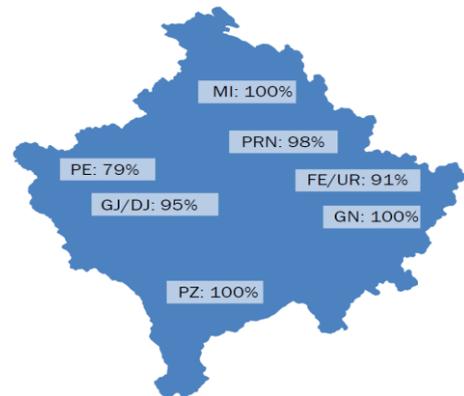


The OSCE Mission in Kosovo (OSCE) supports increased compliance of the justice sector in Kosovo with international fair trial rights and rule of law standards. To assist in this effort, the OSCE regularly monitors and reports on court proceedings. The Justice Monitor is an annual publication of the observations of OSCE monitors in the first instance courts in Kosovo (the Basic Courts), which are divided into the following seven regions: Ferizaj/Uroševac (FE/UR); Gjakovë/Đakovica (GJ/DJ); 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, that would 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)	1082	727
General Department (Civil Cases)	808	575
Serious Crimes Department	1014	499
Administrative Department	223	104
Juveniles Department	100	52
Total	3227	1957

PERCENTAGE OF JUDGES MONITORED*

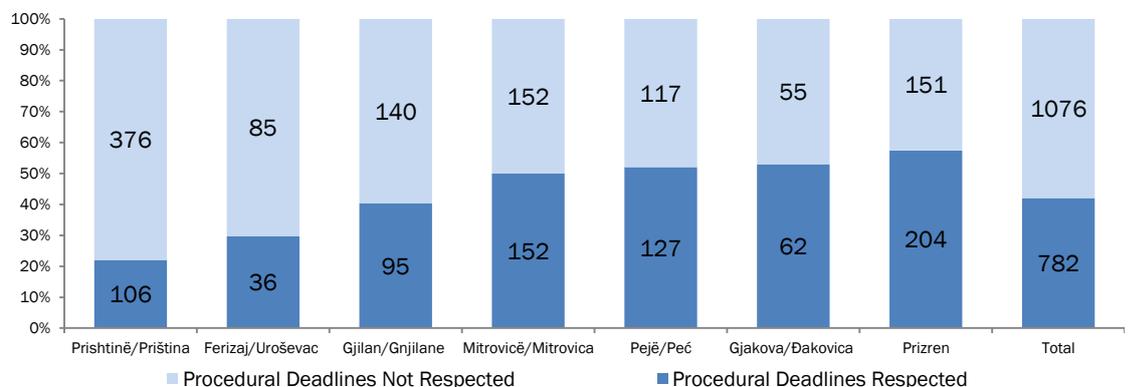


TIMELY TRIAL

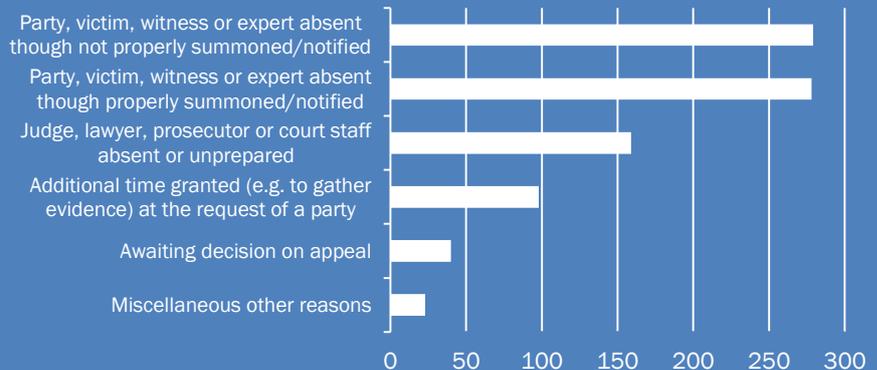
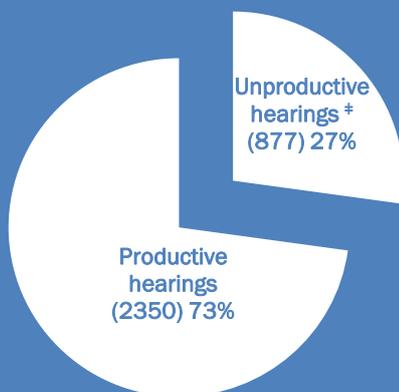
Court Efficiency

In its statistical reports of the courts for the first half of 2015, the Kosovo Judicial Council reported a backlog of 396,603 cases in the Basic Courts. Court Efficiency (defined as completed cases / received cases) was rated at 104.51%. Thus, for every 100 new cases filed, 105 cases were completed. At the end of 2014, the backlog was 403,022 cases and efficiency was 108.85%⁺

RESPECT FOR PROCEDURAL DEADLINES IN CASES MONITORED



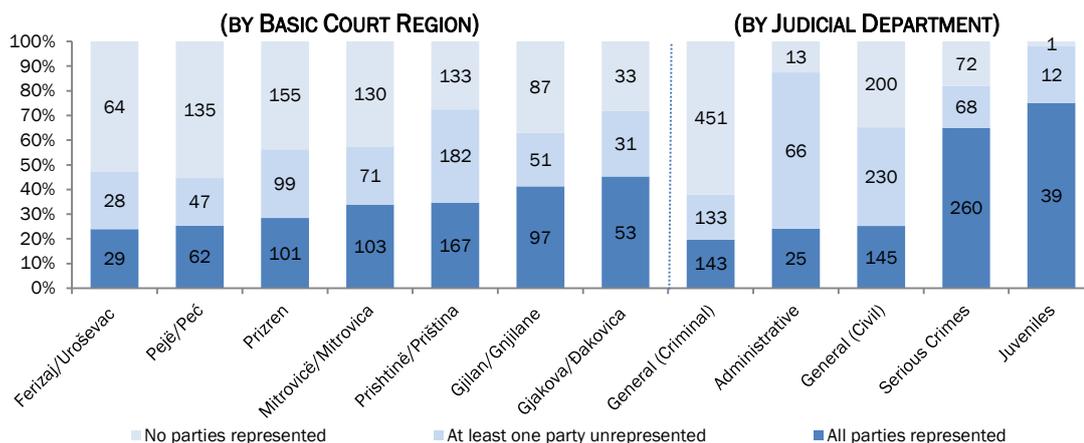
REASONS FOR ADJOURNMENTS IN UNPRODUCTIVE HEARINGS



⁺ Based on the Kosovo Judicial Council's list of judges (dated 18 September 2015), excluding minor offenses and commercial department judges, who were not monitored. Kosovo Judicial Council, "Annual Report 2014"; "Statistical Report of the Courts: 1st half 2015", available at <http://www.givqesori-rks.org/en/kjc/report/list/1>
[†] 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

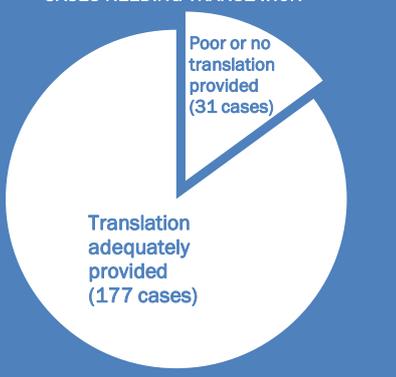
USE OF LEGAL REPRESENTATIVES IN CASES MONITORED



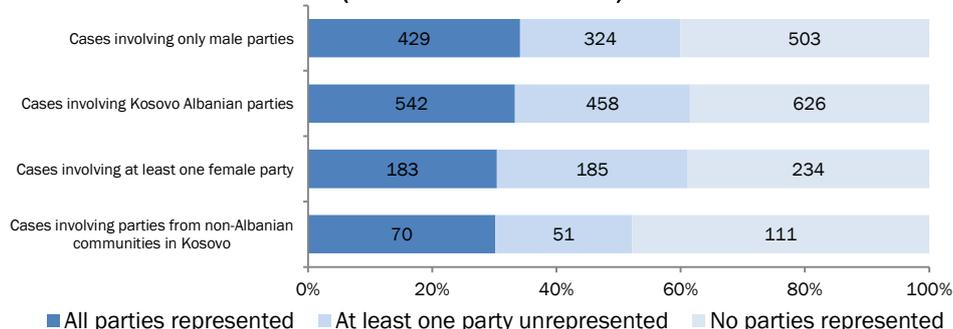
Number of Lawyers

There are 594 advocates registered with the Kosovo Chamber of Advocates, or 33 lawyers per 100,000 residents. In 2014 the European Commission for the Efficiency of Justice evaluated the number of lawyers in 47 jurisdictions. Just one jurisdiction had fewer than 33 lawyers per 100,000 residents.*

CASES NEEDING TRANSLATION



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

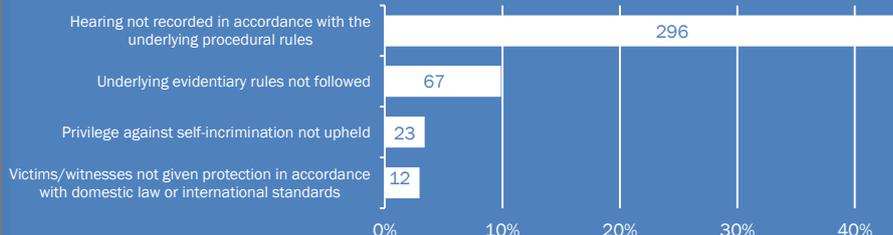


EVIDENTIARY PROTECTIONS

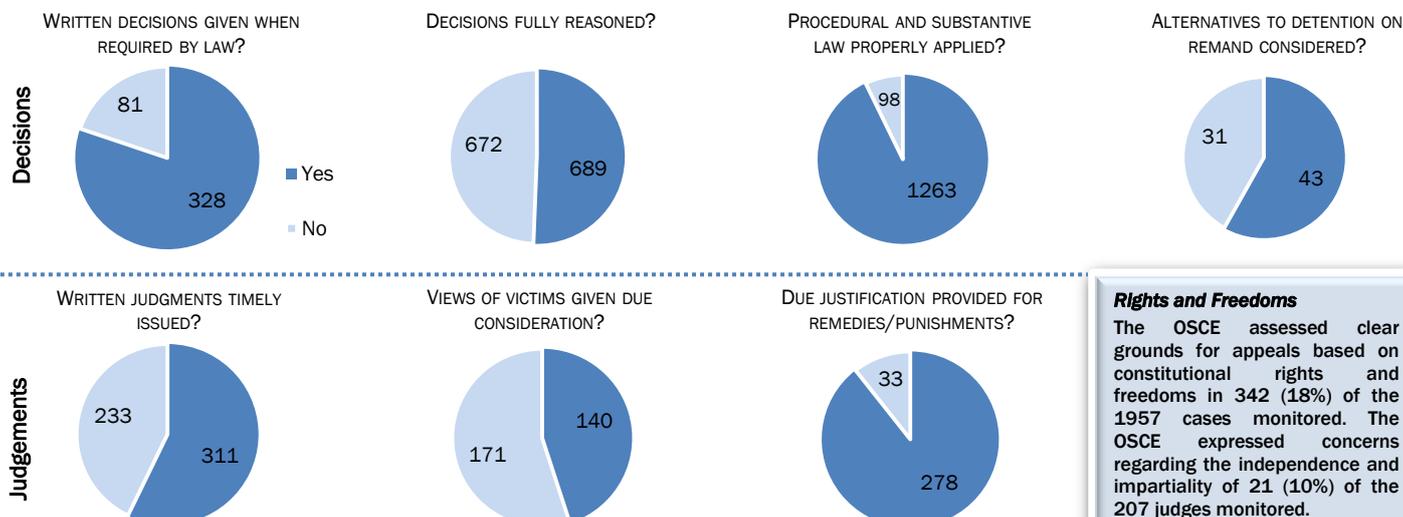
Recording of Criminal Trials

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 699 main trial sessions in criminal cases. 48 such sessions (7%) were audio-visually recorded. Stenographic or verbatim transcripts were kept in 144 (21%) sessions.

CONCERNS OBSERVED IN EVIDENTIARY HEARINGS (679 EVIDENTIARY HEARING SESSIONS OBSERVED)



REASONED DECISIONS⁺



Rights and Freedoms

The OSCE assessed clear grounds for appeals based on constitutional rights and freedoms in 342 (18%) of the 1957 cases monitored. The OSCE expressed concerns regarding the independence and impartiality of 21 (10%) of the 207 judges monitored.

* European Commission for the Efficiency of Judicial Systems, "European judicial systems - Edition 2014 (2012 data): efficiency and quality of justice" available at http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2014/Rapport_2014_en.pdf

+ 544 judgements and 1361 non-judgement decisions (i.e. decisions not dispositive of the underlying case) were observed and analysed during the reporting period.