

Human Rights and Communities Department

Legal System Monitoring Section

Monthly Report – June 2009

Insufficient number of judges in Kosovo

The Organization for Security and Co-operation in Europe (OSCE) is concerned by the insufficient allocation of judges to many Kosovo courts. The continuing failure to fully address this problem may amount to a violation of institutions' general obligations under international and Kosovo law. It also has direct adverse repercussions on fundamental human rights such as the right to trial within a reasonable time, the right to an effective remedy, the right to trial before a tribunal established by law, and the right to reasoned decisions.

The OSCE has previously reported on various problems related to understaffing in Kosovo courts.¹ Particularly, it expressed concern over the enormous caseload of some judicial institutions, noted considerable discrepancies in the caseload of judges at same-level courts, and recommended that the appointment of judges be revised in accordance with the average caseload, taking into account the courts' existing backlog.

The international law directly applicable in Kosovo imposes a positive obligation on authorities to appoint a sufficient number of judges, so that justice may be administered "without delays which might jeopardise its effectiveness and credibility".² The Committee of Ministers of the Council of Europe has highlighted the importance of recruiting a sufficient number of judges in order to ensure an efficient and fair judicial system³ and has stated that that "excessive delays in the administration of justice [...] constitute an important danger, in particular for the respect of the rule of law".⁴ The long-established case-law of the European Court of Human Rights (ECtHR) requires authorities to organize their legal systems so as to allow the courts to comply with human rights standards.⁵

Kosovo law provides that the Kosovo Judicial Council (KJC), as the body responsible for the organisation and proper functioning of the judiciary, determines the number of judges in each jurisdiction and makes recommendations for the establishment of new courts.⁶

¹ See the OSCE Report *Seventh Review of the Criminal Justice System (1999-2005). Reforms and Residual Concerns*, March 2006, page 19; see also the OSCE Report *Kosovo – Review of the Criminal Justice System. The Administration of Justice in the Municipal Courts*, March 2004, pages 10, 16.

² See *Katte Klitsche de la Grange v. Italy*, ECtHR Judgment of 27 October 1994, paragraph 61, reaffirmed in *Ferrari v. Italy*, ECtHR Judgment of 28 July 1999, paragraph 21. The European Convention on Human Rights and the corresponding case-law of the ECtHR are directly applicable in Kosovo, see UNMIK Regulation 1999/24 on The Applicable Law in Kosovo, section 1.3.(b); see UNMIK Regulation 2001/9 on A Constitutional Framework for Provisional Self-Government in Kosovo, section 3.2(b); see also articles 22(2) and 53 of the 2008 Kosovo constitution.

³ Committee of Ministers of the Council of Europe, Recommendation No. R (94) 12, principle III.1(a), 13 October 1994, *On the Independence, Efficiency and Role of Judges*.

⁴ Committee of Ministers of the Council of Europe, Resolution DH (97) 336, 27 May 1997, *Length of civil proceedings in Italy: supplementary measures of a general character*.

⁵ See *Zimmermann and Steiner v. Switzerland*, ECtHR Judgment of 13 July 1983, paragraph 29.

⁶ Law No. 03/L-123 on the Temporary Composition of the Kosovo Judicial Council, adopted on 16 December 2008 and applied as of 1 January 2009; Section 1.7, UNMIK Regulation No. 2005/52 on the Establishment of the Kosovo Judicial Council, of 20 December 2005.

The total number of Kosovo judges currently stands at 291. District courts have, on the average, eight to nine judges with Prishtinë/Priština district court being an exception, with 18 judges. Prishtinë/Priština district court has a much larger territorial jurisdiction which covers approximately one million people. Municipal courts normally have between four and 13 judges (again, with Prishtinë/Priština municipal court as an exception, with 26 judges). Minor offences courts have between two and ten judges.⁷

Despite the ECtHR case-law's clear requirement of the appointment of a sufficient number of judges, many Kosovo courts still struggle with an insufficient number of judges. Moreover, there are considerable discrepancies in the case-load which different judges of same-level courts face. The understaffing of some courts and the case overload of some judges raise serious concerns as to the institutions' compliance with their above-stated general obligation. This also has a negative impact on the enjoyment of a series of fundamental human rights by all Kosovo inhabitants.

Human rights violations resulting from an insufficient number of judges

Having an insufficient number of judges may lead to a series of human rights violations. Rights which may be violated include the right to trial within a reasonable time, the right to an effective remedy, the right to a hearing before a tribunal established by law (i.e., in accordance with the law), and the right to reasoned court decisions.

A. The right to trial within a reasonable time and to an effective remedy

Many of the judges interviewed by the OSCE have complained that the lack of a sufficient number of judges causes considerable delays in the handling of both criminal and civil cases.

To a certain extent, delays in the handling of cases are unavoidable in courts which are severely understaffed, and are therefore not necessarily imputable to individual judges. Court proceedings cannot be expedited at the expense of other fair trial standards.

The OSCE has previously reported on the violations of both domestic and international human rights law that occur when criminal proceedings and trials last unreasonably long, such as prolonged detentions on remand, and delays in the confirmation of indictments, scheduling of trial hearings and issuing rulings, decisions and judgments.⁸ In this respect, the situation is particularly troublesome in the Mitrovicë/Mitrovica region, where the

⁷ For the exact number of existing/foreseen judges in each Kosovo court, consult Annex 1 on page 8.

⁸ See, for instance, the OSCE Report on the *Review of the Criminal Justice System (1999-2005). Reforms and Residual Concerns*, March 2006, pages 45-47.

problem is further compounded by the non-functioning of the judiciary and prosecution service in region's northern municipalities.⁹

The OSCE has also noted with concern that courts in civil cases sometimes fail to proceed on the proposal of the creditor in a timely manner.¹⁰ The effective implementation of court decisions is implicit in the guarantee of the right to a fair trial. An insufficient number of judges impedes this implementation.

The right to a fair trial is also linked to the guarantee of the right to an effective remedy before a national authority for violations of rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).¹¹ The European Court has found that a violation of the right to an effective remedy may exist when the domestic system does not provide for adjudication of an alleged violation of one of the convention rights before a domestic authority within a reasonable time.¹²

Prolonged delays in the handling of cases, besides being a problem in and of itself, may further hamper courts' overall ability to properly establish the truth, as delays can also affect the availability and reliability of evidence. *In extremis*, it may even lead to the prescription of cases, especially in minor offences cases, where the statute of limitations is relatively short.¹³

B. The right to a tribunal established by law

An insufficient number of judges can also lead to situations where courts are unable to establish a panel as required by law, thus violating the guarantee of a "tribunal established by law" contained in article 6(1) of the ECHR. In some courts which are particularly seriously understaffed, it may be impossible in practice to follow the procedural rules on the composition of judicial panels or rules on the disqualification of judges.

This issue affects Kosovo courts at all levels, from the highest to the lowest. The Supreme Court of Kosovo, for instance, at the time of the writing of this report had 14 judges; that means that the court cannot currently establish three five-judge panels at the

⁹ For more details on the various human rights concerns arising from the non-full functioning of the judiciary and prosecution service in the Mitrovicë/Mitrovica region, see the OSCE Report on *The Mitrovicë/Mitrovica Justice System: Continuing Human Rights Concerns and Recent Developments (LSMS Monthly Report for December 2008)*.

¹⁰ See the OSCE Report – *Legal System Monitoring Section Monthly Report – September 2007*, pages 3-4. See Article 5.1 of Law No. 03/L-008 on Executive Procedure, adopted 2 June 2008, which states that in an executive procedure, "the court has a duty to act with urgency". See also the similar language of the previous law on executive procedure, Article 2(1) and 10(1), Law on Executive Procedure, Official Gazette of the Socialist Federal Republic of Yugoslavia, 21 April 1978, No. 20/78, which required the court to proceed instantly upon the proposal of the creditor.

¹¹ Article 13, ECHR.

¹² See *Ekonomi v. Greece*, ECtHR Judgment of 2 July 2009, paragraph 23.

¹³ Article 27 of the Law On Minor Offences, Official Gazette of the Socialist Autonomous Province (SAP) of Kosovo No. 23/79, provides for a one-year relative prescription and a two-year absolute prescription for the prosecution of minor offences.

same time¹⁴ and some judges have to sit on as many as six different panels in the course of one day.

Courts which have only one or two judges¹⁵ are in an even more difficult situation. It is axiomatic that in such courts it is impossible to form a three-judge panel – despite the fact that the law clearly requires the formation of such panels for specific matters.¹⁶ Cases requiring three-judge panels which come before these courts have to be transferred to other courts, which have at least three judges. In courts that have only one judge, that judge must transfer the case to another court if the law requires him to disqualify himself for some reason. Although the law sets clear and mandatory rules for the disqualification of judges in some cases, in the courts that have only one judge, if that judge has to disqualify himself or herself, the case must be transferred.¹⁷

C. The right to reasoned decisions

It is a fundamental principle of law reflected in both international and domestic law that court decisions must be clearly drafted and supported with relevant and sufficient reasons.¹⁸ This requirement is particularly exacting in regards to rulings on detention, but should also be followed in all other court decisions, especially verdicts. The adequate reasoning of a decision is necessary for defendants to exercise their right to challenge the lawfulness of a decision with which they disagree, and is also instrumental to ensuring public scrutiny over judicial acts.

Judges working in understaffed courts, faced with a huge caseload, have difficulty abiding by this requirement. There is a risk that judges, in order to observe the legally prescribed time-limits for various procedures, will issue rulings, decisions, and even verdicts which contain insufficient reasoning. Many times, in order to observe the legally prescribed time-limits for various procedures, such judges have little option but to issue rulings, decisions and even verdicts containing insufficient reasoning. The need for

¹⁴ See Article 26 of the Provisional Criminal Procedure Code of Kosovo, promulgated by UNMIK Regulation No. 2003/26, 6 July 2003, with subsequent amendments (hereinafter, Kosovo Code of Criminal Procedure, or KCCP).

¹⁵ For instance, the Kamenicë/Kamenica municipal court has only two judges, one of whom is also the court president. The Podujevë/Podujevo municipal court has only two judges as well. The president of the Dragash/Dragaš municipal court stated that he has been working alone since July 2007.

The Kamenicë/Kamenica minor offences court, as well as the Malishevë/Mališevo minor offence court, have only one judge, who is also the court president. In a July 2009 interview with OSCE, the president of the higher minor offences court informed that there are currently seven minor offences courts in Kosovo which have only one judge, who also performs the functions of the court president. The president also mentioned that the higher minor offence court has only five judges, which means that it cannot establish more than one three-judge panel at a time. This is a problem considering that this court operates as a second instance court for all 26 minor offences courts of Kosovo.

¹⁶ For instance, the Kosovo Code of Criminal Procedure provides that requests for detention on remand, filed as part of the indictment, must be ruled on by a three-judge panel (article 306(4) KCCP). Also, an initial detention on remand can be extended only by a ruling of a three-judge panel (article 285(3) KCCP).

¹⁷ See article 40 KCCP and article 67 of Law No. 03/L-006 on Contested Procedure, adopted on 30 June 2008.

¹⁸ Article 5(3) and 6(1), ECHR. Articles 283(1) and 396 KCCP.

adequate reasoning, on the basis of a thorough analysis of the case, is thus sacrificed for the sake of ensuring compliance with the deadlines set by the procedural law.

Impromptu arrangements in courts as a result of understaffing

In order to duly discharge their duties under the law, and to avoid human rights violations of the type described above, Kosovo judges have to resort to various *ad hoc* arrangements in order to process criminal and civil cases.

For instance, the Gjilan/Gnjilane minor offences court, having five judges, very often “lends” one of its judges to the Kamenicë/Kamenica minor offence court, which has just one judge acting also as the court president. Similarly, a judge of the Vushtrri/Vučitrn municipal court is assigned and is still handling a criminal case belonging to the Skenderaj/Srbica municipal court’s jurisdiction, because the latter court only has two judges.

Furthermore, where courts cannot establish a panel because there are less than three judges working at the court, cases are remitted to nearby courts with a sufficient number of judges. Thus, the Kaçanik/Kaçanik municipal court, as well as the Glllogovc/Glogovac municipal court, when not being able to form a three-judge panel, send their cases to the Prishtinë/Priština district court. The Kamenicë/Kamenica municipal court, having only two judges, sends all cases which involve procedures requiring a three-judge panel to the Gjilan/Gnjilane district court.¹⁹ Such measures, if used, should only be temporary, and are no substitute for the allocation of a sufficient number of judges to each and every court in Kosovo.

Conclusion and Recommendations

Kosovo judges from courts at all levels, from minor offences courts in remote municipalities to the Supreme Court of Kosovo in Prishtinë/Priština, have echoed concerns regarding the human rights violations outlined above. It is extremely difficult for judges who are overloaded with cases to simultaneously discharge their judicial functions, maintain the highest standards of professionalism and legal expertise and engage in adequate continuing legal education and training.²⁰

Severe understaffing may also have wider negative implications. Judges’ inability to adjudicate cases within the prescribed legal timeframe and in full observance of the

¹⁹ Such transfer is allowed by Article 28 of the Law on Regular Courts, Official Gazette of the SAP Kosovo, No. 21/78. This article states that “[i]f within the Municipal Court, because of insufficient number of judges, a panel [...] cannot be formed, the affairs from the competence of this panel will be exercised by the panel of the district court”.

²⁰ Chapter III, A, paragraph 3 of the Code of Ethics and Professional Conduct for Judges.

procedures prescribed by law may deepen public distrust in courts and erode public confidence in the rule of law in general.²¹ People might be less likely to bring their disputes to court if they do not believe that their cases will be heard in a timely manner.

The allocation of judges to Kosovo courts should be based on a careful review of each court's caseload, so as to ensure equal working conditions for all judges and to prevent major disparities between the workloads of judges of various courts.

Many of the judges interviewed by the OSCE said they perceive the judiciary as being the most "neglected", compared to the legislative and executive powers. Some court presidents have indicated that they have complained repeatedly to the KJC petitioning for the allocation of additional judges to their court, but to no avail. Many judges expressed the hope that following the completion of the "vetting process",²² more judges will be assigned to the courts that are understaffed and confronted with huge caseloads.

The Kosovo Judicial Institute (KJI) has attempted to redress the problem of court understaffing through selection and extensive training of candidates for judicial posts.²³ In December 2009, the KJI will graduate its first class of 30 legal professionals who will become candidates for judges and prosecutors. A further class of 56 individuals will begin the KJI's 15-month program in September 2009.

Faced with an ever-increasing caseload, some judges from Kosovo's understaffed courts have made commendable efforts to follow the requirements of the law and to uphold fundamental human rights. However despite these efforts, human rights violations resulting from the insufficient number of judges continue to occur. To prevent further violations, authorities should fully abide by their obligation to assign a sufficient number of judges to all courts in Kosovo. To further strengthen the judiciary, new judges should be appointed to vacant posts, additional judges should be assigned to overloaded courts, and resources should be reallocated among courts according to existing caseload.

To ensure that courts are able to fulfill their mandated task of administering justice in a fair manner and within a reasonable time, they need to be staffed with a sufficient number of judges. In light of this, the OSCE recommends the following:

- The KJC should ensure the appointment of a sufficient number of judges to all Kosovo courts, so as to guarantee to all Kosovo inhabitants an effective right to a fair hearing before a court of law.
- If necessary, a commission could be established, with representatives of judges, prosecutors, and support staff, to assess the real staffing needs of the judiciary in

²¹ Public opinion polls consistently indicate that courts are the least trusted of Kosovo institutions. See the UNDP *Early Warning Report – Fast Facts 24* (April 2009), pages 2 and 5.

²² The "appointment process," which commenced on 13 February 2009, is a one-time, Kosovo-wide comprehensive review of the suitability of all applicants for permanent appointments as judges and public prosecutors in Kosovo.

²³ The KJI is the principal judicial training centre for Kosovo, and has the legislated responsibility to provide professional training for all judges and prosecutors in Kosovo's justice system. See Law No .02/L-25 on Establishing the Kosovo Judicial Institute, adopted on 23 February 2006.

Kosovo, and make a proposal to the KJC, Assembly of Kosovo, Ministry of Justice and the Ministry of Economy and Finance on increasing the number of judges.

- Kosovo courts should closely co-operate in sharing “best practices” on how to best handle a large caseload.
- In order to attract and retain well-qualified jurists in judicial posts, judges’ work conditions should be improved; in particular salaries should be increased and brought in line with emoluments of representatives of the executive and legislative powers.
- The KJC should also provide an environment for judges’ and their support staff to strive for professional enhancement and development through professional and vocational trainings at the KJI.
- The KJC, Assembly of Kosovo, Ministry of Justice and the Ministry of Economy and Finance should continue to support the KJI so that it may increase the number of new candidates for judge and prosecutor it trains each year.

Annex 1. Number of judges in Kosovo courts

Official statistics as released by the Statistics Department of the Secretariat of the Kosovo Judicial Council in *Distribution of Judges According to Each Level of Court*.

	Municipality	Total Number of judges in the court (existing/foreseen)
Gjilan/Gnjilane	<i>Gjilan/Gnjilane district court</i>	6/8
	<i>Gjilan/Gnjilane municipal court</i>	8/11
	<i>Gjilan/Gnjilane minor offences court</i>	5/6
	<i>Kaçanik/Kaçanik municipal court</i>	3/3
	<i>Kaçanik/Kaçanik minor offences court</i>	2/2
	<i>Kamenicë/Kamenica municipal court</i>	3/3
	<i>Kamenicë/Kamenica minor offences court</i>	1/2
	<i>Viti/Vitina municipal court</i>	3/4
	<i>Viti/Vitina minor offences court</i>	3/3
	Mitrovicë/Mitrovica	<i>Mitrovicë/Mitrovica district court</i>
<i>Mitrovicë/Mitrovica municipal court</i>		8/8
<i>Mitrovicë/Mitrovica minor offences court</i>		5/6
<i>Leposavić/Leposaviq municipal court</i>		Court not functioning
<i>Leposavić/Leposaviq minor offences court</i>		Court not functioning
<i>Zubin Potok municipal court</i>		Court not functioning
<i>Zubin Potok minor offences court</i>		Court not functioning
<i>Skenderaj/Srbica municipal court</i>		2/3
<i>Skenderaj/Srbica minor offences court</i>		1/2
<i>Vushtrri/Vučitrn municipal court</i>		4/6
<i>Vushtrri/Vučitrn minor offences court</i>		3/3

Pejë/ Peć	<i>Pejë/Peć district court</i>	8/11
	<i>Pejë/Peć municipal court</i>	8/11
	<i>Pejë/Peć minor offences court</i>	8/8
	<i>Deçan/Dečani municipal court</i>	4/4
	<i>Deçan/Dečani minor offences court</i>	2/2
	<i>Istog/Istok municipal court</i>	4/4
	<i>Istog/Istok minor offences court</i>	3/1
	<i>Klinë/Klina municipal court</i>	3/3
	<i>Klinë/Klina minor offences court</i>	3/2
	<i>Gjakovë/Đakovica municipal court</i>	6/8
	<i>Gjakovë/Đakovica minor offences court</i>	4/6
	Prishtinë/ Priština	<i>Supreme Court of Kosovo</i>
<i>High Minor Offences Court</i>		5/5
<i>Commercial Court</i>		4/4
<i>Prishtinë/Priština district court</i>		18/18
<i>Prishtinë/Priština municipal court</i>		26/28
<i>Prishtinë/Priština minor offences court</i>		9/15
<i>Ferizaj/Uroševac municipal court</i>		6/10
<i>Ferizaj/Uroševac minor offences court</i>		5/6
<i>Gllgovc/Glogovac municipal court</i>		3/3
<i>Gllgovc/Glogovac minor offences court</i>		2/2
<i>Lipjan/Lipljane municipal court</i>		4/5
<i>Lipjan/Lipljane minor offences court</i>		3/3
<i>Podujevë/Podujevo municipal court</i>		3/5
<i>Podujevë/Podujevo minor offences court</i>		5/4
Prizren	<i>Prizren district court</i>	9/9
	<i>Prizren municipal court</i>	13/12
	<i>Prizren minor offences court</i>	10/11
	<i>Suharekë/Suva Reka municipal court</i>	5/4
	<i>Suharekë/Suva Reka minor offences court</i>	3/3

<i>Malishevë/Mališevo municipal court</i>	3/3
<i>Malishevë/Mališevo minor offences court</i>	1/2
<i>Dragash/Dragaš municipal court</i>	1/3
<i>Dragash/Dragaš minor offences court</i>	2/2
<i>Rahovec/Orahovac municipal court</i>	5/4
<i>Rahovec/Orahovac minor offences court</i>	3/3
<i>Total</i>	291/329

Annex 2. Statistics on Kosovo minor offences courts

Official statistics as released by the Statistics Department of the Secretariat of the Kosovo Judicial Council for the year 2008 in *Statistical Report on Work of Minor Offences Courts: 2008 Annual Report*.

	Minor offences court	Total number of judges in the court (existing/foreseen)	Cases accepted	Average number of cases accepted per judge	Cases solved	Average number of cases solved per judge
<i>Gjilan/Gnjilane</i>	<i>Gjilan/Gnjilane minor offences court</i>	5/6	16,721	3,344.2	16,415	3,283.0
	<i>Kamenicë/Kamenica minor offences court</i>	1/2	3,301	3,301.0	2,557	2,557.0
	<i>Viti/Vitina minor offences court</i>	3/4	5,725	1,908.3	6,186	2,062.0
	<i>Leposavić/Leposaviq minor offences court</i>	Court not functioning				
<i>Mitrovicë/Mitrovica</i>	<i>Zubin Potok minor offences court</i>	1	142	142.0	116	116.0
	<i>Mitrovicë/Mitrovica minor offences court</i>	Court not functioning				
	<i>Skenderaj/Srbica minor offences court</i>	1/2	3,474	3,474.0	2,043	2,043.0
	<i>Vushtrri/Vučitrn minor offences court</i>	3/3	6,170	2,056.7	5,363	1,787.7
	<i>Deçan/Dečani minor offences court</i>	2/2	2,953	1,476.5	2,902	1,451.0
<i>Pejë/Peć</i>	<i>Istog/Istok minor offences court</i>	3/1	4,004	1,334.7	4,131	1,377.0
	<i>Klinë/Klina minor offences court</i>	3/2	5,552	1,850.7	5,419	1,806.3
	<i>Gjakovë/Đakovica minor offences court</i>	4/6	8,678	2,169.5	9,058	2,264.5
	<i>Pejë/Peć minor offences court</i>	8/8	12,676	1,584.5	12,639	1,579.9

<i>Prishtinë/ Priština</i>	<i>Štrpce/Shtërpçë minor offences court</i>	1/1	573	573.0	493	493.0
	<i>Ferizaj/Uroševac minor offences court</i>	5/6	19,319	3,863.8	19,422	3,884.4
	<i>Gllgovc/Glogovac minor offences court</i>	2/2	5,948	2,974.0	4,790	2,395.0
	<i>Kaçanik/Kaçanik minor offences court</i>	2/2	3,914	1,957.0	3,699	1,849.5
	<i>Lipjan/Lipljane minor offences court</i>	3/3	8,549	2,849.7	8,362	2,787.3
	<i>Podujevë/Podujevo minor offences court</i>	5/4	8,150	1,630.0	8,376	1,675.2
	<i>Prishtinë/Priština minor offences court</i>	9/15	34,253	3,805.9	37,253	4,139.2
<i>Prizren</i>	<i>Prizren minor offences court</i>	10/11	15,301	1,530.1	17,216	1,721.6
	<i>Suharekë/Suva Reka minor offences court</i>	3/3	5,882	1,960.7	5,916	1,972.0
	<i>Malishevë/Mališevo minor offences court</i>	1/2	4,437	4,437.0	3,879	3,879.0
	<i>Dragash/Dragaš minor offences court</i>	2/2	1,425	712.5	1,460	730.0
	<i>Rahovec/Orahovac minor offences court</i>	3/3	6,714	2,238.0	6,545	2,181.7
Total	80/91	183,861	2298.26	184,240	2,303.00	
High Minor Offences court	5/5	1,876	375.20	1,876	375.20	

Annex 3. General information on regular courts

Official statistics as released by the Statistics Department of the Secretariat of the Kosovo Judicial Council in *Report of 2008: Statistics on Regular Courts*.

Case status:

Court	Number of cases in process during the year 2008	Out of the total number of cases:		Number of cases courts have completed during the year 2008	Number of uncompleted cases at the end 2008
		Number of inherited uncompleted cases in the end 2007	Number of received cases in process during 2008		
Supreme court	6,595	2,889	3,706	4,196	2,399
District courts	20,356	8,993	11,363	10,003	10,353
Commercial Court	2,072	588	1,484	743	1,329
Municipal courts	460,433	15,0595	309,838	278,546	181,887
Total	489,456	163,065	326,391	293,488	195,968

Judges' workload and the average of completed cases per judge.

Number of uncompleted cases in the end 2008 compared to the number of uncompleted cases in the end 2007.

Court	Average of judge's workload with new filed cases per month	Percentage of court efficiency (completed cases/new filed cases)	Average of completed cases per judge for one month	Completed cases		Percentage increase or downsize the end 2008/the end 2007
				At the end of the second quarter 2008	At the end of third quarter 2008	
Supreme court	22	113%	27	2,889	2,399	-16.96%
District courts	23	88%	21	8,993	10,353	15.12%
Commercial Court	34	50%	17	588	1,329	126.02%
Municipal courts	231	90%	208	150,595	181,887	20.70%
Total				163,065	195,968	20.13%