through face-to-face interviews with 1,226 respondents throughout Kosovo between 08 and 26 August 2005. This data has been weighted to be representative of the resident population of Kosovo by region and urban/rural distribution. The objective of the survey was to measure the Kosovo residents' perceptions and knowledge of the justice sector, including specific legal issues, actors and the court system.

USAID's Justice System Reform Activity in Kosovo conducted a similar survey in 2004, and data from the two surveys is compared in this report to identify trends in the opinion environment in Kosovo. The margin of error for the 2005 survey is plus/minus 2.8%.

1. Sources of Information

- The survey shows that large majorities rely on Kosovo TV channels in Albanian language (89%) and Kosovo radio stations in Albanian (75%) for information. A somewhat smaller but still solid majority (61%) say they utilize Kosovo newspapers in Albanian to keep abreast of current events in Kosovo. Fewer than one in 20 use Serbian language TV channels (4%), radio stations (3%) or newspapers (2%) in Kosovo to get information on current events. Albanian Kosovars rely primarily on Albanian-language media while Serb Kosovars¹ rely on Serbian-language sources.
- Most residents of Kosovo (84%) believe that media in Kosovo is objective. Albanians are more likely to believe that the media is objective than non-Serb ethnic minorities (85% vs. 74%).
- A majority say that they have at least a fair amount of information about political (70%) and economic (69%) developments. Just over four in 10 residents of Kosovo say they have a great deal (9%) or a fair amount (32%) of knowledge of the laws currently being applied in Kosovo. Only a third (34%) have at least a fair amount of knowledge about UNMIK activities. Information about economic and political developments has increased since the 2004 survey.
- A majority of the population believe that the media in Kosovo give a "great deal" or a "fair amount" of coverage to the rights of citizen (65%) and the structure of the court system (51%). Just under half believe that legal proceedings (47%) and important legal issues (40%) receive a great deal or fair amount of coverage by the media. Albanians tend to have more positive impressions of media coverage of these issues than Serbs.

¹ For brevity of the text, the proper reference to Kosovo residents - Albanian Kosovar and Serb Kosovar will be replaced with Albanian and Serbs.

- A large majority of the population (88%) gains information about the court system mainly through the media. Fifty-four percent receive information about the court system from family and friends.
- More than 80% of Kosovo residents say they would be very or somewhat interested if there were to be a public information campaign about the judicial system and the rights of citizens. Most Albanians and Serbs hold this viewpoint. Mass media, as well as brochures and community dialogues, are seen as effective dissemination tools for this information.

2. Information About Specific Elements of the Judicial System

- Less than half of all Kosovo residents say they have at least a fair amount of information about different levels of the court system (46%), where to go for assistance on legal matters (42%), or where to go to report judicial misconduct (37%). Even fewer say they have at least a fair amount of knowledge about responsibilities of the different courts (32%), procedures for registering a case (33%), procedures for enforcing a court decision (33%), and procedures for appealing a court decision (34%). The level of information about these issues has increased since 2004, especially among Albanians and non-Serb minorities.
- A large majority of those with less information about these issues said it was very (54%) or somewhat (30%) important to them to have information about the judicial system. Those who believe that it is not particularly important to have information on the judicial system say that they don't have anything to do with the courts (and thus don't need the information), don't have an interest in the courts generally or are too busy. Among Serbs, 41% of those responding to this question say that it is not important to have information on the judicial system because they do not recognize the courts in Kosovo.
- Over three-fourths of the population (77%) say they do not know how to obtain information about the laws under which all residents of Kosovo live. This is a decrease from the 90% who said in the 2004 survey that they did not know how to obtain information about the laws in Kosovo. Serbs (7%) are less likely than Albanians (20%) or non-Serb minorities (19%) to say they know how to obtain information on laws in Kosovo.
- While few residents of Kosovo know how to obtain information on the laws in Kosovo, a majority (65%) do know how they would go about obtaining a lawyer to represent them in court. A majority among Albanians, Serbs, and non-Serb minorities say that they know how to obtain a lawyer.
- The majority of Kosovo residents are aware of their rights under the judicial system. The vast majority of people in Kosovo report knowing that citizens have the right to legal counsel (70%) and to a fair trial (72%). Over half are aware of the right to avoid self-incrimination (54%) and the right to file human rights abuse complaints against public agencies (58%). These figures have not changed substantially since 2004. In general, fewer Serbs than Albanians are aware of these specific rights.

- About one-third of residents of Kosovo (32%) say they know what role UNMIK plays in the judicial process (up from 14% in 2004). Of those who say they know UNMIK's role, more than half believe that UNMIK manages the overall judicial system (67%) or makes decisions about the judicial system (53%). About one in three also believe that UNMIK passes laws or monitors/manages the courts.
- The percentage of residents of Kosovo who are aware of the transition process has doubled in the past year from 28% to 56%. This increase in awareness of the transition process has largely been concentrated among Albanians and non-Serb minorities, with an actual decrease in the percentage of Serbs aware of the transition process. Only 5% of Serbs believe the transition will have a positive impact, while most Albanians believe it will have a positive impact.
- Seventy-nine percent express some interest in the position of a Public Information Officer (PIO). When asked specifically what topics would be most useful to learn from a PIO, many say any kind of judicial information at all (20%) or that it depends on their particular situation (16%). Over half report they do not know or did not answer (61%).

3. Attitudes Towards Judicial Institutions and Actors

- Eighty-one percent of Kosovo residents express confidence in the Kosovo Police Service (KPS), followed by the media (77%), the Kosovo Assembly (69%), their municipal assembly (66%), their community leaders (66%), the courts (60%), and judges in Kosovo (57%). Less than half express confidence in OSCE and UNMIK. Serbs are far less likely to have confidence in most of these institutions than Albanians, with only 13% of Serbs expressing confidence in the police.
- A majority of residents of Kosovo have a great deal or fair amount of confidence that the legal system can maintain law and order (79%) and that it can protect their rights (74%). A majority (70%) also agree that the judicial system in Kosovo is unbiased. Serbs are less likely to have positive opinions about the judicial system than are Albanians or non-Serb minorities.
- Nearly three-quarters of the residents of Kosovo (73%) strongly or somewhat agree that judges in Kosovo ensure that everyone, no matter their gender or ethnicity, receives a fair trial. Two-thirds (66%) agree that judges make decisions based on the law. More than four in five agree that women (85%) and minorities (82%) have no problems becoming judges in Kosovo if they are qualified. However, only 36% agree that judges in Kosovo have the education and training to effectively administer law and order in Kosovo.
- In the case of a robbery, physical or verbal harassment, discrimination, or bodily injury from an accident, the majority of Albanians would first approach the police to resolve the situation if they could not resolve it themselves. Serbs are more likely to approach the UNMIK police rather than the KPS. In the case of a property or labor dispute, the majority of residents of Kosovo would first approach a court or lawyer for help in resolving the dispute.

4. Corruption and Other Irregular Influences on the Judicial System in Kosovo

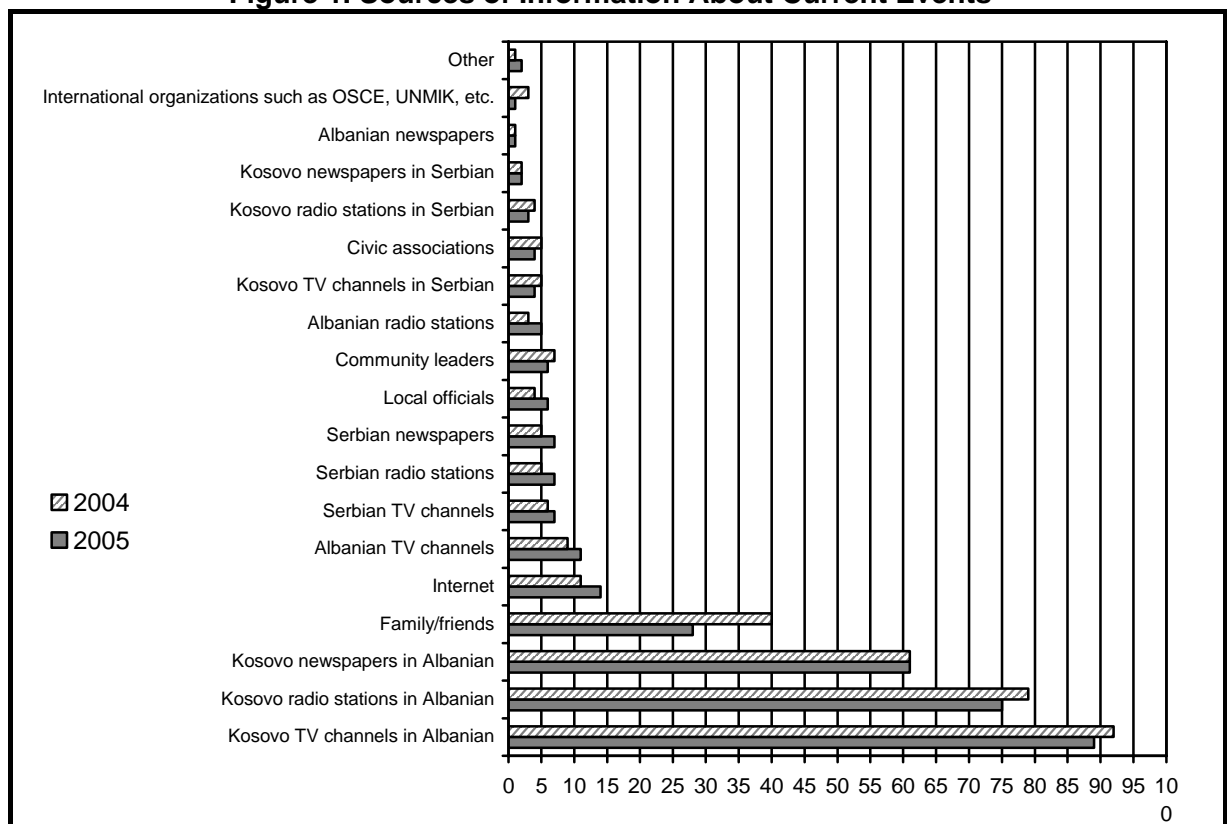
- The percentage saying corruption is common in the judicial system in Kosovo has increased from 49% in 2004 to 63% in this year's survey. A large increase in the percentage of Albanians who think corruption is common (63% versus 47% in 2004) is responsible for the increase in perceptions of corruption in the judicial system.
- Seventy percent of Kosovo residents believe that corruption happens all the time or sometimes among judges. This percentage is 65% for lawyers, 58% for prosecutors, 49% for registrars, 43% for police, and 51% for other court employees. Most residents of Kosovo blame the influence of criminal gangs for corruption in the judicial system (58%). Many also blame bribery of judicial officials as well as the influence of government and the influence of political parties.
- Even though a majority think corruption is common in the judicial system, only 6% of Kosovo residents say that they are aware of someone who offered a bribe to improperly influence judicial proceedings. Five percent of Kosovo residents say that they know of someone who was pressured not to testify in a court case.
- Ninety-eight percent of Albanians follow Kosovo law, while the same is true for 75% of non-Serb minorities (9% follow Serbian law). Among Serbs, 80% follow Serbian law while only 6% follow current Kosovo law.

1. SOURCES OF INFORMATION

In this chapter, we analyze the results related to popular sources of information about the current situation in Kosovo, focusing on sources of information about the justice sector and trust in these sources.

As was the case last year, Kosovo language media continue to be the most relied upon sources of information in Kosovo. Large majorities say they rely on Kosovo TV channels in Albanian (89%) and Kosovo radio stations in Albanian (75%) for information. A somewhat smaller but still solid majority (61%) say they utilize Kosovo newspapers in Albanian to keep abreast of current events in Kosovo. Fewer than one in 20 use Serbian language TV channels (4%), radio stations (3%) or newspapers (2%) in Kosovo to get information about current events.

Figure 1. Sources of Information About Current Events



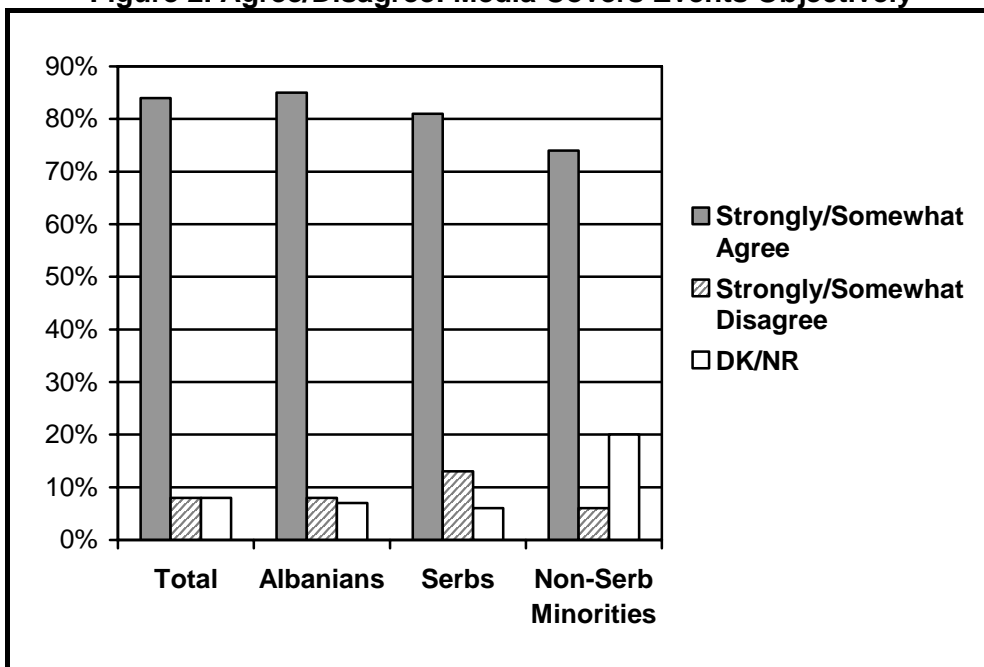
Not surprisingly, there is a large ethnic component to a person's choice of sources of information, with those who self-identify as ethnic Albanians relying on Albanian language sources and self-identified Serbs preferring Serbian language sources.

Also consistent with last year, non-Serb minorities tend to rely on Albanian language information sources more often than on Serbian language ones.

Objectivity of Media

Consistent with results from the 2004 survey, most people in Kosovo believe the media are on the whole objective (84%), although the majority only agree somewhat that the media in Kosovo covers events objectively. Fewer than two in 10 (15%) citizens of Kosovo strongly believe the media is objective in its coverage, while nearly seven in 10 (69%) agree somewhat that media coverage in Kosovo is objective. There are minor differences in confidence levels based on ethnicity. Albanians are more likely to express an overall basic belief in the objectivity of the media than are non-Serb minorities (85% vs. 74%), while the confidence level of Serbs stands somewhere in between these two groups.

Figure 2. Agree/Disagree: Media Covers Events Objectively



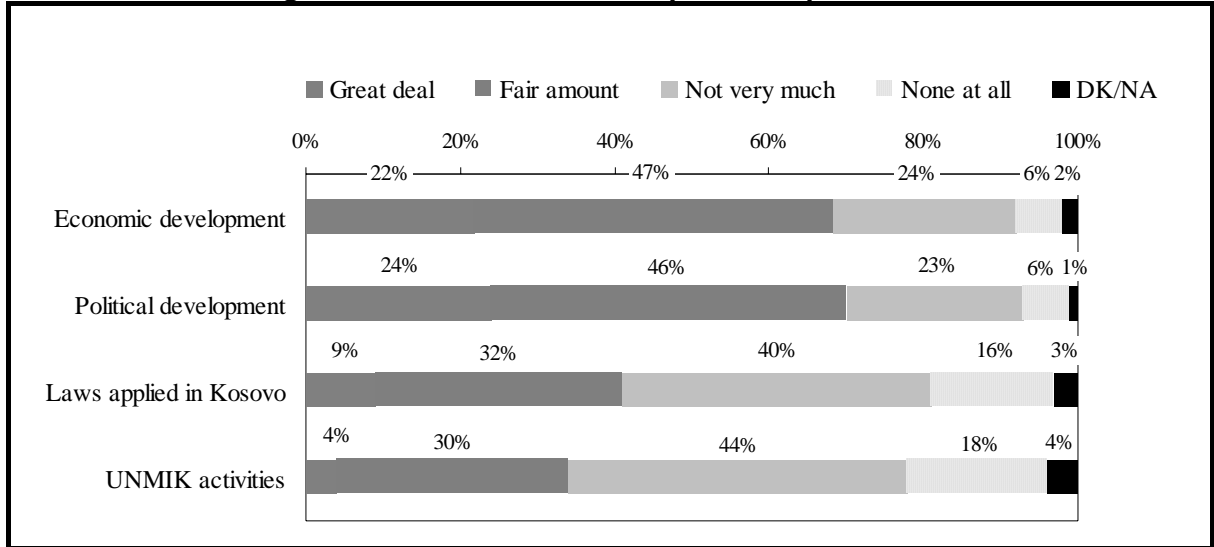
[Those respondents who doubt the objectivity of the media were asked to cite examples of particularly biased sources of information. Among the top mentions were RTK, KTV, TV stations in general, Bota Sot, and daily newspapers in general.]

Information About Specific Issues

A majority of residents of Kosovo say that they have at least a fair amount of knowledge when it comes to general economic and political developments within Kosovo. Seven in 10 residents of Kosovo say they have a great deal or fair amount of knowledge about economic developments (69%) and political developments (70%) with the bulk of respondents saying they have a fair amount rather than a great deal of knowledge.

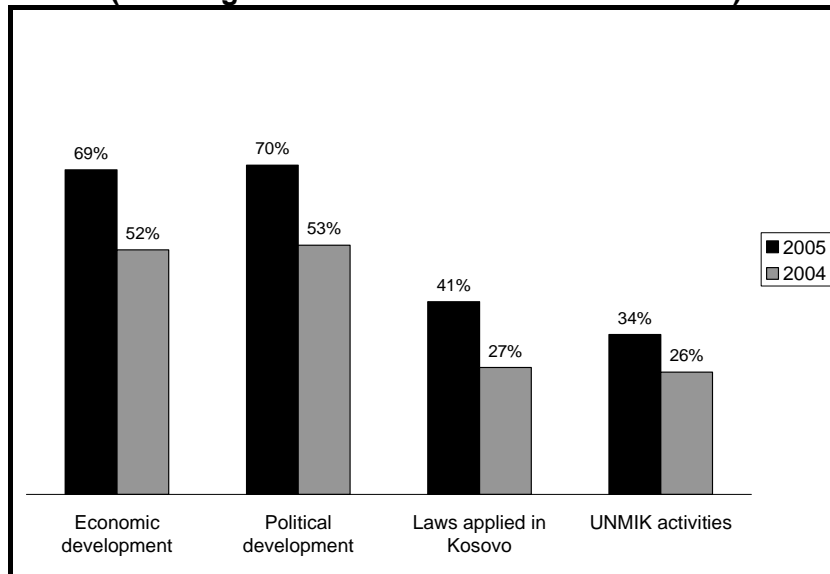
Information levels are significantly lower when respondents are asked specifically about their level of information about laws being applied in Kosovo, as well as the activities of UNMIK. Just over four in 10 residents of Kosovo say they have a great deal (9%) or a fair amount (32%) of knowledge of the laws currently being applied in Kosovo. Only a third (34%) have at least a fair amount of knowledge about UNMIK activities (Figure 3 next page).

Figure 3. Information About Specific Topics



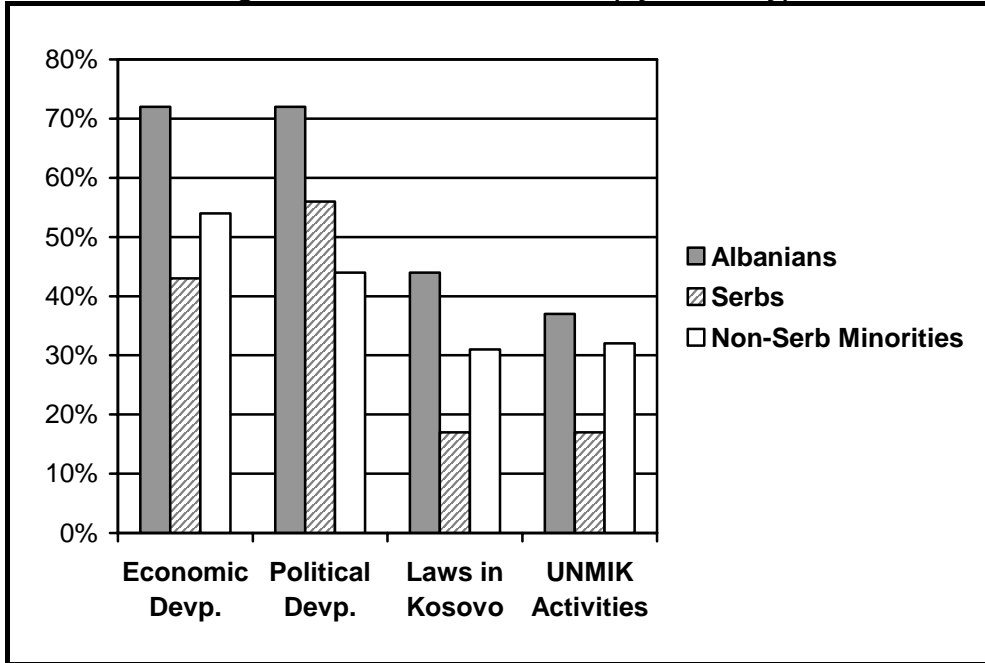
On a positive note, information levels on these issues are significantly higher in this year's survey as compared to the 2004 survey. The percentage of Kosovo residents with a great deal or fair amount of knowledge on economic and political developments has increased roughly 15% from last year. There has been a similar increase in information about laws currently being applied in Kosovo. Information about UNMIK's activities has also increased, although to a lesser extent than information about the other issues (Figure 4).

**Figure 4. Information About Specific Topics
(% with great deal/fair amount of information)**



As was the case in the 2004 survey, there are wide discrepancies in the levels of information about these issues professed by Albanians and other groups in Kosovo. Albanians are more likely than other groups, particularly Serbs, to say that they have a great deal or fair amount of information about the issues mentioned above. In three of the four cases, Serbs are less likely than either Albanians or non-Serb minorities to say that they are informed about the issues (Figure 5 next page).

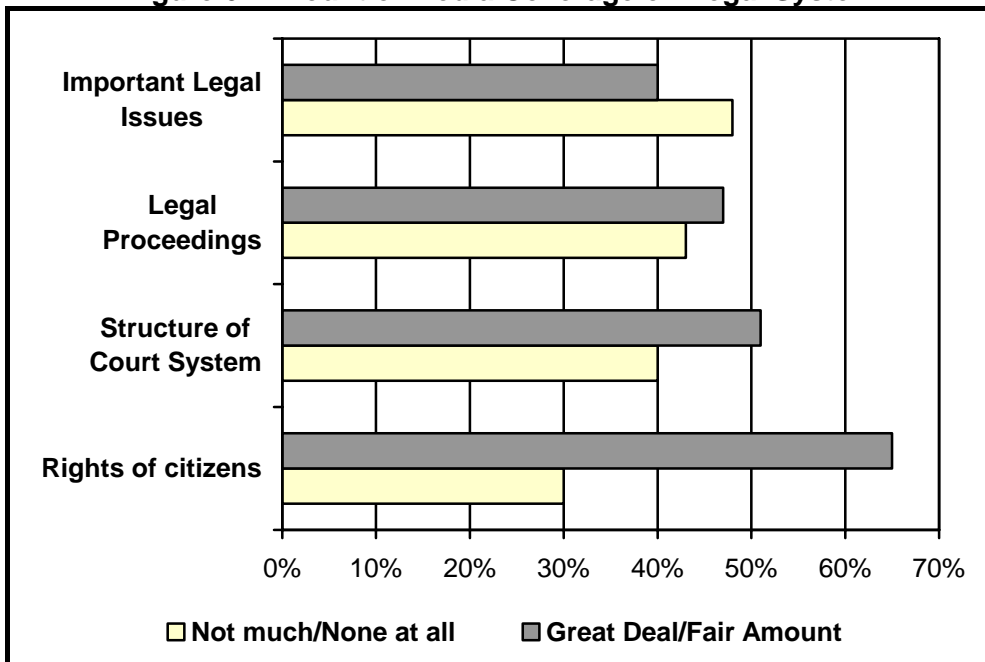
Figure 5. Information Levels (by ethnicity)



Coverage of Legal Issues in Media

A majority of the population believe that the media in Kosovo give a “great deal” or a “fair amount” of coverage to the rights of citizen (65%) and the structure of the court system (51%). Just under half believe that legal proceedings (47%) and important legal issues (40%) receive a great deal or fair amount of coverage by the media (Figure 6).

Figure 6. Amount of Media Coverage on Legal System



In addition to the significant increase in levels of information about economic and political developments, as well as about the laws in Kosovo and UNMIK activities, there is also a significant increase in the perception that the media in Kosovo provides a great deal or fair amount of coverage to various aspects of the legal system in Kosovo. The percentage of Kosovo residents who believe that the media provides a great deal or fair amount of coverage on the rights of citizens has gone up from 45% in 2004 to 65% in this year's survey. Similar increases are recorded for coverage of the court system (32% to 51%), legal proceedings (28% to 47%), and important legal issues (30% to 40%). Thus, on average 17% more Kosovo residents in this year's survey believe that the media provides at least a fair amount of coverage on these issues than in the 2004 survey.

Another difference between the 2004 survey and this year's survey is that, in two cases—the rights of citizens and the structure of the court system—significantly more Kosovo residents say that the media provides at least a fair amount of coverage than say it does not provide much. In 2004, Kosovo residents did not say this was the case for any of these four issues. Figure 6 indicates that one point of emphasis for the media should be to increase coverage of important legal issues facing Kosovo and its residents.

Once again, responses to these questions appear influenced by ethnicity. Albanians tend to have more positive impressions of the media coverage about these issues than do Serbs. On average, the percentage of Albanians likely to say that the media provides a great deal or fair amount of coverage on these issues is 27 percentage points higher than the percentage of Serbs likely to say so.

Sources of Information About the Court System

The media in Kosovo is the largest single source of information about the court system in Kosovo. A large majority of the population (88%) gains information about the court system mainly through the media. Just over half also gain information from friends or family (54%). Only a handful get information about the court system from community leaders, public officials, lawyers, legal officers, or personal experience (Figure 7).

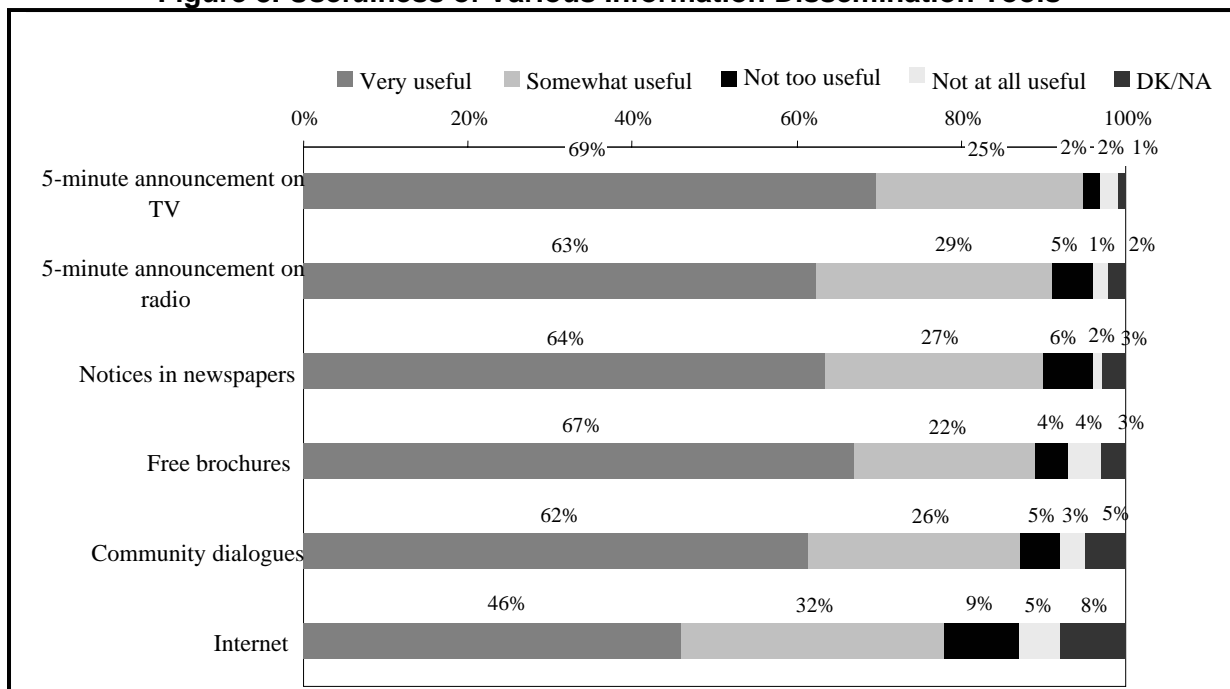
Figure 7. Sources of Information About the Court System in Kosovo

	TOTAL
Sample size	1240
Media	88%
Friends/family	54%
Your community leaders	8%
Public officials	4%
Lawyers, other private members of court system	3%
Legal officers/Prosecutors/Clerks	3%
Through personal experience in court cases	3%
Other	1%

Most respondents indicate interest in receiving more information about the legal system. Eight in 10 say they would be very (41%) or somewhat (38%) interested in hearing or reading about information if there were to be a public information campaign to provide more information about the judicial system and the rights of citizens. Few (13%) express little or no interest in gaining more information about the judicial system. An interesting point to note here is that, even among Serbs, 77% say that they would be at least somewhat interested in receiving more information about the legal system.

One aim of the survey was to gain insight about gaps in information and ways to address them. The figure below details the perceived utility of several possible channels for distributing information about the legal system to the citizens of Kosovo (Figure 8).

Figure 8. Usefulness of Various Information Dissemination Tools



A solid majority of more than six in 10 say that TV, radio and newspapers would be useful ways to distribute information about the judicial system. Similar numbers also say that free brochures or community dialogues would be useful. The Internet seems to be the least useful medium according to people in Kosovo, yet even so nearly half say that information posted on the Internet site for the local administration and UNMIK would be very useful.

2. INFORMATION ABOUT SPECIFIC ELEMENTS OF THE JUDICIAL SYSTEM

Information about Court Procedures

Although fewer than half the population of Kosovo say that they have a great deal or fair amount of information about several critical aspects of court procedures, the levels of information about these procedures has increased since the 2004 survey. Less than half of all Kosovo residents say they have at least a fair amount of information about different levels of the court system (46%), where to go for assistance on legal matters (42%), or where to go to report judicial misconduct (37%). Even fewer say they have at least a fair amount of knowledge about responsibilities of the different courts (32%), procedures for registering a case (33%), procedures for enforcing a court decision (33%), and procedures for appealing a court decision (34%).

The level of information about these specific aspects of court proceedings is directly related to levels of information on the laws operating in Kosovo, and also on the perceived coverage of legal aspects by the media in Kosovo. The more information respondents have about laws operating in Kosovo and the more coverage they perceive of legal issues by the media, the more likely respondents are to say that they have at least a fair amount of information on court proceedings.

Ethnicity plays a large role in determining the amount of information a person has about court proceedings. For each item, Serbs report significantly lower information levels than do Albanians or non-Serb minorities. What is more, this information gap appears to be widening. On the whole, Albanians and non-Serb minorities report larger increases in information levels over last year than do Serbs in Kosovo (Figure 9).

Figure 9. Percentage of People with Great Deal/Fair Amount of Information (2004 and 2005)

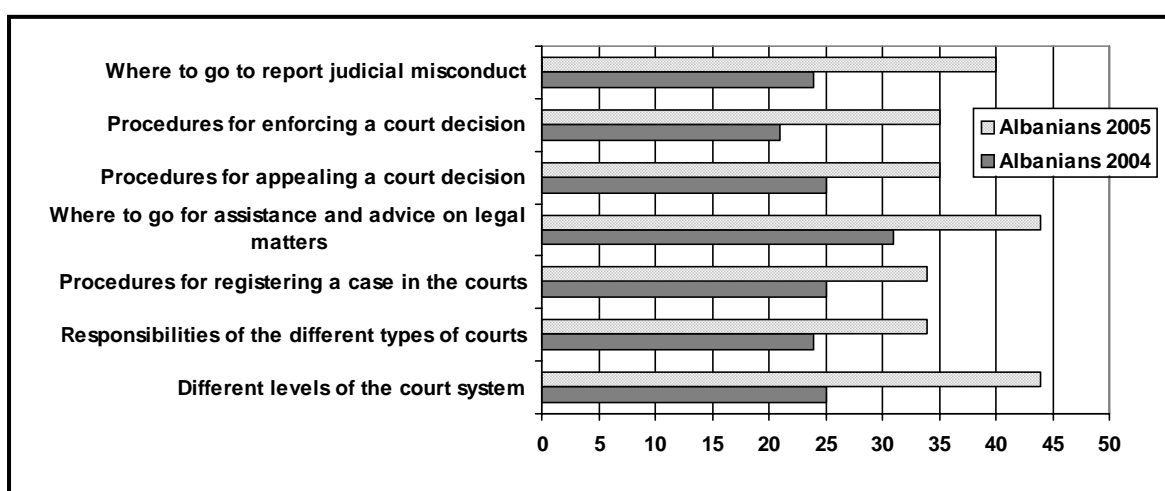
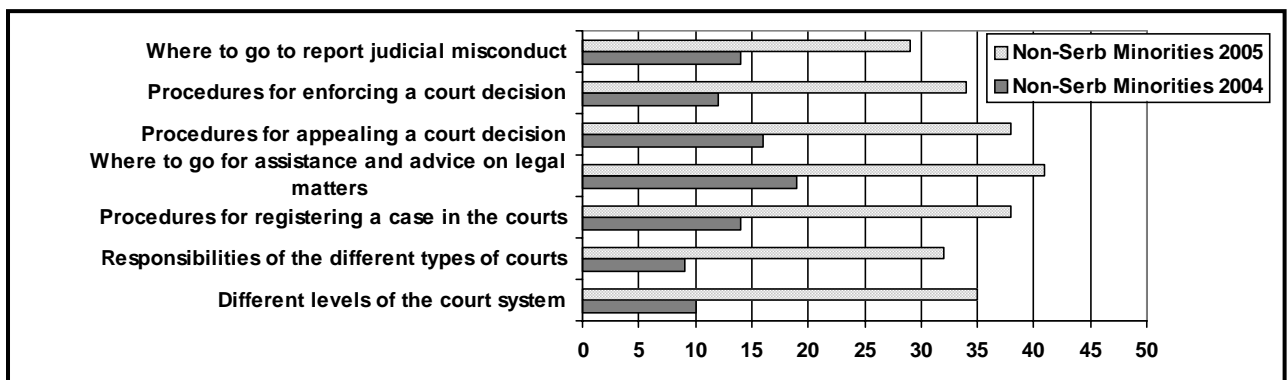
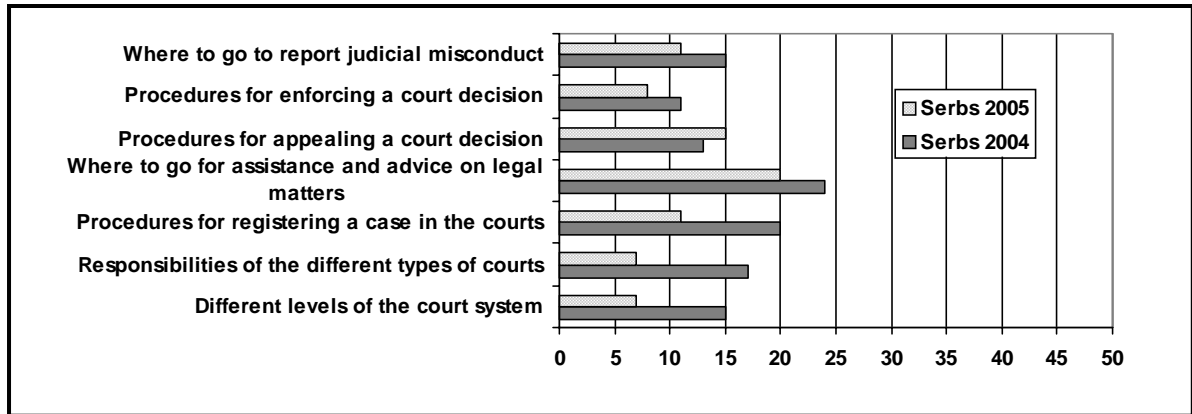


Figure 9 (continued)



Averaging the increased levels of information for each ethnic group over all seven items in Figure 9 shows that while the level of information among non-Serb minorities has increased by 21.9% between 2004 and 2005 and the level of information among Albanians has increased by 11.5%, this increase has been a relatively small 5.1% among Serbs.

Perhaps surprisingly, lack of information doesn't stem from a lack of interest. We asked those with lower information levels how important is it to them to have information about these aspects of the judicial system in Kosovo. A large majority of those with lower levels of information said it was very (54%) or somewhat (30%) important to them to have information on the judicial system. This belief in the importance of having information among the less informed is particularly strong among Kosovo's Albanian population. A majority of six in 10 (58%) of these Albanians say having information is very important. The same was true among only three in 10 (27%) Serbs and four in 10 (41%) non-Serb minorities with lower levels of information.

Those who believe that it isn't particularly important to have information on the judicial system say that they don't have anything to do with the courts (and thus don't need the information), don't have an interest in the courts generally or are too busy. Among Serbs, 41% of those responding to this question say that it is not important to have information about the judicial system because they do not recognize the courts in Kosovo.

Obtaining Information on Laws in Kosovo

Over three-fourths of the population (77%) say they do not know how to obtain information about the laws under which all residents of Kosovo live. This high level of lack of knowledge is somewhat surprising given that 42% report having at least a fair amount of information on laws currently being applied in Kosovo. But only 34% of those who say they have at least a fair amount of information about laws in Kosovo say that they know how to obtain information about these laws. This finding suggests that even people who feel aware of the basic legal framework do not know how to supplement what they already know about the law.

In last year's survey, 90% said they do not know how to obtain information about the laws. Thus, there has been an improvement since the 2004 survey, but the data indicates that the vast majority of Kosovo residents must still get acquainted with avenues to obtain information about laws in Kosovo. Furthermore, the small increase in knowledge is not spread throughout society. Consistent with last year's results, Serbs (7%) are less likely than Albanians (20%) or non-Serb minorities (19%) to say they know how to obtain information.

Among those who report that they know where to find legal information, the most commonly mentioned sources of information about laws in Kosovo are municipal courts and courts/judicial centers. Municipal courts seem to be particularly well suited as a place to gain information as solid majorities of seven in 10 or more of each ethnic group are aware of the location of their municipal courts.

While few residents of Kosovo know how to obtain information about the laws in Kosovo, a majority (65%) do know how they would go about obtaining a lawyer to represent them in court. A majority among Albanians, Serbs, and non-Serb minorities say that they know how to obtain a lawyer. Among those who do not know how to obtain a lawyer, 83% say that a public service that can help people locate a lawyer would be useful for Kosovo.

Citizen Rights and Court Jurisdictions

As shown in Figure 9 above, less than half of the people in Kosovo have some information about basic judicial and court proceedings in Kosovo. However, responses to another question indicate that a majority of residents of Kosovo are aware of their rights under the judicial system operating in Kosovo.

The vast majority of people in Kosovo report knowing that citizens have the right to legal counsel (70%) and to a fair trial (72%). Over half are aware of the right to avoid self-incrimination (54%) and the right to file human rights abuse complaints against public agencies (58%). These figures roughly correspond to 2004 responses.

However, in general fewer Serbs than Albanians are aware of these specific rights. For instance, Albanians are more aware than Serbs of their right to legal council (71% vs. 55%), to a fair trial (62% vs. 50%), and to not incriminate themselves (57% vs. 23%). Information levels of the non-Serb minorities tend to be in between those of Albanians and Serbs.

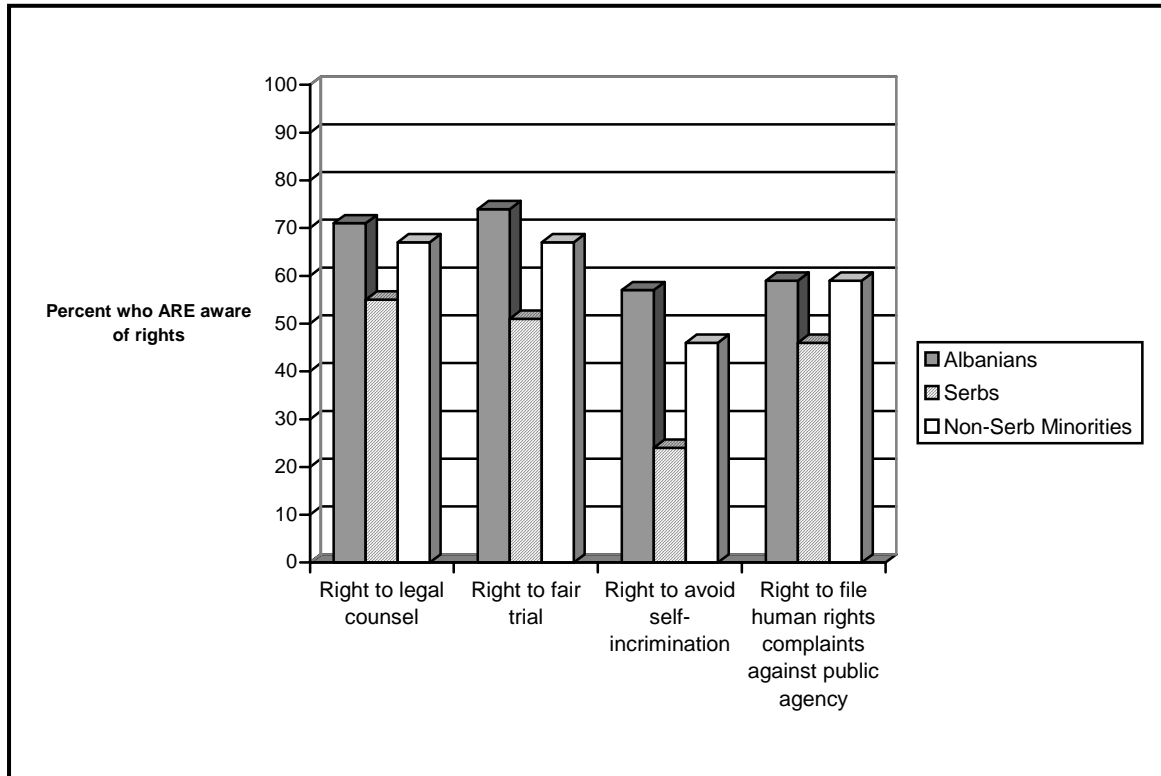


Figure 10. Awareness of Rights

Citizens were also asked specifically about the jurisdictions of the municipal, district, and supreme courts. Nearly three out of four people (71%) know that a municipal court decision can be appealed to a district court, but less than half (46%) are aware that the Supreme Court of Kosovo can decide the constitutionality of laws passed by the Kosovo Assembly.

Information about UNMIK

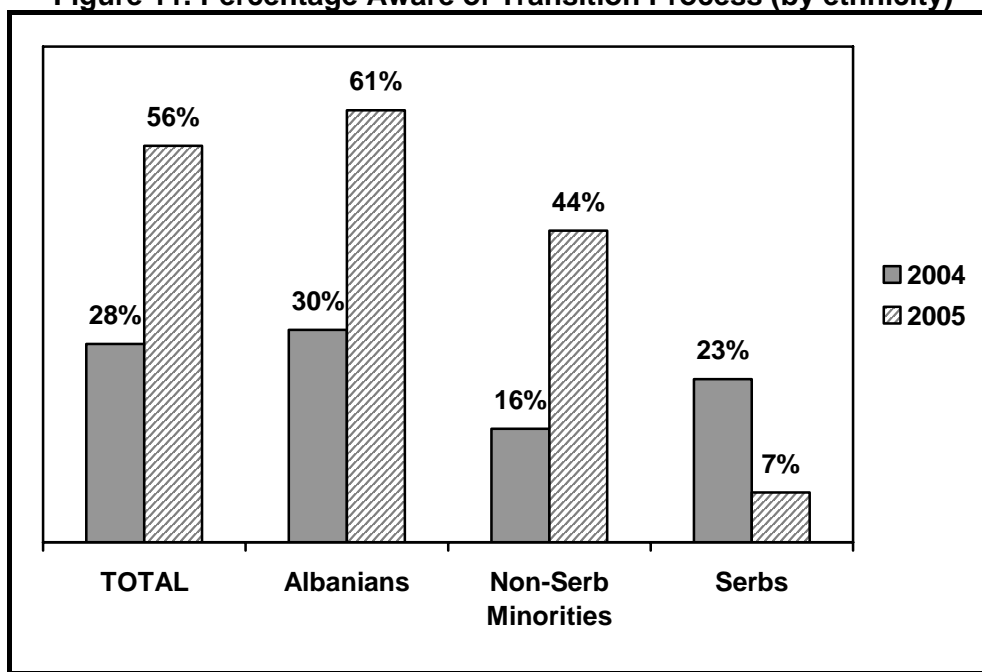
Currently about one-third of residents of Kosovo (32%) say they know what role UNMIK plays in the judicial process; this figure is up from 14% in 2004. This is similar to the percentage (35%) who report in 2005 that they are aware of UNMIK’s activities in general (see chapter 1). More Serbs (46%) feel they know the role of UNMIK than do Albanians (32%), and non-Serb minorities report the lowest level of knowledge with only two in 10 (20%) saying they know UNMIK’s role.

Of those who say they know UNMIK’s role, more than half believe that UNMIK manages the overall judicial system (67%) or makes decisions about the judicial system (53%). About one in three also believe that UNMIK passes laws or monitors/manages the courts. These understandings are fairly consistent across ethnic groups.

One in five (20%) now report they are aware of UNMIK’s announcements of new regulations or procedures regarding the judicial process. This is up from 8% last year. However, Albanians (21%) are more likely than Serbs (10%) to be aware of these announcements. Of all those who are aware, Albanians (82%) are much more likely to get these announcements from television than Serbs (45%).

As UNMIK increases its efforts to transition responsibilities to local authorities, awareness among the population of this process is also increasing. The percentage of residents of Kosovo who are aware of the transition process has doubled in the past year, but this increase in knowledge is concentrated among Albanians and non-Serb minorities. On the other hand, fewer Serbs say that they have a great deal or fair amount of information on the transition process (Figure 11).

Figure 11. Percentage Aware of Transition Process (by ethnicity)



More Albanians (62%) than Serbs (45%) also believe citizens have had a chance to give input on the transition process. About six in 10 non-Serb minorities believe citizens have been able to provide input.

When asked specifically about the impact of UNMIK transferring more authority to local courts to make decisions, Serbs are the least likely to think that this will be positive. Only one in 20 Serbs (5%) believes this will have a very positive impact, compared to 60% of Albanians and 50% of non-Serb minorities. Conversely, only a handful of Albanians and non-Serb minorities believe the transition will have a very negative impact, while one in five Serbs (22%) think it will be very negative.

Attitudes Towards Creation of Public Information Officer

There continues to be widespread interest in a Public Information Officer (PIO) position. This level of interest remains similar to last year's among all groups (79% express at least some interest; 82% did so in 2004). When asked specifically what topics would be most useful to learn from a PIO, many say any kind of judicial information at all (20%) or that it depends on their particular situation (16%). Over half report they do not know or did not answer (61%). These responses did not vary significantly across ethnic groups. Overall, if such a position existed, most report that they would approach the PIO only if needed (58%), but about one-third (31%) say they would definitely do so.

Implications for Public Outreach

During 2004 and 2005, USAID's Justice System Reform Activity in Kosovo produced two short brochures that provide information about the judicial system and citizens' rights in Kosovo. When respondents on the survey are asked about these brochures, 6% say that they have seen the "Basic Guide to the Judicial System," and 10% have seen the brochure called "Citizens' Rights," both produced by USAID's Justice System Reform Activity in Kosovo. The majority of those who have seen these publications report that they are very useful (57% and 61% respectively). Findings also indicate that the brochures are dispersed effectively beyond the initial training seminars, as citizens have received them from a variety of sources including friends, relatives and public information centers. For each brochure, over 40% read the document through a friend or relative, and about 15% read it at a training seminar. These responses do not differ significantly by ethnic group.

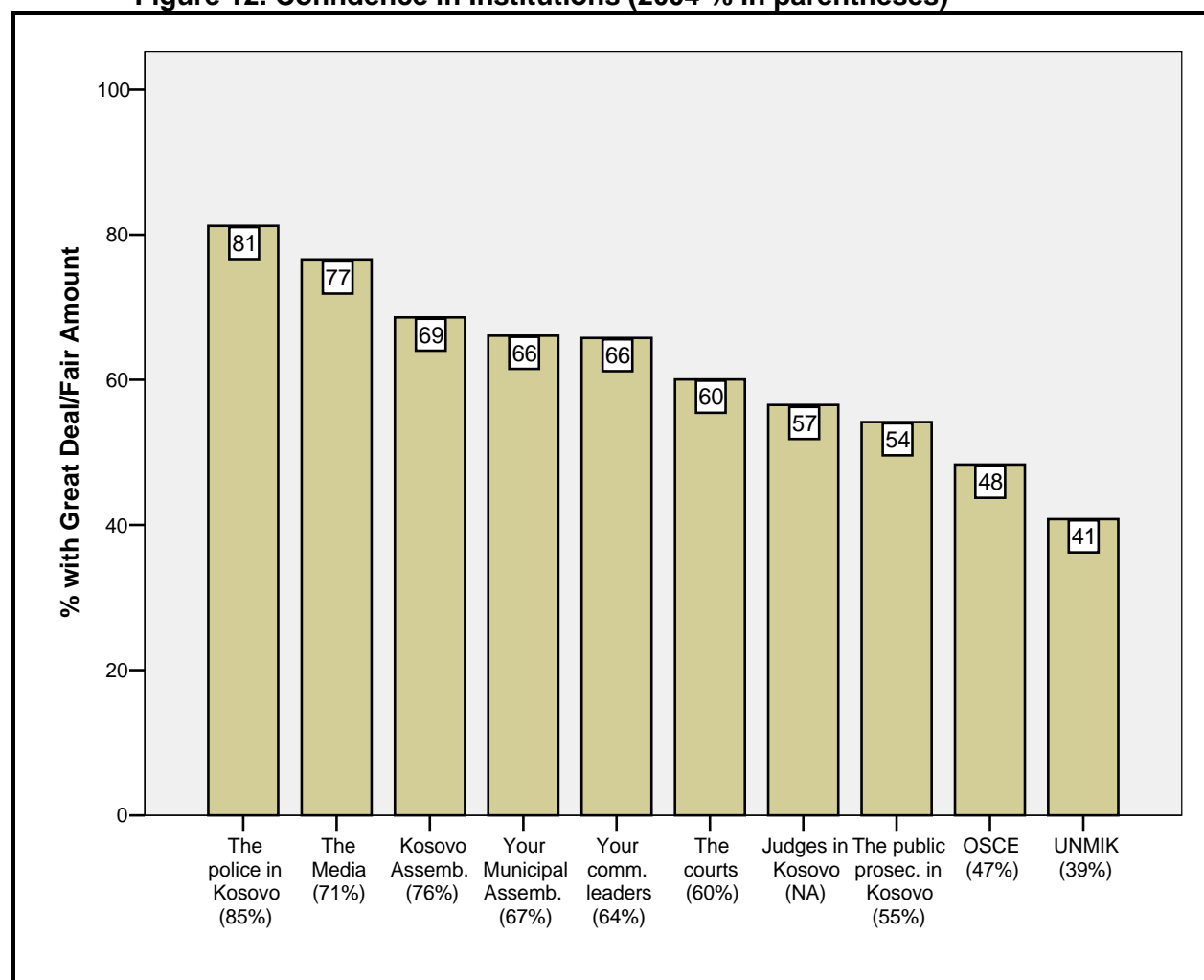
Although future public information campaigns could be targeted at any of the topics mentioned herein, when asked for their top two choices, people across ethnic groups report they would be most interested in learning more about citizens' rights and responsibilities (61%) and UNMIK's role (34%). However, Albanians (29%) are more likely to list the effect of the Standards process on the judicial system as one of their top two choices than either Serbs (0%) or non-Serb minorities (15%).

3. ATTITUDES TOWARDS JUDICIAL INSTITUTIONS AND ACTORS

Confidence in Select Institutions

Figure 12 shows that the percentage of people expressing a great deal or fair amount of confidence in select institutions has not changed markedly for any of these institutions since the 2004 survey. (The percentage of residents of Kosovo expressing a great deal or fair amount of confidence in these institutions in 2004 is indicated in the percentages in parentheses under the name of the institution in the chart below.)

Figure 12. Confidence in Institutions (2004 % in parentheses)



The figure above indicates that there has not been a significant shift in confidence in most institutions over the past year. One institution which has seen a slight increase in confidence is the media (77% versus 71% in 2004). One reason for this slight increase in confidence in the media may be found in data cited earlier in this report showing that larger numbers of Kosovo residents think the media is providing coverage of aspects of the legal system.

The Kosovo Assembly has seen a slight decrease in confidence (69% versus 76% in 2004), while residents of Kosovo continue to have the least amount of confidence in the OSCE and UNMIK.

As in last year's survey, Serbs consistently have much less confidence in all of these institutions than do Albanians and other ethnic groups. The most striking difference between Serbs and Albanians is in confidence in the police, with only 13% of Serbs expressing confidence in the police compared to 89% of Albanians. Differences are also evident for international institutions as Serbs express very little confidence in the OSCE and UNMIK (17% and 18%, respectively). The exceptions to this pattern are Serbs' level of confidence in their community leaders (60%), their municipal assembly (54%), and the media (65%).

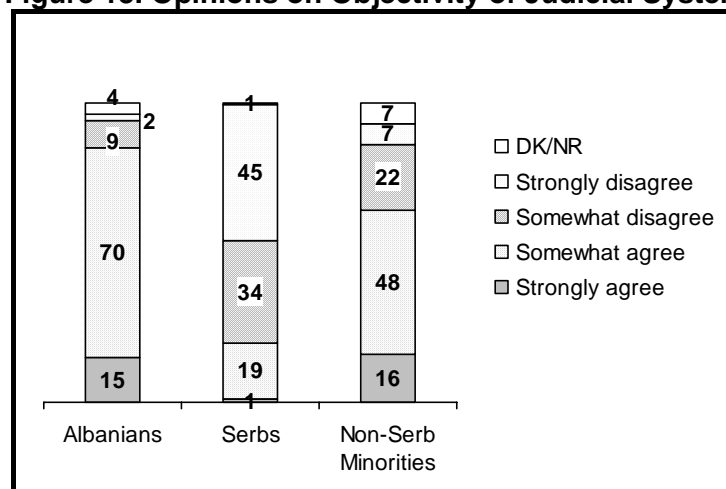
Confidence in Legal System

Similar to confidence in specific institutions, confidence in the legal system in Kosovo to maintain law and order and to protect the rights of people has stayed at the same level as in the 2004 survey. A majority of residents of Kosovo have a great deal or fair amount of confidence that the legal system can maintain law and order (79%) and that it can protect their rights (74%). However, as in 2004, there is an ethnic divide on this issue, with a majority of Albanians and non-Serb minorities expressing at least a fair amount of confidence in the legal system to maintain law and order and protect rights, but a majority of Serbs expressing little confidence in the legal system in these matters.

Another question asks respondents to agree or disagree with the following statement: *"The judicial system in Kosovo is unbiased and treats all persons equally."*

While the majority of residents of Kosovo agree strongly or somewhat with this statement (70%), there is a difference of opinion on this issue between not only Albanians and Serbs, but also between Albanians and other minorities in Kosovo (Figure 13).

Figure 13. Opinions on Objectivity of Judicial System



While 85% of Albanians at least somewhat agree that the legal system is unbiased, this figure is 20% among Serbs and 64% among non-Serb minorities. This divide is similar to that observed in the 2004 survey.

Those who disagreed that the judicial system is unbiased were asked to name groups or institutions that the judicial system favors. A majority of those asked this

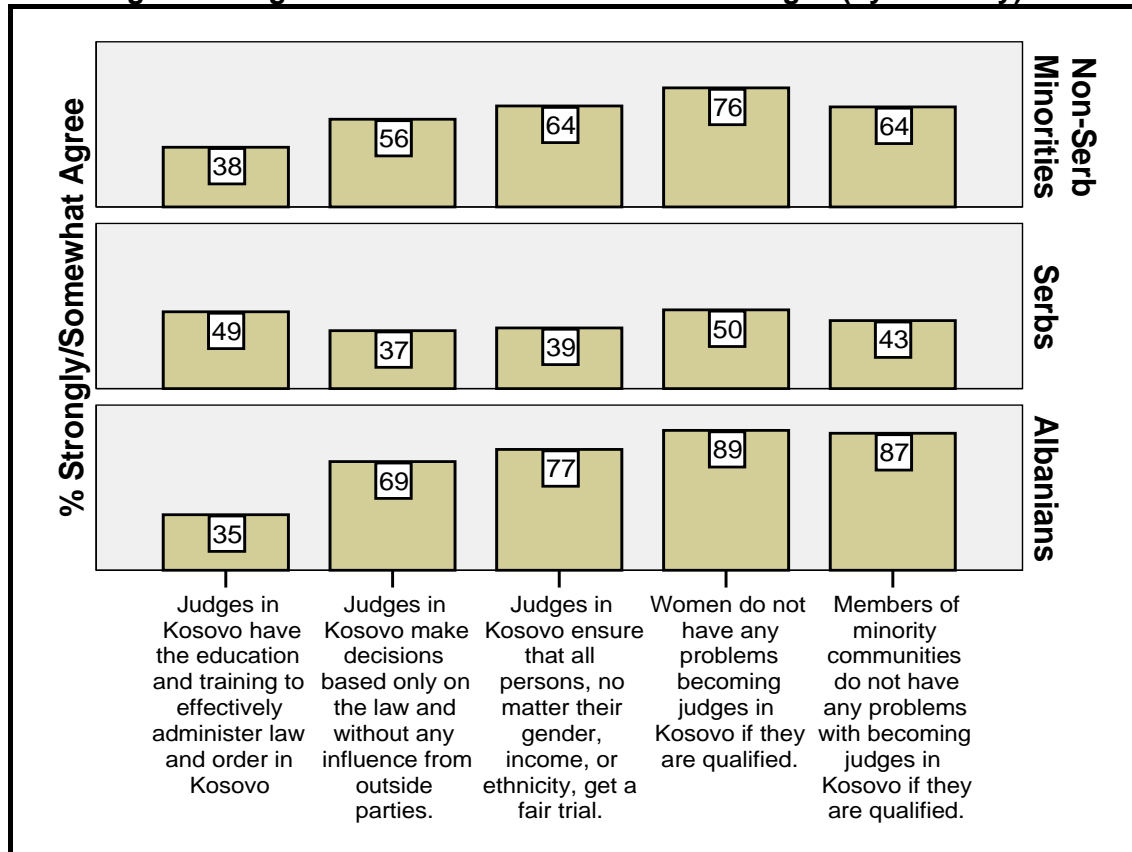
question (61%) say that people with connections at court or businessmen/wealthy people (58%) are favored by the judicial system. Thirty-nine percent say people in authority are favored, while 28% say those who give bribes are favored. Sixteen percent believe Albanians are favored while 17% believe Serbs are favored.

Opinions on the ability of the legal system to maintain law and order and to protect rights, as well as the perception of objectivity of the judicial system, are crucial elements of overall confidence in the legal and judicial system in Kosovo. The discussion above has already illustrated that Serbs are far less likely to have confidence in the judicial system in Kosovo than either Albanians or non-Serb minorities. One way to measure the totality of responses on the three questions discussed above is to count the number of times members of each ethnic groups give positive assessments of the judicial system on these three questions. This analysis indicates that 58% of Albanians have positive assessments in all three questions, while this percentage is 44% among non-Serb minorities. Among Serbs, only 14% have positive assessments of the judicial system on all three questions. On the other hand, 29% of Serbs do not have positive assessments on any of the three questions, and 49% only have positive assessments of the judicial system on just one of the three questions.

Attitudes Towards Judges in Kosovo

Differences in opinion based on differences also persist when respondents are given several statements about judges in Kosovo and asked whether they agree or disagree. Overall, nearly three-quarters of residents of Kosovo (73%) strongly or somewhat agree that judges in Kosovo ensure that everyone, no matter their gender or ethnicity, receives a fair trial. Two-thirds (66%) agree that judges make decisions based on the law. More than four in five agree that women (85%) and minorities (82%) have no problems becoming judges in Kosovo if they are qualified. However, some held a negative attitude towards judges' qualifications. A majority of residents of Kosovo disagree that judges have the education and training to effectively administer law and order in Kosovo. Only 36% agree with this statement. As Figure 14 illustrates, this is one issue in which Albanians have a less positive attitude than Serbs.

Figure 14. Agreement with Statements about Judges (by ethnicity)



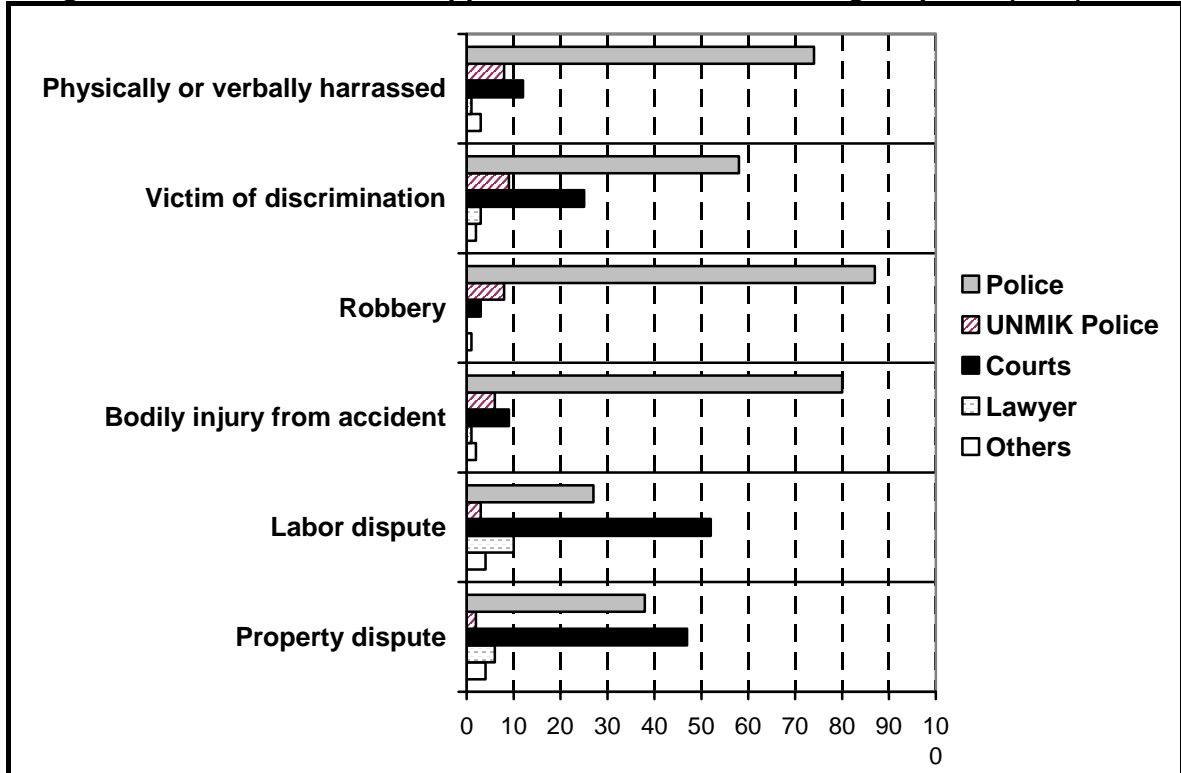
Only 35% of Albanians agree that judges in Kosovo are suitably qualified, compared to 49% of Serbs and 38% of non-Serb minorities. On other issues, Serbs are less likely to have positive opinions than Albanians or non-Serb minorities. On average for the five items in Figure 14, 44% of Serbs have positive opinions about judges, compared to 71% of Albanians and 60% of non-Serb minorities. Still, it is encouraging to note that Serbs are more likely to have positive opinions on judges than on many other issues related to the legal system that have been covered in this survey.

There is surprising little difference between men and women on whether women have any problems becoming judges in Kosovo. In the 2004 survey, a significant difference was detected on this issue between men and women.

Institutions Trusted to Resolve Disputes

Another question on the survey asked respondents what institution they would first approach to resolve a dispute or another situation if they could not resolve it themselves. The results indicate that in Kosovo as a whole, the police is most often the institution to which people would turn when confronted with a legal situation. The courts are another institution frequently mentioned, but all other institutions or individuals are not frequently mentioned (Figure 15).

Figure 15. Institutions to be Approached First for Resolving Disputes (in %)



In four of the six situations described, the respondent would first approach the police. In the other two situations, the respondent would approach the courts first and the police second. Lawyers are mentioned first by a significant percentage of Kosovo residents if they would be dealing with a labor or property dispute. It should also be noted that not many Kosovo residents would approach the UNMIK police first in any of these situations.

This report has detailed differences on many issues on the basis of ethnicity. The issue of who to approach first for resolution of the situations described in Figure 15 is also marked by significant ethnic differences. Albanians show a great deal of trust in the police and, in four out of the six cases, a majority of this group would first approach the police to help resolve the situation. Among Serbs, attitudes are exactly the opposite. In none of these situations do a majority or plurality of Serbs say that they would approach the police first to help resolve the situation. In fact, in the case of robberies, discrimination, harassment, bodily injury as a result of an accident, a majority of Serbs say that they would first approach the UNMIK police rather than the Kosovo Police. In the case of labor or property disputes, a majority of Serbs would first approach the courts or a lawyer. This finding echoes the earlier finding of lack of confidence in the police among Serbs in Kosovo.

Actual Experiences with Legal Issues in Kosovo

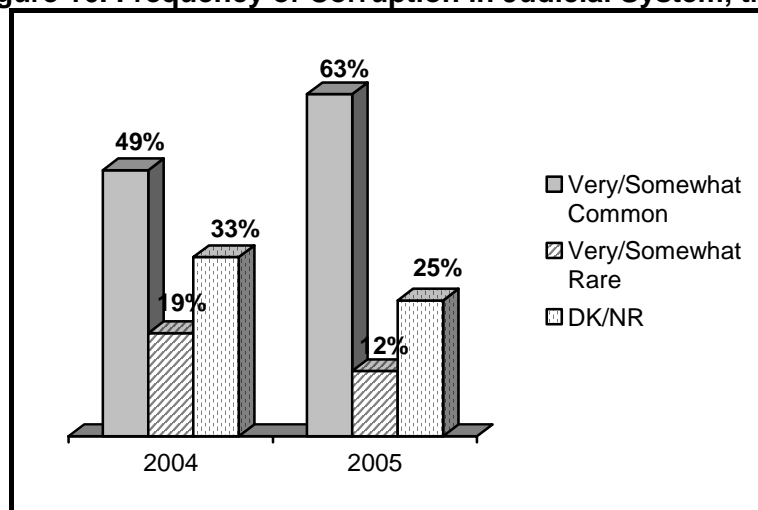
The respondents were also asked if they had ever experienced any of the issues described in Figure 15, and if so, what action they took to resolve the situation. Nine percent say that they were victims of a robbery. Among these respondents, 69% went to the police while 13% did nothing. Three percent were victims of harassment; among these respondents, 53% went to the police while 17% did nothing. Two percent had been involved in a property dispute; among these respondents, 52% went to court while others went to the municipality to resolve the dispute themselves.

4. CORRUPTION AND OTHER IRREGULAR INFLUENCES ON THE JUDICIAL SYSTEM IN KOSOVO

Corruption in the Judicial System

Since the 2004 survey, there has been an increase in those who say that corruption is very or somewhat common in the judicial system (Figure 16).

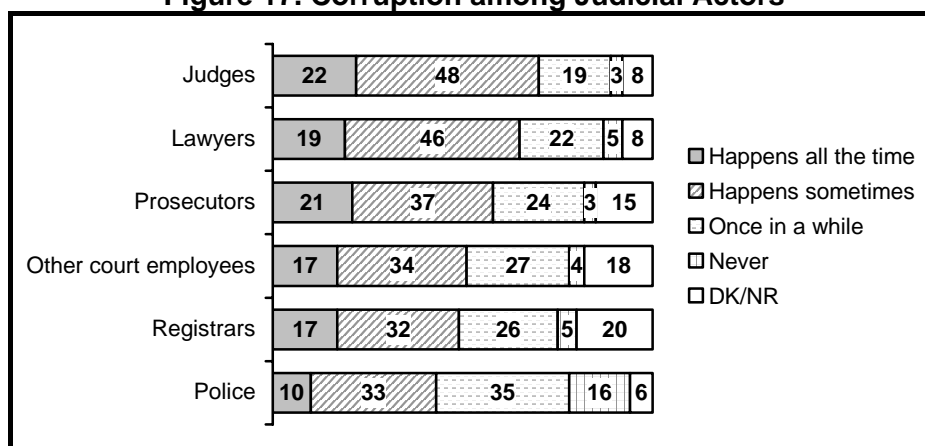
Figure 16. Frequency of Corruption in Judicial System, trend



In the 2004 survey, 49% said that corruption was very or somewhat common in the judicial system in Kosovo, 19% said it was rare, and a third did not know enough to respond. In this year's survey, the percentage saying corruption is common has increased to 63%. Correspondingly, those saying corruption is rare is now only 12%, and those who cannot answer has also fallen to 25%. It is noteworthy that the perception of corruption among Serbs has not changed since 2004 (71% in each year). Rather, it is a large increase in the percentage of Albanians who think corruption is common (63% versus 47% in 2004) that is responsible for the increase in perceptions of corruption in the judicial system.

Those who believe that corruption is common in the judicial system were asked to assess how common corruption is among its various actors (Figure 17).

Figure 17. Corruption among Judicial Actors

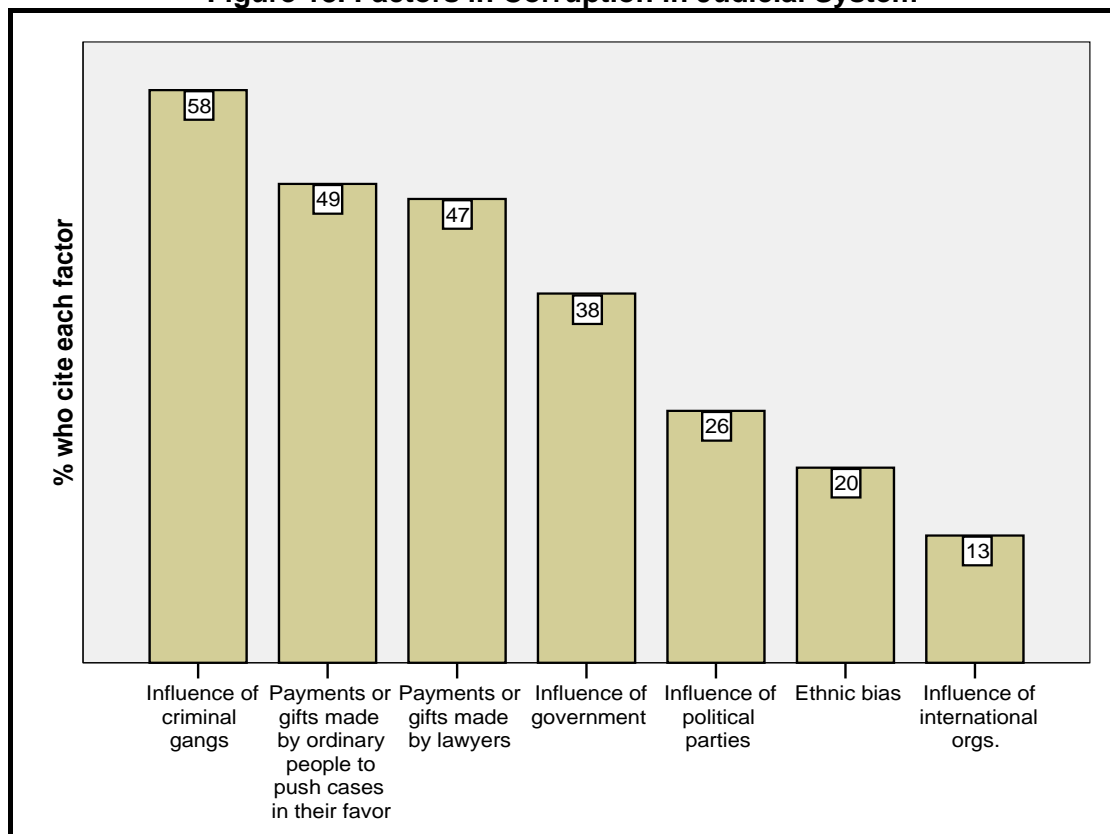


Corruption is felt to be most rampant among judges, with 22% saying that corruption happens at this level all the time and 48% saying it happens sometimes. Sixty-five percent think corruption happens at least sometimes among lawyers, and 58% feel the same way about public prosecutors. The least corrupt institution is felt to be the police, with 10% believing that corruption happens all the time in the police, and 33% saying it happens sometimes.

Respondents were given three hypothetical incidents and asked to assess whether these represented incidents of corruption. Ninety-three percent of residents of Kosovo believe that corruption has taken place when someone gives some money to the police to let him or her go after they are stopped. There is more ambivalence about the two other situations described to respondents. If a businessman talks to a judge about a case outside of court, 48% believe that this represents corruption, but 17% do not think this is corruption and 27% think that whether this represents corruption depends on the specifics of the situation, e.g., the nature of the conversation. There is similar ambivalence about a situation in which a public prosecutor drops a case when threatened with bodily harm. Thirty-nine percent believe that this is corruption, 24% do not think it is, and 20% think it depends on the situation.

When asked the influences that lead to corruption in the judicial system, most residents of Kosovo blame criminal gangs and many also blame bribery of judicial officials (Figure 18).

Figure 18. Factors in Corruption in Judicial System



The influence of government on the judicial process is also felt to be a factor in corruption by a significant number of Kosovo residents, as is the influence of political parties. On a positive note, ethnic bias does not seem to be blamed by many for

corruption in the judicial system. Even among Serbs, only 34% mention this factor (18% among Albanians).

Experience with Corruption and Other Irregular Influences

Even though a majority thinks corruption is common in the judicial system, only 6% of Kosovo residents say that they are aware of someone who offered a bribe to improperly influence judicial proceedings. In 26% of these cases, the bribe was offered to a judge and in 12% of cases to the court clerk. Other personalities mentioned include lawyers, public prosecutors, and the KPS. Among those who report knowing of someone who offered a bribe, 79% say that the bribe was accepted. The low number of incidents makes it difficult to discern whether this is an established pattern.

Five percent of Kosovo residents say that they know of someone who was pressured not to testify in a court case. This is the same percentage as in the 2004 survey. The most common form of pressure was reported to be threat of physical harm (57% of those who report pressure), followed by threat of property damage (27%) and threat of job loss (20%). These threats are usually successful, as 74% of those who report being aware of threats also report that the person threatened did not testify.

Seven percent of the respondents report having been called to testify in a court case, and all but 4% report having not done so. When respondents are asked whether they would testify if called in the future, all but 5% say they would testify. Those who say they would not testify primarily cite security concerns.

Legitimacy of Kosovo Law

Respondents on the survey were asked which law they currently follow, the law in Kosovo or Serbian law. Ninety-eight percent of Albanians follow Kosovo law, while the same is true for 75% of non-Serb minorities (9% follow Serbian law). Among Serbs, 80% follow Serbian law while only 6% follow current Kosovo law. There has not been any significant change in these responses from the 2004 survey.

Those who follow Kosovo law primarily say that this is because they live in Kosovo (51%). Most other reasons given for following Kosovo law also revolve around the notion of Kosovo statehood. Those who follow Serbian law were asked what it would take for them to follow Kosovo law. Many reply they would follow Kosovo law if there was better security and freedom of movement (26%). Others reasons given include: Kosovo law has to be unbiased (9%), when they know more about these laws (8%), and when the status of Kosovo is solved (6%). Others simply would not follow Kosovo law until it is the same as Serbian law (6%) or when Kosovo is re-integrated into Serbia (3%).

CONCLUSION

The 2005 Kosovo public opinion survey reveals that while there has been a general increase in information about legal and judicial matters, a large segment of the population in Kosovo is still not informed about key elements of the legal and judicial system in the country. Less than half of all residents of Kosovo are aware of the different levels of the court system or the responsibilities of these different levels. Less than half are aware of where to go for assistance on legal matters and such matters as the procedures for appealing a court decision. More than three-fourths do not know how to obtain information about the laws under which they live in Kosovo. While this data indicates that there is still much work to be done in informing the population in Kosovo about its legal and judicial system, the increases in levels of information since the 2004 survey do point to progress being made on the ground. The mass media and television in particular should be the key conduits used to disseminate information about the judicial and legal system, as these are the primary sources for information in Kosovo.

A large majority of the Albanian population in Kosovo continues to agree that the judicial system in Kosovo is unbiased and that judges in Kosovo ensure that everyone receives a fair trial regardless of gender or ethnicity. The majority of Serbs continue to disagree with these statements, and the lack of confidence among Serbs in the legal and judicial system continues to be a concern. The training of judges should continue to be a priority for future programming in Kosovo as only one-third of respondents consider that judges in Kosovo have the education and training they need to effectively administer law and order in Kosovo. Even a majority of Albanians hold this opinion.

One issue that has emerged over the past year as a more serious concern worth addressing is that of corruption. Perception of corruption in the judicial system has increased significantly since 2004, from half to about two-thirds of respondents. Corruption is felt to be prevalent at all levels of the legal and judicial system. Seventy percent of Kosovo residents believe that corruption happens all the time or sometimes among judges. This figure is 65% for lawyers, 58% for public prosecutors, and 51% for other court employees. While the influence of criminal gangs is most often mentioned as an influence on corruption, almost half of all residents of Kosovo also think that corruption is the result of ordinary people giving bribes. This indicates that corruption may be a commonly accepted practice in the legal system in Kosovo. Addressing this corruption should be an important first step in instilling confidence in the legal and judicial system in Kosovo.

APPENDICES

APPENDIX 1 - DESCRIPTION OF METHODOLOGY

From August 8 to August 26, 2005, Prism Research, under commission by and in consultation with IFES conducted a survey in Kosovo to collect data understanding of the justice system. The method utilized for the survey was the administration of a questionnaire during face-to-face interviews. A total of 1226 interviews were conducted on a representative sample of citizens - Kosovo Albanians and Kosovo Serb population. Out of the total number of 1226 interviews, 911 were conducted with Kosovo Albanians, 173 with Kosovo Serbs, and 142 non-Serb minorities in face-to-face interviews. This Methodological Report provides a description of the sampling methodology and procedure used; comparative tables showing how the sample parameters compare with known census and other demographic data; contact and non-response information. As appendices to the Methodological Report the fielded survey questionnaire and showcards in the local language version/s are included.

I. METHODOLOGICAL REPORT

Summary of procedures

The face-to-face interview method was utilized. Interviewers were instructed according to specific guidelines to go to randomly selected addresses at which to conduct interviews, and how to select individual household members with whom to conduct interviews. Interviewers read aloud the questions and the range of possible (coded) responses, presented the 'showcards', or in the case of open-ended questions, read only the question. The interviewer holds the questionnaire throughout the interview and marks in respondent answers.

Sampling methodology and procedures

A random stratified sample was designed for the purposes of this survey.

a. Population Statistics

The boycott of the 1991 census by the Albanian population of Kosovo and the enormous demographic shifts of the Albanian and Serb populations in the war and post-war period render all population data based on the 1991 census of very limited value of applicability as a basis of comparison of current population parameters.

The latest estimate of the size of the population of Kosovo was made by the UNHCR in 1998. (Again, based on the data from the 1991 census.) For a long time these estimates were the basis for the estimation of the most basic population parameters – such as the number of residents by settlement/populated area.

Fortunately, the enormous turnout of over 85% of the Albanian population (16 years and over) in the Civil Registration in the period running up to the October 2000 Municipal Elections in Kosovo greatly improves the population data available. On the basis of data from the Civil Register (OSCE/UNMIK) it is possible to get relatively accurate information about the population by settlement/populated area, gender and age. Unfortunately, this data has still not been made available to the public, so that it was not possible to utilize them for the purposes of this research..

In terms of data related to the Serb population, the situation is still worse. The Serb population of Kosovo essentially boycotted the civil registration process. Estimates of the number of Serbs remaining in Kosovo vary from between 75 000 to 100 000 of which some 60% live in the northern parts of Kosovo.

For the purposes of the construction of the sample for this survey population estimates and figures used by UNMIK, the OSCE and other international organizations was used.

Target Population

The target population for this survey is:

- Population of citizens over age 18.

Selection of Primary Sampling Points

To obtain 1226 valid interviews, we used an initial sample size of 1250. This initial sample was divided into 250 sampling blocks (5 interviews per each sampling point).

Each ethnic-majority area was allocated sampling blocks: 205 for Albanians and 45 for Serbs (out of 250). This is not proportional to the actual size of the populations living in these two areas. Less than 6% of the population of Kosovo is Serb. These specially designed quotas ensured the inclusion of some major minorities in this survey.

Data about the number of interviews conducted for each ethnic-majority area is presented in the table below:

AREA	ETHNICITY	TOTAL	
		N	%
Albanian majority area	Albanian	908	89.37
	Serbian	3	0.29
	Muslim	6	0.59
	Bosnian	23	2.26
	Gypsy	25	2.46
	Slovenian	5	0.49
	Ashkali	25	2.46
	Egyptian	1	0.09
	Gorani	5	0.49
	Turk	11	1.08
	Qerkez	4	0.39
	Total	1016	100.0
Serb majority area	Serbian	173	82.38
	Bosnian	2	0.95
	Gypsy	33	15.71
	Montenegrin	1	0.47
	Slovenian	1	0.47
	Total	210	100.0

1. Each of the ethnic-majority areas was divided into geographic regions.

For Albanian majority areas

The sample was divided into five regional units with Albanians as the majority in Kosovo. These five regional units corresponded to KFOR Areas of Responsibility: UK, USA, France, Germany, and Italy. These regions are essentially geographic areas of Kosovo, each including a few municipalities and one major town or city. See table below for detail of municipalities included in each region.

For Serbian majority areas

Essentially there is only one region in Kosovo where Serbs form the majority population -- northern Kosovo (including North Mitrovica, Zubin Potok, Leposavic and Zvecani). Other areas of Kosovo where Serbs live are in fact Serb villages or enclaves in inner Kosovo and are surrounded by Albanian majority areas. For the purposes of this survey these Serb enclaves were divided into three geographic regions: Center – the areas around Prishtina, Kosovo Polje, Obilic, Lipjan; East – the areas around Gnjilan, Vitine, Novo Brdo, Kamenica; and South – the area of Strpce.

Data about the number of interviews conducted for each region is presented in the table below:

REGION		N	%
Serb Majority Areas	North	161	76.66
	East		
	Central	49	23.33
	South		
	Total	210	100
Albanian Majority Areas	UK KFOR	267	26.28
	USA KFOR	195	19.19
	FRANCE KFOR	155	15.26
	GERMANY KFOR	216	21.26
	ITALY KFOR	183	18.01
	Total	1016	100
Total		1226	100

Each of the geographic regions was divided into municipalities. All municipalities within each region were divided into three categories proportional to the number of people living in these municipalities. The categories are: regional centre, medium and low population size. Regional centres were included in the sample for each region by default. In each region at least one municipality from each category is selected. Each of the selected municipalities is allocated a certain number of sampling blocks (out of the total number of sampling blocks allocated to each region) proportional to the size of population in the category represented by the selected municipality.

SELECTION OF SECONDARY SAMPLING POINTS

Selection of settlements within municipalities

Within each municipality settlements were randomly selected from a list. In each selected municipality and region approximately 65% of all interviews were conducted in urban areas and 35% in rural areas, reflecting current estimates about the actual distribution of the population in Kosovo. According to the last census figures from 1991, 70% of the Kosovo population was living in rural areas and 30% in urban areas. However, we cannot use this data because of the dramatic demographic changes resulting from the war and postwar period.

Due to the lack of reliable data on the number and percentage of people living in urban or rural areas, we decided to use ratio 65/35% in all regions and municipalities in our sample.

Selection of starting points

In the selection of secondary sampling points a database of the streets in urban areas and villages in rural areas was used. This database contains the following information:

Region	Municipality	Type of Settlement - Urban/Rural	Neighborhood Council	Settlement	Street/urban Village/rural
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For each of the selected municipalities, a random computer selection of streets and villages was made from the far right column. For each municipality a reserve number of streets and villages were selected. It was often the case that selected villages were found to be deserted and/or completely devastated. In such cases, that village was replaced by the first village on the reserve list. In extreme cases, where the list of reserve villages was exhausted due to desertion or devastation, the interviewer was allowed to select the nearest neighboring village where it was possible to conduct the survey.

Selected streets were allocated a randomly selected number between one and 300, representing the address of the first dwelling on the street. If it was a three-digit number and addresses on the selected street did not have that many digits, the interviewer ignored the first digit in the given address and moved to the address at the remaining two-digit number (the same process was repeated for a single digit number if there was no address with a two-digit number).

SELECTION OF HOUSEHOLDS

Random Walk Technique

The Random Walk technique was used for selecting households. Interviewers were given addresses of starting points for each secondary sampling point. In urban areas this was a specific household address. In rural areas it was a specific household or a landmark building such as the neighborhood council building, post office, or local school. Different size settlements required different directions to find a starting point.

In some cases the regional coordinator or supervisor determined the starting point after having visited the settlement.

The interviewer was directed to face the starting point looking north. S/he then chose the first street (house) to his/her right. Starting at this street (house), the interviewer proceeded in that direction and chose the second house as the first household for interviewing. If the second house was an apartment building (or had multiple dwelling units), s/he chose the second dwelling unit in this building to start the interviewing.

After the interview, s/he passed the next apartment or house and chose the fourth dwelling unit for the second interview. S/he proceeded in this pattern until the end of the street. At the end of the street, she moved to the next street on her right and continued the process until s/he completed the quota for that settlement.

Multi dwelling residential units

Each multi-dwelling unit was treated as one address. In each building the survey was conducted on only one floor, and in only one apartment. Interviewers were instructed that in each building they were to interview on the first floor in one building, the middle floor in the second, and the top floor in the third multi-story building.

SELECTION OF RESPONDENTS

Closest Birthday Technique

In this survey we used the technique of random selection by Closest Birthday.

INTERVIEWERS

RECRUITMENT AND TRAINING

For the purposes of this survey ten regional coordinators (eight in Albanian-majority and two in Serb-majority areas), 42 interviewers (36 in Albanian and 6 in Serb majority areas) and seven controllers were selected to form the field team. Selections were made based on aptitude, previous experience, age, gender, and regional origin.

All ten regional coordinators participated in a full day training session in Prishtina or Zubin Potok. After this training the regional coordinators organized interviewer training sessions for the interviewers whose work they organized and supervised.

Pilot study

Prior to the start of the main survey each interviewer had to successfully conduct and complete at least one interview to indicate that they were qualified to work in the field. After completion of the testing all questionnaires were collected, and interviewers discussed problems encountered, questions raised, and other issues. Interviewers were instructed to make note of all comments made by respondents in the course of the interview.

QUALITY CONTROL

Control of the interviewers' work in the field was conducted in two ways: first, as all interviewers were accommodated in major urban centers, at the end of each day in

the field supervisors met with them and collected completed questionnaires. Technical control of the interviews was conducted immediately, and interviewers were informed of any errors made in the marking of responses.

Back-check was another system of control applied. Prism Research applies its own system of control wherein every interviewer, upon completing an interview, leaves the respondent a specially designed 'control sheet' explaining the purpose and manner of control to the respondent. On the back of the control sheet there is a brief questionnaire that the respondent is asked to complete independently once the interviewer has gone. The questions are related exclusively to the conduct of the interviewer during the interview process, such as manner of asking questions, suggestiveness, prompting, or anything that might compromise the interview. The respondent is asked to keep the completed control sheet for a period of at least seven days from the date of the interview (controls are conducted within seven days of completion of fieldwork).

For each interviewer one or two contact sheets are selected – on each contact sheet there are five addresses at which interviews were conducted, as well as addresses where contact was made but interviews were not completed.

The controller goes to the listed addresses and asks respondents for the completed control sheet. If the respondent does not have the control sheet, the controller gives the respondent a blank one and asks the respondent to complete it. This allows maintenance of accurate records as to whether or not the interviewer selected the address and the household member in accordance with the set selection criteria.

If controllers discover any problems with interviewer conduct, interviewers are asked for an explanation or to repeat the necessary number of interviews.

The purpose of this method of control is to make very clear to the respondent why and how it is conducted. It promotes the full cooperation of the respondent and helps to protect respondent anonymity.

WEIGHTING

We did weighting procedure in this survey to have data representative for whole Kosovo based on the ethnicity.

PROBLEMS DURING FIELDWORK

There were no particular problems encountered in the fieldwork in the Albanian-majority areas. The interviewers did not have any particular problems with administration of the survey.

Length of interview

The administration of the survey questionnaire averaged 35 minutes. Shortest administration took 25 minutes, and the longest 55 minutes.

Treatment of missing values

In the preparation of the database for analysis there was no procedure applied to replace missing values. It was considered that the over sampling of 26 respondents adequately compensated for missing values in questions where this was an issue.

CONTACT AND NON-RESPONSE INFORMATION

The table below presents contact and non-response information for the sample in the Albanian-majority area:

Contact Result	Frequency	Percent
1-Interview completed	1016	72.31
2-Interview interrupted-respondents revisited – not completed	1	0.07
3-Interview interrupted-respondent refused to complete	0	
4-Selected household member is ill	2	0.14
5-Selected household member is away/abroad	1	0.07
6-Selected household member is not present after 2 visits	11	0.78
7-Foreigners and residents who do not speak language	3	0.21
8-No answer after second visit	175	12.45
9-Person who opened the door refused to participate	149	10.6
10-Selected household member refuses to participate	33	2.35
11-Other reasons that interview was not conducted	15	1.07
Total	1405	100.00

Response rate for Albanian sample

On the basis of the data presented in the table above, the response rate was calculated using the formula:

$$\frac{1}{1+2+3+4+5+6+8+9+10+11} = 73.09\%$$

The following table presents contact and non-response information for sample taken in Serb-majority area:

Contact Result	Frequency	Percent
1-Interview completed	210	58.66
2-Interview interrupted-respondents revisited – not completed	0	0
3-Interview interrupted-respondent refused to complete	0	0
4-Selected household member is ill	3	0.84
5-Selected household member is away/abroad	13	3.63
6-Selected household member is not present after 2 visits	18	5.03
7-Foreigners and residents who do not speak language	2	0.56
8-No answer after second visit	39	10.89
9-Person who opened the door refused to participate	61	17.04
10-Selected household member refuses to participate	7	1.95
11-Other reasons that interview was not conducted	5	1.4
Total	358	100

Response rate for Serb sample

On the basis of the data presented in the table above, the response rate was calculated using the formula:

$$\frac{1}{1+2+3+4+5+6+8+9+10+11} = 58.99\%$$

APPENDIX 2 - QUESTIONNAIRE

Observation Variables

A. Date _____

B. District _____

C. Village/City _____

D. Size of Locality

Categories to be specified by Contractor

E. Language of Interview

1. Albanian
2. Serbian

F. Ethnicity

1. Albanian
2. Serbian
3. Roma/Egyptian/Ashkali
4. Bosniak
5. Turkish
6. Gorani

G. Start Time _____

H. End Time _____

I. Length of Interview _____

2. To begin, can you tell me what sources of information you use to get information on current events in Kosovo? Please note that I am asking about information on current events in Kosovo, not events outside Kosovo. *[Showcard] [Interviewer: Mark all sources mentioned]*

- 1 Kosovo TV channels in Albanian
- 2 Kosovo radio stations in Albanian
- 3 Kosovo newspapers in Albanian
- 4 Kosovo TV channels in Serbian
- 5 Kosovo radio stations in Serbian
- 6 Kosovo newspapers in Serbian
- 7 Albanian TV channels
- 8 Albanian radio stations
- 9 Albanian newspapers
- 10 Serbian TV channels
- 11 Serbian radio stations
- 12 Serbian newspapers
- 13 Internet
- 14 Local officials
- 15 Community leaders
- 16 Family/friends
- 17 Civic associations
- 18 International organizations such as OSCE, UNMIK, etc.
- 19 Other _____
- 00 NR

3. Of the sources you mentioned, which three sources would you say you rely on most for information on current events in Kosovo?

- 1 Kosovo TV channels in Albanian
- 2 Kosovo radio stations in Albanian
- 3 Kosovo newspapers in Albanian
- 4 Kosovo TV channels in Serbian
- 5 Kosovo radio stations in Serbian
- 6 Kosovo newspapers in Serbian
- 7 Albanian TV channels
- 8 Albanian radio stations
- 9 Albanian newspapers
- 10 Serbian TV channels
- 11 Serbian radio stations
- 12 Serbian newspapers
- 13 Internet
- 14 Local officials
- 15 Community leaders
- 16 Family/friends
- 17 Civic associations
- 18 International organizations such as OSCE, UNMIK, etc.
- 19 Other _____
- 00 NR

4a. Please tell me whether you agree or disagree with the following statement: In general, the media in Kosovo covers all events in an objective manner. [*Probe intensity of agreement/disagreement*]

- 1 Strongly agree ▶ Go to Question 5
- 2 Agree somewhat ▶ Go to Question 5
- 3 Disagree somewhat ▶ Go to Question 4b
- 4 Strongly disagree ▶ Go to Question 4b
- 9 DK ▶ Go to Question 5

4b. What media source or sources do you think are especially biased in their reporting?

5. On this card are listed some issues in Kosovo. Can you tell me how much information you have on the following issues? Do you have a great deal, a fair amount, not very much, or no information at all on these issues? [*Showcard*]

	Great Deal	Fair Amount	Not Very Much	None At all	DK
A. Economic developments in Kosovo	1	2	3	4	9
B. Political developments in Kosovo	1	2	3	4	9
C. Laws currently being applied in Kosovo	1	2	3	4	9
D. UNMIK activities in Kosovo	1	2	3	4	9

6. Please tell me how satisfied you are with the overall situation in Kosovo. Are you very satisfied, somewhat satisfied, somewhat dissatisfied, or very dissatisfied?

- 1 Very satisfied ▶ Go to Question 8
- 2 Somewhat satisfied ▶ Go to Question 8
- 3 Somewhat dissatisfied ▶ Go to Question 7
- 4 Very dissatisfied ▶ Go to Question 7
- 9 DK ▶ Go to Question 8

7. Why are you dissatisfied with the situation in Kosovo? [*Open ended; Multiple responses accepted; Do not read pre-code list*]

- 1 General economic problems
- 2 Unemployment
- 3 Poverty
- 4 Low salaries/Pensions
- 5 General political problems
- 6 Undefined political status of territory
- 7 Privatization
- 8 Infrastructure
- 9 Dissatisfaction with legal/judicial system
- 10 Lack of security/Fear

11 Discrimination

Other Mentions:

8. One year from now, do you expect the overall situation in Kosovo to be better than now, worse than now, or about the same as now?

- 1 Better than now
- 2 Same as now
- 3 Worse than now
- 9 DK

9. I will now read to you the names of several institutions or individuals. For each, please tell me whether you have a great deal of confidence, a fair amount of confidence, not much confidence, or no confidence at all in these institutions or individuals.

	Great Deal	Fair Amount	Not Very Much	None At all	DK
A. The Kosovo Assembly	1	2	3	4	9
B. UNMIK	1	2	3	4	9
C. OSCE	1	2	3	4	9
D. Judges in Kosovo					
E. The police in Kosovo	1	2	3	4	9
F. The courts in Kosovo	1	2	3	4	9
G. The public prosecutors in Kosovo	1	2	3	4	9
H. Your Municipal Assembly	1	2	3	4	9
I. Your community leaders	1	2	3	4	9
J. The Media	1	2	3	4	9

10. Let's talk about the coverage the media in Kosovo gives to legal matters. Please tell me if the media in Kosovo gives a great deal of coverage, some coverage, not enough coverage, or no coverage at all on the following legal matters. *[Showcard]*

	Great Deal	Fair Amount	Not Very Much	None At all	DK
A. The rights of the citizens of Kosovo	1	2	3	4	9
B. The structure of the court system in Kosovo	1	2	3	4	9
C. Legal proceedings in Kosovo	1	2	3	4	9
D. Important legal issues facing Kosovo	1	2	3	4	9

11. How have you generally received information about the court system in Kosovo? *[Showcard; Mark all mentioned]*

- 1 Media (TV, radio, newspapers)
- 2 Friends/family
- 3 Your community leaders

- 4 Public officials
- 5 Legal officers/Prosecutors/Clerks
- 6 Lawyers, other private members of court system
- 7 Through personal experience in court cases
- 8 Other _____ -
- 98 Have no information on court system *[Volunteered]*
- 99 DK

12. Let's suppose the authorities in Kosovo decided to start a public information campaign to provide the people of Kosovo with information on their judicial system and their rights. How interested would you be in hearing or reading about this information?

- 1 Very interested ▶ *Go to Question 13*
- 2 Somewhat interested ▶ *Go to Question 13*
- 3 Not too interested ▶ *Go to Question 13*
- 4 Not at all interested ▶ *Go to Question 14*
- 9 DK ▶ *Go to Question 14*

13. How useful would you find each of the following sources of information for distributing the information on the judicial system: very useful, somewhat useful, not too useful, or not at all useful.

	Very useful	Somewhat useful	Not too useful	Not at all useful	DK
A. Five minute announcements on specific topics on TV	1	2	3	4	9
B. Five minute announcement on specific topics on radio	1	2	3	4	9
C. Notices in newspapers with information on aspects of the judicial system and rights	1	2	3	4	9
D. Free brochures available in libraries, markets, and other public areas	1	2	3	4	9
E. Community dialogues with persons knowledgeable about the judicial system and rights	1	2	3	4	9
F. Information posted on the internet site for the local administration and UNMIK	1	2	3	4	9

14. Are you aware that UNMIK publicly announces any new regulations or other procedures that impact the judicial process in Kosovo?

- 1 Yes ▶ *Go to Question 15*
- 2 No ▶ *Go to Question 16*

15. How do you find out about these announcements? *[Open ended; Multiple responses allowed]*

- 1 Media
- 2 TV
- 3 Radio
- 4 Newspapers/Magazines
- 5 News/News conference
- 6 Friends/Relatives

Other Mentions:

16. Do you know what role UNMIK plays in the judicial process in Kosovo? *[If Yes]* Please tell me the specific functions of UNMIK in the judicial process? *[Open ended; Multiple responses allowed; Do not read pre-codes]*

- 1 Makes decision on judicial system
- 2 Manages overall judicial system
- 3 Monitors/Manages courts in the country
- 4 Passes laws
- 5 Arrests/Punishes people
- 6 Hires judges/prosecutors
- 7 Informs/Educates people about judicial system
- 8 Other: _____
- 88 No, do not know role of UNMIK

17. As you may know, UNMIK has started the process of transferring responsibilities in many areas to local authorities in Kosovo. How much information do you have on this transition process?

- 1 Great deal ▶ *Go to Question 18*
- 2 Fair amount ▶ *Go to Question 18*
- 3 Not too much ▶ *Go to Question 18*
- 4 None at all ▶ *Go to Question 20*
- 9 DK ▶ *Go to Question 20*

18. Do you think that citizens of Kosovo have been given a chance to have input on the transition process being instituted by UNMIK?

- 1 Yes
- 2 No

19. One of the areas in which the transition process is taking place is to give local courts more authority in deciding cases. Do you think the impact of this transition on law and order in Kosovo will be very positive, somewhat positive, somewhat negative, or very negative?

- 1 Very positive
- 2 Somewhat positive
- 3 Somewhat negative
- 4 Very negative

20. I am now going to list several aspects of the judicial system in Kosovo. For each, please tell me how much information you have on that aspect of the judicial system.

	Great Deal	Fair Amount	Not Very Much	None At all	DK
A. Different levels of the court system in Kosovo	1	2	3	4	9
B. Responsibilities of the different types of courts in Kosovo	1	2	3	4	9
C. Procedures for registering a case in the courts in Kosovo	1	2	3	4	9
D. Where to go for assistance and advice on legal matters	1	2	3	4	9
E. Procedures for appealing a court decision	1	2	3	4	9
F. The procedures for enforcing a court decision	1	2	3	4	9
G. Where to go to report judicial misconduct	1	2	3	4	9

21. *[For those with not much or no information at all on at least two aspects in Q18]* How important is it to you to have information on these aspects of the judicial system in Kosovo?

1	Very important	▶	<i>Go to Question 23</i>
2	Somewhat important	▶	<i>Go to Question 23</i>
3	Not very important	▶	<i>Go to Question 22</i>
4	Not at all important	▶	<i>Go to Question 22</i>
9	DK	▶	<i>Go to Question 23</i>

22. Why do you think it is not important for you to have information on these aspects of the judicial system in Kosovo? *[Open ended; Multiple responses allowed]*

1	Don't have anything to do with courts
2	Not interested in courts
3	Busy/Have other things to do
4	Don't recognize Kosovo courts/Recognize Serbian courts
5	Don't think I will ever go to court
6	Illiterate
7	Age
8	Other:
99	Don't know

23. Do you know how to obtain information on the laws under which all citizens live in Kosovo? *[If Yes]* How would you obtain information on these laws? *[Open ended; Multiple responses allowed]*

1	Do not know how to obtain information on laws
---	---

- 2 Municipal courts
- 3 Courts/Judicial center
- 4 Municipal administration building
- 5 Lawyer
- 6 Library
- 7 Internet
- 8 UNMIK
- 9 Government/Local officials
- 10 Other:
- 99 Don't know

24. Do you know the location of the municipal court that serves the area in which you live?

- 1 Yes
- 2 No

25. Do you know if the municipal court in your district has a bulletin board that announces the legal proceedings taking place in the court on a particular day? *[If Yes AND Know location of Municipal Court]* Have you ever gone to the municipal court to check the bulletin board?

- 1 Yes, have gone to court ▶ *Go to Question 26*
- 2 Yes, have not gone to court ▶ *Go to Question 27*
- 3 No ▶ *Go to Question 27*

26. How useful did you find the information on the bulletin board?

- 1 Very useful
- 2 Somewhat useful
- 3 Not very useful
- 4 Not very useful
- 9 DK

27. There is currently an effort underway to hire and place Public Information Officers at every municipal court in Kosovo. This person would be responsible for answering questions about the court system in Kosovo and helping people in Kosovo gain access to the courts. In your opinion, what kind of information about the court system would be most helpful for people like you? *[Open ended; Multiple responses accepted]*

99. Don't know

28. Would you ever approach this officer for information about the court system in Kosovo?

- 1 Definitely
- 2 Only if needed
- 3 Probably not
- 4 Definitely not

29. Have you seen or read a brochure titled, “Basic Guide to the Judicial System in Kosovo:”?

- 1 Yes ▶ *Go to Question 30*
- 2 No ▶ *Go to Question 32*

30. Where did you see or read this brochure?

- 1 At a public information center
- 2 At a training seminar
- 3 Through a friend or relative
- 4 Other (*Specify*)
- 9 Cannot recall

31. How useful did you find the information in the brochure?

- 1 Very useful
- 2 Somewhat useful
- 3 Not very useful
- 4 Not at all useful
- 9 Don't know

32. Have you seen or read a brochure titled, “Citizen Rights”?

- 1 Yes ▶ *Go to Question 33*
- 2 No ▶ *Go to Question 35*

33. Where did you see or read this brochure?

- 1 At a public information center
- 2 At a training seminar
- 3 Through a friend or relative
- 4 Other (*specify*)
- 9 Cannot recall

34. How useful did you find the information in the brochure?

- 1 Very useful
- 2 Somewhat useful
- 3 Not very useful
- 4 Not at all useful
- 9 Don't know

35. Please look at this list of topics addressing different aspects of the judicial system in Kosovo. Of these, please name two topics about which you would be most interested in reading.

[Showcard]

- 1 UNMIK's role in the Kosovo justice system
- 2 Citizen rights and responsibilities in the justice system
- 3 Effect of the Standards process (Kosovo Standards Implementation Plan) on the Kosovo justice system

- 4 Minority rights under the Kosovo justice system
- 5 The structure of the Kosovo court system
- 6 How to report corruption in the Kosovo justice system
- 7 How to address unresolved property rights cases under the Kosovo justice system
- 8 Other (*Interviewer: Ask respondent if any other topics are of interest, and please write down*)

36 – Please look at this list of rights. Do you know if citizens of Kosovo have any of these rights if they are involved in a judicial proceeding? [*Showcard; Mark all mentioned*].

	Yes	No	DK
36. Right to legal counsel	1	2	9
37. Right to a fair trial	1	2	9
38. Right not to incriminate oneself during trial	1	2	9
39. Right to file complaints about human rights abuses by any public agency in Kosovo	1	2	9

40. I will now read to you a list of different situations. Suppose you were involved in each of the situations I will read to you. For each of the situations, please tell me who you would go to first to resolve the situation if you could not resolve the dispute yourself. [*Showcard*]

	KP S	UNMIK Police	Court	Lawyer	Elected Local Official	Community Leader	Religious Leader	Local UNMIK Official	Other Courts (Specify)
A. Property dispute with a neighbor	1	2	3	4	5	6	7	8	9
B. Labor dispute with your employer	1	2	3	4	5	6	7	8	9
C. Bodily injury resulting from an accident	1	2	3	4	5	6	7	8	9
D. Robbery	1	2	3	4	5	6	7	8	9
E. You were a victim of discrimination	1	2	3	4	5	6	7	8	9
F. You were physically or verbally harassed	1	2	3	4	5	6	7	8	9

41. Generally, how much trust do you have in the legal system in Kosovo to maintain law and order?

- 1 Trust a great deal
- 2 Trust somewhat
- 3 Do not have much trust
- 4 Do not have any trust at all
- 9 DK

42. And how much trust do you have in the legal system in Kosovo to protect your rights?

- 1 Trust a great deal
- 2 Trust somewhat
- 3 Do not have much trust
- 4 Do not have any trust at all
- 9 DK

43. Please tell me if you agree or disagree with the following statement: The judicial system in Kosovo is unbiased and treats all persons equally. *[Showcard; Probe intensity of agreement/disagreement]*

- 1 Strongly agree ▶ Go to Question 45
- 2 Somewhat agree ▶ Go to Question 45
- 3 Somewhat disagree ▶ Go to Question 44
- 4 Strongly disagree ▶ Go to Question 44
- 9 DK ▶ Go to Question 45

44. What types of persons do you think are given preference by the judicial system in Kosovo? *[Open ended; Multiple responses allowed; Do not read pre-codes]*

- 1 Businessmen/Wealthy people
- 2 Ethnic Albanians
- 3 People with connections at courts
- 4 People in authority
- 5 Non-Serb ethnic minorities
- 6 Those who give bribes/Corrupt people
- 7 Ethnic Serbs
- 8 Muslims
- 9 International organizations
- 10 Others:
- 99 Don't know

45– I will now read you some statements about judges in Kosovo. Please tell me whether you agree or disagree with each statement. *[Probe intensity of agreement/disagreement]*

	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	D K
45. Judges in Kosovo have the education and training to effectively administer law and order in Kosovo.	1	2	3	4	9
46. Judges in Kosovo make decisions based only on the law and without any influence from outside parties.	1	2	3	4	9
47. Judges in Kosovo ensure that all persons, no matter their gender, income, or ethnicity, get a fair trial.	1	2	3	4	9
48. Women do not have any problems becoming judges in Kosovo if they are	1	2	3	4	9

qualified.

49. Members of minority communities do not have any problems with becoming judges in Kosovo if they are qualified. 1 2 3 4 9

Please tell me whether you think the following statements are true or false.

50. The decisions of municipal courts in Kosovo can be appealed to the district court level.

- 1 True
- 2 False
- 9 DK

51. The Supreme Court of Kosovo can decide if a law passed by the Kosovo Assembly is consistent with the Constitutional Framework for Kosovo.

- 1 True
- 2 False
- 9 DK

52. Please tell me whether any of the following has happened to you or a member of your immediate family. **[Mark all mentioned, then ask for each incident mentioned]** You say that you or a family member has been _____. What did you do to address the issue? **[Open ended]**

ACTION TAKEN

- A. Victim of a robbery
- B. Been involved in a property dispute
- C. Victim of harassment
- D. Been involved in a labor dispute
- E. Dispute over inheritance
- F. Dispute over a contract
- G. Victim of physical violence

53. Have you ever been party to a civil or criminal case in Kosovo? **[If Yes]** How many cases have you been party to?

- 1 Yes (Record Number of Cases ____)
- 2 No

54. Do you know how to obtain a lawyer to represent you in court?

- 1 Yes ▶ Go to Question 56
- 2 No ▶ Go to Question 55

55. Would you find it useful to have a public service that can help people in Kosovo locate a lawyer to represent them in court?

- 1 Yes
- 2 No

56. Are you aware that Kosovo has a bar association? *[If Yes]* What services are offered by the bar association? *[Open ended; Multiple responses allowed]*

1. Yes

2. No

57. In your opinion, how common a problem is corruption in the judicial system in Kosovo? Do you think it is very common, somewhat common, somewhat rare, or does it never happen?

- 1 Very common ▶ Go to Question 58
- 2 Somewhat common ▶ Go to Question 58
- 3 Somewhat rare ▶ Go to Question 58
- 4 Never happens ▶ Go to Question 60
- 9 DK ▶ Go to Question 60

58. In your opinion, how often does corruption take place among the following members of the justice system in Kosovo?

	Happens all the time	Happens sometimes	Only happens once in a while	DK
A. Police	1	2	3	9
B. Lawyers	1	2	3	9
C. Judges	1	2	3	9
D. Public prosecutors	1	2	3	9
E. Court registrars	1	2	3	9
F. Other court employees	1	2	3	9

59. Please give me some examples of actions you would consider to be corrupt on the part of officials in the justice system in Kosovo? *[Open ended; Multiple responses allowed]*

60. I will now list some situations to you. For each situation, please tell me whether you think this always constitutes a case of corruption or not.

	Corruption	Not Corruption	Depends (Volunteered)	DK
A. A person is stopped by the police and gives some money to the police to let him/her go.	1	2	3	9
B. A businessman talks about	1	2	3	9

- 2 No
- 9 DK

68. Have you ever been asked to testify in a court case?

- 1 Yes ▶ Go to Question 69
- 2 No ▶ Go to Question 71

69. Did you testify? *[If Yes]* What kind of a case was it?

- 1 Yes, Civil case ▶ Go to Question 71
- 2 Yes, Criminal case ▶ Go to Question 71
- 3 Yes, Other ▶ Go to Question 71
- 4 No ▶ Go to Question 70

70. Why did you not testify? *[Open ended; Multiple responses accepted]*

71. Would you testify in a case if you were asked to do so now?

- 1 Yes ▶ Go to Question 73
- 2 No ▶ Go to Question 72
- 2 Not Sure ▶ Go to Question 72

72. Why would you be hesitant to testify in court? *[Open ended; Multiple responses allowed]*

73. Which law do you follow: the law now being applied in Kosovo or Serbian law?

- 1 Kosovo ▶ Go to Question 74
- 2 Serbian ▶ Go to Question 75

74. Why do you follow the law being applied in Kosovo? *[Open ended; Multiple responses allowed]*

****** If Serbian or Albanian, go to Demographic Section. Other, go to Q76******

75. What conditions would have to exist for you to follow the law being applied in Kosovo? *[Open ended; Multiple responses allowed]*

***** If Serbian or Albanian, go to Demographic Section. Other, go to Q76******

76. **[ONLY FOR NON-ALBANIAN AND NON-SERBIAN MINORITY. OTHER ETHNICITIES, GO TO DEMOGRAPHIC SECTION]** Do you consider yourself a citizen of Kosovo?

- 1 Yes
- 2 No

77. Do you think UNMIK considers the circumstances of your ethnic community when making decision on the judicial system in Kosovo?

- 1 Yes
- 2 No

DEMOGRAPHIC SECTION

78. Gender

- 1 Male
- 2 Female

79. Age on last birthday (Record exact age) _____

80. Education

Standard categories as provided by contractor

81. Employment Situation

- 1 Employed full time ▶ *Go to Question 82*
- 2 Employed part-time at one job ▶ *Go to Question 82*
- 3 Employed part-time at more than one job ▶ *Go to Question 82*
- 4 Unemployed, looking for work ▶ *Go to Question 82*
- 5 Unemployed, not looking for work ▶ *Go to Question 82*
- 6 Retired ▶ *Go to Question 82*
- 7 Student ▶ *Go to Question 83*
- 8 Housewife ▶ *Go to Question 83*

82. What is ('was' for Retired) your occupation?

Standard categories as provided by contractor.

83. Religion

Standard categories as provided by contractor.

84. Marital Status

- 1 Single, never married
- 2 Married
- 3 Divorced
- 4 Widower

85. Do you have any children? *[If Yes]* How many? Record _____

86. How would you describe the financial situation of your household?
Standard categories used by contractor.

