



**Advice to the KJC  
on the Public Information Office in Kosovo Courts**

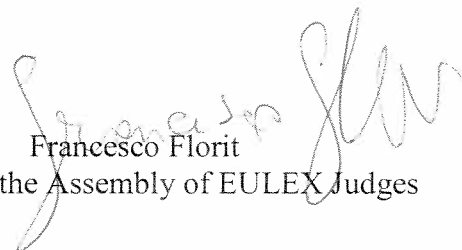
The Assembly of EULEX Judges, on the occasion of the 18<sup>th</sup> Assembly of EULEX Judges, held in Prishtinë/Priština on 29 February 2012, and composed of the following Judges:

Francesco Florit, Martti Harsia, Gerrit-Marc Sprenger, Tapio Vanamo, Piero Leanza, Esma Erterzi, Katerina Entcheva, Alexey Ivanov, Alfred von Keyserlingk, Anders Gunnar Cedhagen, Laura Liguori, Roxana Comsa, Johanna Schokkenbroek, Verginia Micheva-Ruseva, Rositza Buzova, Franciska Fiser, Vladimir Kanev, Hajnalka Karpati, Tore Thomassen, Mariola Pasnik, Anne Kerber, Elka Filcheva-Ermenkova, Cezary Dziurkowski, Vladimir Mikula, Gunnar Oyhaugen, Ingo Risch, Wolfgang Lindemann, Ondrej Pridal, Annemarie Meister, Andrew Hatton, Nuno Manuel Ferreira de Madureira

*with 19 votes in favour*

DECIDES

to issue an **advice to the Kosovo Judicial Council, recommending** that the KJC take the necessary actions to enable the establishment and functioning of a Public Information Office in the Kosovo courts.

  
Francesco Florit  
President of the Assembly of EULEX Judges

**EULEX Kosovo**

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**Annex: Background and Recommendation in detail**



## Annex

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### Background

Currently, it is widespread practice in the Kosovo courts that the parties or the public meet with the judges in their office to inquire about ongoing proceedings and other related matters. This practice not only creates an overburden for the judges, but more importantly generates a perception of lack of impartiality where influence on judges is exerted outside of the transparent and public forum of the courtroom.

The establishment of a Public Information Office is one of the means to guarantee adequate access to court information for the parties and the public. To this end, Chapter VI of the Manual on Court Management and Standard Operating Procedures (hereinafter, Court Manual) foresees the establishment of such an office and describes the roles and duties of the Public Information Coordinator and the communication procedures of the court with the media, the public and justice sector stakeholders.

The EULEX Judges' Unit emphasizes the importance of the establishment of Public Information Offices in the reception area of each court, where a Public Information Coordinator is permanently employed to provide information to the parties and the public. In March 2009, the EULEX Judges' Unit facilitated the establishment of a Public Information Office in the Municipal Court (MC) of Viti/Vitina. Furthermore, an MMA activity was carried out in Kosovo courts, starting in October 2010, in line with EULEX Judges' endeavors to promote the independence of the Kosovo judiciary<sup>1</sup> and to guarantee public access to the Kosovo courts.<sup>2</sup>

In several courts, efforts have been undertaken to enable the establishment and functioning of Public Information Offices. In addition, related initiatives in accordance with the Court Manual were made, such as the distribution of informational brochures about the court system.

However, it appears that Chapter VI of the Court Manual is not being substantially implemented. Only a limited number of Public Information Offices have been established. Meanwhile, in many cases complaints and

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<sup>1</sup> See in particular Advice of the Assembly of EULEX judges to the KJC on different tools to strengthen and protect the independence of the judiciary and Advice to the Courts of Kosovo on the establishment of a proper case allocation system, adopted on 9 December 2009.

<sup>2</sup> See Advice of the Assembly of EULEX judges to the Courts of Kosovo on accessibility to the courts adopted on 23 September 2009.

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requests submitted by the parties are handled directly by the Court President or the Court Administrator and the public receives information at the reception desk of the court. The pilot project in MC of Viti/Vitina had to be put on hold in August 2011 after the Public Information Coordinator resigned and the Public Information Office closed down.

In conclusion, the lack of implementation of Chapter VI of the Court Manual reveals important weaknesses, mainly stemming from budgetary constraints, and difficulties to appoint a Public Information Coordinator due to lack of qualified court staff.

### **Recommendations**

The Assembly of EULEX Judges recommends that the KJC allocates adequate resources for the establishment and functioning of Public Information Offices in line with Chapter VI of the Court Manual and the Law on Courts including the planned regulation on the internal organization of courts as applicable.

The proper functioning of the court information system in full compliance with Chapter VI of the Court Manual will achieve the following goals: preserve the impartiality and independence of the judges, enhance public trust in the Kosovo justice system and improve court management and administration.

The Assembly furthermore recommends that the KJC assists in the re-activation of the pilot project in the MC of Viti/Vitina.

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