



# **Kosovo Judges Association Organizational Assessment 2007**

ABA Rule of Law Initiative – Kosovo  
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May 28, 2007



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By  
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**Executive Summary**

The objective of this assessment is to measure, through a series of key informant interviews and focus groups using a standardized organizational capacity assessment questionnaire, the organizational capacity of the Kosovo Judges Association (KJA).

Forty judges, 2 staff, and a dozen other interested persons were interviewed between March and May, 2007. All key informant interviewees spoke highly of the judges association, and when asked of the benefits of membership, could clearly define several including: receiving the Bulletin; the opportunity to participate in seminars/workshops/study trips; the professional learning and development opportunities; and the opportunity to increase their professional profile. Additionally, all expressed a desire that the KJA seriously take their concerns into consideration, and develop an aggressive advocacy agenda that attempts to address these concerns – this was expressed clearly by all as a priority for the KJA. Low salaries, low or nonexistent benefits, no pensions or healthcare are the issues most expressed. Members believed that where appropriate, the KJA and the KJC should join forces and fight for these improvements in the conditions for judges. Most interviewees stated that they were regularly paying their dues, and that the dues were small and symbolic. Most said they would pay higher dues if the KJA could demonstrate its effectiveness as an advocacy-type association that was representing their best interests.

**Introduction**

The objective of this assessment is to measure, through a series of key informant interviews and focus groups using a standardized organizational capacity assessment questionnaire, the organizational capacity of the Kosovo Judges Association (KJA). The purpose is to provide a memorialized history of the KJA; to document their progress to date; to identify the KJA's relative strengths and weaknesses; and to provide the

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baseline information needed to develop strengthening interventions. It can also be used to monitor and gauge progress over time.<sup>5</sup>

The methodology did not use a strict numerical score as in the 2005 RIBA Assessment. It is thought that a review of the KJA's relative strengths/weakness based on their current situation would be more helpful at this time. This assessment considered 10 components of organizational effectiveness: strategic planning and analysis; governance; project design and implementation; financial planning and management; human resource management; operational and systems management; fundraising; media, public relations, and marketing; advocacy and lobbying, constituency-building, and membership development; and gender and minority participation.

### **Methodology**

#### ***NGO Capacity Assessment Tool (Questionnaire and Scale Grid)***

The ABA Organizational Assessment Tools (Process, Worksheet, and Capacity Chart) both questionnaire and scale grid, used for this assessment, were developed from materials borrowed from IREX's Local NGO Program in Kosovo, the Institute for Sustainable Communities (ISC) Civil Society Strengthening Program in Macedonia; National Democratic Institute (NDI) organizational capacity tools; and the ABA's RIBA program. Questions were asked during structured key informant interviews and focus groups, and responses were immediately captured and recorded for the assessment.

#### ***Interviews & Data Collection***

Key informant interviews and focus groups were conducted by David Sip between March 15 – May 25, 2007 and lasted between one and two hours. The process was facilitated and attended to by the KJA executive director Lumnije Krasniqi and administrative assistant Kadrije Brashori, and the ABA's Arianit Osmani. A one-page summary of the assessment, the objectives, and possible question areas was given to all interviewees and discussed with them prior to the interviews. (See Attached)

#### ***Sampling***

Because of the size of the KJA's membership (316), it was determined that an interview sample would be drawn from members based on: region; court of practice; level of experience as a judge (and as a member of the KJA); position within the KJA; gender, and ethnicity. Forty (40) KJA members were interviewed, including four (4) ethnic Serbian judges, and ten (10) women, as well as a number of international donors and assistance providers.

### **History of the Kosovo Judges Association**

The Kosovo Judges Association (KJA) is a, voluntary non-governmental organization of active judges of Kosovo established in May 2001. The KJA has a nine member management board, consisting of judges representing all levels of the judiciary, and from all regions of Kosovo. One position on the KJA Managing Board is reserved for a judge from the ethnic Serbian community, and another from the international community.

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<sup>5</sup> In 2005, the ABA's RIBA project conducted a baseline assessment of the KJA using the same numerical scale. Nine judges were asked to complete the assessment worksheet, and scores were totaled. The 2005 KJA Assessment is attached.

There are five branches of the KJA, and each branch has its delegates who vote on the managing board members for four year terms. Each branch has their own meetings and each branch has its own assembly and membership.

The following committees exist: fundraising; *praktikant*; human resources; disciplinary; seminars and conferences; administrative issues; criminal law; civil law. The last two are for experts who can draft laws and or comment on laws. There is also an editorial board that produces the Bulletin. Most of these committees meet on an ad hoc basis only when necessary.

**The mission of the KJA is focused “on the protection and enhancement of judges’ interests and advancement of the judicial system through building an independent and impartial judiciary system based on rule of law and protection of human rights”.** The KJA has focused on judicial education and professional development of its members. To such a purpose representatives of the organization participated in the *Regional Conference of Kosovo, Macedonia and Montenegro Judicial Associations on Strategic Planning*, sponsored by the American Bar Association/Rule of Law Initiative (ABA-former ABA/CEELI), in Skopje, Macedonia, March 2002. As a result of this

conference the organization engaged more firmly in the process of drafting their first strategic plan and implementing its activities in practice more efficiently. In addition, the KJA sponsored in cooperation with the ABA and the Kosovo Judicial Institute (KJI) a series of round-table discussions with Kosovar judges who had participated in study visits to different European countries and the United States of America. The KJA also pursued advocacy activities related to judicial appointments by international organizations (UNMIK); improvement of judicial staff work conditions and security of judges through press statements that were published in major daily newspapers of Kosovo, such as *Koha Ditore* and *Bota Sot* in the beginning of 2003.

The KJA hired their first staff member, an administrator – Ms. Kadrije Brajshori in 2003 and completed an ABA/RIBA assessment in 2005.

The KJA has collected a modest number of periodicals and journals for a professional library for judges in Kosovo; has implemented a Judicial *Praktikant* Program supported by ABA and USAID; and with financial and professional help of the ABA and USAID, the Finish Committee for Human Rights, International Committee of the Red Cross and KFOS (SOROS) is publishing a free quarterly Bulletin for all KJA members and partners.

The KJA cooperates closely and is professionally engaged with the Kosovo Chamber of Advocates. Following an initiative of the ABA and Mr. Michael Greco, former ABA President, in 2005, the KJA implemented successfully a project of bench-bar roundtables in cooperation with the Kosovo Chamber of Advocates. As a result there were roundtable discussions on issues of concern to both lawyers and judges in all five regions of Kosovo.

In late 2006, the Kosovo Judges Association (KJA), with ABA assistance, recruited and hired Ms. Lumnije Krasniqi as their first executive director. The Advocacy Training and Resource Center (ATRC) organized a workshop for the KJA on strategic planning, which resulted in a draft 3-year plan that is currently being vetted by KJA membership. The KJA also developed a draft plan for conducting advocacy efforts. Under the leadership of their newly appointed director, the KJA developed and submitted project proposals to the Open Society Foundation and to the Advocacy and Training Resource Center (ATRC). Both proposals were subsequently approved.

In addition, in 2007 the KJA in cooperation with the Kosovo Chamber of Advocates and sponsored by Advocacy Training and Resource Center (ATRC), has engaged in an advocacy project on anti-corruption. As part of this project, the KJA has jointly with other project partners staged several roundtable discussions in different centers of Kosovo, with participants representing judges, lawyers and prosecutors' communities. The roundtables have attracted significant attention by national media receiving broad coverage in both news editions and live shows, where representatives of sponsor organizations would talk about corruption related issues. The project is on-going.

The KJA works closely with local and international organizations that contribute to support the judicial system and its role in society. Most significant organizations that the KJA has cooperated with on different projects have been: the International Committee of the Red Cross, the Finnish Committee on Human Rights, the Open Society Foundation, Advocacy and Training Resource Center (ATRC), and the ABA – the United States Agency for International Development. There is good cooperation between the KJA and the ABA, the National Centre of the State Court-NCSC, and the KJI.

### **Findings & Suggestions/10 Reviewed Components**

**Strategic Plan:** The KJA engaged the Advocacy and Training Resource Center (ATRC), a local NGO, to conduct a three-day workshop on strategic planning in Ohrid, Macedonia. The purpose was to develop a new three-year strategic plan following up on the first strategic plan of 2002-2005. The workshop was held November 14 - 17, and attended by 17 judges from the five regional districts, and two administrative staff members. A member of the ethnic-Serbian community also attended the workshop. At the end of the workshop, participants had produced the first draft of the KJA Strategic Plan for 2007-2009. The draft includes an amended mission statement; job descriptions for the executive director and administrator; and expresses the KJA's commitment to advocacy and lobbying and anti-corruption activities. The workshop was moderated by two ATRC trainers. It was agreed that the vetting and implementation of the strategic plan will be monitored jointly by KJA staff, ATRC trainers and the ABA.

The KJA continues to refine the draft strategic plan 2007-2009 to make it ready for vetting and discussion with the membership - after which it is expected the draft will be approved. The KJA leadership, including President Huruglica and Lumnije Krasniqi, Executive Director, and ABA staff, held a follow up meeting in February 2006 with representatives of the ATRC to further improve the draft. In the meeting there were further detailed the sections of the strategic plan draft dealing with the practical activities of the KJA. More concretely, each activity was detailed by ascertaining responsible persons/bodies to conduct these activities, timelines and tentative budgets. The ABA continues to provide suggestions for improving the draft plan, and is in discussions with the KJA concerning completing and vetting the draft.

*Suggestions:*

- The KJA needs to complete the draft of the plan and vet it through their membership without allowing much more time to lapse. The first draft of the plan was completed in January, and as it is now nearly June they are letting too much time go by without seeing any progress.
- The KJA should ensure that the strategic plan includes: advocacy and lobbying on behalf of their members – this is a clear priority for members. The draft should also include: combating corruption within the profession; prioritizing the recruiting and retaining of women and minorities to the profession; and ways to continue and improve on the *Praktikant* project.
- The KJA should use the strategic plan to mobilize and re-energize their membership by vetting the plan so that members know what the KJA is doing and messages are conveyed to them. This will serve to inform the membership as to the priorities of the KJA.
- The KJA should continue a dialogue with the Kosovo Judicial Institute to assess training needs and coordinate activities.
- The KJA and International Judges should continue to explore opportunities for International Judges and local judges to meet and mentor one another.

**Governance:** The KJA has a nine member management board, consisting of judges representing all levels of the judiciary, and from all regions of Kosovo. One position on the KJA Managing Board is reserved for a judge from the ethnic Serbian community, and another from the international community. There are five branches of the KJA, and each branch has its delegates who vote on the managing board members for four year terms. Each branch has a president as well as board members. Each branch has their own meetings and each branch has its own assembly and membership. Although each branch conducts their own meetings on a regular basis, rank and file members do not know what takes place during these meetings. The regional meetings tend to include the branch president and board members only, and not rank-and-file members.

The following committees exist: fundraising; *praktikant*; human resources; disciplinary; seminars and conferences; administrative issues; criminal law; civil law. The last two are for experts who can draft laws and or comment on laws. There is also an editorial board that produces the Bulletin. Most of these committees meet on an ad hoc basis.

*Suggestions:* Overall, the governance of the KJA is doing well. Statutes exist and are adhered to; leadership is shared and appears to be functioning in a democratic way; board and staff have distinct roles (although these roles may not be clear to all); committees are in place, and meetings are conducted regularly. It is suggested that board and staff have **position descriptions to clearly define and differentiate their roles**, ie., what is the role and what is expected of managing board members; what is the role and what is expected of the regional branch presidents; what is the role of staff vis-à-vis board members? Committee chairs and members should also have position descriptions, to clearly define roles of particular committees and what will be expected of them. **Roles, responsibilities, and expectations need to be clearly communicated to all members.** It is also suggested that the KJA attempt to fill the vacancy of the position for an international judge to be on their managing board.

### **Project Design & Implementation:**

- **Bulletin Publication:** The KJA has already taken some promising steps to build its communications capability. Through its Editorial Board, the KJA has produced several issues of its Bulletin and enhanced its content, simultaneously raising the profile of the KJA as an institution and disseminating information about legal developments. The KJA has taken full advantage of a training program in desktop publishing offered by World Learning. The Editorial Board has sought out contributors of articles, and instituted regular publication of columns on ethics. The Bulletin is frequently cited as one of the best projects of the KJA, and is often the only way that members receive KJA information.

In order to increase the publication capacities of the KJA, the KJA Bulletin Editorial Board, in cooperation with the ABA, sponsored a half-day workshop on Publication of Newsletters. The workshop featured a comprehensive presentation on journalistic and publication issues by Mr. Dan Webster, a journalism professor at Gonzaga University, Washington, USA. During the half-day presentation on November 10<sup>th</sup>, Mr. Webster shared his experience and some of the major challenges that journalists and publishers encounter in the course of publication.

#### *Suggestions:*

- **Content** – consider including articles on the KJA, project updates, etc. Since the Bulletin is often the only way members hear from and learn about what the KJA is doing, it should include more information on the KJA;
  - **Distribution** – consider wide-spread distribution among lawyers and Ministry of Justice officials, Media, etc. The Bulletin can be used to promote the KJA to various audiences, and to various media;
  - Use of media – consider working with the media to expand the Bulletin's reach; and the reach of the KJA itself and its messages;
  - **Frequency** – consider publishing the Bulletin more often. Again, members repeatedly stated that this is one of the best projects of the KJA, and if they produced it more often it could assist with self-promotion and member awareness.
- **Advocacy & Lobbying:** The KJA organized, in cooperation with the ABA, a two and one half-day training on Advocacy and Coalition Building, December 2006, in Skopje, Macedonia. The workshop was also moderated by the ATRC, and was attended by 15 judges, and the KJA staff. At the training, the participants decided to focus their upcoming advocacy and lobbying activities on the status and employment rights of judges, and they identified a number of priority issues of concern for judges - including the vetting and selecting of new judges, social position and employment rights of judges. Implementation of the KJA's advocacy efforts will be monitored by the KJA staff, the ATRC trainers, and ABA.

**Bench/Bar Summary:** In late 2005, then ABA President Mr. Michael Greco, agreed with the Kosovo Chamber of Advocates and the Kosovo Judges Association that it was important for both associations to develop joint activities around issues of common concern. The idea of creating a formalized Kosovo Bench-Bar was discussed, and the first Bench-Bar Roundtable Discussion was held in Pristina in December, 2005, presided over by Mr. Greco. Since then, four additional Bench-Bar Roundtables have been held in each region covering

specific topics identified by a joint Bench-Bar working group. Each roundtable focused on two topical areas, and recommendations and conclusions were drawn from each session. In June 2007, the Kosovo Bench-Bar working group hosted the sixth and final conference in Pristina, bringing together the key stakeholders in the judicial system to hear the outcomes of the 5 regional roundtables and the joint advocacy agenda created from the roundtables, and the roles for the associations in reforming the legal system in Kosovo.

Advocacy agenda summary: One of the outcomes of the Bench-Bar Roundtable Discussions was the further refinement of advocacy agendas by both associations. The KCA and the KJA took into consideration several sources for inclusion into their priority action-agendas that were initiated with their December 2006 ATRC workshop: the Bench-Bar Discussions; the factors from the *JRI* and *LPRI*; and informal polling of their respective memberships. Both associations have begun to speak out, make statements, and televised appearances on behalf of their memberships for these important issues.

*Suggestions:* See Below under Advocacy & Lobbying.

- ***Praktikant:*** The *Praktikant* Project is a professional skills-building and development project combining formal training and workshops with an internship with a practicing lawyer or judge. Completing a one-year *Praktikantship* is a requirement for law graduates before they can sit for the bar examination. Since 2002 when the *Praktikant* project began with the KCA, 104 law graduates have completed the course. With ABA assistance, the KCA has produced 74 *Praktikants* (20 in 2002; 20 in 2003; 20 in 2004; 10 in 2005; 4 in 2006). With ABA assistance, the KJA produced 30 *Praktikants* (5 in 2003; 5 in 2004; 20 in 2006). In 2005, the KCA adopted this activity as their own, and continue to fund this using their own resources.

In year 1 of the ABA's current workplan, the ABA committed to supporting 5 *Praktikants* for the KJA's project. This number was subsequently increased to 20. Because of this, the ABA spent more than twice what it anticipated spending on this project over the course of the 2 year extension of the cooperative agreement. A practical decision was made not to support any *Praktikants* for the 2<sup>nd</sup> year as it would detract funding from and thus threaten the completion of other workplan targets. (Not sure if we want to include this paragraph)

The ABA wants to encourage the long-term continuation and sustainability of this project, and will make the *Praktikant* Project a priority for the KJA and the KCA by assisting the associations develop a joint/common approach and explore possible avenues for financial support.

- **Continue to make the *Praktikant* project a priority; commence discussions** with KCA, KJC, Ministry of Justice, and the ABA on developing a joint/common approach to the *Praktikant* project.

**Financial Planning & Management:** The KJA conducted an internal audit this year, and was pleased at the results. They concluded that funds were being used as agreed, and appropriately. Finances were in order, and files, including expense reports, budgets, tax reports, and other financial documents are regularly updated and kept in proper filing.

*Suggestions:*

Continue with periodic internal audits.

**Human Resource Management:** Staff of the KJA do receive social benefits, and point to this as an incentive for being employed by the KJA. KJA members receive many opportunities for trainings, workshops, travel, but they may need to revisit the selection process for how members are chosen to participate. Staff members do not necessarily have the same professional development opportunities as board members. The hiring of the KJA's first executive director has led to all around improvements in the management of the KJA.

*Suggestions:* **Staff should be encouraged to participate in their own training and workshops leading to their own professional development**, as it relates to their roles with the association. Time-management, project design and implementation, and budgeting are some workshops that staff would benefit from, but also membership development and outreach. The KJA would benefit from having staff speak, read, and write effective Serbian.

The KJA needs to revisit their process for selecting members to participate at events, workshops, trainings. Many members feel that the process is unfair and that only a few are continually and repeatedly chosen for these "benefits". The KJA needs to **review and possibly revise their process**, and then **communicate it clearly to their members**. It is possible the members don't understand or know the process, and again, it is up to the KJA to clearly communicate it to them. Currently, staff share office space with the ABA. ABA staff should be advised to spend consistent and regularly allotted time with the KJA to ensure transfer of skills and experiences. When the KJA appoints its own office space, the ABA should consider seconding appropriate staff to the KJA for continued and increased transfer of learning.

**Operational and Systems Management:** Internal communication appears to be a weak point in the KJA's development. Rank-and-file members know the president of the association, but many could not state with any certainty the names of other executive board members. Most members know their regional leaders, and know that they meet on a regular basis, but could not really say what took place during those meetings. The average rank-and-file member receives no communication from the central office and/or KJA leadership beyond the Bulletin, and most could not say with certainty what the KJA was doing. Most members say they participate in one or two meetings per year, mostly at the regional level. External communication is slightly better, and the KJA is willing to share information and discuss issues with other organizations.

Current office sharing facilities are used well, and the KJA has been sharing space (at no cost) with the ABA since their beginning. This will change this year, however, when the KJA will relocate. This will cause some stress for the KJA staff, since they frequently

all on ABA staff for assistance (see above comments). It could also cause financial strain on the KJA.

KJA staff could probably manage their time better. Staff noted that their situation would improve greatly, and the KJA would function much better, if five more staff were added. This usually indicates a time management issue more than a real need for additional staff.

*Suggestions:* In order to improve internal communication, it is suggested that **regional branch presidents be invited to participate and observe monthly managing board meetings**. In this way, the branch presidents would be armed with complete and timely information coming directly from the board, and will be able to relay this information back to their respective regional boards. **Regional boards should meet regularly** for both discussing their own agendas but also for relaying managing board messages to them, and **invite the rank-and-file membership** to participate and observe. This will facilitate improved communication for the membership.

***Fundraising:***

***Dues Collection:*** The new leadership of the Pristina Branch of the KJA has pursued collection of membership dues with remarkable vigor. Ms. Biljana Rexhiq, the new Chairperson of the Pristina Branch, has during the second half of September 2006 visited most of the Pristina region judges accompanied by the KJA Administrator. During these one-on-one interviews, Ms. Rexhiq emphasized the importance of paying membership dues and of actively engaging in other KJA activities. The KJA leadership and ABA Staff believe that if Ms. Rexhiq continues with such enthusiasm and vigor in motivating the Pristina Branch, it will have a positive ripple effect on the functioning of the KJA. She could be a model of Branch Leadership and how dues are collected.

***Proposal Development:*** With technical assistance provided by ABA staff, the KJA drafted a project proposal on international human rights instruments and norms and their application in domestic legislation. The 6,980 Euros project proposal was submitted to the Open Society Foundation and was approved. Through this project, the KJA will conduct seminars for all Kosovo judges, to examine issues related to international human rights and their applicability in Kosovo courts.

The KJA proposal on Transparency and Anti-Corruption in Kosovo's Judicial System was formally approved by ATRC and USAID, and the 25,000 USD project began. Implementation of this project is expected to significantly contribute to the further development of KJA's organizational capacities. It could also increase the profile of this organization before the Kosovo public and other KJA stakeholders. The activities planned to be implemented within the project would contribute to the more efficient fighting of corruption among the judiciary, which in turn would increase the credibility of the Kosovo judiciary before the public.

***Donor Meetings:*** In a separate development, representatives of the KJA, arranged with the assistance of ABA staff a meeting with the UNDP. The aim was to discuss possibilities of the UNDP to fund KJA activities. According to Lumniqe Krasniqi, KJA Executive Director, the UNDP may consider funding some KJA activities in the near future.

The UNDP reportedly promised to keep in contact with the KJA and in the meantime will begin to search for opportunities to fund KJA activities. The KJA also developed and submitted a proposal to the Westminster Foundation in England, but the proposal was

rejected.

*Suggestions:*

The KJA should **prioritize developing a reliable funding strategy** that recognizes that the KJA has only limited capacity to generate income and become financially sustainable. This strategy must take into account the fact that judges and the KJA are constrained by ethical considerations from raising money in conventional ways, such as fundraising events or selling publications. Judges and the lawyers and litigants who appear before them may use such contributions or payments as bribes. They may give the appearance of impropriety, even if they do not in fact amount to bribery. Consequently, the KJA has only three potential sources of funds: dues, government allotments, and contributions from international donors. Judges consider their salaries to be inadequate and some do not pay even the small amount of dues currently in force. Use Pristina Branch as an example of dues collection; consider approaching private companies;

Dues are 30 euros per year; there are 313 judge members. Total they could collect is over 9,000 euros per year. The total they do collect currently is between 2,000 and 3,000 euros annually. KJA must be more aggressive in the collection of dues – doing so would enable the KJA to pay their annual rent as well as other expenses. Many members stated a willingness to pay higher dues if the KJA was really working for them and could demonstrate it.

**Media, Public Relations and Marketing:** Some, but far from many, members knew that the KJA has prioritized issues, made a written statement for the media, and appeared on a television talk show to discuss these issues. This was done in March, but little has been done since, and most members have no idea that this is taking place. This is the type of activity that would gain greater support among members if they knew about it. This is precisely the type of activity most members wish to see the KJA conducting. Lobbying for improved conditions on their behalf and making sure the membership knows it will go a long way in improving member relations and increasing their confidence in the KJA.

*Suggestions:*

The ABA will encourage the KJA leadership to **designate a spokesperson** and build an ongoing capability for media relations and public outreach.

KJA **media** work needs to be directly **tied with their advocacy** work – recent statement and television appearance is a good example – but it needs to be sustained efforts over the course of a year, not just a one-off activity.

The KJA should track media reports about judges and the judiciary, and be prepared to respond if needed.

**Advocacy & Lobbying; Constituency-Building; and Membership Development:**  
Also see above in Project Design & Implementation section.

*Suggestions:*

The KJA and its Legislative Committee need to take a leadership role in reviewing current and draft laws and commenting on proposed laws that may affect the judiciary. This should be incorporated into their advocacy agenda.

The KJA should also develop the capability to lobby on issues such as higher salaries, suitable staff, technology and other administrative and operational support needed for a properly functioning court system. This should also be incorporated into their advocacy agenda.

The KJA has increased its cooperation with the KJC which is seen as a positive move. KJA should consider increased cooperation with the KCA and the Prosecutor's Association.

The KJA could learn more from being involved with other international organizations including judges associations from other countries – what about Serbia's JAS?

**Gender & Minority Participation:** All interviews noted that the KJA provides for equal opportunities for the participation and advancement of women and minorities, and cite workshop participation as an example. Some members said that the KJA has lost some of their ethnic-Serbian membership, and that the KJA will need to get to these former members to convince them of the benefits of being a member.

*Suggestions:* The KJA should prioritize this activity and include it in the current draft of their strategic plan. The KJA should work closely with the KCA's committee on gender and minorities to develop appropriate activities jointly. As noted above, the KJA would benefit from staff having effective Serbian language skills. Also, the KJA needs to provide proper translation to their ethnic Serbian members – this includes all written documents as well as meeting translation. Until this happens, the KJA cannot expect serious participation on the part of ethnic Serbians.

## **Conclusion**

The KJA has begun to realize its potential in the last year, but requires continued capacity-building assistance. Until 2006, the ABA worked to increase the basic capacities of the KJA through the RIBA program. The ABA has shifted its focus of its work to help the KJA muster its resources and make a more concerted effort to establish its role as the leading voice for the judges of Kosovo, to work to build an independent and fair judicial system and to improve the public's confidence in the judiciary.

The KJA has made progress and is now in a position to vigorously take up the cause for an independent, fair and transparent justice system that is based on the rule of law. The ABA will encourage the KJA to join forces with the Kosovo Chamber of Advocates (KCA), and perhaps the Prosecutor's Association, to promote and defend a strong, fair, effective and independent legal and justice system in Kosovo, and to focus and intensify their efforts to become more effective forces for change. The ABA will work with both the KJA and the KCA to improve their public advocacy, outreach and lobbying capabilities and to assume a more active and prominent role in the discourse among institutions involved in the justice sector and the advancement of the rule of law.

The ABA is encouraged that the President of the KJA has shown enthusiasm for creating a more robust organizational structure and focus. Two full-time staff members – an administrator and programmatic director provide much-needed support to the KJA leadership to manage the organization, its projects and finances on a day-to-day basis.

The devolution of power over the judiciary from UNMIK to local institutions such as the Ministry of Justice and Kosovo Judicial Council, the upcoming vetting of sitting judges and the restructuring of the judiciary have offered the KJA a rare opportunity to promote and to serve the interests of judges as a group. Individual judges have been active in these processes, but they could be more credible and effective if the association were to come together and take collective positions and action.

**Attachments:** One-pager; Interview Questions; Worksheet; and 2005 RIBA Assessment



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