



BUSINESS DEVELOPMENT

Cleaning Up Kosovo

Three garbage clean-up project sites were visited on January 15 by USAID/Kosovo Mission Director Michael Farbman along with the mayors of each of the three municipalities targeted -- Mitrovice/a, Skenderaj/Srbica and Vushtrri/Vucitrn.

The clean-up project, part of the Kosovo Cluster and Business Support (KCBS) project implemented by Chemonics International, employed Eurokos, a road contractor, to clean-up rivers, housing complexes and school yards in three municipalities' town centers.



USAID Mission Director Michael Farbman (far left) and KCBS project's Martin Wood and Valdet Osmani (middle) talk with workers and residents about the clean-up at a site behind an apartment building where garbage was piled six feet high while Vushtrri/Vucitrn Mayor Bajram Mulaku (far right) listens.

The project met its two goals -- cleaning up particularly hazardous sites and providing 3,000 man days of employment (an average of 25 workers in each municipality) to unemployed young men. Eurokos reports they hauled away approximately 850 tons of garbage, while a further 400 tons were removed by private operators for sorting out recyclable materials.

The targeted municipalities supported the clean-up project by placing additional trash dumpsters near sites following the clean-up, hoping to encourage residents to use the dumpsters.

DEMOCRATIC INSTITUTIONS

New Assembly Members Learn the Ropes

Following the inaugural session of Assembly of Kosovo in early January, Assembly Support Initiative (ASI) partners organized an orientation program for new members of the Assembly under the auspices of the newly elected President of the Assembly. In his address to new members, USAID/Kosovo Mission Director Michael Farbman explained the importance of key functions of the assembly, including the representative, legislative and oversight function and their role in shaping the effectiveness of the Assembly in representing Kosovars. "You will be faced with crucial decisions - a new constitution, a new state and a plethora of new laws. Those deriving from the Ahtisaari proposals need to be expeditiously passed by the Assembly in order to meet the demands of a new multi-ethnic democratic state," said Farbman.

The five-day program, which started on January 24 and runs until February 5, reviews the main functions and bodies of the Assembly. Each day is chaired by a member who has served at least one term, and co-chaired by a new member of the Assembly. The chairpersons were assisted by the Assembly Secretariat and the ASI partners. The Assembly Support Initiative (ASI) is a program, supported by USAID through its implementing partner, the National Democratic Institute (NDI), and the Organization for Security and Co-operation in Europe (OSCE), to assist Kosovo's Assembly as it works to strengthen its functioning as a representative and effective governing body.

RULE OF LAW

Municipal Court Successfully Tackles Civil Execution Backlog

The municipal court in Gjilan/Gnjilane made inroads in reducing its backlog of cases with steps that can be duplicated in other municipal courts, with assistance from USAID's Justice Support Program.

Kosovo's courts face a tremendous backlog in cases, with some cases unresolved after five or more years, which reduces the public's trust in rule of law. The municipal court closed 772 civil execution cases that were filed between 2000-2003 after reconciling discrepancies between a court log of cases and the records kept by the major filer of civil executions (for debt collection), Post Telecommunication of Kosovo (PTK) Company. The Justice Support Program is working with other courts to duplicate this process.

The backlog of cases in the courts has been identified as one of main factor hindering rule of law enforcement in Kosovo. Having identified PTK as one of the biggest users of court-based civil execution process, the USAID project facilitated discussions between courts and PTK, leading to the signing of Memoranda of Understanding with the seven largest municipal courts, of which Gjilan/Gnjilane Municipal Court is one. The MOU outlined new commitments including joint review of all pending caseload to identify discrepancies in closed and open cases between PTK and the court's registers, which amount to approximately one-fourth of pending cases in these seven courts.

USAID's Justice Support Program, implemented by National Center for State Courts, is a three-year activity designed to increase the efficient and effective functioning of the courts, thereby gaining the public's trust in the judiciary.

Challenges Facing Kosovo's Judiciary Identified by Judges and Lawyers

A summary analysis of 10 issues that need to be addressed for a strong judiciary in Kosovo was published in December. The brochure, summarizing problems raised by over 250 judges and attorneys in a series of roundtable discussions throughout Kosovo between December 2005 and June 2007, was published by the Increased Capacity of Legal Professionals project, supported by USAID/Kosovo and implemented by the American Bar Association/Rule of Law Initiative (ABA/ROLI).

The summary reflects discussions among representatives of the Kosovo Judges Association and the Kosovo Chamber of Advocates. The brochure will help the associations, Kosovo's Provisional Institutions of Self-Government (PISG) and other stakeholders in the justice sector as well as the public understand the challenges that face judges and lawyers, and aims to encourage solving the problems. The issues range from staff shortage in the courts to accountability of judges and lawyers.

New Handbook Presents Court Procedure for Civil Cases

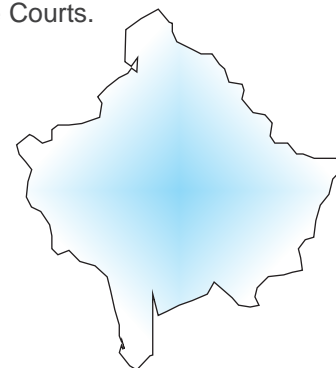
A handbook explaining court procedures for handling civil cases was issued on January 24 at a launch event in Pristina with judges and clerks from all municipal courts and representatives of banks and public enterprises. The "Handbook for Practical Implementation of Execution Procedures in Kosovo" is a compilation of court procedures, in Albanian and Serbian, which will help court staff and court users follow the same procedures for civil execution throughout Kosovo. It also presents the applicable legal framework, how to implement civil executions in practice, and commonly-used forms.

Many cases are pending only the court's execution of its decision. The handbook will ensure cases are handled correctly by the courts and then closed. It is also an important handbook for banks and others involved in civil executions, so they understand the procedures and what they must do to comply with courts' decisions. Civil cases range from collecting fines or enforcing a bank's freezing of accounts for debt collection.

Pristina District Court Judge Ferid Bislimi said, "The scarcity of legal resources has led to divergent interpretation and application of applicable laws across Kosovo, contributing to delays in enforcing judgments," a difficulty solved by the handbook's publication. He explained that the handbook was drafted in a "collective writing process" and the authors welcomed comments and additions from their peers to further refine the handbook.

The lack of locally-developed legal resources, theoretical legal analysis, practical guides for implementation of laws, and other legal resources is a challenge to Kosovo's legal practitioners, forcing them to rely on foreign literature or outdated materials.

The handbook's publication was initiated under USAID's Justice System Reform Activity and finalized under the current Justice Support Program, implemented by National Center for State Courts.



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