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Promoting a Culture of Integrity in the Judiciary

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Office of Overseas Prosecutorial Development Assistance and Training

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- ▶ OPDAT, United States Department of Justice
- ▶ Assigned to United States Embassy
- ▶ Assess Host-country criminal justice institutions and procedures
- ▶ Draft, review and comment on legislation and criminal enforcement policy
- ▶ Provide technical assistance to host country prosecutors, judges, and other justice sector personnel working in the field

Why Integrity matters

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Kosovo Prosecutorial Council: Governance of an Institution

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Oversight of Prosecutorial System

- ▶ Ensure
 - ▶ Independent
 - ▶ Professional
 - ▶ Impartial
 - ▶ Multi-ethnic
 - ▶ Gender balance

Responsibilities

- ▶ Recruitment
- ▶ Assignments
- ▶ Promotions
- ▶ Evaluations
- ▶ Discipline
- ▶ Administration

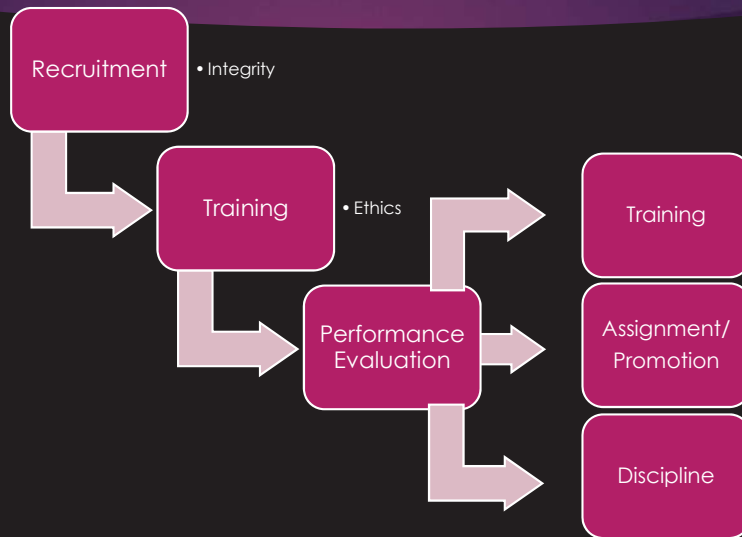
Supporting the Council

- ▶ Council Chair
- ▶ Chief State Prosecutor
- ▶ 13 Members
- ▶ Normative Acts committee
- ▶ Performance evaluation committee
- ▶ Disciplinary Committee
- ▶ Recruitment Committee
- ▶ Ad hoc promotion committees

Challenges: Ensuring integrity through processes



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Consequences of gaps

- ▶ Prosecutor “uncontrollable”
- ▶ Speaks out against system
- ▶ Council files disciplinary charges

Supporting the Council

- ▶ Advise Council Chair
- ▶ Attend Council meetings
- ▶ Support Secretariat
- ▶ 2016-2018, 24 regulations
- ▶ Study Tour



Conclusion

- ▶ Bad justice system- no investments
- ▶ Culture of Integrity essential to effective justice system
- ▶ Justice system institutions must establish their own good governance
- ▶ Establish good governance by establishing processes to support effective
 - ▶ 1- decision making
 - ▶ 2- implementation of decisions
- ▶ Support to leadership
- ▶ Develop processes
 - ▶ Support their implementation

Appointment of New Judges and Prosecutors

