Promoting a Culture of Integrity in the Judiciary

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Office of Overseas Prosecutorial Development Assistance and Training

- 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

Kosovo Prosecutorial Council: Governance of an Institution

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

Diagram:

- Recruitment
- Discipline
- Training
- Council
- Promotions
- Performance
Challenges: Ensuring integrity through processes

Recruitment • Integrity
Training • Ethics
Performance Evaluation

Challenges:
- Ensuring integrity through processes
- Training
- Discipline
- Assignment/Promotion

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