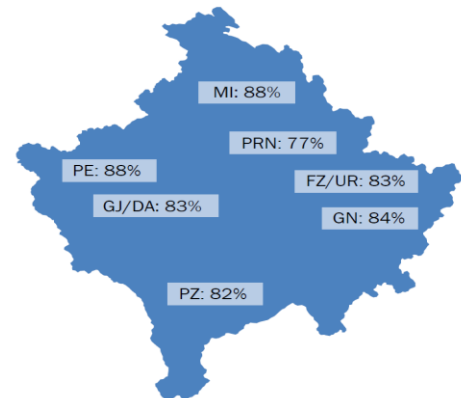


The OSCE Mission in Kosovo (OSCE) supports increased compliance of the justice sector in Kosovo with international fair trial rights and rule of law standards. To assist in this effort, the OSCE regularly monitors and reports on court proceedings. The Justice Monitor is a biannual publication of the observations of OSCE monitors in the first instance courts in Kosovo (the Basic Courts), which are divided into the following seven regions: Ferizaj/Uroševac (FZ/UR); Gjakova/Đakovica (GJ/DA); Gjilan/Gnjilane (GN); Mitrovicë/Mitrovica (MI); Pejë/Peć (PE); Prishtinë/Priština (PRN); Prizren (PZ). The Justice Monitor aims to provide policymakers and justice sector actors with indicators not otherwise available to assist in the identification of compliance gaps in the administration of justice and the tracking of progress achieved in closing those gaps.

OSCE MONITORING

Judicial Department	Hearings	Cases
General Department (Criminal Cases)	376	257
General Department (Civil Cases)	343	264
Serious Crimes Department	318	187
Administrative Department	49	42
Juveniles Department	21	13
Total	1107	763

PERCENTAGE OF JUDGES MONITORED*

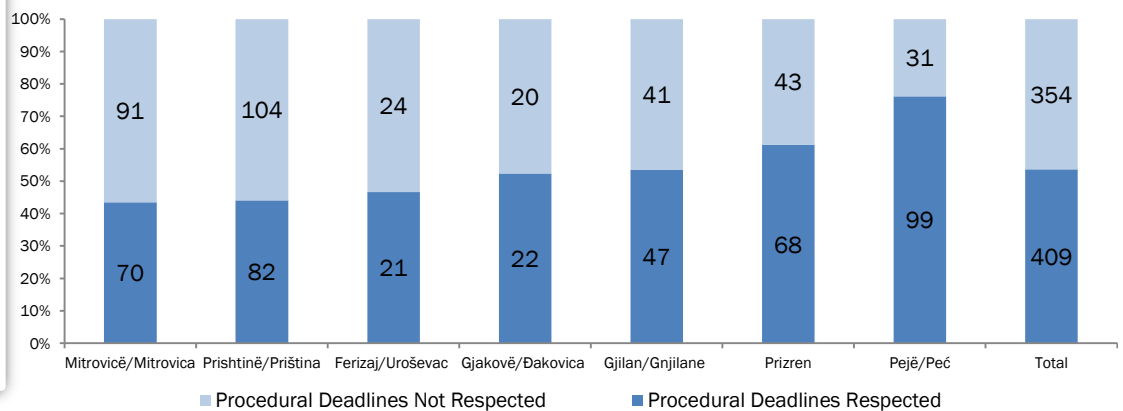


TIMELY TRIAL

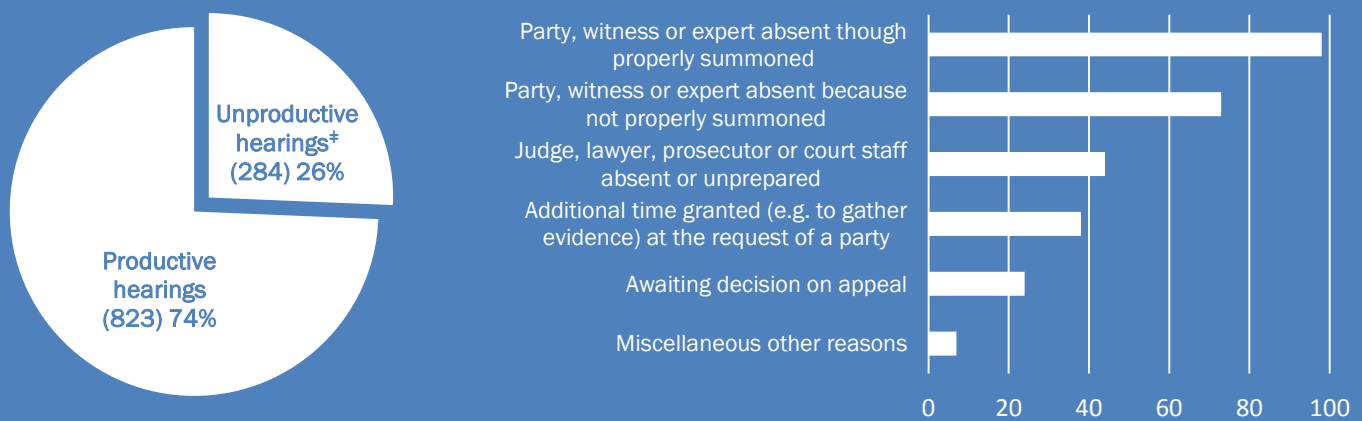
Court Efficiency

In its annual report⁺, the Kosovo Judicial Council reported a backlog of 446,254 cases in the Basic Courts as of 1 January 2014. Court Efficiency (defined as completed cases / received cases) was rated at 79.64%. Thus, for every 80 cases cleared, 100 new cases were filed.

RESPECT FOR PROCEDURAL DEADLINES IN CASES MONITORED



REASONS FOR ADJOURNMENTS IN UNPRODUCTIVE HEARINGS



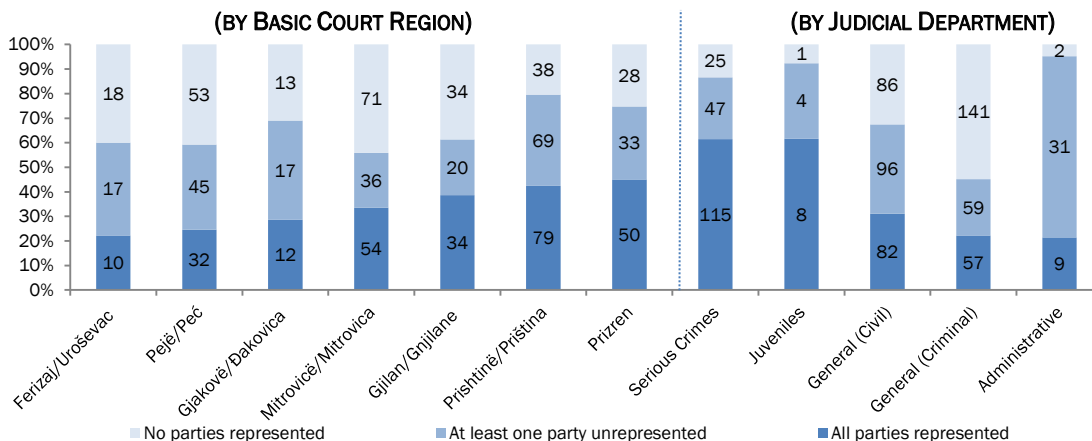
* Based on the Kosovo Judicial Council's list of judges (received 3 July 2014), excluding judges of the minor offenses and commercial departments, which were not monitored.

⁺ Kosovo Judicial Council, "Annual Report 2013: Statistics of the Courts", available at http://kgik-ks.org/repository/docs/RAPORTI-VJETOR-2013-Englisht_885030.pdf

[‡] In an "unproductive hearing" nothing of any value or substance occurred (no evidence taken, motions heard or decided, case management issues discussed, etc.)

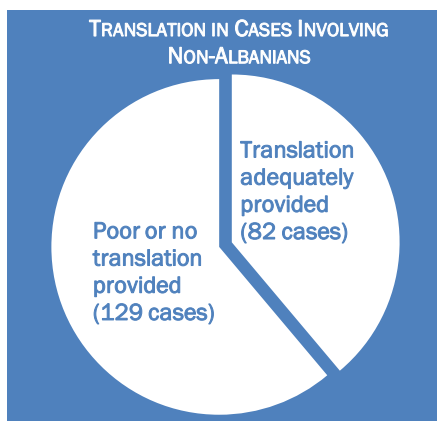
ACCESS TO JUSTICE

USE OF LEGAL REPRESENTATIVES IN CASES MONITORED

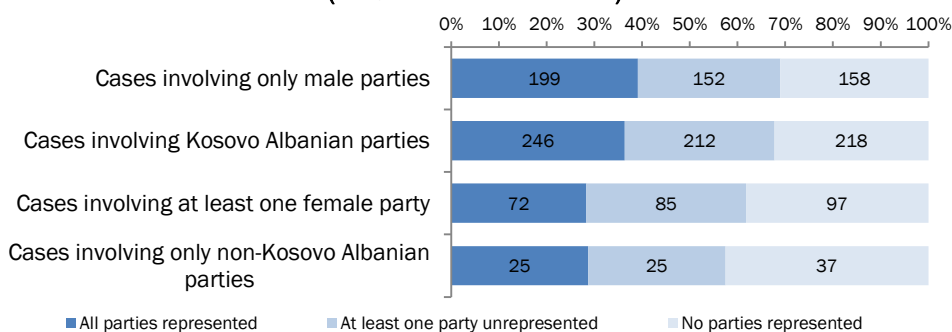


Number of Lawyers

There are 568 advocates registered with the Kosovo Chamber of Advocates, or 32 lawyers per 100,000 residents. In 2012 the European Commission for the Efficiency of Justice evaluated the number of lawyers in 48 jurisdictions. Just one jurisdiction had less than 32 lawyers per 100,000.*



USE OF LEGAL REPRESENTATIVES IN CASES MONITORED (BY GENDER AND ETHNICITY)



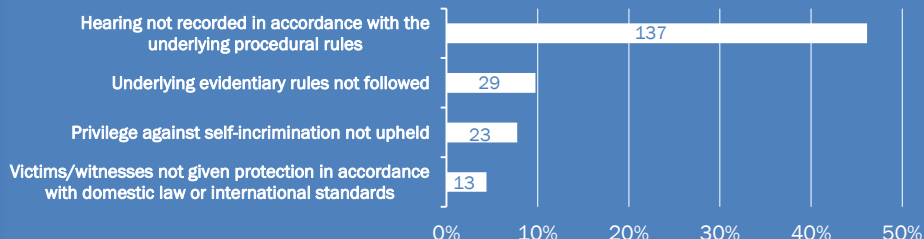
EVIDENTIARY PROTECTIONS

Recording of Criminal Trials

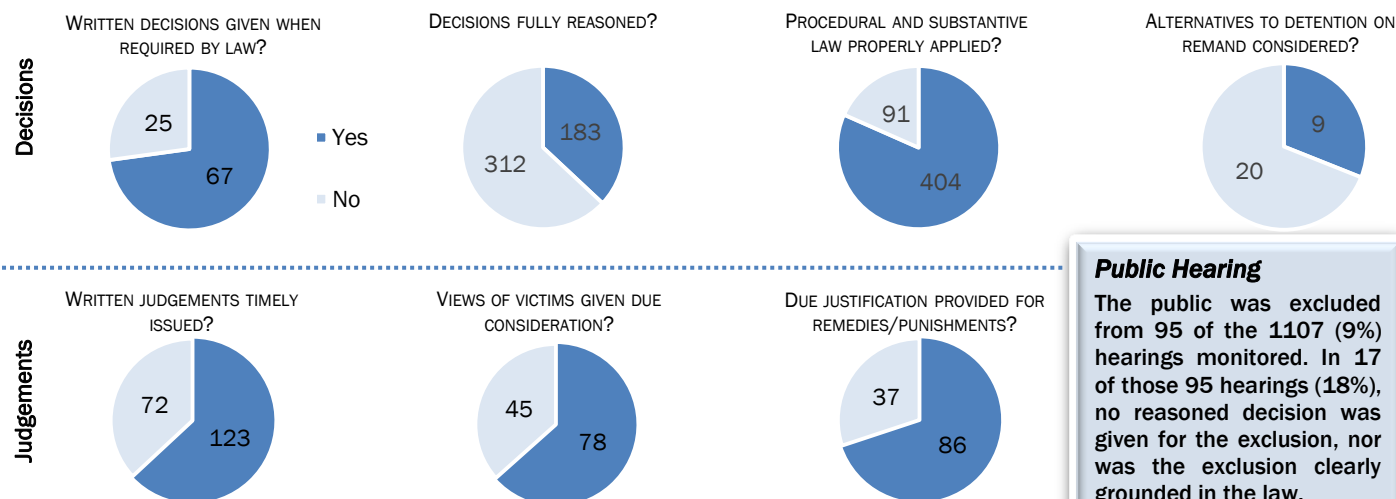
Article 315(2) of the Criminal Procedure Code requires that the "main trial shall be either audio- or video-recorded or recorded stenographically." The OSCE monitored 407 main trial sessions in criminal cases. 19 such sessions (5%) were audio-visually recorded. Stenographic or verbatim transcripts were kept in 79 (19%) sessions.

CONCERNS OBSERVED IN EVIDENTIARY HEARINGS

(297 EVIDENTIARY HEARING SESSIONS OBSERVED)



REASONED DECISIONS⁺



Public Hearing

The public was excluded from 95 of the 1107 (9%) hearings monitored. In 17 of those 95 hearings (18%), no reasoned decision was given for the exclusion, nor was the exclusion clearly grounded in the law.

*European Commission for the Efficiency of Judicial Systems, Evaluation Report on European Judicial Systems (2012), p.309 available at http://www.coe.int/t/dgh/cooperation/cepej/evaluation/2012/Rapport_en.pdf

+ 195 judgements and 495 non-judgement decisions (i.e. decisions not dispositive of the underlying case) were observed and analysed during the reporting period.