

**2011 Annual Programme
Judiciary : 03-2011/1**

1. Basic information

- 1.1 CRIS number:** 2011/022-939
1.2 Title: Judiciary
1.3 ELARG statistical code: 01.24
1.4 Location: Kosovo*

Implementing arrangements

- 1.5 Contracting authority:** European Commission Liaison Office to Kosovo
1.6 Implementing agency: European Commission Liaison Office to Kosovo
1.7 Beneficiary:

Project activity	Beneficiary (institutions, target group etc)	Contact point responsible for project coordination
1. Further support to Kosovo Legal Education Reform.	Kosovo Judicial Institute / Kosovo Judicial Council /Kosovo Prosecutorial Council	Lavdim Krasniqi, Director of the KJI,
2. Strengthening International Legal Cooperation	Ministry of Justice, KJC, KPC	Ehat Miftaraj, Head of International Legal Cooperation Division, MOJ Hysen Beqa, Senior Officer for IPA, MoJ

Financing

- 1.8 Overall cost (VAT excluded):** EUR 3.2 million
1.9 EU contribution: EUR 3.2 million
1.10 Final date for contracting: 3 years after signing the financing agreement
1.11 Final date for execution of contracts: 2 years following the final date for contracting
1.12 Final date for disbursements: 1 year after the final date for execution of contracts

* Under UNSCR 1244/1999.

2. Overall Objective and Project Purpose

2.1 Overall Objective:

Support Kosovo authorities to strengthen the rule of law by further supporting the reform of the judiciary and by enhancing capacities in the area of international legal cooperation.

2.2 Project purpose:

1. To further strengthen Kosovo Legal Education Reform
2. Strengthen the capacities of Kosovo institutions in the area international legal cooperation.

2.3 Link with Accession Partnership / National Programmes for the Adoption of the Acquis/ European Partnership/ Stabilisation Association Agreement

Within the framework of the Stabilisation and Association Process, Kosovo has demonstrated enhanced efforts to tackle challenges in the Rule of Law sector. These efforts have been further given impetus by the prospective visa liberalisation process. Moreover, the 2008 Kosovo Study has allowed for the former SAP Tracking Mechanism (STM) to be advanced to the Stabilisation and Association Process Dialogue (SAPD), as of 2010. It provides a high level forum for policy and technical dialogue, complemented by technical sectoral subcommittees.

The European Partnership calls for:

- Ensuring full respect for the rule of law, human rights and protection of minorities and pursue a policy of zero tolerance against corruption, organised crime and financial crime.
- Strengthening judicial capacities to prosecute and try organised and financial crime cases.
- Further development of legal education and training, particularly for judges, prosecutors and administrative personnel, as well as strengthening the administrative capacity, coordination and effectiveness of the judiciary and all law enforcement agencies, and ensuring the viability of a comprehensive legal aid system.
- Ensuring effective, independent, accountable and impartial courts and prosecution offices, free from political influence.

2.4 Link with MIPD

Rule of law has been defined as one of the three major sectors to be supported through Multi-annual Indicative Planning Document (MIPD) 2011-2013. The project follows the sector objectives, which are driven by a prospective visa liberalization approach, in particular through addressing requirements in the following areas: a) strengthening administrative capacities for implementation of readmission and reintegration legal and policy framework; b) further capacity building support to reforming the judiciary; c) support to fighting overall organized crime with a focus on enhancing local capacities to tackle money laundering; d) further enhancing local capacities with the view to mutual legal assistance, as well as e) further support to addressing Kosovo's needs in the area of integrated border management.

2.5 Link with National Development Plan (where applicable)

The Medium Term Expenditure Framework (MTEF) 2011 – 2013 sets out an analysis of the macroeconomic environment of Kosovo, and outlines strategic policy priorities of the Government. It also presents a summary of the essential fiscal envelope or baseline against which the range of Government policy priorities will be assessed for funding.

In the Rule of Law sector, MTEF stresses enforcement of the laws on Kosovo Judicial Council and that on courts. It also underlines enforcement of the Law on Management of Confiscated and Sequestered Assets, including setting up the institutional framework and enhancing the capacities, amongst priorities for the forthcoming period. On the Kosovo Judicial Institute, it states implementation of the both Beginners and Continuous Training Programmes. Concerning home affairs, it prioritizes provision of quality services for citizens, integrated border management, preventing and combating financial crime (including financial intelligence) and other forms of organized crime, migration and public security, mainly focusing on the dimension of enhancing human and technical capacities of respective institutions.

2.6 Link with national/sectoral investment plans (where applicable)

Further support to Kosovo Legal Education

No sector strategy is currently available.

Strengthening International Legal Cooperation

The project is partly linked to the draft MoJ Strategic Development Plan.

The project is linked to the Kosovo Police Strategic Plan 2010-2015.

3. Description of project

3.1 Background and justification:

Activity 1. To further support Kosovo Legal Education Reform

Improving the existing judicial system in Kosovo requires both long term capacities building of the institutions as well as regular monitoring. However, success in reforming is uncertain if focus is not put on developing professional training capacity for new generations of legal professional. In 2010, the re-appointment of judges and prosecutors was completed and brought personnel in need of further professional training. Adoption of new legislation on courts and the Kosovo Prosecutorial Council also calls for structural changes in the way the courts and prosecution offices will operate. In this context, the Kosovo Judicial Institute, the independent law based institution established to provide training to judges, prosecutors, candidates for judges and prosecutors, and other professionals in the field of the judiciary has a key role to play in providing quality legal education to appointed and potential legal personnel. The Kosovo Judicial Council, the body established by constitution in order to safeguard the independence and impartiality of judges and court system, has a strong interest in the legal education provided to legal personnel and close cooperation with KJI on training, included training needs, is key. According to the law, KJI is also a professional research institute with the mission to support the development of Kosovo's judiciary in line with European standards.

The Kosovo Legal Education system is in need of a unified Legal Resource Centre where judges, prosecutors and lawyers can have access to legal materials for their case research and properly adjudicate cases in line with international standards. Currently some resources exist at KJC, KJI, Ministry of Justice, Kosovo Law Centre, University of Prishtina Law Library and Chamber of Advocates. Many of these materials are maintained on an ad hoc basis by individuals. No catalogued, maintained single location and database well advertised for use by all judges, prosecutors and lawyers exists. A legal resource centre will allow unification of all legal resources in Kosovo under one umbrella institution. KJI will ensure to obtain a location for the Legal Resource Centre and appropriate human resources to run and maintain the facility. The Legal Resource Centre itself will be a resource available for various institutions and the public especially through the development of a database that will enable users to find the needed resources. It will constitute a first-of-its-kind database in Kosovo, to allow legal professionals to easily locate materials relevant to their work or study. An ongoing twinning project on legal education system reform is developing an e-learning application that will allow judges, prosecutors and judicial position candidates to use distance learning to gain knowledge on EU law and KJI training activities. KJI staff is trained to maintain the distance learning portal and to add other materials as the information is developed at KJI. To make this application more comprehensive and wide-ranging, it will be housed in the Legal Resource Centre. Additionally, this twinning project has supported the Kosovo Law Centre in the field of

legal publications. The skills and expertise of the KLC should be capitalised and used through the identification, implementation and development of the Legal Resource Centre.

Court management has been identified as an area in which training is needed. Modules should be developed to be full part of the KJI Programs, Initial Legal Education Programme (ILEP), Continuous Legal Education Programme (CLEP), Promotion Programme and training for non-judicial staff, focusing on court management in the broad sense. This module will not focus on the case management system but rather on the daily management skills required to carry out work in a court going from management of every day tasks within a court (hearing preparation, witness hearing preparation...) to legal reasoning and writing. As a complement to this module, KJI attendees, in the framework of KJI programs, will be offered the opportunity to follow an internship in an EU Court.

As part of the 15 month ILEP at KJI, new judge and prosecutor candidates attend a practical phase during which candidates are placed in courts and prosecutor offices to serve a six month mentorship program supervised by judges and/or prosecutors. The proposed internship program in this project will provide selected ILEP attendees with the opportunity to carry out part of their practical training through an internship programme within an EU court and/or prosecutor's office. It will allow these judge and prosecutor candidates to get exposed to functioning courts in EU countries and, upon their return, transmit this knowledge/experience to Kosovo's courts in which they will carry out the remaining of the ILEP, practical training. The ILEP selected participants for the internship programme in an EU Court will have to be fluent in the relevant EU language and specific criteria would be developed by KJI in coordination with KJC for the selection process of candidates.

An internship program to build the capacity of non-judicial staff working in courts and prosecution offices in Kosovo will also be developed. The possibility to offer internship programs to non-judicial staff at EU Court presents an outstanding opportunity for KJC to focus on strengthening the capacities of not only judges and prosecutors but non-judicial staff as well as on getting exposed to new, modern and reformed concepts in court administration and court researching.

Activity 2. Strengthening International Legal Cooperation

From March 2009, the International Legal Cooperation Division (ILCD) of the Ministry of Justice has assumed all legal obligations in the field of international legal assistance for all countries that have recognised the independence of Kosovo (until that date international legal assistance was under the competence of the Department of Justice of the United Nations Interim Administration in Kosovo - UNMIK).

International legal assistance with foreign States is mostly based on the principle of reciprocity. As Kosovo is not a member of the Council of Europe or United Nations, it has not ratified for the time being any Conventions in the area of mutual legal assistance. The transmission of mutual legal assistance requests normally takes place somehow through diplomatic channels. The experiences and knowledge of judges and public prosecutors to handle and proceed with requests for mutual legal assistance is still limited due to the lack of practical experiences.

During the year 2010, the MoJ processed in total 8.965 requests for mutual legal assistance in civil and criminal matters. The MoJ is currently in the process of negotiation bilateral agreements on extradition, transfer of sentenced persons and mutual legal assistance in criminal and civil matters with approximately 25 countries. Furthermore, the MoJ is in the final stage of submitting to the Kosovo Assembly the draft law on mutual legal assistance in criminal matters. After its promulgation, the Ministry of Justice will have to draft the necessary administrative instructions.

EULEX is facilitating negotiations on agreements with foreign States in the field of mutual legal assistance. A joint declaration has been concluded between the State Prosecution Office of Kosovo and the Ministry of Justice of France. MoUs have also been concluded with the *Direzione Nazionale Antimafia* of Italy, the Supreme State Prosecutor's Office of Montenegro and the Prosecutor General's Office of Croatia (*inter alia*). Similar instruments of cooperation are being prepared with Albania, FYROM, Turkey, etc. The ILCD is at the moment negotiating MLA agreements with foreign States with a view to normalising the relations with other

States in this field. For the time being an agreement on the transfer of sentenced persons has been concluded with Belgium.

Two EULEX staff are supporting the ILCD by exercising their duties in accordance with the mission's competence of EULEX in Kosovo which includes mentoring, monitoring and advising (MMA).

It has been highlighted that the ILCD capacities and security need to be enhanced. In particular, closer co-operation between the ILCD and different courts dealing with the requests for international legal cooperation is deemed necessary (EC Progress Report and EUROJUST).

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)

Activity 1. To further support Kosovo Legal Education Reform

The focus of this project is to further develop KJI capacity for it to play its role in providing professionally trained personnel to be potentially appointed by KJC and KPC. In that context, this project will build on the basis established by the (IPA 2008) Legal Education Reform Twinning project. This project in its component regarding legal resources centre will be built on the inter institutional review and needs assessment carried out under the (IPA 2010) Support to the Kosovo Judicial Council and Kosovo which will allow a timely implementation of the legal resource Centre.

Activity 2. Strengthening International Legal Cooperation

This project builds on previous assistance which supported the improvement of the ILCD within the Ministry of Justice. It will also build on EULEX activities in this regard. Through building further the capacities of the Mutual Legal Assistance within the Ministry of Justice, Kosovo shall be able to process more effectively the requests for mutual legal assistance in civil and criminal matters.

3.3 Results and measurable indicators:

Activity 1. Further support to the Kosovo Legal Education Reform

Expected Results:

1. Legal Resources Centre running
2. KJI training on Court management enhanced
3. Management skills of future judges, prosecutors and non-judicial staff enhanced through partly spending the practical phase of ILEP in an EU Court.

Measurable indicators:

1. Legal Resources Centre opened.
2. Materials of the various institutions gathered and registered.
3. Reading material and e-resources accessible at the Centre, including E-learning portal on EU law integrated in the Legal Resource Centre.
4. Staff in charge of the Legal Resources Centre professionally trained Kosovo and maintenance system in place.
5. Kosovo Law Centre skills and resources capitalised through the Legal Resource Centre.
6. Modules on Court Management integrated in KJI curriculum (ILEP, CLEP, Promotion and non-judicial staff training).
7. Court and prosecutor's staff trained on Court management.
8. KJI Practical training partly carried out in EU courts.
9. Interns selected according to defined criteria developed.

Activity 2. Strengthening International Legal Cooperation

Expected Results:

1. Legislation and international cooperation Agreements on Mutual Legal Assistance are in line with EU Acquis.
2. A system on International Legal Cooperation in civil and criminal matters is set up and strengthened.

Measurable indicators:

1. Number of bilateral agreements concluded.
2. Communication tools for the judicial networks in place,
3. Primary and secondary legislation drafted (extradition, transfer of sentenced persons, execution of foreign judgments, Mutual assistance in criminal matters)
4. Quality assurance system for translations in place and operational.
5. Number of judges and public prosecutors trained on mutual legal assistance.
6. Focal points in each district prosecutions office and district court dealing with requests for international legal assistance appointed and operational.
7. Manual on the procedure of drafting requests for mutual legal assistance.
8. Requests and responses for mutual assistance drafted and proceeded in accordance with best European practices.
9. Workshops and training modules developed and respective curricula adopted.
10. All training courses foreseen are completed.

3.4 Activities:

Activity 1. Kosovo Legal Education Reform II

This activity shall be implemented via one service and at least one supply contract. Through the service contract, KJI capacities will be developed and its role in providing professionally trained personnel to be potentially appointed by KJC and KPC strengthened. The experts will be assisting KJI in developing Court Management modules as well as strengthening the practical training of the ILEP through internships in EU Courts. Expertise will be dedicated to the implementation of a Legal Resource Centre for which at least one supply contract will complement the support provided under this activity.

The project will be implemented over a period of 24 months.

Activity 2. Strengthening International Legal Cooperation

This activity shall be implemented via a Twinning contract. In coordination with EULEX the experts will strengthen capacities of the International Legal Division of the Ministry of Justice in order to deal with requests of mutual legal assistance. This will include assistance in completing the legal framework on international cooperation including implementing rules and procedures. Furthermore, a functional judicial network needs to be developed which facilitates communication, work flows and information exchange with judges and prosecutors and other relevant authorities. Also, the coordination with international bodies should be strengthened and facilitated.

The project will be implemented over a period of 18 months.

3.5 Conditionality and sequencing:

Generally, project implementation is hampered by either insufficient qualified staff and resources allocated to (newly established) institutions or insufficient operational funds available in the government budget to allow for appropriate implementation of the mandate of the concerned department. Often timelines for the adoption of legal instruments are not respected, leading to delays in implementation and causing difficulties in project implementation. Although there has been focus on establishing the legal frameworks in Kosovo still the capacity to enforce the laws has received insufficient attention. An additional constraint is the lack of cooperation among different competent institutions to coordinate responsibilities, enforcement of legislation and efforts in the fields. Full commitment of the national authorities is required to work towards the achievements of the project objectives.

The project includes the following conditionalities:

Activity 1. Further support to Kosovo Legal Education Reform

- Identification of a location for the Legal Resource Centre is carried out.
- Partnerships with EU Court and/or prosecutors' offices are established.
- Future judges, prosecutors and non-judicial staff can demonstrate sufficient language skills.
- Appropriate human and financial resources allocated to the KJI, especially for the sustainability of the Legal Resource Centre.
- Government provides financial and political support to the beneficiary institutions including through budget allocation.
- Government provides financial and political support to the beneficiary institutions.
- Beneficiaries' commitment to the project and appropriate and sufficient staff available.
- Cooperation and coordination with various stakeholders is ensured. Close cooperation among the different institutions as well as between donors and EU funded projects.

Activity 2. Strengthening International Legal Cooperation

- Cooperation Memoranda between the MoJ and the KJC and KPC signed.
- Judges and public prosecutors are willing to cooperate in the judicial network.
- Organisational structure of beneficiary has been decided upon.
- Continued political support and resources for inter-ministerial cooperation.
- Strong project management at senior level in place.
- Government provides financial and political support to the beneficiary institutions.
- Beneficiaries' commitment to the project and allocation of sufficient and appropriate staff.
- Beneficiaries allocate sufficient staff and office space to the project

In the event that the above mentioned conditions are not met, the European Commission Liaison Office to Kosovo reserves itself the right to suspend or cancel the Project.

3.6 Linked activities

Key stakeholders and important players in the sector of the rule of law include:

The European Union Rule of Law Mission in Kosovo (EULEX) is the largest civilian mission ever launched under the Common Security and Defence Policy (CSDP). The central aim is to assist and support the Kosovo authorities in the rule of law area, specifically in the police, judiciary and customs areas. The mission is not in Kosovo to govern or rule. It is a technical mission which will monitor, mentor and advise whilst retaining a number of limited executive powers. EULEX works under the general framework of United Nations Security Resolution 1244 and has a unified chain of command to Brussels.

The CSDP mission will assist the Kosovo authorities, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability. It will further develop and strengthen an independent and multi-ethnic justice system and a multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognised standards and European best practices. The mission, in full co-operation with the European Commission Assistance Programmes, will implement its mandate through monitoring, mentoring and advising, while retaining certain executive responsibilities.

United States Agency for International Development USAID through its Kosovo Justice Support Program is assisting in the establishment of a sustainable, effective and independent judiciary. Through its Justice Support Program, USAID works to strengthen the judiciary while contemporaneously increasing the public's trust in the system. Improving the administration of courts and professionalism of staff, USAID has introduced a "model courts" program, designed to assist in the implementation of new reforms in Kosovo's court administration. The model court approach will then be adopted by the Kosovo Judicial Council (KJC),

which is responsible for effective court operations within an independent judiciary, and applied to the remaining courts. To facilitate the flow of cases, the KJC has adopted a system of acceptable time standards for cases, which allows the courts and the parties to better process cases through the litigation procedure. In addition, educational programs for judges, prosecutors and court staff are helping legal professionals to develop practical skills, to better address ethical and professional dilemmas, to learn new areas of law and to provide better legal services to clients and the public at large. Enhancing respect for ethics and delivery of quality services USAID is strengthening the Audit Section of the judiciary. This assistance includes training auditors to perform management studies and review court files to identify problems and monitor performance. Help is also provided to the Kosovo Judicial Institute to review and augment the ethics codes for judges, as well as provide ethics training for judges and prosecutors. Supporting a court system serving and representing all ethnic groups, USAID and the KJC have developed a strategy to address post-independence changes to the judicial system, including changes necessitated by decentralization and local government reform. As the process of distinguishing the roles and responsibilities between judges and prosecutors is finalized, an Independent Prosecutorial Council is being established and equipped with the necessary tools, personnel, and training to build an effective public prosecutors service.

USAID through its Legal Profession Development Initiative, implemented by the American Bar Association Rule of Law Initiative, builds on a previous Increasing Capacity of Legal Professionals program (2004-2008). The objective is to help create a capable and well-regulated legal profession in Kosovo that meets the highest standards of integrity. The project further strengthens the ethical and competent performance of the legal sector through continued reform and further development of an independent Bar. Activities include additional focused work with the Kosovo Chamber of Advocates (KCA), an evaluation of and possible creation of an efficient and effective regulatory system for the Kosovo legal system, and a review and possible revision of the current legal framework impacting the practice of law in Kosovo. Challenges to legal reform and general developments in Kosovo's rule of law will be identified through assessment tools: the Legal Education Reform Index (LERI), Judicial Reform Index (JRI) and Legal Profession Reform Index (LPRI) as well as publications and other mechanisms that are designed to identify specific challenges to legal education and the legal profession.

USAID is in the procurement process for the Effective Rule of Law/EROL project, which will provide assistance to the Kosovo justice system. The EROL's program aims to strengthen the operational capacity of the justice sector institutions including the courts, the Kosovo Judicial Council, the Ministry of Justice and the Kosovo Judicial Institute. The program activities will aim at: (1) strengthening the KJC's ability to fulfill its oversight, discipline and management roles; (2) improving MOJ's capacity to handle international legal assistance and represent the Government of Kosovo in legal matters; (3) streamlining and modernizing court operations; and (4) enhancing KJI's ability to train judges, prosecutors and court personnel. Furthermore, USAID/EROL assistance will also be focused on building the institutional capacity of the Kosovo Prosecutorial Council; establishment of and legislative assistance for the Chamber of Notaries; development of a training program for the Constitutional Court judges and its legal advisors and assistance to the office of the President of Kosovo on development of rules and procedures for appointment of judges and prosecutors. Assistance will also be provided to civil society organizations through a grant program to increase citizens' knowledge of and engagement in the justice system.

Swiss Agency for Development and Cooperation (SDC) through its Establishment of a Notary System in Kosovo project contributes to the consolidation of the judicial system in Kosovo by supporting the development and the implementation of an operational notary system. Technical input will be provided in drafting the secondary legislation and harmonizing other legal provisions. The project will further facilitate the set up of the Kosovo chamber of notaries and a training system for notaries. It will lead to a more effective and efficient legal system, considering the courts shall be relieved of the majority of non-contentious cases and thus citizens will have better access to justice.

SDC through its Support to the Kosovo Correctional Services project contributes to the establishment of an impartial correctional system that functions in compliance with European prison rules. In view of organizational development of the prison system, a staff development system for PMD was created and is currently applied at different levels of the personnel hierarchy. Swiss support to the Kosovo Correctional

Services includes also other components such as: establishing vocational training programmes, working possibilities for inmates, rehabilitation of prison infrastructure, etc. The establishment of a cattle farm in Dubrava prison will be supported. The prison management and the agricultural unit will further be trained and prepared in managing the farm

Furthermore SDC through its Swiss & Liechtenstein Support Project to Mental Health in Kosovo supports the Psychiatric University Clinic Pristina (PUC-P) in becoming a Learning Resource Center for state of the art psychiatric care that will actively train health professionals in Kosovo. It will further support the PUC-P to play an important role in transferring new 'mindsets' and treatment models in Mental Health and Psychiatry to all levels of the healthcare system as well as to the overall Kosovo society. The project will strengthen the professional exchange with the Psychiatric University Clinic Basel and establish a long-term institutional partnership between the two clinics.

Organization for Security and Cooperation in Europe OSCE represents the largest international civilian presence in Kosovo charged with the promotion of human rights and good governance. The Mission is responsible for institution- and democracy-building, and the promotion of human rights and the rule of law.

To help Kosovo's judicial institutions better protect human rights and improve the quality of their services, the Mission monitors and reports on proceedings in the administrative, civil and criminal justice systems. The reports focus on their compliance with Kosovo law and international human rights standards and suggest concrete remedial actions for observed shortcomings. The Mission also organizes workshops with judges to analyse reports and discuss recommendations for remedial actions. Similarly, the Mission proactively monitors the work of the police service. The legal system reports and the police conduct reports jointly provide a comprehensive overview of human rights compliance from arrest to adjudication.

Department for International Development (DFID) - The overall purpose of DFID's Kosovo programme is to deliver support in four key areas related to state-building and good governance: public administration reform, public financial reform, decentralisation and the rule of law. Although their programme would end by the end of 2012, DFID is still very active in the area of Rule of Law and as result is currently supporting the Agency for Management of Sequestered and Confiscated Assets in Kosovo, on development of internal procedures that would support the Agency to operate up to standards.

The United Nations Development Programme UNDP approach to the reform of security and rule of law, traditionally focused on police, judiciary and emergency preparedness, has been broadening in the recent years. Working in co-operation with the Kosovo Judicial Institute, UNDP has developed a programme to support the judicial education in Kosovo (Dutch financed). In an attempt to bring a more unified approach to the law, the project is providing commentaries on existing laws that will help judges in their work. On the job training and dedicated training courses are also planned to improve Kosovo's judicial service.

Complementing these activities, additional UNDP programmes target Rule of Law in Kosovo. The Access to Justice Programme provides legal aid, information and awareness at community level. It also supports the establishment of new court structures and the monitoring capacities of civil society actors. The Rule of Law institutional capacity building Programme aims to provide support to capacity building of judicial and policing institutions as well as support professionalism and reform of overall practices in the justice sector. It focuses on Ministry of Justice, Kosovo Judicial Institution, Kosovo Judicial Council and Kosovo Chamber of Advocates. Support to Security Sector Development Programme deploys capacity-building advisors to provide policy advice and management support to government stakeholders, including on law drafting.

The Gesellschaft für Internationale Zusammenarbeit GIZ and their "Advice to Legal Reform in Kosovo" project started in June 2009. The project focuses on three areas. First, it supports KJI and KIPA to develop and sustain a legal training system for the Judiciary and Public Administration. Secondly, it participates to the developments of law compilations and legal commentaries as legal tools for judges and prosecutors. Finally, it provides support to the Kosovo Constitutional Court.

The IPA 2011 programme builds on previous EC assistance to the Rule of Law sector, particularly the following projects funded under the Instrument for Pre-Accession:

Name of project	Start End	Activities/Results
Legal Education System Reform	2009-2011	The overall objective of this twinning project is to strengthen the rule of law, ensure the independence and improve the efficiency of the judiciary in Kosovo by developing a sustainable legal education system and building up training capacities for law students, judges, prosecutors and advocates. The project aims at improving the capacity of the competent institutions to provide high quality and sustainable legal education and training in compliance with European standards. Within the project, legal professionals will also be provided with compilations of applicable laws, publication of court decisions and legal doctrine.
Standards for the Ministry of Justice	2009-2011	This Twinning project builds on the activities carried out under previous EAR projects. The overall objective of this project is to strengthen the administrative, policy making and legal drafting capacities within the Ministry of Justice and to reduce the backlog of cases in courts by setting up mechanisms for alternative dispute resolution, introducing arbitration proceedings and increasing the performance of the probation and correction services.
Construction of the Palace of Justice Building	2009-2012	After the July 2008 Donor conference, funds have been allocated for the construction of a Palace of Justice building. After the July 2008 Donor conference, funds have been allocated for the construction of a Palace of Justice building. It will house a number of judicial institutions, including the district and municipal courts and prosecutorial office, the Constitutional Court and the Kosovo Judicial Council. Some institutions will have liaison offices (Legal Aid Office; Victim's Advocacy and Probation Services Office, Kosovo Chamber of Advocates and Kosovo Judicial Institute).
Support to the Anti-Corruption Agency	2008-2009	This project aimed at the development and enforcement of anti-corruption policies and a legal framework in line with EU standards, strengthening inter-agency cooperation together with increased public awareness, to effectively and systematically combat corruption in Kosovo's institutions.
Re-Appointment of Judges and Prosecutors in Kosovo	2009-2010	The project enabled a one-time country-wide vetting and re-appointment process where all judges and prosecutors in Kosovo were evaluated and selected based on merit, in terms of professional qualifications and experience, as well as professional and personal integrity.
Civil Registration and Unified Address System	2010 - 2013	This project support the Civil Registration Agency in the development of its functions and implementation of

		working processes with the aim to have all Kosovo citizens living in and outside Kosovo registered in the Registry Books and to develop one central register system to ensure the issuance of correct civil registration related documents. It further assists Kosovo authorities in developing and implementing a unified address system for Kosovo with the goal to have an unambiguous address for all persons living in Kosovo.
Improved education in the Public Safety and Security Sectors	2010 – 2012	This twinning project aims at improving the basic and advanced training for police, customs, fire fighters and penitentiary staff and will support the accreditation of the Kosovo Centre for Public Safety and Education, including setting up of a higher education institution in line with the requirements of the Bologna process.
Support to legal translators/interpreters and legal linguists	2010-2012	The purpose of this project is to increase the efficiency and credibility of the administration, the justice system and the law enforcement authorities in Kosovo, by increasing the proficiency of legal translation/interpretation through the development of curricula and standards for translators/interpreters.
Juvenile Justice	2010 - 2013	The overall objective of this project is to strengthen the Rule of Law in Kosovo through a better functioning and reformed Juvenile Justice System. In particular, it aims at promoting that children in conflict with the law, as well as victims and witnesses, are treated by the juvenile justice system in line with international and European standards. The project will be implemented by UNICEF.
Support to the Kosovo Judicial and Prosecutorial Councils	2011-2014	The overall objective of this Project is to continue supporting the efforts to develop the Kosovo Judiciary in line with EU standards by increasing its independence and improving its performance. The purpose of this Project is to develop and strengthen the independence, performance, professionalism and efficiency of the Kosovo Judicial Council and the Kosovo Prosecutorial Council to the level expected from a country on its way towards full participation and membership to the European Union. Further on to provide strategic support to the said Councils to develop their organisational capacities and professional capabilities to execute their mandates according to the new relevant legislation.
Improvement of the penitentiary system in Kosovo	2011-2014	The overall objective of this project is to strengthen Rule of Law in Kosovo through a increasing the detention capacities of the Kosovo Correctional Service that will enable the Kosovo authorities to cope with a potential increase of the convictions in courts due to the readmission of an increased number of persons with a criminal background from the EU Member States, thus minimising the risk for public security.

3.7 Lessons learned

Although the overall impact realised through previous assistance is satisfactory, a number of challenges remain: the important donor assistance delivered to some of the beneficiaries in the past could, due to insufficient absorption capacities, not always be used to the best potential extent. The simultaneous presence of several donors (in particular non-EU donors) with sometimes different agendas did not always lead to the necessary synergies. Also, the delivering of Technical Assistance through consultants, rather than civil servants, contributed to focussing on achieving short-term results rather than on sustainable capacity building.

4. Indicative Budget (amounts in EUR million)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA EU CONTRIBUTION		BENEFICIARY CONTRIBUTION					PRIVATE CONTRIBUTION	
	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)
ACTIVITIES												
Activity 1 – Further Support to Legal Education			2.5	2.5	100							
contract 1.1 Service	X		2.0	2.0	100							
contract 1.2 Supply		X	0.5	0.5	100							
Activity 2 – Strengthening Capacities for International Legal Cooperation			0.7	0.7	100							
contract 2 – Twinning	X		0.7	0.7	100							
TOTAL IB			2.7	2.7	100							
TOTAL INV			0.5	0.5	100							
TOTAL PROJECT			3.2	3.2	100							

NOTE: 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
Contract 1.1 - Service	Q3 2012	Q4 2012	Q4 2014
Contract 1.2 - Supply	Q2 2013	Q3 2013	Q3 2014
Contract 2 - Twinning	Q4 2011	Q3 2012	Q2 2014

6. Cross cutting issues (where applicable)

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

The project will ensure that men and women will have equal access to all project deliverables. The Law on Gender Equality in Kosovo nr. 2004/2 provides for the equal participation for both females and males “in legislative, executive, judicial bodies of all levels and in public institutions.” According to the Article 3.2 of this Law, the equal gender participation of both females and males is achieved in cases where the participation of the particular gender in the institutions, bodies or at the level of authority is 40%.

6.2 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, including the use of alternative sources of energy.

6.3 Minorities

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.

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 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Programme name and number:	2011
Judiciary		Contracting period expires: Ref to section 1.10	Disbursement period expires: Ref to section 1.12
		Total budget: EUR 3.2 Million	IPA budget: EUR 3.2 Million
Overall objective	Objectively verifiable indicators	Sources of Verification	
Support Kosovo authorities to strengthen the rule of law by further supporting the reform of the judiciary and by enhancing capacities in the area of international legal cooperation.	Ability of the institutions to comply to the European Partnership and the EP Action Plan	EC Progress Reports	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
<ol style="list-style-type: none"> 1. To further strengthen Kosovo Legal Education Reform 2. Strengthen the capacities of Kosovo institutions in the area of mutual legal assistance. 		<ul style="list-style-type: none"> • Publications of Ministries including MOJ, MIA, MEI and agencies including Kosovo Police. • Non-Governmental and Parliament sources. • Donors' relevant reports including OSCE, Europol, Council of Europe and UNHCR. • Respective statistics (MOJ, 	<ul style="list-style-type: none"> • Political will to establish and strengthen the institutions. • Envisaged legislation adopted and enacted. Necessary legislation reviewed, amended and introduced, including secondary legislation and SOP. • Adequate budget allocated to supported institutions. • Full commitment of the beneficiaries to work towards the achievements of the project objectives.

		<p>KJC, MIA and MOH statistics...).</p> <ul style="list-style-type: none"> • Regular EU assessment missions and reports. • MS reports. • EC Progress Report. • EULEX reports. • Project reports. 	<ul style="list-style-type: none"> • .Adequate cooperation between all stakeholders. • Envisaged Cooperation Memoranda between stakeholders signed. • High level of retention of trained/qualified personnel ensured.
Results	Objectively verifiable indicators	Sources of Verification	Assumptions

<p>Activity 1. Further support to Kosovo Legal Education Reform</p> <ul style="list-style-type: none"> a. Legal Resources Centre running. b. KJI training on Court management enhanced c. Management skills of future judges, prosecutors and non-judicial staff enhanced through Practical Phase of ILEP partly carried out in EU Court 	<ul style="list-style-type: none"> • Legal Resources Centre opened with precise and well diffused rules of functioning. • Materials of the various institutions gathered and registered. • Maintenance system in place and KJI staff trained. • E-resources developed and operational, including E-learning portal on EU law integrated in the Legal Resource Centre. • KLC skills and resources capitalised through the Legal Resource Centre. • Modules for different staff developed and integrated in KJI curriculum (ILEP, CLEP, Promotion and non-judicial staff training). • Court and prosecutor's staff trained. • KJI Practical training partly carried out in EU court. 	<ul style="list-style-type: none"> • Legal resources centre functioning rules. • Registration files of legal resources. • Procedural Manual for maintenance. • KJI training map and training modules. • Selection criteria for Practical training exchange in EU court • Intern Practical training report • KJI annual report • KLC report • Donors' report (OSCE, ABA Roli...) • Eulex report • Progress Report 	<ul style="list-style-type: none"> • Identification of a location for the Legal Resource Centre is carried out • Appropriate human and financial resources allocated to the KJI, especially for the sustainability of the Legal Resource Centre. Government provides financial and political support to the beneficiary institutions including through budget allocation. • Government provides financial and political support to the beneficiary institutions. • Beneficiaries' commitment to the project and appropriate and sufficient staff available within the institution supported. • Cooperation and coordination with various stakeholders is ensured. Close cooperation among the different institutions as well as between donors and EU funded projects. • Partnership with EU Court and/or prosecutors office are established • Future judges, prosecutors and non-judicial staff can demonstrate sufficient language skills.
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<p>Activity 2. Strengthening the capacities on International Legal Cooperation</p> <p>a. Legislation and international cooperation Agreements on Mutual Legal Assistance are in line with EU Acquis.</p> <p>b. Judicial Network for mutual legal assistance in civil and criminal matters is set up and strengthened.</p>	<ul style="list-style-type: none"> • Interns selected according to defined criteria developed • Number of bilateral agreements concluded. • Communication tools for the judicial networks in place. • Primary and secondary legislation drafted (extradition, transfer of sentenced persons, execution of foreign judgments, Mutual assistance in criminal matters) • Quality assurance system for translations in place and operational. • Number of judges and public prosecutors trained on mutual legal assistance. • Focal points in each district prosecutions office and district court dealing with requests for international legal assistance appointed and operational. • Manual on the procedure of drafting 	<ul style="list-style-type: none"> • MOJ statistics • Number of extraditions • Number of mutual legal requests issued • Number of international requests dealt with • EUROJUST assessment 	<ul style="list-style-type: none"> • Judges and public prosecutors are willing to cooperate in the judicial networks • Continued political support and resources for inter-ministerial cooperation • Key legislation in place • Beneficiaries allocate sufficient staff and office space to the project
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	<p>requests for mutual legal assistance.</p> <ul style="list-style-type: none">• Requests and responses for mutual assistance drafted and proceeded in accordance with best European practices.• Workshops and training modules developed and respective curricula adopted.• All training courses foreseen are completed.		
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Activities	Means	Costs	Assumptions
<p>1. Further support to Kosovo Legal Education Reform</p> <p>2. Strengthening the capacities of the Judicial Network and the Ministry of Justice</p>	<p>1. One service contract and at least one supply contract.</p> <p>2. One Twinning Contract</p>	<p>EUR 2.0 Million + EUR 0.5 million</p> <p>EUR 0.7 Million</p>	<p>Beneficiaries commit to the project with regard to budget allocations and staff</p> <p>Key legislation in place</p> <p>Organisational structure of beneficiary has been decided upon</p> <p>Co-financing ensured</p> <p>Continued political support</p> <p>Participation of staff in the implementation of the project</p> <p>Staff trained kept in service</p> <p>All necessary permissions are provided by the relevant authorities</p> <p>Coordination and cooperation mechanism in place</p> <p>Sufficient understanding between parties as to their respective roles and the extent of their authority</p> <p>Ownership of beneficiaries</p>

ANNEX II: amounts (in EUR) Contracted and disbursed by quarter for the project

Contracted	2011	2012				2013				2014				2015			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Contract 1.1 : Service					2.0												
Contract 1.2 : Supply								0.5									
Contract 2 : Twinning				0.7													
Cumulated				0.7	2.7	2.7	2.7	3.2									
Disbursed	2011	2012				2013				2014				2015			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Contract 1.1 : Service					1.0				1.0								
Contract 1.2 : Supply								0.5									
Contract 2 : Twinning				0.4				0.3									
Cumulated				0.4	1.4	1.4	1.4	2.2	3.2								

ANNEX III : Description of Institutional Framework

Ministry of Justice

The Legal Mandate of the Ministry of Justice (MoJ) is mainly based on UNMIK Regulations 2005/53 and 2006/26. A number of Regulations and Laws adopted by the Assembly of Kosovo before and after the declaration of independence, in particular those related to the Execution of Criminal Sanction, Bar Exam, Notary, Mediation, Legal Aid, as well as the draft Laws on Management of Confiscated or Sequestered Assets Courts, as well as draft-laws on international legal cooperation in criminal matters, extradition and transfer of convicted persons; witness protection; criminal liability of legal person; free legal aid have and will expand the Ministry's mandate.

With the creation of the Kosovo Prosecutorial Council, the responsibilities of MoJ in the area of prosecution offices management and administration is in the process of being transferred to the newly established Council.

Overall, MoJ's functions can be summed up as in the following:

- Develop and implement policies and legislation within the area of responsibility;
- Develop international judicial cooperation;
- Oversee the execution of criminal sanctions;
- Provide legal services to Kosovo Government and Public Administration;

- Manage the notary system, mediation and bar examination
- Manage the sequestered and seized assets;
- Manage the legal medicine system and the identification of missing persons
- Provide assistance to the victims of crime, domestic violence and trafficking of human beings, as well as,
- Ensure equitable representation of Kosovo communities in the judiciary.

To carry out these functions, MoJ is organized as in the following:

- Department of Legal Affairs
- Department of Policy Coordination and European Integration
- Access to Justice Department
- Department of Missing Persons and Forensics (as well as the Forensic Institute operating separately)
- Correctional Service and Probation Service Departments
- Department of Central Administration,
- Agency of Management of Sequestered and Seized Assets

There are some other units that are being considered as departments although they have not been granted such status yet – such as the so referred Litigation Department, currently operating as Divisions under Legal Affairs and Central Administration Departments respectively. In addition to the departments there are offices attached to the General Secretary, such as the Public Information Office.

The MoJ's Department of Legal Affairs is organized in three divisions: Division on Legislation, Division on International Cooperation and Division of Judicial Integration. However, the MoJ's draft-Plan foresees that the Department contains the two former divisions, while the Division on Assistance to the Victims is moved to this Department from the Department of Access to Justice.

The Plan foresees that the Division of International Cooperation (currently under DLA) is upgraded to a Department with two Divisions: Division on Mutual Legal Assistance and Division on International Agreements.

The Office of European Integration has been upgraded into a Department for Policy Coordination and European Integration in March 2011, and its main functions involve overseeing the Ministry's policy initiation, drafting, monitoring and evaluation as well as coordination of its European integration policy and assistance frameworks. The department is yet to be fully staffed and made operational.

Currently the Department of Access to Justice is responsible for the treatment of victims of crimes and the minority integration in the justice system. There are two main divisions in this Department, the Division for the Protection of the Victims of Crime and the Division of Judicial Integration. The main functions of this department is assisting minorities to access the justice system, coordinating assistance to victims of violence and crime with the actual assistance provided by NGOs and other organizations. However, the draft MoJ Strategic Plan foresees that the Department is dissolved and its function of providing assistance to victims of crime is moved into the Department of Legal Affairs, while the functions of the Judicial Integration are moved to the Kosovo Judicial Council and Kosovo Prosecutorial Council, respectively.

Similar with many EU member States, Kosovo MOJ is responsible for correctional and probation policy and service. It delivers these functions through the Correction Service with more than 1700 employees (General directorate: six detention centres, the Correctional Centre for Juveniles and Women, and one high security prison with another one being planned and the Probation services with almost 70 employees (5 regional offices).

The Department on Legal Medicine is mandated to manage and maintain the legal medicine system, by ensuring legal medicine services and supportive services to the families of the missing persons. There are three divisions attached to this Department: the division on legal medicine, division on research and division on support and identification.

Kosovo Judicial Institute

In April 2006, the Special Representative of the Secretary General promulgated the Law on Establishing KJI adopted by the Kosovo Assembly in February 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.

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. Kosovo Judicial Institute (KJI), within its activities may enter into working agreements, cooperation and scientific and professional activity with other local and international organizations.

In accordance with the law, Kosovo Judicial Institute is responsible for:

- I.** Preparatory Exam. KJI is responsible for the assessment and organisation of the preparatory exam for the 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. 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 ILEP 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.

Kosovo Judicial Council

The mandate of the Kosovo Judicial Council (KJC) is the development and maintenance of an independent judicial system which will provide services impartially to all citizens and which will be functional in all aspects of its organization and functioning.

This is to enable access to justice for all citizens, which should be fair and efficient. The KJC is responsible for an accountable court system operating under highest standards of honesty, integrity, professionalism and transparency.

Following the endorsement of the Constitution of Kosovo in Chapter VII, respectively in Articles 102 up to 108 of this chapter are defined powers, responsibilities and functions of the Judicial System in Kosovo such as:

- i. General Principles of the Judicial System in Kosovo,
- ii. Organization and Jurisdiction of the Courts,
- iii. Kosovo Judicial Council, which is responsible for determining the administrative policies, and providing management oversight for all courts;
- iv. Setting policy, issuing rules and guidelines for the judiciary,
- v. Recruitment, training, appointment, evaluation, promotion, transfer and discipline of judges and non-judicial personnel;
- vi. Exercise of responsibilities in relation to the appointment, development and training of judges,
- vii. Currently in the judicial system of Kosovo is initiated the process of appointment of judges and prosecutors from the Independent Judicial Commission and Prosecutorial Council of Kosovo as well as drafting of laws for KJC, Courts, and Prosecutorial Council and Attorney of the State, which will enable the organization and structuring of courts and prosecutors in Kosovo.

The Law on the Kosovo Judicial Council (Law No.03/L –223) was adopted regulating further the role and functions of the KJC

Kosovo Prosecutorial Council

The Kosovo Prosecutorial Council (KPC) is an independent institution established by the Constitution, Article 110, and the Law on the Kosovo Prosecutorial Council (Law No.03/L –224). The KPC is responsible for recruiting and selecting prosecutors to recommend for appointment to the President of the Republic of Kosovo, transfer of prosecutors, and for the administration of the prosecution offices and the budget for the state prosecution service.

Until the establishment of the KPC, the KJC was responsible for the recruitment, and selection of candidates to recommend for appointment as prosecutors to the President. Nevertheless, as a newly established institution the KPC will have to define its structure, policies and administration. Furthermore, the KJC and KPC will have to coordinate services that are run in common, whereas others will be established in a separate manner. These two institutions will have to establish internal procedural and organisational rules. Therefore, good practise, transparency and accuracy of the KJC/KPC's action is to be ensured through the definition of standard operating procedures. Currently the KPC is not fully functioning, up to a certain extent due to political reasons. A draft organisational diagram (organigram) for KPC including relevant job descriptions has been designed. An MoU yet to be signed with the KJC will regulate the smooth transfer of authority, assets and personnel from one Council to the other, covering the critical transitional period till the KPC is fully established and functional.

ANNEX IV : Reference to laws, regulations and strategic documents:

Link with AP/NPAA / EP/ SAA

Along with the rest of the region, Kosovo7 is embracing the European agenda, underpinned by the EU policy for the Western Balkans, the Stabilisation and Association Process (SAP). Almost all instruments under the Stabilisation and Association Process (SAP) are open to Kosovo. The SAP Tracking Mechanism (STM) provides a high level forum for policy and technical dialogue, complemented by technical sectoral workshops.

European Partnership calls for:

- Ensuring effective, independent, accountable and impartial courts and prosecution offices, free from political influence.
 - Strengthening of the prosecutor's office to ensure that it is able to comply with the principles of autonomy and impartiality. Continued strengthening of the Special Prosecutor's Office. Ensure the implementation of an efficient witness protection scheme.
 - Implementation of an automated case management system fully in all courts and prosecution offices.
 - Reduction in the backlog of cases and the enforcement of civil court decisions.
 - Further development of legal education and training, particularly for judges, prosecutors and administrative personnel. Strengthening the administrative capacity, coordination and effectiveness of the judiciary and all law enforcement agencies. Ensuring the viability of a comprehensive legal aid system
 - Improving the functioning of the judiciary, guarantee its independence, accountability, professionalism and efficiency and ensuring that the career development and recruitment of judges and prosecutors is based on technical and professional criteria and free from political influence. Ensuring proper functioning of the Constitutional Court.
-
- Ensuring full respect for the rule of law, human rights and protection of minorities and pursue a policy of zero tolerance against corruption, organised crime and financial crime.
 - Strengthening judicial capacities to prosecute and try organised and financial crime cases.
 - Further development of legal education and training, particularly for judges, prosecutors and administrative personnel, as well as strengthening the administrative capacity, coordination and effectiveness of the judiciary and all law enforcement agencies, and ensuring the viability of a comprehensive legal aid system.
 - Ensuring effective, independent, accountable and impartial courts and prosecution offices, free from political influence.

Link with MIPD

Rule of law has been defined as one of the three major sectors to be supported through Multi-annual Indicative Planning Document (MIPD) 2011-2013. The project follows the sector objectives, which are driven by a prospective visa liberalization approach, in particular through addressing requirements in the following areas: a) strengthening administrative capacities for implementation of readmission and reintegration legal and policy framework; b) further capacity building support to reforming the judiciary; c) support to fighting overall organized crime with a focus on enhancing local capacities to tackle money laundering; d) further enhancing local capacities with the view to mutual legal assistance, as well as e) further support to addressing Kosovo's needs in the area of integrated border management.

Link with National Development Plan (where applicable)

The Medium Term Expenditure Framework (MTEF) 2011 – 2013 sets out an analysis of the macroeconomic environment of Kosovo, and outlines strategic policy priorities of the Government. It also presents a summary of the essential fiscal envelope or baseline against which the range of Government policy priorities will be assessed for funding.

In the Rule of Law sector, MTEF stresses enforcement of the laws on Kosovo Judicial Council and that on courts. It also underlines enforcement of the Law on Management of Confiscated and Sequestered Assets, including setting up the institutional framework and enhancing the capacities, amongst priorities for the forthcoming period. On the Kosovo Judicial Institute, it states implementation of the both Beginners and Continuous Training Programmes. Concerning home affairs, it prioritizes provision of quality services for citizens, integrated border management, preventing and combating financial crime (including financial intelligence) and other forms of organized crime, migration and public security, mainly focusing on the dimension of enhancing human and technical capacities of respective institutions.

MTEF sector objectives in the field of law and order and the rule of law (Section 4.4):

Judiciary:

1. Drafting of laws and bringing them into line with current European standards in all areas, especially harmonisation with the Constitution.
2. Creation of legal options and conditions for an independently functioning prosecutorial and judicial system; greater efficiency in finding and identifying persons who went missing during the war.
3. Transferring new responsibilities and creating conditions for international cooperation in the field of extradition for those who have committed criminal acts and have been sentenced in other countries and for the extradition of non-Kosovo citizens to their respective countries.
4. Advancing the alternative measures system by courts.
5. Establishing a strong legal and administrative framework for the organisation and functioning of the courts.
6. Establishing effective procedures and practices for managing the budget and finances in and for courts.
7. Creating an appropriate organisational structure and a set of policies and procedures for effective management of human resources, this being important for the functioning of the courts.
8. Eliminating backlog cases and timely resolving all identified cases in the courts.
9. Implementing and effectively using modern communication systems and information management.
10. Strengthening the capacity for research, analysis and statistical reporting in relation to court cases.
11. Policies and procedures on the judiciary and non-judiciary staff training, in place.
12. Enhanced legal aid services.

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

Contracting arrangements:

Activity 1. Kosovo Legal Education Reform II
One service and at least one supply contract.

Activity 2. Strengthening the capacities on International Legal Cooperation
One Twinning contract.

Project management and administration

The European Commission Liaison Office in Pristina will manage the procurement, implementation, quality control, reporting and coordination with EULEX and other donors. A Project Steering Committee 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 the Court of Auditors - in line with the standard European Commission procedures