

MONITORING, MENTORING AND ADVISING TRACKING MECHANISM

OCTOBER 2010

KEY:

1 :MMA Action progressing

: MMA Action regressing/strong evidence of problems based on available data

: MMA Action stalled/some evidence of problems based on available data

: MMA Action completed

POLICE

MMA Action	Progress Indicator	Comments
	CRIM	E SECTOR
Crime Reduction Strategy	Û	 Good progress has been recorded in the implementation of the MMA Action. Four of the five planned outputs have been achieved: namely, 1. Draft written strategy (to reduce the overall volume of crime and number of certain key crimes, in an effort to reduce crime levels (The Strategy) 2. Staged process of consulting internal/external stakeholders and obtaining their agreement to the draft strategy. 3. Formal ratification of agreed final strategy document by Kosovo Police Director General and Kosovo Police Commanders. 4. Written policy on how to monitor the implementation of the Strategy The completion of the action, requires regular monitoring of the level of implementation of the crime strategy by Kosovo Police through detailed monthly reports.
Intelligence led policing (Merged with Integrated Border Intelligence System MMA Action)	\Leftrightarrow	The implementation progress has been at minimum. None of the planned outputs have been achieved. However, preparations are ongoing on the review of Standard Operating Procedures on handling the use of intelligence and on the delivery of Intelligence led policing briefings in all Kosovo Police sectors.
Kosovo Police Information System	\Leftrightarrow	No progress marked since the launch of MMA actions. This action is stalled. Nothing has been done in establishing a single information system to collect, collate and analyse data regarding all police-related incidents.

Enhanced Directorate of organized crime capability	仓	 Good progress has been recorded in the implementation of the MMA Action. Two out of three planned outputs have been achieved, namely: a fully implemented strategy throughout Kosovo Police Directorate of Organised Crime drive a more proactive approach to organized crime investigation; and a revised organizational structure for Kosovo Police Directorate of Organised Crime that will effectively deliver the intelligence lead policing concept. To conclude the Action, work has to be done on measuring the efficacy of the implementation of the Strategy and evaluation of its impact on Directorate of Organised Crime in Kosovo.
Revised crime statistics (Merged with Common CJS crime statistics database MMA Action)	\Leftrightarrow	This action is stalled pending the Kosovo Police response to the recommendation for adopting a common policy in the recording, collecting and collating reported crimes and crime investigations. In addition the Action is pending the agreement of Kosovo Police management to extend the Case Management Information System platform (in use by Public Prosecutors Offices) to all Kosovo Police Regions.
Victim ethnicity – crime statistics	Û	Good progress has been achieved in implementing this action. The Kosovo Police has now completed the first Output, a detailed Standard Operating Procedure that articulates the new policy of recording the ethnicity of victims of crime. The Standard Operating Procedure was approved by KP Acting Director General on 3 August 2010.
Enhanced forensics techniques	\Leftrightarrow	This MMA action is stalled due to structural changes resulting from the new Kosovo Police setup. Deletion of the Directorate of Forensics from the Kosovo Police official chart practically blocked activities related to the centralized command structure and the following up of the training & certification system.
Team approach – criminal investigations	Û	No progress made since the launch of MMA actions. Its is anticipated that this MMA Action will start implementing only after the initial outputs of Common Criminal Justice System crime statistics database MMA Action are achieved.

Kosovo Police Directorate of Intelligence Analyses as criminal intelligence hub	Ţ	No outputs have been achieved to date. However, work in achieving the first output: The creation and implementation of a revised organizational structure (the Structure) that will place the Directorate of Intelligence Analyses as the undisputed hub of the Criminal Intelligence System within the Kosovo Police is now in progress.	
Proactive drug strategy	⇧	Steady progress has been achieved in implementing this Action. The first of three planned Outputs is now completed, namely: the creation of a common strategy throughout the Kosovo Police primary narcotics authority in respect of a proactive approach to the investigation of drug crime in accordance with the National anti-Drug Strategy and Action Plan. To conclude the Action, work has to be done in completing the following remaining outputs, i.e. Implementation of the Strategy. And Monitoring the implemented Strategy and its use throughout the Kosovo Police primary narcotics authority.	
BORDER SECTOR			
Enhanced border police planning	仓	Good progress has been made on implementation of this Action. The first of three key outputs is completed, namely: the development of an Standard Operating Procedure for planning documents and evaluation reports. The Standard Operating Procedure was approved by Kosovo Police on 25 May 2010. Despite minor delays, the full implementation of the Standard Operating Procedure (second output) is very near to completion.	
Enhanced border infrastructure	⇧	The first of three of outputs has been achieved: namely, a detailed Standard Operating Procedure and related policy document that define the minimum standards that must operate in all police detention areas, as well as a system of internal and external (Police Inspectorate of Kosovo & civil society) audits and inspections to ensure compliance. The completion of output two, a project to fully implement the Standard Operating Procedure and related policy across Kosovo, is delayed as promised improvements to the holding cells were not completed by Kosovo Police since the last field visit (in November 2009).	

Integrated border intelligence system		(Merged with Intelligence led Policing MMA Action)
Enhanced border communications	仓	One of the three outputs, namely: The drafting of Action Plan to improve communications and information flow throughout the KP Border Pillar is completed. The Implementation and Evaluation of implementing the Action Plan remains to be enforced.
Illegal migrant strategy	介	The first output is completed. It consists of an illegal migrant strategy for the Kosovo Police that is based upon and fully implements the new Kosovo laws on illegal immigrants. The Strategy includes Standard Operating Procedures for entry conditions, stay, and access to the labour market for foreigners, according to approved legislation, in parallel with internationally recognized standards and European Union best practices.
Rationalize Kosovo Police Structure	Accomplished	 This MMA Action has been successfully completed and the following outputs have been achieved: Revised Standard Operating Procedures for Kosovo Police Crime, Kosovo Police Operations and Kosovo Police Border that include a properly defined demarcation of operational and support role functions, thereby effectively eliminating any duplication of effort or overlap of functions. Provide assistance to the working group focused on "Revision of the Kosovo Police Structure". Full evaluation of the revised Kosovo Police structure, particularly in respect of role definition, duplication of effort and overlapping of function. Full evaluation of the Standard Operating Procedures implementation phase.

Green-border transfer strategy	仓	Slow progress recorded. No outputs have been fully completed. However, the implementation of the short term strategy has been carried out according to the plans: Transfer of the borders with Albania was carried out in April and the preparations for the next phase (FYROM borders) are currently underway.
	OPERATIO	ONS SECTOR
Enhanced patrol management	⇧	Slow progress recorded. The MMA action has not yet fully achieved any of the planned outputs. However, it is noted that the work has started on the first output: A detailed SOP (and related policy) on shift briefings, including proactive use of local and Kosovo-wide intelligence, targeting policing issues of local concern, directed patrols, monitoring patrols, etc
Annual patrol plans (Police Station level)	√ Accomplished	 This MMA Action has been successfully completed and the following outputs have been achieved: Draft of effective patrol plans for all police stations in Kosovo and all regional stations that includes the legal obligations as per the applicable law. Implementation of the patrol plan Evaluation of the implemented patrol plan
Resource deployment plan	Û	Slow progress has been recorded in achieving the first key output, namely: a functioning incident recording system that defines the categories (and sub-categories) of incidents that regularly require the attendance of Kosovo Police; define the method whereby the data is collected and logged at station/regional levels in place for use throughout the Kosovo Police and Kosovo.

Community policing (Re-designed and subsumed into Annual patrol plans and Enhance patrol Management mirroring the new Kosovo Police organisational-structure)		As part of the restructuring of the Kosovo Police it was decided to redeploy Community Policing Unit officers to station patrol work. It was agreed that the material developed in support of the objective of this Action will be used to enhance structured patrol work, under the Actions Enhance patrol Management and Annual patrol plans. This includes the achievement of one key output: new Terms of Reference for the Kosovo Police in regard to the Community Policing Unit.
Operational support units	仓	Slow but steady progress is ongoing in implementing this Action. None of the planned outputs have been fully completed. However, the first output seems to be on target and work is in progress. The monitoring plan for the implementation of Crowd and Riot Control Concept, the Standard Operating Procedure and the annual training plan have been completed.
Enhanced Traffic Directorate Performance	Û	No progress has been achieved in implementing this Action since the launch of MMA Actions.
Tracking Special Intervention Unit and Improvised /Explosive Ordinance Directorate deployment.	Accomplished	This MMA Action was successfully completed in April 2010 and the following outputs have been achieved: 1) A manual system in place within the Kosovo Police to categorize and record all incidents that require the attendance of Special Intervention Unit and Improvised /Explosive Ordinance Directorate resources. 2) A procedure within the KP that takes advantage of the data collected and recorded to plan resources and evaluate performance of the Special Intervention Unit and Improvised /Explosive Ordinance Directorate resources within the Kosovo Police. 3) A monitoring report on how the System and the Procedure is being utilized.
ADMINISTRATION SECTOR		
Kosovo Police promotion system	仓	Slow progress marked in accomplishing this Action. The first of four planned Outputs has been achieved, namely: establishing a Programme of review and reform of the promotion system within the Kosovo Police.

		Two of three planned outputs have now been achieved: namely, 1. Design and
Enhanced budget administration	Û	implementation of a programme designed to improve the administration of budget and finance within the Kosovo Police organization. This will include development of a long-term strategy, multi-year projects, and a review of the benefits of decentralization. 2. Design and implantation of a curriculum for the training of Kosovo Police managers who are responsible for budget submissions and expenditures. To conclude the Action, work has to be done on Evaluating the implementation of the Programme and the adherence by the Kosovo Police to Programme itself, as well as the usage of the Curriculum.
Enhanced procurement performance	仓	Slow but steady progress has been marked in the implementation of this Action. First of four planned outputs are close to being completed, namely: establishing institutional features of procurement management, consistent with the principles of European best practice, public accountability, transparency, organizational sustainability, the applicable law, the Kosovo Police strategic plan and the Kosovo Budget. This Output is expected to be completed in November 2010.
Sustainable Information Technology staffing	Accomplished	 This MMA Action has been successfully completed and the following outputs have been achieved: 1. Release the main HQ from all not so emergent issues/requests from the regions. 2. Improved supervision, management and sustained control of the IT system. 3. Acquired an effective system of compliance by PC users. 4. Decentralization of services.
Enhanced fleet management	Û	To date no outputs have been achieved. The planned outputs are expected be completed in December 2010, but due to their complexity the Key Tasks/ Outputs are unlikely to be completed on time.
Reform of Capital Expenditure Performance	Û	No progress has been achieved in implementing this Action since the launch of MMA Actions.

Rationalize register database	⇧	Good progress continues to be made in achieving the MMA Action. Two of the four planned outputs have been finalized: 1) Improved collection, evaluation and analysis of information. 2) Approved strategic plan to build an effective and efficient information system for Kosovo Police managers. To conclude the Action, work has to be done in completing the following remaining outputs: Detailed technical specification for new Kosovo Police Information System and Monitor report on how the implementation was conducted and how the Standard Operating Procedure is functioning.
Common Criminal Justice System crime statistics database		Merged with Revised Crime Statistics Action
Improved Public Information in the Criminal Justice System This Action is deferred due to the lack of resources		In addition to the ongoing MMA Actions, Kosovo Authorities and EULEX are committed to incept this MMA Action in order to fulfil the recommendations resented in the EULEX Programme Report 2009. Full description of this Action will be made available once implementation begins.
Joint Strategic Management of the Criminal Justice System This Action is deferred due to the lack of resources		In addition to the ongoing MMA Actions, Kosovo Authorities and EULEX are committed to incept this MMA Action in order to fulfil the recommendations resented in the EULEX Programme Report 2009. Full description of this Action will be made available once implementation begins.
Criminal Justice System Annual Report This Action is deferred due to the lack of resources		In addition to the ongoing MMA Actions, Kosovo Authorities and EULEX are committed to incept this MMA Action in order to fulfil the recommendations resented in the EULEX Programme Report 2009. Full description of this Action will be made available once implementation begins

JUSTICE

MMA Action	Progress Indicator	Comments
	KOSOVO JUD	OICIAL COUNCIL (KJC)
Accountability	Û	The KJC and the Office of the Disciplinary Council is now operational and are dealing with disciplinary cases. The new law on courts has an impact on the mandate and operations of the KJC, thus several of the outputs will be restructured accordingly.
Independence and access to justice	仓	The case backlog is seeing some reduction, and a pilot project for a court information point in Viti/Vitina has been positively evaluated.
Selection system	⇔	The system of selecting judges is established under the newly passed Law on KJC will begin 1 November 2010. This also marks the finalization of the reappointment process of judges and prosecutors by the Independent Judicial and Prosecutorial Commission.
Promotion system	⇔	The system of promotion also follows the Law on KJC, which means that a new system will be introduced with the new law.
Case management information system (CMIS)	Û	The implementation of CMIS has seen a number of technical difficulties as well as some resistance in embracing a new approach to dealing with cases. However more cases are being entered and more judges have started using the system.
Available infrastructure	⇔	The KJC, including its secretariat, is working on a new strategy for the KJC (reflecting the new laws regulating KJC) which will support this output.
Service orientated approach	⇔	The KJC should increase its service oriented approach towards the courts. Thus this output will be integrated in the new KJC strategy.

Communities and gender balance	⇔	Communities and gender balance has been a focus under the reappointment process, but proper policies will have to be established following the new KJC strategy.
Prioritization plan	仓	The KJC, supported by its secretariat, is currently drafting a new strategic plan. EULEX support and outputs will reflect the priorities in the plan.
Cooperation with civil society	\Leftrightarrow	KJC has started sharing information with an NGO on court and case monitoring.
MINISTRY OF JUSTIC	CE AND OFFI	CE OF MISSING PERSONS (MoJ & OMPF)
Legal Policy and Drafting	仓	The Ministry of Justice was supported in the drafting of several laws, including: Criminal Code, Kosovo Judicial Council, Kosovo Prosecutorial Council and State Prosecutor. There has also been support to revise the current practices of the unit when it comes to drafting of legislation.
International legal cooperation	仓	First extradition completed successfully. Cooperation agreement between Kosovo and Belgium signed. Support provided in the negotiation process between Kosovo with Bulgaria and Switzerland.
Support to the Minister of Justice	\Leftrightarrow	Pending arrival of the dedicated EULEX expert.
Operationalize Department of Forensic Medicine (DFM) -former OMPF	Û	The DFM has been established under a new law and itsDirector has been appointed. The department has encountered some logistical and managerial startup problems, and it continues to be monitored and supported by EULEX.
Improved delivery of forensic services and staff development	Û	DFM early technical constraints resulted in a lack of quality service delivery, and the building of staff capacity continues to be neglected.

JUDGES (Civil	and Criminal)
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	JUDGES	(Civil and Criminal)
Independence	Û	There is good cooperation between the Kosovo Judiciary and Kosovo Judicial Council. KJC is progressively increasing its pivotal role in this area.
Case Management Information System (CMIS)	⇔	As explained under the CMIS output of KJC, the implementation of the system has encountered some difficulties. EULEX Judges continue to monitor the implementation of the system and encourage its use.
Case allocation system (CAS)	仓	A transparent and publicly available CAS has been implemented in most courts.
Improvement of Kosovo Judiciary in courts	\Leftrightarrow	Several cases have been monitored and individual issues have mostly been resolved. A worrying practice have emerged in some courts where members of the public wishing to attend a court hearing, have to apply in advance for admittance.
Serious crime cases	仓	The implementation of the use of plea bargaining throughout the Kosovo Judiciary is progressing.
National/international arrests warrants	√ Accomplished	Several cases were monitored, confirming that the current practice satisfy an acceptable minimum standard.
Detention on remand	⇔	There has been a decrease in the use of detention on remand (applying less intrusive measures) but more progress is expected in this area.
Judicial misconduct	Û	In some courts cases of judicial misconduct have been reported, EULEX is monitoring investigations which are in process.
Civil Court decisions	Û	The current lack of execution of judgments is hampering the effectiveness of the judiciary. The legal framework applicable in the civil enforcement is complicated and needs to be revised. There is also a need of clerks in the court to process the execution cases.
Stayed Cases and Property Cases	仓	Ongoing. KJC supported by EULEX MMA successfully conducted a seminar on suspended cases for all civil Kosovo judges.

CORRECTIONAL SERVICES

Common roadmap	√ Accomplished	Common roadmap between EULEX and KCS on implementing MMA Actions developed and agreed.
Managerial oversight	仓	Formal advice on decentralization of procurement issued to KCS commissioner. Recommendations for a comprehensive analysis on staff allocation was finalized and discussed with KCS. KCS started evaluating the functioning of databases in the Pristina Detention Center and in Lipjan Correctional Center.
Management of the Security Unit in Dubrava Prison	仓	Draft procedures for main gate and job descriptions initiated. Including SOP for the X-ray machine and best practices, as well as two sessions of X-ray training held in Dubrava for staff in Main Gate and Visits Centre in Conjunction with KCS training manager EULEX and KCS completed a review of the current system in use for collecting Security Information Reports Agreement has been made on information procedures between block managers and the security department in Dubrava regarding daily searches.
Management of High Risk Block Dubrava Prison	仓	Training modules in report writing and use of Security Information Reports being created. Regular assessments made of new high risk block in Dubrava prison jointly with KCS. Formal mentoring programme of KCS officers finalized.
Adequate management of Kosovo Correctional Services Prisoners Escorts	仓	Activities for strengthening convoy driving were done to improve the conduct of high/medium risk escorts. Report on prisoner court security covering a period of 7 months finalized. Information flow system created in order to maintain high level of security in the planning of high/medium risk escorts.
Dynamic security element		Dynamic Security as an output does not exist any longer, as it has been merged within other outputs. This is due to the fact that dynamic security as an activity is ongoing and never-ending, as well as present in all aspects of correctional services

Adequate performance of the Prisoner Oversight Committee (POC)	\Leftrightarrow	The classification of prisoners is under the authority of the KCS. Output should thus be revised so that EULEX will only monitor briefings for the Escort Unit. EULEX suggests a general classification system, supported by EULEX MMA activities.		
Social integration system for prisoners	\Leftrightarrow	Still in the planning stage.		
Regional assistance	仓	Contingency plans for emergency transport from the MDC carried out by KP established, and also the duty roster has been assessed as optimal. Regional team has introduced a key control system for Mitrovica Detention Centre that enhances security		
PROSECUTORS				
Autonomy of Kosovo Prosecutors	\Leftrightarrow	Much policy guidance and the institutional setup (including disciplinary measures) for Kosovo Prosecutorial services relies on the following laws which not have yet been passed: Law on KPC, Law on Kosovo State Prosecutor.		
CMIS/PMIS (Case / Prosecution Management Information System)	\Leftrightarrow	PMIS is ready for installation, but technical and data protection issues have to be resolved first		
Case allocation system (CAS)	仓	A transparent and non-biased CAS is part of the new PAM (Prosecution Administration Manual) which shall be used by all Kosovo Prosecutors; EULEX prosecutors will monitor its implementation.		
Investigation and prosecution of serious crimes	仓	Monthly case conferences in some regions have shown enhancement of cooperation between KP and Kosovo Prosecutors. Operational plan ready by EULEX and local prosecution for dealing with corruption cases in all courts.		
Criminal cases	\Leftrightarrow	Prosecutors continue to monitor, mentor and advice on specific cases. No significant overall progress has been recorded so far.		
Accountability	\Leftrightarrow	Accountability mechanisms for Kosovo Prosecutorial Services are conferred with the Kosovo Prosecutorial Council, once it starts operation on 1 January 2011. EULEX will monitor and support this process.		

CUSTOMS

MMA Action	Progress Indicator	Comments
Updating of operational plans incl. Integrated Border Management & organized crime strategy	\Leftrightarrow	EULEX Customs Component suggested to modify the preparatory process (starting from autumn 2010) for the next Strategic Operation Framework/Action Plans.
Enhanced internal communications and data & intelligence sharing	仓	Planning and implementation was hampered by the lack of human resources in EULEX Customs Component. The action has been recently reactivated since EULEX fixed its gap.
Intensified cooperation with law enforcement agencies, especially Public Prosecutors, and coordination of Integrated Border Management	仓	Activities of legal nature have been ongoing over the last months, e.g. drafting of amendments and supplements to the Customs and Excise Code.
Implementation of the Integrated Border Management Action Plan, incl. upgrading of infrastructure and equipment at stations.	仓	Implementation started in March 2010. Field work of Mobile Teams will be the basis for further work at Kosovo Customs management / EULEX Advisors level.