



THE REPUBLIC OF KOSOVO
REPUBLIC OF KOSOVO - REPUBLIC OF KOSOVO

KOSOVO JUDICIAL COUNCIL
SUDSKI SAVET KOSOVA - KOSOVO JUDICIAL COUNCIL

Kosovo Judiciary Strategic Plan

2020 -2022

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Introduction

The rule of law and the protection of human rights are vital to a free and democratic society. An independent Judiciary, competent, transparent in its decision-making and accountable for its functioning, accessible to all, is essential to ensure the rule of law and the protection of human rights.

This strategic plan, like the others before it, aims to serve as a guide for the Kosovo Judicial Council and the courts to achieve the vision of a *judicial system that is independent, accessible to all, accountable for its performance, and operating to the highest standards of honesty, professionalism, and transparency.*

The pace of change in today's society, in general and in Kosovo in particular, requires the judiciary to be flexible in its approach to achieving its vision of an effective and efficient judicial system. Previous strategic plans were based on five-year periods. Both previous plans also included detailed activities that support the strategic goals. This plan, acknowledging the rapid changes in the institutional and social framework, is created over a three-year period.

To ensure flexibility in implementation and increase the judiciary's ability to focus its activities from year to year, the plan does not include a detailed list of activities for the implementation of strategic goals. Rather, the plan includes a list of possible activities to support the strategic goals. It is expected that activities designed to achieve the strategic goals will be included in the annual plans of the KJC and its Committees, as well as in the annual plans of each court. This approach provides a more flexible and realistic approach to meeting strategic goals, as annual plans can be more concrete and can be created to take into account the prevailing environment.

It also aims to continuously review the strategic plan in order to adapt to the institutional and social environment. An annual review should be made on the progress in completing the annual plan activities, and in meeting the strategic goals as part of the annual work plan drafting process.

Mission, Vision and Values

Mission: Development and continuity of an independent judiciary that provides impartial judicial services to all and is functional in all organizational and operational aspects.

Vision: A judicial system that is independent, accessible to all, fair, efficient in its work, accountable for its work, functional with the highest standards of honesty, competence, professionalism and transparency.

Values of the

Judiciary: The judiciary is committed to resolving disputes fairly, in a timely manner and in accordance with the constitution and the law. The judiciary in fulfilling its obligations and serving the citizens of Kosovo will adhere to the following values:

- Independence
- Fair and impartial decision making
- Competence and professionalism
- Mankind
- The possibility of equal access and treatment
- Sincerity and integrity
- Transparency
- Accountability for performance
- Effectiveness

Strategic Goals

<p>Strategic pillar 1: Public trust and credibility</p> <p>Trust in the judiciary is vital to ensuring the effectiveness of the judiciary as an independent institution. The judiciary should be perceived as fair, impartial, competent and independent in decision-making.</p>	<p>Strategic goal # 1: Increase the capacity of the KJC and the judiciary to proactively inform the public and interested organizations about the role and functioning of the Kosovo judiciary and its performance.</p> <p>Comment: The KJC and the courts should take the lead in informing the public about the role and functioning of the court in plain language rather than waiting to react.</p>
	<p>Strategic goal # 2: Strengthen effective partnerships with the media and civil society organizations.</p> <p>Comment: The media and civil society organizations have an important role to play in educating the public about the role and performance of the judiciary.</p>
<p>Strategic pillar 2: Effective and efficient administration of justice</p> <p>The judiciary, in order to achieve the goals of justice, must carry out its work efficiently, ensuring that disputes are resolved in a timely manner; that its orders are carried out fully and without delay; that its records are complete and accessible; and that the judiciary is using public resources efficiently.</p>	<p>Strategic goal # 3: Improve case management practices to ensure that new cases are resolved within a reasonable timeframe.</p> <p>Comment: Cases must be resolved within a reasonable time given the nature of the case to ensure the rights of the parties.</p>

	<p>Strategic goal # 4: Reduce the number of pending cases for more than two years.</p> <p>Comment: Simultaneously with the improvement of case management, separate actions should be taken to resolve the cases that have been pending for more than two years, setting in the annual plans objectives for reducing the number of backlog.</p>
	<p>Strategic goal # 5: Increase the consistency of decisions at all levels of the court.</p> <p>Comment: Inconsistency of results for cases with similar facts increases the likelihood of complaints and uncertainty for litigants and their attorneys.</p>
	<p>Strategic goal # 6: Increasing the use of mediation as an alternative tool for resolving cases.</p> <p>Comment: Successful mediation leads to greater control over the resolution of cases by the parties, ensuring higher satisfaction and a decrease in the request for execution as well as reduces the number of cases for which a trial is required.</p>
	<p>Strategic goal # 7: Ensure adequate and efficient distribution of non-judicial staff to effectively assist the judiciary in administering case resolution.</p> <p>Comment: There should be sufficient staff to ensure that judges are not in charge of administrative duties. Staff should be allocated in a way that ensures efficiency.</p>

	<p>Strategic goal # 8: Increase the use of technology to increase the effectiveness and efficiency of case management and registers.</p> <p>Comment: Full implementation of CMIS will increase the ability to track course progress, ensure that events occur in a timely manner, and monitor performance. The technology should also be used to simplify the service procedure, pay fees and judgments' execution.</p>
<p>Strategic pillar 3: Professionalism and Competence</p> <p>Judges and judicial support staff should be competent and professional in carrying out their functions and should treat the public and their colleagues with dignity and respect.</p>	<p>Strategic goal # 9: Improving the professionalism of judges to ensure high quality and timely decisions.</p> <p>Comment: Judges should be competent in the relevant law for the case assigned to them and be competent to efficiently manage the resolution of cases to ensure the rights of the parties.</p> <hr/> <p>Strategic goal # 10: Improve the professionalism and competence of non-judicial staff to support judges in making high quality decisions.</p> <p>Comment: Judges should be relieved of other duties to focus their attention on trials and the law, leaving administrative functions to competent legal support and management staff.</p> <hr/> <p>Strategic goal # 11: Develop career opportunities for judges and staff.</p> <p>Comment: Providing career advancement opportunities encourages improved performance for both judges and staff.</p>

<p>Strategic pillar 4: Transparency and Accountability</p> <p>The independence of the judiciary, the trust and credibility of the public, depend on the judiciary holding itself primarily responsible for quality, efficiency and honesty in the decision-making process; and for the use of public resources. The reasoning on its decisions and the management of its resources must be transparent.</p>	<p>Strategic goal # 12: Support and improve the performance evaluation process</p> <p>Comment: Objective and periodic performance evaluation help judges improve their performance and identify specific areas in which they need to improve.</p>
	<p>Strategic goal # 13: Further strengthening of the disciplinary process for judges</p> <p>Comment: Strengthen the mechanism of disciplining judges and periodically evaluate the functioning and efficiency of the disciplinary procedure.</p>
	<p>Strategic goal # 14: Timely publication of judgments and decisions on court websites.</p> <p>Comment: Publication of trials ensures that courts and individual judges are accountable for the quality of trials and the reasoning of decisions.</p>
	<p>Strategic goal # 15: Increase public information about the performance of the judiciary</p> <p>Comment: Regular publication of qualitative and quantitative performance data - by explaining performance criteria and mitigating factors - will improve the accountability of individual courts and judges.</p>

<p>Strategic pillar 5: Access to Justice</p> <p>All citizens and public entities should have access to the judicial system, regardless of their economic status, ethnicity, gender or other personal characteristics.</p>	<p>Strategic goal # 16: Improving public information for litigants to help them understand their rights and basic court procedures.</p> <p>Comment: Providing litigants with basic information about their rights as litigants as well as basic court procedures will improve their ability to secure their legal rights and accelerate the resolution of cases.</p>
	<p>Strategic goal # 17: Improving access to court for citizens without social and economic favors, and for victims of domestic violence.</p> <p>Comment: To ensure equal justice, special attention should be paid to vulnerable citizens whose ability to secure their rights may be limited. Particular care should be taken to assist these persons through actions such as tariff exemptions or you may need specialized legal support to protect their access to justice.</p>
	<p>Strategic goal # 18: Improve the infrastructure of court buildings to provide access to all citizens in court hearings, information and other court services.</p> <p>Comment: Court facilities should make room for litigants and members of the public to provide security, access to hearings and public information, and the availability of other judicial services.</p>

APPENDIX A

ILLUSTRATIVE ACTIVITIES

- Set annual performance targets for reducing backlogs and delays.
- Set guidelines for the time between submission of the case and its completion for different types of cases. The guidelines would be normative and not binding. Strategic Pillar 2
- Set normative guidelines for the number of cases completed in a monthly or quarterly period for cases of different nature. Strategic Pillar 2
- Establish criteria for determining uncompleted cases for the cases of different nature. Strategic Pillar 2
- Train judges on case management skills. Strategic Zone 2, Strategic Zone 3
- Develop guidelines or rules for confidential registers. Strategic Zone 2, Strategic Zone 3
- Set and implement uniform standards for meeting schedules. Strategic Zone 2, Strategic Zone 4
- Develop a court management manual. Strategic Pillar 2
- Improve the capacity of public information offices. Strategic Zone 1, Strategic Zone 5
- Establish rules or guidelines for CSOs' access to litigation. Strategic Zone 1, Strategic Zone 4
- Conduct regular meetings between judges of the Court of Appeals and judges of the Basic Court to discuss appeals and the consistency of decisions. Strategic Zone 2, Strategic Zone 3
- Develop a forward-looking plan to improve the accessibility, functionality and security of court facilities, including the use of technology for that purpose.
- Develop and implement online payment options of financial obligations to the court.