

## 1. Basic information

**1.1 CRIS Number:** 2008/020-454

**1.2 Title:** Upgrade of the Infrastructure in the Rule of Law Sector

**1.3 ELARG Statistical Code:** 01.23

**1.4 Location:** Kosovo

### Implementing arrangements:

**1.5 Contracting Authority:** The European Commission Liaison Office in Kosovo.

**1.6 Implementing Agency:** The European Commission Liaison Office in Kosovo.

### 1.7 Beneficiary Institution

| Project activity                                    | Beneficiary<br>(institutions, target group etc)  | Contact point responsible for project coordination  |
|---|--|---|
| Upgrade of Infrastructure in the Rule of Law sector | Kosovo Judicial Council (KJC), Ministry of Justice, Kosovo Special Prosecutor's Office (KSPO) Kosovo Judicial Institute (KJI), Kosovo Chamber of Advocates | Halit Muharremi, KJC, Agron Hoti MoJ, Isabelle Arnal (KSPO) Lavdim Krasniqi, KJI, Musa Dragusha, KChA |

**1.8 Overall cost:** EUR 25.0 million

**1.9 EU contribution:** EUR 25.0 million

### 1.10 Final date for contracting:

Three years after the signature of the financing agreement between the European Commission and the Kosovo Authorities.

### 1.11 Final date for execution of contracts:

Two years after the final date for contracting.

### 1.12 Final date for disbursements:

One year after the final date for the execution of contracts.

## 2. Overall Objective and Project Purpose

### 2.1 Overall Objective:

To strengthen the rule of law sector in Kosovo

### 2.2 Project purpose:

The purpose of the project is to improve the working conditions and the accessibility and visibility of the Kosovo justice institutions.

<sup>1</sup> Under UN Security Council Resolution 1244/99

### 2.3 Link with: European Partnership; Stabilisation and Association process

The European Partnership calls for:

Continue to strengthen property rights, the legal framework and the accessibility of courts, with a view to promoting a business friendly environment.

- Ensure effective, independent, accountable and impartial courts and prosecution offices, free from political influence.
- Strengthen the prosecutor's office to ensure that it is able to comply with the principles of autonomy and impartiality. Continue to strengthen the Special Prosecutor's Office. Ensure the implementation of a n efficient witness protection scheme
- Implement the automated case management system fully in all courts and prosecution offices. Reduce the backlog of cases and the enforcement of civil court decisions.
- Further develop legal education and training, particularly for judges, prosecutors and administrative personnel. Transform the Judicial Institute into a viable institution responsible for judicial training.
- Strengthen the administrative capacity, coordination and effectiveness of the judiciary and all law enforcement agencies. Ensure the viability of a comprehensive legal aid system
- Improve the functioning of the judiciary, guarantee its independence, accountability, professionalism and efficiency and ensure that the career development and recruitment of judges and prosecutors are based on technical and professional criteria and free from political influence. Ensure proper functioning of the Constitutional Court.

### 2.4 Link with the Multi-Annual Indicative Planning Document (2008-10) for Kosovo (MIPD)

The project supports key objectives of the MIPD that are:

For 2008 – 2010, the strategic choices are reflected in the following three Axes:

#### *Axis 1: Political Criteria*

- The authorities of Kosovo should be assisted by the international presence (EUSR , EU rule of law mission EULEX, International Military Presence) which has corrective, monitoring and mentoring functions. Donors will be called upon to help set up administrative structures and build local capacities. While UNMIK and Kosovo's PISG have made good progress in setting up an administrative system, starting almost from scratch in 1999, it is recognised that due to its specific history, Kosovo needs to further develop in order to establish a multi-ethnic, democratic society firmly anchored in the rule of law. EC assistance should focus on achieving this aim. As a result, the focus under this Axis should be on the fulfilment of the EU's political criteria and consolidation of Kosovo's institutional, administrative and **judicial set-up**, including the fight against corruption, the protection of the Serb and other minorities and the promotion of civil society activities.
- Consolidating **the rule of law** by strengthening the wider judicial system and supporting police reform and the fight against corruption, in close cooperation with the ESDP mission to ensure a coordinated and mutually reinforcing approach.

### 2.5 Link with National Development Plan

The project links to the MTEF Sector Objectives in the field of Rule of Law that are:

- Development of effective and efficient Ministry (of Justice and of Internal Affairs)
- Adequate utilization of information technology;
- Development of respective legal framework of law sector in compliance with relevant legislation in force

## **2.6 Link with national/ sectorial investment plans**

No investment plan other than the MTEF is available.

### **3. Description of project**

#### **3.1 Background and justification:**

The Justice system in Kosovo had to be built up from scratch after the 1999 conflict by the UN administration in Kosovo (UNMIK). A Ministry of Justice and a Kosovo Judicial Council have been set up in late 2005, and competences in the field have since then been gradually transferred from UNMIK to the authorities in Kosovo. A further transfer of authority in the justice sector to the Kosovo institutions and to an ESDP mission (EULEX) will comprise a substantial number of international judges and prosecutors to the justice sector in Kosovo. However, Kosovo Serbs generally recognise neither the Kosovo authorities nor EULEX and maintain "parallel" justice institutions in the North of Kosovo and in some enclaves of Serb majority population.

All previous EC regular reports and reports from other international bodies (UN, OSCE, UNDP) have highlighted the weak state of the justice sector in Kosovo. Public confidence in the justice system is low; the lack of rule of law is considered to be a major obstacle for socio-economic development in Kosovo.

One of the reasons highlighted in all reports is the low level of salaries in the justice sector (around EUR 400 for a public prosecutor or a judge, with now health or other insurances), which remains far behind the level of salaries both in the executive and the legislative branch. On the other hand, justice institutions pay an important amount of their budget for renting private premises, which could otherwise be used for salaries. These private premises are generally not adapted for this purpose, and Court and prosecution buildings generally lack space and there are frequently an insufficient number of trial and interrogation rooms. Also the practice of renting from private owners makes justice institutions vulnerable for external pressure. The Kosovo Judicial Council is still residing in makeshift containers.

This adds to the lack of efficiency in the justice system and to the important and increasing backlog of cases (more than 50.000 civil cases and over 36.000 criminal cases pending for a population of approximately 2 million. Other bodies and institutions that are essential for the rule of law (Kosovo Judicial Institute/School of Magistrates, Legal Aid Offices, Kosovo Chamber of Advocates) also spend a big part of their budget allocations on rent rather than on the purposes they have been set up for. These bodies and institutions are not easily accessible, as they cannot afford premises in central location.

This proposal aims at building a Palace of Justice in Pristina, which would provide adequate premises to the justice institutions and free up important budget allocations for the proper functioning of the

justice system. This Palace of Justice would house the Supreme Court, the Pristina District Court, the Constitutional Court, the Pristina Municipal Court, the High Court for Minor Offences, the Commercial Court, the Pristina District and Municipal Public Prosecution Office, the Kosovo Special Prosecutor's Office, the Kosovo Judicial Institute with the School of Magistrates, the Kosovo Chamber of Advocates, the Legal Aid Office as well as the Victim's Advocacy and Probation Service Offices

Not being a formal justice institution, the Working Group for Establishing of the Constitutional Court has decided that the Constitutional Court be build in a separate location not physically close to neither judiciary nor executive branch offices. Working Group deliberated on the importance of symbolic of the independence of the Constitutional Court based on its location.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact**

The project will increase the performance of the Justice System through improving the infrastructure in the rule of law sector.

The project will enable the Kosovo justice institutions to reallocate resources away from payments of rent to other activities that are essential for the well-functioning of the justice system.

The upgrading of the infrastructure in the rule of law sector, through the construction of the Palace of Justice, and, provided there are sufficient funds available, for the upgrading of the existing Justice System facilities will assist Kosovo authorities to increase the efficiency of the justice system by reducing the backlog of cases, to increase the trust of the public in the justice system and to increase the independence and visibility of justice. By doing so, Kosovo will fulfil fundamental criteria set out in the European Partnership and the European Partnership Action Plan, thus making further progress towards EU integration.

### **3.3 Results and measurable indicators**

#### **Expected Results:**

- a. "Palace of Justice" facility constructed in Pristina in line with EU and international standards thus increasing the functionality, public access and confidence of the justice sector.

The Palace of Justice will accommodate the following institutions:

- Supreme Court, the Pristina District Court;The Constitutional Court (separate building)
- Pristina Municipal Court;
- High Court for Minor Offences, the Commercial Court;
- Pristina District and Municipal Public Prosecution Office;
- Kosovo Special Prosecutor's Office;
- Kosovo Judicial Council;
- Kosovo Judicial Institute with the School of Magistrates;
- Kosovo Chamber of Advocates; and
- Legal Aid Office.
- Victim's Advocacy and Probation Service Offices

#### **Measurable indicators:**

## **Adequate office space to EU norms**

An increased number of criminal cases detected, prosecuted and judged, including in the area of corruption, confirming a strengthened judicial system resulting from the further development of legal education and training, particularly for judges, prosecutors and administrative personnel, a reduced backlog of criminal cases pending resulting from a more efficient management of courts, prosecutor's offices and judiciary processes;

### **3.4 Activities:**

This project will consist of the following activities:

#### **Activity 1**

This activity will consist of the conducting of a feasibility study for the needs assessment related to the construction of "Palace of Justice" followed by preparation of a detailed design and BoQ.

Technical specifications and drawings for the works contract for the construction of the Palace of Justice, including the Preparation and submission of an Environmental Impact Assessment report in accordance with the Kosovo legislation in force to MESP for construction authorisation. The contractor should also propose energy efficiency measures and the possible use of alternative energies in the premises.

Technical assistance will be provided to conduct out a feasibility study for the construction "Palace of Justice" which will accommodate the following institutions:

- Supreme Court, the Pristina District Court;
- The Constitutional Court (separate building)
- Pristina Municipal Court;
- High Court for Minor Offences, the Commercial Court;
- Pristina District and Municipal Public Prosecution Office;
- Kosovo Special Prosecutor's Office;
- Kosovo Judicial Council;
- Kosovo Judicial Institute with the School of Magistrates;
- Kosovo Chamber of Advocates; and
- Legal Aid Office.
- Victim's Advocacy and Probation Service Offices

and, in case of sufficient funds, the renovation of existing court buildings and prosecutorial offices. The TA includes the assessment of the location and the size of location dedicated for the construction of those facilities, near Pristina. Technical assistance in addition will carry out the preparation of the Detailed Design, Bill of quantities and Technical specification for the identified facilities to be built.

#### **Activity 2**

This activity will carry out the construction of the buildings for the “Palace of Justice” and, in case of sufficient funds, the renovation of existing court buildings and prosecutorial offices as identified by the Activity 1 and approved by relevant Institutions and Contracting Authority. Through this activity, the working conditions for justice institutions will be enhanced, considering the current physical conditions of justice premises which are unsuitable for exercising judiciary tasks.

### **Activity 3**

Through this activity Technical assistance will be provided for the Supervision of works for the construction of the Palace of Justice Building Complex and, in case of sufficient funds, the renovation of existing court buildings and prosecutorial offices to ensure that the requirements of the conditions of the contracts are met.

## **Contracting arrangements:**

### **Activity 1:**

- One service contracts is envisaged to complete the needs assessment and to implement other actions, described under this Activity (as preparation of Detailed Design, Bill of quantities, Drawings and Technical Specification for the identified facilities to be built
- The service contracts value for will be approximately EUR 0.8 million
- The duration of the contracts will be for a period of 6 months
- The successful tenderer will start deployment one month after contract signatory; the expected deployment date is October 2009.

### **Activity 2:**

- One (1) works contract accompanied with up to 2 relevant supply contract as appropriate are envisaged to implement the actions described under this Activity
- The works contracts value will be approximately EUR 22 million
- The duration of the contracts will be for a period of 36 months plus 12 months warranty period
- The successful tenderers will start deployment one month after contracts signatory; the expected deployment date is starting from September until December 2010.

### **Activity 3:**

- One service contract is envisaged for the supervision of the works and supply contracts.
- The service contracts value for will be approximately EUR 2.0 million
- The duration of the contracts will be for a period of 36 - 48 months plus 12 months warranty period
- The successful tenderer will start deployment one month after contract signatory; the expected deployment date is September 2010.

## **Project management and administration**

The European Commission Liaison Office in Pristina will manage the procurement, implementation, quality control, reporting and coordination with other donors of the development assistance and of the financial and technical cooperation related to the actions described in this project fiche, taking remedial actions if and when needed.

Project Steering Committees will be responsible for the overall direction of the project and comprise of representatives from the beneficiary institutions and the Commission Office.

Monitoring will be performed centrally by the Commission. The project may be evaluated at the interim or ex-post stages under the supervision of Commission’s Evaluation Unit. The project may be audited by Court of Auditors - in line with the standard European Commission procedures.

### **3.5 Conditionality and sequencing:**

The project includes the following conditionalities:

- Identification of a suitable building site in or near Pristina, taking into account the eventual need for future extensions of the premises
- An undoubtful proof of ownership of the building site.
- Existence of all preliminary studies (including, but not limited to geo-mechanical and geo-technical designs)
- Arrangement by the beneficiary of all legal procedures to allow construction (e.g. construction permits, urban plan amendments), refurbishment activities before the launch of the tender process;
- Possibility of access through public transportation to the premises. If currently no access by public transportation exists, the authorities commit to create such access before finalisation of the premises
- Endorsement by all key stakeholders of the Terms of Reference, Technical Specification, as well as the individual contracts to be engaged.
- Continued political support to implement the project;
- Appointment of counterpart personnel by the beneficiary before the launch of the project
- Participation by the beneficiary in the tender process as per EU regulations
- Organisation, selection and appointment of members of working groups, steering and coordination committees

In the event that conditionality are not met, suspension or cancellation of the project or specific activities will be considered.

### **3.6 Linked activities**

This project will be closely linked to the IPA 2008 Support to the Rule of Law Sector (see the relevant project fiche for more details).

Key donors with significant on-going or planned activities in the Rule of Law sector include the US (USAID/NCSC and US Department of Justice), OSCE and UNDP.

National Centre for State Courts (NCSC)

NCSC, contracted by USAID, is implementing a Justice Sector Support Program. The program involves six principal tasks supporting key functions and organizations necessary to ensure an independent functioning judiciary: a) improve the capacity of the KJC to operate effectively and efficiently, b) improve court administration, c) improve professionalism and ethics of judges and court staff, d) support the transformation of the court system to more effectively represent and serve non-Albanian populations, e) develop Ministry of Justice legal drafting and policy formulation/ guidance skills, f) establish and support the organization and critical tools necessary to build and effective public prosecutors service . In particular, NCSC have earmarked US\$ 5m for renovating of existing court premises

The American Bar Association Rule of Law Initiative

The American Bar Association Rule of Law Initiative in Kosovo currently focuses its work primarily in the following areas: Legal Education Reform, respectively in Curriculum Reform and

Development; Legal methodology course, legal clinics for civil and criminal law at the Law Faculty of Pristina University;

#### UNDP

UNDP has designed a three years program which consists on three pillars: Access-to-Justice, Justice Sector Capacity and Transitional Justice; Advising, developing, facilitating, legal institutions and young graduate lawyers; Developing training curricula. Enabling proper access to legislation and other related legal materials for a proper implementation of the applicable law; and introducing the concept of transitional justice to the general public as well as the current and future legal professionals.

#### Swiss Cooperation Office

The Swiss Cooperation Office (“SCO”) in Kosovo has one ongoing project with the MoJ. The project is called "Swiss Support to Kosovo Correctional Services". It is in its fifth and final phase of implementation and has a foreseen period from 2007 to the end of 2008. The SCO also provided support to the MoJ for drafting the legislation on Notaries.

#### UNICEF Kosovo

In the current two year project managed by EAR and funded by the EU, UNICEF works with law enforcement officials, the judiciary, education and social services professionals to strengthen the systems that address children who come into conflict with the law.

This project builds-on previous EC assistance to the Rule of Law sector, particularly the following projects funded under the CARDS instrument



| Name of project<br>(Amount EUR million)   | Start<br>End         | Activities/Results  |
|---|----------------------|---|
| <i>Ministry of Internal Affairs, Police, Border Police</i>                                |                      |   |
| Ministry of Internal Affairs (MoAI) and the Kosovo Police Service (EUR 4.4 million)       | June 06<br>April 09  | Training and technical support will be provided to build the institutional capacity of the Ministry and police in formulating policies, drafting legislation and participating in international and regional frameworks to fight organised crime, corruption and human trafficking. Support for human rights, gender and minorities also play an important role in the project.<br>Construction of a new main office building for the MoIA (EUR 1.6m) |
| Training of the Kosovo Police Service to combat trans-national crime(EUR 1.0 million)     | June 06<br>May 07    | The project is helping to set up a Border/Boundary Police Training Unit in the Kosovo Police Service Academy. Border police officers are being trained by experts in the use of modern surveillance equipment, techniques to examine documents and security tactics.  |
| Building a modern border management system compatible with EU standards (EUR 1.5 million) | Mar 06<br>Sept 07    | Capacity building for border management agencies (Police, Customs, Phytosanitary) involving the design of a border management strategy, the review of relevant legislation, the preparation of technical specification for the construction of border police stations, and in-depth training needs analysis in order to improve border management and control systems, and establish harmonised border controls (based on the Schengen acquis).       |
| Upgrading of Border Posts (EUR 2.7 million)   | April 06<br>May 08   | Construction two new border police station buildings located at border points with Albania; refurbishment border police station at another border crossing with Albania; upgrading of building, road and rail at crossing with FYROM; and upgrading of building at one crossing with Montenegro   |
| Supply and installation of border police equipment(EUR 2.2 million)                       | May 06-<br>May 07    | Equipment includes microwave links, fixed VHF stations and mobile (vehicle) radios.   |
| <i>Detention centres and prisons</i>  |                      |   |
| Rehabilitation of Dubrava prison facility (EUR 4.6 million)                               | Aug2003<br>Dec2006   | Enhanced capacity and conditions of prisons in order to directly help the local administration in performing day-to-day work and bringing it closer to EU standards for prisons.  |
| Construction of 'Quick Build' prison (EUR 2.8 million)                                    | May2002<br>June 2005 | A 'quick build' prison constructed to enhance prison capacity in the Lipjan/Lipljan Detention Centre.   |

### 3.7 Lessons learned

Although impact realised through the previous assistance overall is satisfactory, a number of challenges remain:

- Enforcement: There has been large focus on establishing the legal frameworks in Kosovo. The capacity to enforce the law, however, has received insufficient attention. While legal reform has been advanced, law enforcement and implementation has not followed. This creates a widening gap between the formal legal situation and 'on-the-ground' practice.
- Coordination: Close consultation among the many stakeholders involved in the project and a collaborative approach are essential to ensure that all these stakeholders are fully informed, and are supportive of the construction works to be carried out.
- Prioritising investment needs: due to the serious Infrastructure deficit in Kosovo it is vital that investments in the Rule of Law Sector are properly prioritised, ensuring those investments have the maximum impact in realising the objectives for the public services.
- Ownership: Experience of previous project shows that Land Acquisition should be properly dealt with by the Beneficiaries before starting with the project implementation.

#### 4. Indicative Budget (amounts in EUR million)

|   |        |         | SOURCES OF FUNDING  |                            |            |                                   |       |                 |                         |              |                      |       |
|---|--------|---------|---------------------|----------------------------|------------|-----------------------------------|-------|-----------------|-------------------------|--------------|----------------------|-------|
|   |        |         | TOTAL EXP.RE        | IPA COMMUNITY CONTRIBUTION |            | CONTRIBUTION FROM THE BENEFICIARY |       |                 |                         |              | PRIVATE CONTRIBUTION |       |
| ACTIVITIES  | IB (1) | INV (1) | EUR (a)=(b)+(c)+(d) | EUR (b)                    | % (2)      | Total EUR (c)=(x)+(y)+(z)         | % (2) | Central EUR (x) | Regional/ Local EUR (y) | IFIs EUR (z) | EUR (d)              | % (2) |
| Activity 1  |        |         | 0.8                 | 0.8                        | 100        |                                   |       |                 |                         |              |                      |       |
| contract 1.1<br>(Feasibility Study and Detailed Design) | -      | x       | 0.8                 | 0.8                        | 100        |                                   |       |                 |                         |              |                      | -     |
| Activity 2  |        |         | 22.0                | 22.0                       | 100        |                                   |       |                 |                         |              |                      |       |
| contract 2.1<br>Works (1works and 2 supply contracts)   | -      | x       | 22.0                | 22.0                       | 100        |                                   |       |                 |                         |              |                      | -     |
| Activity 3  |        |         | 2.2                 | 2.2                        | 100        |                                   |       |                 |                         |              |                      |       |
| Contract 2.1<br>(Supervision)                           | -      | x       | 2.2                 | 2.2                        | 100        |                                   |       |                 |                         |              |                      |       |
| TOTAL IB  |        |         | -                   |                            |            |                                   |       |                 |                         |              |                      |       |
| TOTAL INV   |        |         | 25.0                | 25.0                       | 100        |                                   |       |                 |                         |              |                      |       |
| <b>TOTAL PROJECT</b>                                    |        |         | <b>25.0</b>         | <b>25.0</b>                | <b>100</b> |                                   |       |                 |                         |              |                      |       |

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the Total Expenditure (column (a)).

## 5. Indicative Implementation Schedule (periods broken down per quarter)

| Contracts  | Start of Tendering | Signature of contract | Project Completion |
|--|--------------------|-----------------------|--------------------|
| Activity 1 contract 1.1 ( service )                                | Q2 2009            | Q4 2009               | Q2 2010            |
| Activity 2 (works) One (1) Works and 2 supply contracts            | Q3 2010            | Q4 2010               | Q4 2013            |
| Activity 3 (service) supervision of the works and supply contracts | Q2 2010            | Q4 2010               | Q4 2013            |

Q = quarter

## 6. Mainstreaming of Cross-cutting issues

Human rights and in particular minority rights and participation, as well as gender issues will be mainstreamed within all activities and project deliverables. Planning and policy development in the Rule of Law sector planning must encompass the protection of human rights, the fight against corruption, trafficking in human beings, and discrimination.

### 6.1 Equal Opportunity (gender mainstreaming)

The project will ensure that men and women will have equal access to all project deliverables.

### 6.2 Minorities' inclusion/participation

Failure to integrate Kosovo's minorities can lead to further violations of human rights. Therefore, this project will aim to contribute to the establishment of multi-ethnic representation in the institutions benefiting from the project, which will address the ethnic groups fairly and equitably under the law, as well as other marginalized groups such as people with disabilities.

### 6.3 Environment

The project is expected to have a neutral environmental impact. The Project's infrastructure component will be consistent with Environmental implications as set out in relevant Regulations consistent with the Law on Environmental Protection. This project intends to promote also environmental improvements through energy savings through implementing energy efficiency measures in building. The use of alternative energy sources (solar, geothermal...) should be considered during the design phase.

The Project's infrastructure component will be consistent with Environmental implications as set out in relevant Regulations consistent with the Law on Environmental Protection. When appropriate environmental impact assessment will be carried out.

## ANNEXES

- 1- Log frame in Standard Format
- 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme
- 3- Description of Institutional Framework
- 4- Reference to laws, regulations and strategic documents
- 5- Details per EU funded contract (\*) where applicable

## ANNEX I : Logical framework matrix in standard format

|   |   |                                   |   |
|---|---|-----------------------------------|---|
| Project Title:  | <b>Upgrade of Infrastructure in the Rule of Law sector</b>  |                                   |   |
| Sector: Rule of Law   | Contracting period expires: three years after the signature of the financing agreement between the European Commission and the Kosovo Authorities.  |                                   | Disbursement period expires: 1 year after the final date for the execution of contracts.  |
|   |   | Total budget :<br><b>EUR 25.0</b> | IPA budget:<br><b>EUR 25.0</b>  |
| <b>Overall objective</b>  | <b>Objectively verifiable indicators</b>  |                                   | <b>Sources of Verification</b>  |
| To strengthen the rule of law sector in Kosovo  | <p>Court efficiency improved</p> <p>Backlog of cases reduced</p> <p>Ability of the institutions to comply to the European Partnership and the European Partnership Action Plan</p>  |                                   | <ul style="list-style-type: none"> <li>- Project implementation reports, indicators</li> <li>- EC Regular Reports</li> </ul>  |
| <p><b>Project purpose:</b></p> <p>The purpose of the project is to provide optimal working conditions through upgrade the Infrastructure in the Rule of Law Sector by <u>construction of the Palace of Justice Building Complex.</u></p>  | <p><b>Objectively verifiable indicators</b></p> <ul style="list-style-type: none"> <li>- Running Contracts</li> <li>- Palace of Justice is located in or near Pristina and fully operational</li> <li>- Complete and accurate feasibility study s in regard to the construction of palace of Justice</li> <li>- Projects Completed</li> </ul> |                                   | <p><b>Sources of Verification</b></p> <p>Project implementation reports, indicators</p>   |
|   |   |                                   | <p><b>Assumptions</b></p> <ul style="list-style-type: none"> <li>- Effective transfer of competencies and set up of arrangements as identified in the Status Proposal</li> <li>- Political stability and commitment</li> <li>- Support and commitment of relevant institution</li> <li>- Sufficient reserves of building grounds on the construction site for further expansions, if necessary.</li> </ul>  |
| <p><b>Results</b></p> <ul style="list-style-type: none"> <li>• Construction of “Palace of Justice” facilities in line with EU and international standards.</li> <li>• Capacity of Kosovo's Institutions to execute their legal power is strengthened</li> <li>• Rule of law upgraded through improved service delivery</li> <li>• Strengthening the ability of the court system to operate smoothly.</li> </ul> | <p><b>Objectively verifiable indicators</b></p> <ul style="list-style-type: none"> <li>- Feasibility study submitted to European Commission and MoJ</li> <li>- Running Contracts</li> <li>- Projects Completed</li> <li>- Progress meetings with contractors and Consultants</li> <li>- Site visits</li> </ul>                                |                                   | <p><b>Sources of Verification</b></p> <ul style="list-style-type: none"> <li>• Signed Contracts</li> <li>• Project Implementation reports</li> <li>• Steering committee approval records</li> <li>• Site Visit reports</li> <li>• Minutes of meeting</li> <li>• Provisional acceptance</li> </ul>   |
|   |   |                                   | <p><b>Assumptions</b></p> <ul style="list-style-type: none"> <li>- The support of MoJ</li> <li>- The support of direct beneficiaries <ul style="list-style-type: none"> <li>• The site and constructed premises allows for expansion of the facility should that prove necessary.</li> </ul> </li> <li>- The stability of the area covered by the Work s contracts to be maintained throughout the duration of the programme.</li> <li>- The financial and technical capacity of Contractors</li> </ul> |

|   |   |  |   |
|---|---|--|---|
|   |   | <p>certificate</p> <ul style="list-style-type: none"> <li>• Final Acceptance Certificate of schemes</li> </ul> | <p>to be adequate to undertake these Works.</p> <ul style="list-style-type: none"> <li>- Sufficient understanding between parties as to their respective roles and the extent of their authority</li> <li>- Adequate cooperation between all stakeholders</li> <li>- Land Acquisition would be properly dealt with by the Beneficiary before project start</li> </ul>         |
| <p><b>Activities:</b></p> <p><b>Activity 1</b><br/>Feasibility study and detailed design</p> <p><b>Activity 2:</b> Construction works for implementation of the projects</p> <p><b>Activity 3</b><br/>Supervision of works projects</p> <ul style="list-style-type: none"> <li>• Design of works and preparation of all necessary works contract documents</li> </ul> <p>To ensure, through competent supervision, completion of construction works in accordance with tender documents, the design drawings and technical specifications</p> | <p><b>Means</b></p> <ul style="list-style-type: none"> <li>- Service Contracts to prepare Feasibility Study, Designs, drawings, Technical Specification, BoQ's,</li> <li>- Works Contracts to implement the construction of Palace of Justice the activities</li> <li>- Service Contracts for the supervision of works contracts</li> </ul> | <p><b>Costs</b></p> <p><b>EUR 0.8 Million</b></p> <p><b>EUR 22 Million</b></p> <p><b>EUR 2.2 Million</b></p>   | <p><b>Assumptions</b></p> <ul style="list-style-type: none"> <li>- Contract signed after a successful tendering procedure and the implementation starts according the indicative implementation schedule</li> <li>- The ownership and organisational structure of the beneficiary institution, where the project will be based is strong enough for implementation</li> </ul> |

Pre-conditions:

- Endorsement by all key stakeholders of the project fiche/ToRs/technical specifications, as well as the individual contracts to be engaged;
- Participation by the beneficiary in the tender process as per EU regulations;
- Organisation, selection and appointment of members of steering and coordination committees, seminars and study visits by the beneficiaries as per the project work plan;
- Appointing the relevant staff by the beneficiaries to participate in training activities as per work plan.

**ANNEX II: Indicative planning of the amounts (in EUR million) contracted and disbursed by quarter for the project (cumulated)**

|   | 2009       | 2010       |            |           |            | 2011       |             |             |              | 2012         |              |              |              | 2013         |             |             |             |
|---|------------|------------|------------|-----------|------------|------------|-------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|-------------|-------------|
| <b>Contracted</b>   | <b>Q4</b>  | <b>Q1</b>  | <b>Q2</b>  | <b>Q3</b> | <b>Q4</b>  | <b>Q1</b>  | <b>Q2</b>   | <b>Q3</b>   | <b>Q4</b>    | <b>Q1</b>    | <b>Q2</b>    | <b>Q3</b>    | <b>Q4</b>    | <b>Q1</b>    | <b>Q2</b>   | <b>Q3</b>   | <b>Q4</b>   |
| <b>Activity 1</b><br>Feasibility study and detailed design preparation    | 0.8        |            |            |           |            |            |             |             |              |              |              |              |              |              |             |             |             |
| <b>Activity2</b><br>Construction works for implementation of the projects |            |            |            |           | 22         |            |             |             |              |              |              |              |              |              |             |             |             |
| <b>Activity 3</b><br>Supervision of works and supply contracts            |            |            |            |           | 2.2        |            |             |             |              |              |              |              |              |              |             |             |             |
| <b>Cumulated Total</b>  | <b>0.8</b> |            |            |           | <b>25</b>  |            |             |             |              |              |              |              |              |              |             |             |             |
|   | <b>Q4</b>  | <b>Q1</b>  | <b>Q2</b>  | <b>Q3</b> | <b>Q4</b>  | <b>Q1</b>  | <b>Q2</b>   | <b>Q3</b>   | <b>Q4</b>    | <b>Q1</b>    | <b>Q2</b>    | <b>Q3</b>    | <b>Q4</b>    | <b>Q1</b>    | <b>Q2</b>   | <b>Q3</b>   | <b>Q4</b>   |
| <b>Disbursed</b>  |            |            |            |           |            |            |             |             |              |              |              |              |              |              |             |             |             |
| <b>Activity 1</b><br>Feasibility study and detailed design preparation    | 0.2        | 0.5        | 0.1        |           |            |            |             |             |              |              |              |              |              |              |             |             |             |
| <b>Activity2</b><br>Construction works for implementation of the projects |            |            |            |           | 2.2        | 1.6        | 1.6         | 1.6         | 1.6          | 1.6          | 1.6          | 1.6          | 1.6          | 1.6          | 2.1         | 2.1         | 1.2         |
| <b>Activity 3</b><br>Supervision of works and supply contracts            |            |            |            |           | 0.2        |            | 0.36        |             | 0.36         |              | 0.36         |              | 0.36         |              | 0.36        |             | 0.2         |
| <b>Cumulated Total</b>  | <b>0.2</b> | <b>0.7</b> | <b>0.8</b> |           | <b>3.2</b> | <b>4.8</b> | <b>6.76</b> | <b>8.36</b> | <b>10.32</b> | <b>11.92</b> | <b>13.88</b> | <b>15.48</b> | <b>17.44</b> | <b>19.04</b> | <b>21.5</b> | <b>23.6</b> | <b>25.0</b> |

### **ANNEX III - Description of Institutional Framework**

**The Kosovo Judicial Council (“KJC”)** is the highest body of the Kosovo Judicial System. Establishment of the KJC represents something new that will be responsible for administration of the entire Judicial System. The KJC is established pursuant to UNMIK Regulation NO.2005/52 On the Establishment of the Kosovo Judicial Council dated 20 December 2005. The KJC is a professional body under the supreme authority of the Special Representative of the Secretary General and it is an independent branch in terms of the accomplishment of its functions. The KJC acts in order to protect a Judicial System which is professional, independent, impartial, integrated, fairness and efficient. The KJC is competent and responsible for appointment of judges, prosecutors and lay judges, disciplinary measures imposed against judges, prosecutors and lay-judges whenever misconduct is committed as well as with regard to their professional development. Pursuant to UNMIK Regulation NO.2005/52 of 20 December 2005, the KJC will be responsible for the SRSG’s counseling with regard to appointment, sanction to be imposed and dismissal of prosecutors from their office till a respective body related to prosecutors will be established. The entire work and functioning of the KJC is supported by the Secretariat Pursuant to Article 3 of UNMIK Regulation NO.2005/52 On the Establishment of the Kosovo Judicial Council, the KJC Secretariat chaired by the director who is selected by the Kosovo Judicial Council it supports the KJC in its task accomplishment. The Secretariat advises and assists the KJC regarding execution of its responsibilities, managing of the judiciary and courts and said is responsible for implementation of the Council’s decisions as well as all administrative and researches functions pursuant to Regulation related to Council’s work.

The KJC consists of eleven (11) members seven (7) are judges or prosecutors and four (4) others who do not have to be judges.

#### **The Council has its 8 Committees**

Judicial Disciplinary Committee  
Prosecutorial Disciplinary Committee  
Judicial Appointment and Development Committee  
Prosecutorial Appointment and Development Committee  
Court Administration Committee  
Committee for Legislation Matters  
Finance, Budget and Human Relation Committee  
Advisory Committee for Minorities  
Committees Decisions

#### **Kosovo Judicial Council has the Secretariat:**

Directors Office  
Human Resources Department  
Budget and Finance Department  
Statistics and IT Department  
Logistics Department  
Chart of the KJC Secretariat  
Public Information Office  
Employment Possibilities



## **Ministry of Justice**

UNMIK Regulation 2005/53, amending Regulation 2001/19 on the Executive Branch of the Provisional Institutions of Self-Government in Kosovo, dated 20th December 2005, provided for the establishment of a Ministry of Internal Affairs (MOIA) and Ministry of Justice within Kosovo and Annex XV to the Regulation set out the initial competences of MOJ. The date of appointment of the Minister of Justice (10 March 2006), is referred to as the effective date of the establishment of MOJ. In the first phase (Regulation 2005/53) MOJ responsibilities included developing and implementing policy and legislation within the scope of its responsibilities in the field of justice including prosecution, correctional services and probation, as well as for ensuring fair and effective access to justice, and managing the administrative, financial and budgetary affairs of the ministry (see Section III: "Functions"). Further competences have been legally transferred to MOJ, in a new Annex XV through Regulation 2006/26, promulgated by the SRSG on 27 April 2006 and announced in the media on 9 May.

In the second phase (Regulation 2006/26) the responsibilities of MOJ have been expanded to include further competences relating to the correctional services, probation services, missing persons and forensic medicine (these responsibilities are also explained in more detail in Section III: "Functions"). The full text of MOJ's responsibilities (Annex XV, Regulation 2006/26) is available from the Official Gazette on [www.unmikonline.org](http://www.unmikonline.org). In line with the constitutional provision for the separation of powers, especially between the executive and the judicial branch, MOJ does not have responsibility for the administration of the judiciary and courts.

UNMIK Regulation 2005/52, also dated 20 December 2005, established the Kosovo Judicial Council, which has full independence in the performance of its functions, and is under the authority of the SRSG. Regulation 2006/25, also dated 27 April 2006, is called a "Regulatory Framework for the Justice System in Kosovo" and mostly relates to the role of KJC. All staff working in courts will be part of the KJC. All administrative staff working in prosecutors' offices will be attached to the MOJ, although policy and rules for the careers of prosecutors themselves remain with the KJC as a transitional measure, until the Kosovo Prosecutorial Council is created. At the time of developing this plan, much work has still to be done on clarifying our mandate, particularly through discussions with UNMIK and other PISG. Our mandate will be further shaped by Normative Acts (legal and sub-legal acts) which reflect the political processes and priorities. Of particular importance at this time are the Kosovo Standards (1-4) and European Partnership Action Plan, (as well as a number of draft laws, examples of which include the Draft Law on Organisation of the Courts, the Draft Law on Public Prosecution, the Draft Law on Notaries and the Draft Law on Judicial Tariffs.

### **Functions of MOJ**

The functions of the MOJ have been defined in this plan as those which are derived from the ministry's mandate as determined in law through Regulation 2005/53 and Regulation 2006/263. Therefore, at the time of finalising this plan these may be summarised as follows:

#### ***Justice policy and legislative drafting***

Develop governmental policies in the field of its responsibility

Draft relevant legislation pertaining to the scope of its responsibilities

Participate in the overall legislative drafting process at the governmental level

Develop policies and action plans for the implementation of legislation in the field of its responsibilities.

### ***Administrative Support***

Manage, in cooperation with other PISG as appropriate, the administrative functions which support the entire Ministry's work including: Human Resources, Finance, Procurement, IT and General Services.

### ***Prosecutorial policies and legislation***

Facilitate preparation and implementation of the legislation for the public prosecution

Provide guidance for the development and implementation of the prosecutorial policy of the Office of the Public Prosecutor of Kosovo (OPPK)

Cooperate with appropriate organisations in respect of independent monitoring of the prosecutorial system;

Provide training for prosecutors in cooperation with the Kosovo Judicial Institute;

Facilitate the organisation of examinations for the qualification of prosecutors, lawyers (including trial attorneys) and other legal professionals through the Kosovo Judicial Institute and other independent professional bodies;

Manage in cooperation with the Ministry of Finance and Economy the development of administrative, technical and financial rules and rules governing support personnel and material resources to ensure the effective functioning of the prosecutorial system; Provide information, statistics and professional analysis for the functioning of the prosecutorial service. Undertake necessary measures to ensure the protection of personal data relating to the prosecutorial services. In carrying out any of these functions in relation to the prosecutorial system, the Ministry of Justice must not in any way limit, hamper or interfere arbitrarily with the prosecutorial operations of any prosecutor or prosecutor's office in Kosovo.

### ***Coordination and administration of the Kosovo Correctional Service***

Develop policies and initiate legislative drafting in the field of correctional services

Exercise executive oversight over the correctional services and probation system (with the exception of the emergency situations in the Dubrava prison, as foreseen in Article VII of the UNMIK Regulation No.2006/26);

Assist in recruitment, training and evaluation of the staff of correctional services;

Provide analysis, statistics and information on the correctional services; Undertake necessary measures to ensure the protection of personal data relating to the correctional services;

Cooperate with other organisations with respect to the independent monitoring of correctional services.

### ***Coordination and Administration of the Department for Execution of Alternative Sanctions (Probation Service of Kosovo)***

Develop policies and initiate legislation drafting in the field of probation services

Exercise executive oversight over the probation system

Assist in recruitment, training and evaluation of the staff of probation services;

Provide analysis, statistics and information on the probation services

Undertake necessary measures to ensure the protection of personal data relating to the probation services.

Cooperate with other organisations with respect to the reintegration and reconciliation who are under probation

### ***Legal help and assistance to victims of crime***

Organise a system for providing assistance to the victims of crime in particular domestic violence, trafficking in human beings and sexual violence.

Administer the Victims Protection and Assistance Division

Cooperate with other organisations with regards to providing the assistance to the victims of crime, domestic violence and trafficking.

Cooperate with the Ministry of Health in provision of assistance to victims of crime

### ***Missing persons***

Undertake measures aiming at seeking, obtaining, providing and verifying information about the location of missing persons;

Provide assistance on legal matters related to the fate of missing persons;

Assist, when necessary, in the process of returning the remnants of missing persons

Cooperate and coordinate with the Office of Missing Persons and Forensics, and other entities (subject to UNMIK's authority over all investigations of individual cases of disappearance);

### ***Forensic medicine***

Subject to the exemptions arising from the Article X of the Regulation No. 2006/26 which refer to responsibilities which remain reserved powers of UNMIK, MOJ shall:

- exercise powers related to the forensic medicine;
- administer the Medical Examiners Office 4

### ***International legal assistance and cooperation***

Provide expert support for the preparation by the Government of international agreements, which are in conformity with the Government's responsibility as foreseen in the Constitutional Framework and other relevant normative acts;

Assist UNMIK, when appropriate, with regards to international legal cooperation, including cooperation with international courts.

### ***Litigation on behalf of Government***

Provide legal representation of the Government in disputes and procedures before courts and arbitration tribunals

### ***Other functions***

Conduct research activities and projects related to the field of its responsibility

Exercise other specific functions, pursuant to its current or future legal mandate

As mentioned above at the end of Section II, the mandate of the Ministry is dynamic, and will be affected by changes to Kosovo legislation arising from political processes, which may subsequently give rise to these functions also changing.

Section 3 (I) describes how the plan can be updated, through a review process after two years or sooner if thought necessary. This is one of the reasons behind the structure and content we have chosen for this plan, which is based on a thematic approach (i.e. focusing on general strategic themes that are important to the Ministry as a whole) as opposed to a functional (i.e. developing objectives specifically relevant to each of the departments and the functions they carry out) approach. This thematic approach ensures that this plan will continue to be relevant no matter how the mandate changes. A more functional approach would most likely become out of date relatively quickly given the changing environment in which the Ministry must operate, and the further clarifications which are likely to be made to the legal mandate.

The strategic objectives developed under this thematic approach will continue to be critical to ensuring that the Ministry as a whole and each of its parts carries out the above (or any future) functions to the required standard, no matter how the mandate changes. Implicit to this thematic approach is that each department has a role to play in achieving the strategic objectives under each strategic theme (such as management, performance, anti-discrimination and so on). The thematic approach which we have opted for in this document does not mean that we need not think strategically about our core functions, as assigned to us by applicable legislation. However, given the lack of clarity surrounding the MOJ's mandate, and the operational nature of our core functions, plans at the level of departments are the more appropriate place to develop that kind of strategic thinking than the present document. We will set out our current understanding of each of the core functions assigned to us in law, along with operational objectives concerning their implementation (including any constraints we face) in the departmental plans.

### **Kosovo Judicial Institute**

Within the mandate for institution building, the OSCE Mission in Kosovo has assisted Kosovo in the development of the judicial system based upon the principles of human rights and rule of law. The OSCE Mission in Kosovo under the Department of Human Rights and Rule of Law established a sector for judicial training, which later became, in February 2000, the Kosovo Judicial Institute (KJI).

On 24 April 2006 the Special Representative of the Secretary General promulgated the Law on Establishing KJI adopted by the Kosovo Assembly in February of 2006. The Law establishes KJI as an independent professional body and the judicial training institution within the judicial system of Kosovo that shall perform its functions based on principles of legality, impartiality and efficiency.

The headquarters of KJI is in Prishtina. KJI's mandate is to train office holders and potential office holders in the judiciary (judges and prosecutors) which includes capacity building of these potential office holders. KJI promotes the level of training based on the needs of the judiciary. This includes the requirement that, by law, all new candidates for judge and prosecutor must be trained at KJI before appointment.

The KJI, within its activities may enter into working agreements, cooperation and scientific and professional activity with other local and international organizations. Thus, in order to achieve all these objectives, KJI needs to continue to have coordination and cooperation with all stake holders involved in the judicial system.

KJI's mission in Kosovo is to create a state of the art training facility (Magistrate School) for judges and prosecutors. To use the most advanced teaching techniques so as to provide the highest education

to all judges and prosecutors in Kosovo. This means that in order for a judge or prosecutor to be a candidate for appointment they must first receive training at KJI. KJI mission is also to create the most advanced magistrate school. Further, KJI's mandate is to be:

In accordance with the law, Kosovo Judicial Institute will be responsible for following:

I. Preparatory Exam KJI is responsible for the assessment and organisation of the preparatory exam for judges and prosecutors and other persons who intend to become judges or prosecutors, who prior to their nomination shall be subjected to the preparatory exam and special training courses as a precondition for the selection.

II. Training of the potential office holders in judiciary – Initial Legal Education Program (Magistrate School) This training program is dedicated to potential candidates who intend to become judges or prosecutors in the future who after the Preparatory Exam shall undergo the this training program.

III. Training of the office holders in judiciary – Continuous Legal Education Program This training program is dedicated to acting judges and prosecutors.

IV. Training courses for promotion of judges and prosecutors This program is dedicated to judges and prosecutors who have been selected for promotion.

V. Training course for lay-judges this training program provides for the lay-judges basic training courses.

VI. Training courses for other professional in the area of judiciary as identified by KJI This program will include other professionals who are considered to be closely related and assist efficient functioning of judicial system.

## **ANNEX IV - Reference to laws, regulations and strategic documents:**

Link with: European Partnership; Stabilisation and Association process; Proposal for the Kosovo Status Settlement

The European Partnership calls for:

As above

- 
- LAW No. 2004 / 15 ON CONSTRUCTION
- Law No. 2002/8 on Environmental Protection
- FOR CONSTRUCTION BUILDINGS TECHNICAL TERMS OF ACCESSIBILITY TO DISABLED PERSONS
- ON CRITERIAS AND PROCEDURES FOR ISSUING LICENCES, FOR EXERCISING THE ACTIVITIES ON THE FIELD OF PROJECTING, CONSTRUCTING AND PROFESSIONAL SUPERVISION AND REVIEWING

Link with the Multi-Annual Indicative Planning Document (2008-10) for Kosovo (MIPD):

*The project supports key objectives of the MIPD that are:*

### **MIPD: 2.2.2 Strategic Choices for IPA Assistance over the Period 2008-2010**

For 2008 – 2010, the strategic choices are reflected in the following three Axes:

#### ***Axis 1: Political Criteria***

- The authorities of Kosovo should be assisted by the international presence (International Civilian Representative, EU rule of law mission EULEX, International Military Presence) which has corrective, monitoring and mentoring functions. Donors will be called upon to help set up administrative structures and build local capacities. While UNMIK and Kosovo's PISG have made good progress in setting up an administrative system, starting almost from scratch in 1999, it is recognised that due to its specific history, Kosovo needs to further develop in order to establish a multi-ethnic, democratic society firmly anchored in the rule of law. EC assistance should focus on achieving this aim. As a result, the focus under this Axis should be on the fulfilment of the EU's political criteria and consolidation of Kosovo's institutional, administrative and **judicial set-up**, including the fight against corruption, the protection of the Serb and other minorities and the promotion of civil society activities.
- Consolidating **the rule of law** by strengthening the wider judicial system and supporting police reform and the fight against corruption, in close cooperation with the ESDP mission to ensure a coordinated and mutually reinforcing approach.

#### **Link with National Development Plan**

*The project links to the MTEF Sector Objectives in the field of Rule of Law that are:*

- Development of effective and efficient Ministry (of Justice and of Internal Affairs)
- Development of respective legal framework of law sector in compliance with relevant legislation in force;
- Building the cooperation with all respective EU and other international

- Agencies / organizations as part of routine international sectorial cooperation and as part of responsibilities transfer process which are still reserved in this sector.
- Adequate utilization of information technology;

### **Link with national/ sectoral investment plans**

### **ANNEX V Details per EU funded contract (\*) where applicable:**

#### **Activity 1**

#### **Feasibility study and Preparation of Detailed Design, BoQ and Technical Specification**

- One service contracts is envisaged to complete the needs assessment and to implement other actions, described under this Activity (as preparation of Detailed Design, Bill of quantities, Drawings and Technical Specification for the identified facilities to be built
- The service contracts value for will be approximately EUR 0.8 million
- The duration of the contracts will be for a period of 6 months
- The successful tenderer will start deployment one month after contract signatory; the expected deployment date is October 2009.

**Co financing:** no co financing is foreseen under this activity.

**Ownership:** KJC/MOJ

#### **Activity 2**

#### **Construction of 'Palace of Justice'**

- This activity comprises of one (1) works contracts accompanied with up to 2 relevant supply contract as appropriate are envisaged to implement the actions described under this Activity, for the building of "Palace of Justice" alternatively renovation of existing court buildings and prosecutorial offices identified by the Activity 1 and approved by relevant Institutions and Contracting Authority
- The Works and supply contracts value will be approximately EUR 22 million
- The works contract will perform the works as per technical specification
- The duration of the contracts will be for a period of 36 months + 12 months warranty Period
- The successful tenderer will start deployment one month after contract signatory; the expected deployment date is September 2009 and afterwards.

**Co financing:** No co financing is foreseen under this activity.

**Ownership:** KJC/MOJ

#### **Activity 3**

#### **Supervision of the works for the construction of ' Palace of Justice'**

This activity comprise of one service contract for the supervising the works, assuring quality and undertake the provisional and final acceptance of works and supply projects.

- The service contracts value for will be approximately EUR 2.2 million
- The duration of the contracts will be for a period of 36 months + 12 months warranty Period
- The successful tenderer will start deployment one month after contract signatory; the expected deployment date is September 2009.

**Co financing:** No co financing is foreseen under this activity.

**Ownership:** KJC/MOJ