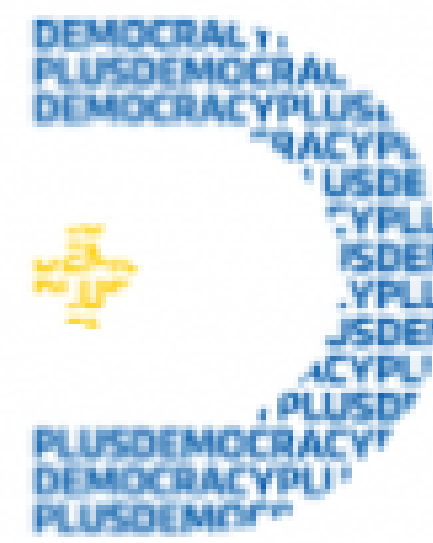




USAID

NGA POPULLI AMERIKAN
OD AMERIČKOG NARODA



DEMOCRACY PLUS



Citizens' Scores on Basic Court Services

June 2018

CITIZEN'S SCORES ON BASIC COURT SERVICES

Pristina, June 2018

Disclaimer

This report is made possible by the support of the American People through the United States Agency for International Development (USAID.) The contents of this report are the sole responsibility of Democracy Plus and do not necessarily reflect the views of USAID or the United States Government.

Author: Roberta Osmani

Disclaimer

This publication was prepared by Democracy Plus. The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

CONTENTS

1.	Introduction	5
2.	Research Methodology	6
1.1	Variables Under Study.....	6
1.1.1	Access to Public Information	6
1.1.2	Efficiency.....	6
1.1.3	Corruption.....	6
1.2	Survey.....	6
1.2.1	Demographic data.....	8
1.2.2	The reason why respondents have come to the court.....	10
1.3	Focus Group Discussions.....	12
3.	Quality of Services in Courts.....	13
4.	Key findings	15
5.	Access to information.....	17
a.	Access to information about cases.....	17
b.	Finding the courtroom.....	19
c.	Usefulness Of Information Provided By The Court.....	21
d.	Use of court website to access information	22
e.	Overall ranking on Access to Information.....	24
6.	Efficiency and Fairness.....	26
a.	Court efficiency	26
b.	Treatment at court.....	28
c.	Use of native language	30
d.	Equal treatment at court.....	31
e.	Overall ranking on Efficiency and Fairness.....	32
7.	Perception of Corruption	33
a.	Cause of corruption.....	33
b.	Bribery	39
c.	Overall ranking on prevalence of bribery	41
8.	Recommendations for improvement.....	42
9.	Annex 1	46
10.	Annex 2.....	48

I. INTRODUCTION

This survey was designed and conducted by Democracy Plus to obtain citizens insight on the performance of the seven Basic Courts in Kosovo. Commissioned by Justice System Strengthening Program (JSSP), the survey aims to provide information to courts for improving their efficiency and reputation among citizens. The results can also serve as a measurement tool of the quality of services across the seven Basic Courts. This research is intended for Basic Courts, Kosovo Judicial Council, and all other bodies within the judicial system in Kosovo. It intends to identify gaps in the three areas and improve efficiency and better information of court users.

USAID's Justice System Strengthening Program is a four-year rule of law activity that builds upon USAID's prior efforts to advance the rule of law in Kosovo and ensure that the justice system operates in a professional, efficient, and accountable manner. The program focuses on promoting a judicial system that adheres to high standards of independence, impartiality, integrity, accountability, and transparency, and on supporting the functioning and integration of judicial structures in the North.

Strengthen efficiency and effectiveness in the administration of justice and the delivery of quality services

Through USAID, the Justice System Strengthening Program assists the Kosovo Judicial Council (KJC) and Kosovo's courts in consolidating gains in efficiency and management at the court level. This is accomplished by facilitating the decentralization of administrative competencies and institutionalizing systems and tools for effective court and case management. Activities under this objective reduce case backlog and procedural obstacles to court efficiency and effectiveness.

Enhance the accountability and professionalism of the justice system

The program works closely with the KJC, judges, and court staff in building capacity to deliver justice professionally and efficiently. It also promotes continuing education and public integrity initiatives as the foundation for a judiciary that is accessible, credible, and effective.

Support the functioning and the integration of judicial structures in the North

The Justice System Strengthening Program supports the KJC and the courts in activating judicial structures in northern Kosovo based on the Justice Sector Agreement that was signed between the governments of Kosovo and Serbia in 2015. This agreement provides for the integration of institutions, court operations, and judicial resources in the north. This USAID program also assists individual courts in the region with case inventories and transfers, backlog reduction, case management, and capacity-building for judges and court staff.

Democracy Plus is an independent, nonprofit and nonpartisan organization founded by a group of activists who believe in further strengthening democratic values in Kosovo. The main objective of D+ is to foster democratic values and practices that will further strengthen the voice of the Kosovar society. D+ aims at contributing in establishing good governance practices, strengthening the rule of law, assisting political parties and the process of free and fair elections, and fostering respect for human rights and social issues. D+ has implemented different projects that aim to bring decision-makers closer to citizens through policy research, facilitation of dialogue and interaction as well as public education.

2. RESEARCH METHODOLOGY

1.1 VARIABLES UNDER STUDY

1.1.1 Access to Public Information

Access to public information – for the purpose of this study was measured by: (1) the experience of court users about the ease of obtaining needed information about their case from the court where their case is being tried, (2) the experience of court users on the usefulness of the sought information provided by the court; (3) the experience of court users with finding/locating the needed office or court room; (4) court users' use of the court's web page to obtain needed information; (5) the experience of court users with the usefulness of the court's webpage in locating the sought information.

1.1.2 Efficiency

Efficiency of basic courts was measured from the perspective of the court user. It is important to note that a court may or may not be efficient in its operations as defined by standardized practices of a justice institution, however this study intends to plunge into the perception of court users on how effective they think the court is based on their first-hand experience seeking its services. The assessment was done based on the perception of reasonableness of length of time to get court business done on the day the respondents were surveyed, and the actual time it is taking for their case to be resolved. Additionally, this section measures the perception of fairness and equal treatment with an assessment of the perception of the quality of treatment by the court staff, specifically whether they were treated with courtesy and respect, the possibility to use one's native language and their perception of whether their case was tried and judged fairly.

1.1.3 Corruption

The dimension of corruption was again a measure of users' perception through a ranking system of the first, second, third, fourth and fifth cause of corruption in the judiciary of the five provided options (political influence, influence of the parties in the process, financial motivation of the judge, inefficient court with limited resources and attorney's influence). The prevalence of bribery and whether court users have personally been asked for a bribe and if so, for what reason, was another dimension used to explore the degree of corruption present at the Basic Courts. Lastly, this variable was further explored through the question on the position of the court employee who asked for the bribe or was indeed bribed.

1.2 SURVEY

To prepare this report, Democracy Plus conducted an exit survey with 817 people who were seeking services from the seven Basic Courts. This research is undertaken with the aim of assessing the court users experience and to some degree their perception of access to public information, level of efficiency and prevalence of corruption in the judicial system in Kosovo, specifically in the seven Basic Courts across Kosovo. Democracy Plus (D+) has chosen a research approach that involves a combination of quantitative and qualitative research methods, concerned with development and reform.

Case backlog is one of the major challenges facing Kosovo’s justice system. As of November 2017, Basic Courts of Kosovo had a total of 198,199 unresolved cases. The distribution of this number among different courts varies and is not in proportion to the population residing in these specific regions.

Through this study we were interested in exploring whether Courts with bigger caseloads were less efficient, had less access to information and a higher prevalence of corruption, compared to those with smaller caseloads, which for statistical purposes, was used as the *population*. Due to confidentiality and protection of private information issues, the research thus lacks a sampling frame for the population in question, which would be a full list of court users from which survey participants would be randomly selected. In lack of it, courts' case backlog was hence used as a sampling frame.

Table 1. Case backlog for each Basic Court

Basic Court	Court case load /Population (N)
Prishtina	101,301
Ferizaj	33,830
Gjilan	9,916
Prizren	17,372
Gjakova	14,445
Peja	9,590
Mitrovica	11,745
Total	198,199

In light of the circumstances, D+ organized an exit poll, whereby observations were selected based on a systemic sampling technique, with every 5th person exiting the court building. Enumerators stood at the exit of the court premise and surveyed respondents who agreed to answer the questionnaire, until the sample size reached the predetermined number of respondents. Given that the approach is probabilistic, findings can be used to make statistical inferences about the entire population of court users of these courts. The sample size consists of 817 respondents.

The caseload of each of the seven Basic Courts is unequally distributed and with relatively big variations – Prishtina’s Basic Court (including its 4 branches) has a case load of 142,892 cases, Gjilan’s Basic Court (including its 3 branches) has a case load of 18,789 cases. Courts with big caseloads thus have a disproportionately higher number of observations, undermining the validity of the findings of other courts. For example, the court of Prishtina would have 307 observations, while the court of Gjilan would only have 40 observations. To mitigate this issue, a 90% confidence level and a margin of error +/- 10% was decided upon, and a minimum sample size was calculated for each court.

Table 2. Calculation of sample size for each court

Basic Court	Court case load /Population (N)	Sampling Fraction /Selection probability	Actual sample size for each court
PRISHTINA	101,301	0.511	358
FERIZAJ	33,830	0.171	119
GJILAN	9,916	0.050	68
PRIZREN	17,372	0.088	68
GJAKOVA	14,445	0.073	68
PEJA	9,590	0.048	68
MITROVICA	11,745	0.059	68
TOTAL	198,199		817

Data was gathered and analyzed from the general population of Basic Court users: defendants, and plaintiffs of all types of cases, as well as attorneys and/or legal representatives. Sampling did not take into consideration strata such as gender, age or the reason the participant was present at the court premises. However, some results from the perspective of attorneys/representatives and parties in proceedings varied significantly, from other types of users who did not have legal backgrounds. In particular, answers relating to access to information block of questions varied significantly depending whether the survey participant was an attorney or a party in proceeding. However, the primary objective of the survey was to obtain information on the performance of the basic court based on the aggregate results of the two subsamples. The methodology used in ranking Courts on the three dimensions – access to information, efficiency and corruption were calculated using average values for each question in the survey, and calculating averages of each section within each variable under study.

1.2.1 Demographic data

The information presented in the tables below show demographic data of the participants in the study. Given that sampling was probabilistic, every person leaving the court on the days the enumerators were there, had an equal chance of being of being selected as respondents (if they fulfilled the requirement of being a plaintiff or defendant, or lawyer/authorized representative). The majority of the participants were men (82%), reflecting the gender of the persons accused at Basic Courts, of which 95.4% were men and 4.6% women¹.

¹ Kosovo Agency of Statistics. Crime and Criminal Justice, Statistics of Jurisprudence 2016. P. 9. More at: <http://ask.rks-gov.net/media/3564/statistikat-e-jurisprudencës-për-persona-madhor-2016.pdf>

Table 3. Study participants by gender

	Male	Female
	82.42%	17.58%

Table 4. Study participants by gender, by region

	Male	Female
Prishtina	89.04%	10.96%
Mitrovica	76.47%	23.53%
Prizren	82.35%	17.65%
Peja	76.14%	23.86%
Ferizaj	89.92%	10.08%
Gjakova	75.71%	24.29%
Gjilan	57.53%	42.47%

Most of respondents belong to the 25 – 44 age group. The majority of the participants, in fact almost 84%, were parties to a proceeding, while 16% were attorneys or authorized representatives. Moreover, over half of the respondents came to court on the day the study was conducted as parties in either a criminal (27%) or minor offence case (26%), followed by civil cases, administrative, commercial and juvenile, respectively.

Table 5. Respondent age group

Age 18 – 24	Age 25 – 34	Age 35 – 44	Age 45 – 54	Age 55 – 64	Age 65+
8.67%	23.04%	29.81%	21.26%	12.59%	4.63%

Table 6. Respondent age group, by region

	Age 18 – 24	Age 25 – 34	Age 35 – 44	Age 45 – 54	Age 55 – 64	Age 65+
Prishtina	5.90%	22.19%	33.99%	23.31%	8.99%	5.62%
Mitrovica	4.41%	27.94%	39.71%	16.18%	5.88%	5.88%
Prizren	1.47%	25.00%	27.94%	17.65%	22.06%	5.88%
Peja	15.91%	26.14%	31.82%	17.05%	9.09%	0%
Ferizaj	16.81%	23.53%	23.53%	15.13%	15.97%	5.04%
Gjakova	5.71%	14.29%	21.43%	27.14%	24.29%	7.14%
Gjilan	13.7%	24.66%	17.81%	28.77%	15.07%	0%

The reason why respondents have come to the court

The majority of respondents (83.73%) were party in court proceedings. In Prizren, almost all respondents (98.53%) were parties in proceedings.

Table 7. Reason why respondents were at the court on the day the study was conducted

Party in proceeding	Attorney or authorized representative
83.73%	16.27%

Table 8. Reason why respondents were at the court on the day the study was conducted

	Party in proceeding	Attorney or authorized representative
Prishtina	88.48%	11.52%
Mitrovica	72.06%	27.94%
Prizren	98.53%	1.47%
Peja	73.86%	26.14%

	Party in proceeding	Attorney or authorized representative
Ferizaj	84.03%	15.97%
Gjakova	78.57%	21.43%
Gjilan	73.97%	26.03%

The tables below show the number and percentage of people who stated the type of case that brought them to court the day the study was conducted. It is apparent that the largest group of people participated in criminal proceedings, followed by minor offences, whereas proceedings with minors saw the fewest participants in the study. A large portion of the respondents Basic Court of Mitrovica (63.27%) stated that they were present in the court for civil matters.

Table 9. Type of case that brought parties to the court on the day the study was conducted

Criminal	Minor offence Civil	Commercial	Administrative	Juvenile
27.09%	26.10% 23.4%	11.63%	10.78%	0.99%

Table 10. Type of case that brought parties to the court on the day the study was conducted, by region

	Criminal	Civil	Commercial	Administrative	Minor offence	Juvenile
Prishtina	21.9%	20.95%	11.75%	17.14%	27.3%	0.95%
Mitrovica	10.2%	63.27%	0%	0%	26.53%	0%
Prizren	26.87%	25.37%	31.34%	0%	16.42%	0%
Peja	21.54%	21.54%	0%	9.23%	41.54%	6.15%
Ferizaj	26.00	19%	18.00%	13%	24.00%	0%
Gjakova	27.27%	32.73%	10.91%	3.64%	25.45%	0%
Gjilan	81.48%	0%	0%	1.85%	16.67%	0%

I.3 FOCUS GROUP DISCUSSIONS

Democracy Plus conducted Focus Group Discussions (FDG) with users of services of seven Basic Courts: Prishtina, Prizren, Gjilan, Mitrovica, Gjakova, Ferizaj and Peja. Participants in these FGD were citizens who had been parties in court proceedings as plaintiffs or defendants in the past 12 months, and lawyers who practice at the respective Basic Court. This activity follows the exit poll survey with 817 respondents of the same target group that was done in November of 2017, as they exited the Court building. The aim of this activity, was to explore aspects of the three pillars under study – Access to Information, Efficiency and Corruption, while validating the findings of the survey.

Table II. Schedule of Focus Groups and Demographics of Participants

Location	Date	Number of participants	Demographics	
PRISHTINA	December 20, 2017	11	F: 5	M: 6
PRIZREN	December 28, 2017	10	F: 5	M: 5
GJILAN	January 12, 2018	10	F: 3	M: 7
MITROVICA	January 19, 2018	6	F: 2	M: 4
GJAKOVA	January 25, 2018	7	F: 3	M: 4
FERIZAJ	January 25, 2018	6	F: 1	M: 5
PEJA	January 29, 2018	6	F: 4	M: 2

Participants were recruited from among the population who had been parties in court proceedings as plaintiffs or defendants in the past 12 months², and lawyers who practice at the respective Basic Court, and were given an incentive of 10 Euros each for their cooperation. Discussions lasted approximately two hours each. The moderators' guide for the discussions was developed by Democracy Plus's senior researchers in cooperation with JSSP representatives. Participants were asked to introduce themselves by first name and type of case that they had at court most recently, and the moderator ensured anonymity and use of collected data solely for the purposes of this study. Following the moderator's presentation of the aim of the study, the discussion began with broad questions about participants' general opinion regarding their experience with court services. The discussion was guided by the three thematic areas under study, namely access to information, efficiency and corruption, and questions were derived from the survey questions and results. The moderator asked participants to discuss the findings of the survey and followed up with more detailed questions to explore the issues under study in more depth.

² The condition of being a party in a proceeding in the past 12 months was met if: (1) their case opened in the past 12 months, (2) their case opened any time after 2000 but is still open to this day, or (3) their case was resolved sometime in the past 12 months, regardless of when it was open.

3. QUALITY OF SERVICES IN COURTS

How do Court Users Rank Basic Courts in Kosovo?

Ranking according to Prevalence of Corruption*	Rank
Gjakova	1
Peja	1
Ferizaj	3
Prishtina	4
Gjilan	5
Mitrovica	6
Prizren	7

*Ranking of Basic Courts based on respondents' answers, where 1 is comparatively better than other ranked courts and 7 is comparatively weaker than other ranked courts. Basic Court of Peja and Gjakova did not report any solicitation of bribes.

Ranking according to Efficiency and Fairness*	Rank
Ferizaj	1
Peja	2
Gjilan	3
Prizren	4
Prishtina	5
Gjakova	6
Mitrovica	7

*Ranking of Basic Courts based on respondents' answers, where 1 is comparatively better than other ranked courts and 7 is comparatively weaker than other ranked courts.

Basic Court Ranking according to Access to Information	Rank
Ferizaj	1
Gjilan	2
Peja	3
Gjakova	4
Prizren	5
Mitrovica	6
Prishtina	7

*Ranking of Basic Courts based on respondents' answers, where 1 is comparatively better than other ranked courts and 7 is comparatively weaker than other ranked courts.

The justice system is one of the most vital pillars in any democracy. The judiciary branch is the foundation of the rule of law and a symbol of justice and fairness on which a democratic society relies for equality under the law. To a substantial degree, for Kosovo citizens, this very institution is

perceived to be unworthy of trust and reliability. Numerous studies by local and international organizations measuring the public’s perception of the judiciary, have shown that citizens have low trust this institution and a high perception of corruption. Findings from Transparency International on the degree of corruption prevalent in the judiciary, shows a score of 4.1 out of 5, whereby 5 signifies the highest level of corruption perception.³ Furthermore, UNDP’s Public Pulse for 2017 shows that only 36.9 % of respondents are satisfied with the work of the courts and only 33.1% are satisfied with the work of the Prosecutor’s Office.⁴ The same survey reveals that at the end of 2017, 24.9% responded positively when asked about their perception on the existence of large scale corruption in courts in Kosovo.

The survey results show that actual court users have expressed a greater degree of satisfaction with court services compared to general public survey of non-court users. While the United Nations Development Program (UNDP) Public Pulse indicates that only 37% of the general public trust the judiciary, the percentage among court users is considerably higher or shown in percentages, 57%.

The most worrisome outcome of this research undertaking is that the predominant majority of our respondents – parties in proceeding and lawyers/authorized party representatives, users of all seven Basic Courts, consider political influence to be the most important cause of corruption.

	Political Influence	Influence of the parties in the process	Financial motivation of the judge	Inefficient court with limited resources	Attorneys’ influence
Party in proceeding	40.95%	15.43%	14.84%	13.80%	14.99%
Attorney or authorized representative	48.78%	17.89%	10.57%	13.82%	8.94%

Equally worrying is the fact that over 58% of court users are under the impression that they are not treated equally by court employees, meaning that they believe from their experience that different people receive preferential treatment by judges and other court employees.

Perception of court users on equal treatment at court

Yes	No	Somewhat
41.45%	23.87%	34.68%

³ “Judicial Integrity in Kosovo – Assessment Report”. United Nations Office on Drugs and Crime and UNDP Pristina. 2014

⁴ “Public Pulse Project XII”. USAID and UNDP Kosovo. November 2016.
http://www.ks.undp.org/content/dam/ksosovo/docs/SAEK/UNDP%20UNODC%20Report%20on%20Judicial%20Integrity_Eng.pdf

The most obvious channel through which a court user, in this day and age, can search for information is via the institution’s official website. Basic Courts of Kosovo have functional web pages, which are to a large degree updated periodically, however as a source of information these are not used by 83% of the survey respondents. As a measure of access to information, this finding was further explored in focus groups, whereby it was concluded that, generally, people are not aware of their availability/existence. Even those who are aware, are not content with the content (of the 17.34% who claimed to search for needed information on court website, only a quarter indicated that they found everything that they were looking for).

Access to information

Yes	No
17.34%	82.66%

4. KEY FINDINGS

This survey on Transparency/Accessibility & Efficiency of Basic Courts in Kosovo was commissioned by Justice System Strengthening Program/USAID and prepared by Democracy Plus with 817 respondents in seven Basic Courts. It found a number of shortcomings in the quality of services provided by the courts. The report also provides a set of recommendations to improve transparency and quality of services.

Some of the key findings of the survey are:

- A quarter of participants stated that they were not treated as equal to everyone else;
 - Citizens are frustrated with the inability to access information about their case and generally being blindsided on what the courts do in their daily operations;
 - The information provided by the courts relating to their work, is generally of little use;
 - Corruption in the judicial system has evolved and become more sophisticated in that it generally involves an exchange of favors, rather than the provision of money;
 - Out of the population of 817 respondents, 38 or 4.51% reported being solicited for a bribe by a judge or other court employee;
 - As a general perception, political interference is one of the main causes of corruption.
-

The survey reveals that different basic courts provide different degrees of quality of performance when delivering services to the citizens. The Basic Court of Ferizaj is the top performer in this regard, leading in both categories of *Access to Information* and that of *Efficiency and Fairness*. This court also ranks well in the third category measured here, with also a low frequency of reported bribery in comparison to other courts.

The court with the lowest performance, according to the respondents of the survey, is the Basic Court of Mitrovica. This court was ranked the lowest or the second lowest in all three categories. While the Basic Courts of Prishtina and Prizren perform only slightly better than Mitrovica in regards to comparative performance. Respondents in the Basic Court of Prizren reported to have been asked for a bribe for more than double than all other courts combined.

Table 12. Ranking of Basic Court on the three variables under study

Basic Court	Overall ranking with average score*	Access to information**	Efficiency and Fairness**	Prevalence of bribery**
Ferizaj	1.66	1	1	3
Peja	2	3	2	1
Gjilan	3.33	2	3	5
Gjakova	3.66	4	6	1
Prishtina	5.33	7	5	4
Prizren	5.33	5	4	7
Mitrovica	6.33	6	7	6

* Score of 1 means the best standing in comparison to the other 6 basic courts, as an average of the scores of three variables under study: access to information, efficiency and fairness and prevalence of bribery; score of 7 correspondingly, means the worst standing in comparison to the other 6 basic courts.

** Score of 1 means the best standing in comparison to the other 6 basic courts in access to information, Efficiency and Fairness and Prevalence of bribery, respectively calculated using the averages of the set of corresponding questions to each variable under study.

Citizens as court users in focus groups were generally frustrated with the inability to access information about their case and generally being blindsided on what the court does in its daily operations. The vast majority of participants claimed that the only way to obtain information about one’s case is to physically walk into the courthouse, means of communication such as phone or email are virtually an impossible channel for reaching anyone in the court (administrative staff or judges). A predominant belief was that the number of judges is small and that is the key reason for the inefficiency of courts, with some comments made about the lack of professionalism and expertise of the staff. As for corruption, there were very few participants who had experienced it firsthand. Some admitted that they would and have considered offering bribes to accelerate their case.

On the other hand, across the majority of focus groups, the lawyers took a defensive position with respect to access to information claiming that citizens tend to inconvenience the court administration with undue questions and requests, and this held true in cases when they did not hire a lawyer, which according to them occurs frequently. The overarching theme on the corruption dimension was that corruption has become more “sophisticated” in that favors have replaced the traditional/typical monetary bribery. Lastly, lawyers generally showed empathy towards the judges and excused the delay in resolving cases and the resulting backlog, on the mere fact that there are not enough judges to handle the volume of cases.

5. ACCESS TO INFORMATION

This section aims to discern if citizens who use court services are able to obtain enough information about their case in a manner which is convenient and easy for them to understand, whether they are able to find the courtroom or office they need inside the court premises, and their use of the court's webpage to search for information as well as whether they find the information they seek.

a. ACCESS TO INFORMATION ABOUT CASES

Access to information about one's open case is a basic right that every citizen should enjoy. In the basic courts of Kosovo however, the channels of communication between parties in proceedings and the court administration are not clear and the vast majority of non-lawyer court users have a hard time obtaining information about their case while it is tried. Not surprisingly, a clear distinction between attorneys/authorized representatives and lay court users parties is reflected in the results of the survey with regard to accessing information about cases.

Over three quarters of attorneys or representatives find it easy to find information on the case as compared to over half of parties in the proceeding. Over 55% of parties to proceedings, who we do not assume have any legal background or formal legal education, find it *hard* or *extremely hard* to find information about their case. On the other hand, attorneys or authorized representatives predominantly claimed that finding information about a case is *extremely easy* (58%) or *somewhat easy* (20%), with the remaining 22% of responses spread over the neutral or *somewhat* and *extremely easy* options. To explore this issue in more depth, the question was discussed in a focus group discussion whereby participants were asked to discuss the channels through which they obtain information from the court.

The vast majority of focus group participants generally claimed that obtaining information using modern means of communication such as phone or email is virtually impossible because (1) in most cases it is impossible to find an e-mail address of a court employee, (2) they do not reply even if e-mailed, (3) they do not answer the phone, (4) if they answer the phone, they do not provide the requested information. Thus, the only channel of communication, which goes only in one direction, is the court sending official written notice to the parties through regular mail.

Table 13. The percentage of people who reported on the ease of obtaining information on the case, separately for parties in proceedings and attorneys or authorized representatives.

<i>In your experience, how easy is to get information about your case?</i>					
	Extremely hard	Somewhat hard	Neither hard or easy	Somewhat easy	Extremely easy
Party to proceeding	17.87%	12.62%	14.33%	27.66%	27.52%

	Extremely hard	Somewhat hard	Neither hard or easy	Somewhat easy	Extremely easy
Attorney or authorized Representative	8.03%	7.3%	7.3%	19.71%	57.66%

The Basic Court of Prishtina in particular appears to be problematic in this regard, with almost half of respondents answering that they find it *hard* or *extremely hard* to get information about their cases. More specifically, participants at the FGD pointed out that other than the number of the case, it is impossible for the parties to know what is the status of the case and who is the judge assigned to adjudicate the case. On the other hand, a participant of this FGD shared her experience in communicating with the court through the information office via email and phone, with great persistence, she found it possible to obtain the needed information without going to the court.

The Court of Mitrovica follows with a quarter or 25% of respondents claiming that it is *hard* or *extremely hard* to obtain such information. However, the participants of the FGD acknowledged the fact that access to information is limited if you are not represented by a lawyer. Lawyer participants in the FGD also expressed their dissatisfaction with the court, given the fact that all information had to be accessed personally, as the court personnel does not answer phones calls or emails. They also pointed out that little to no information is given to them before the first hearing.

In comparison, over 90% of respondents in Ferizaj find it easy to get information about their cases. Focus group participants generally acknowledge that phone or email are not channels through which they can obtain information about their cases. They go to the court physically to obtain information and this is a generally accepted practice.

Similarly, users of the Basic Court in Peja, to a large degree stated that it was *somewhat* or *extremely* easy to obtain information about one's case. The focus group discussion participants stated that it is easier to access information if you know someone who works at the court, and it is nearly impossible if your opponent is an influential person. The best way to get the information that you need is by going to the court personally, since the info posted on the web-site rarely is of help, and the officials' emails cannot be located on the website.

The Basic Court of Gjakova stands relatively well with almost 70% of court users evaluating the process of obtaining information about their case as *somewhat* or *extremely* easy. The finding was corroborated by focus group participants, whereby both lawyers and the parties confirmed these findings, saying the judges and all other court employees are helpful when asked questions by court users. Parties claimed that to obtain information they go to the court personally, which they did not mind because they are accustomed to it. The lawyers on the other hand, stated that information can be obtained through the phone as well.

Court users of Prizren Basic Court, reflected a relatively positive opinion with regards to the possibility to access information with most respondents stating that it was easy to access information regarding their case. Jurists said that all the information the parties need is in the invitation sent by

the Court. On the other hand, citizens felt that they need more information than what the invitation has, as a result they were left confused.

Similarly, Gjilan stands relatively well in the survey findings, however FGD participants claimed that the only way for them to get information from the Court is if they go there personally, meaning the court employees do not respond to their emails or phone calls.

Table 14. The percentage of people who reported on the ease of obtaining information on the case, separately for each Basic Court.

<i>In your experience, how easy is it to get information about your case?</i>					
	Extremely hard	Somewhat hard	Neither hard or easy	Somewhat easy	Extremely easy
Prishtina	33.99%	14.04%	12.64%	19.94%	19.38%
Mitrovica	8.82%	16.18%	14.71%	29.41%	30.88%
Prizren	2.94%	8.82%	17.65%	47.06%	23.53%
Peja	2.27%	13.64%	12.50%	29.55%	42.05%
Ferizaj	0.84%	4.20%	4.20%	17.65%	73.11%
Gjakova	2.86%	5.71%	22.86%	41.43%	27.14%
Gjilan	4.11%	15.07%	16.44%	31.51%	32.88%

b. FINDING THE COURTROOM

Similar to the answers relating to access to information about cases, the following table shows the percentage of people who reported on the ease of finding the courtroom they needed, separately for parties in proceedings and attorneys or authorized representatives. Naturally, attorneys or representatives find it somewhat easier to find the courtrooms as compared to the parties, and this is easily attributed to the fact that they are regular court users. Finding the courtroom or office does not seem to be a major issue on part of the regular citizens, as well.

Table 15. Ease of locating courtroom or office needed inside the court premises

Was it easy to find the courtroom or office you needed?					
	Extremely hard	Somewhat hard	Neither hard or easy	Somewhat easy	Extremely easy
Party to proceeding	4.11%	6.38%	6.67%	21.42%	61.42%
Attorney or authorized representative	2.92%	0.73%	0.73%	6.57%	89.05%

A closer look at each Basic Court shows that in general, survey participants did not experience particular difficulties in any court, with the exception of the Basic Court of Gjakova where 8.57% stated that they found it *extremely hard* to find the courtroom or office and the Court of Prishtina where almost 12% of court users claimed that it was either *hard* or *extremely hard* to locate the courtroom or office being sought. FGD participants were overall satisfied with building signage, nonetheless participants from two regions shared concerns about the location of the court itself. Participants in Peja stressed the fact that the basic court building is in a problematic area as it occupies a central property in the community – the main city center, which has a high degree of pedestrian traffic and is attention catching. Participants stated that Peja is a small city with close cultural and community ties and being seen walking into the court building can be stigmatizing to the individual. According to them, the location of the building should be in a more remote area to avoid questions and a potential defamation to the person walking in and out of the court premises. On the other hand, Prishtina’s court buildings are located far from the center, in an area that is not easily accessible by public transportation (bus schedule is infrequent, taxi is relatively expensive). FGD participants stressed the fact that this is a major inconvenience.

Table 16. Ease of locating courtroom or office needed inside the court premises, responses of participants separately for each Basic Court

Was it easy to find the courtroom or office you needed?					
	Extremely hard	Somewhat hard	Neither hard or easy	Somewhat easy	Extremely easy
Prishtina	5.9%	6.18%	2.25%	12.92%	72.75%
Mitrovica	4.41%	7.35%	5.88%	20.59%	61.76%
Prizren	0%	7.35%	16.18%	42.65%	33.82%
Peja	0%	3.41%	11.36%	29.55%	55.68%

	Extremely hard	Somewhat hard	Neither hard or easy	Somewhat easy	Extremely easy
Ferizaj	0.84%	0%	5.04%	8.40%	85.71%
Gjakova	8.57%	1.43%	0%	10.00%	80.00%
Gjilan	2.74%	13.7%	12.33%	38.36%	32.88%

c. USEFULNESS OF INFORMATION PROVIDED BY THE COURT

Table 17. Usefulness of the information provided by the court

<i>How helpful was the information given to you by the court?</i>				
Extremely unhelpful	Somewhat unhelpful	Neither helpful or unhelpful	Somewhat helpful	Extremely helpful
12.47%	7.84%	17.1%	32.3%	30.29%

The majority of court users (63%) stated that the information provided by the court about their case, was either *helpful* or *extremely helpful*. A worrisome 20% however claimed that this information was either *extremely* or *somewhat unhelpful*. When the data is divided into the category of parties to a proceeding and authorized representative or attorney, the figures in each category differ but follow the same trend with most of answers belonging to the *somewhat* or *extremely helpful*. As expected, more of the later group think the information is helpful and this is obviously due to the fact that they are in more frequent contact with the Court in their daily jobs and hence understand the information better and may not need as much explanation as parties to a proceeding anyhow.

Table 18. Usefulness of the information provided by the court, responses by type of user

<i>How helpful was the information given to you by the court?</i>					
	Extremely unhelpful	Somewhat unhelpful	Neither helpful or unhelpful	Somewhat helpful	Extremely helpful
Party in proceeding	14.04%	8.65%	18.72%	33.19%	25.39%
Attorney or authorized representative	4.38%	3.65%	8.76%	27.74%	55.47%

Apart from the respondents of Basic Court of Prishtina, over a quarter of which stated that the information provided by the court was extremely unhelpful, in general participants were satisfied with the information provided by the courts. Most participants evaluated that information as somewhat or very useful, while a minority described them as somewhat unhelpful. The top performers in this dimension are the courts of Gjakova, Gjilan and Peja which had under 5% of responses in the negative side of the spectrum.

Table 19. Usefulness of the information provided by the court, responses by type of Basic Court

<i>How helpful was the information given to you by the court?</i>					
	Extremely unhelpful	Somewhat unhelpful	Neither helpful or unhelpful	Somewhat helpful	Extremely helpful
Prishtina	26.97%	14.33%	12.64%	22.19%	23.88%
Mitrovica	2.94%	8.82%	14.71%	47.06%	26.47%
Prizren	2.94%	2.94%	25.00%	58.82%	10.29%
Peja	0%	4.55%	13.64%	35.23%	46.59%
Ferizaj	3.36%	0.84%	14.29%	19.33%	62.18%
Gjakova	0%	0%	42.86%	48.57%	8.57%
Gjilan	1.37%	2.74%	17.81%	45.21%	32.88%

d. USE OF COURT WEBSITE TO ACCESS INFORMATION

The seven Basic Courts of Kosovo have functional webpages with information from general – working hours, services provided and contact information – to specific information on schedule of trial hearings and adjudicative decisions. Nonetheless, the results of the survey show that they are not used as a source of information for court users. The majority of survey participants (82.66%) claimed to not use the court’s website to search for information. Of the 17.34% who do use it, only a quarter claimed to have found everything that they were looking for.

Table 20. Use of the court’s website

Do you use the court’s website?

Yes	No
17.34%	82.66%

	Yes	No
Prishtina	9.55%	90.45%
Mitrovica	25.00%	75.00%
Prizren	19.12%	80.88%
Peja	29.55%	70.45%
Ferizaj	12.61%	87.39%
Gjakova	18.57%	81.43%
Gjilan	38.36%	61.64%

A closer inspection of each Basic Court shows that participants from Gjilan use the website the most (38.36%) compared to other courts, followed by Peja (29.55%). Surprisingly, the Basic Court of Prishtina stands at the bottom of the list, even though Prishtina is the largest and the capital city, and the main hub for academic and social developments, which would suggest that it has the largest internet penetration and usage, and hence it would be expected to reflect in the use of official websites to obtain information.

I did not find any information I needed	I found very few information I needed	I found most of the information I needed	I found all the information I needed
16.44%	19.18%	39.73%	24.66%

Those who claimed to use the court's website, were asked to assess the degree to which they found the information sought. Given the small fraction of positive answers to this question, the number of responses in the following question is small (coupled with a high nonresponse rate) and thus the findings by Basic Court are represented in numbers rather than percentages.

The Basic Court of Gjilan scores best in this dimension with all respondents stating that they found *most* or *all* information they needed, followed by Basic Court of Gjakova where most respondents claimed to have found *most* or *all* information they needed in the court's webpage. FGD participants generally corroborated the findings of the survey, claiming that the best way to get the information is by going to the court personally. Those who have visited the website, claimed that the information posted there rarely is of help, and even basic information such as officials' emails cannot be located on the website. FGD participants of Prizren including both non-lawyers and lawyers agreed with the survey that the majority of court users use the Court's website. They also stated that the court's Facebook page is regularly updated.

Table 21. Responses of participants who used the Court webpages on whether they found what they were looking for in webpages of Basic Courts

<i>Did you find what you were looking for?</i>				
	I did not find any information I needed	I found very little information I needed	I found most of the information I needed	I found all the information I needed
Prishtina	13 people	12 people	6 people	3 people
Mitrovica	2 people	4 people	11 people	0 people
Prizren	1 person	2 people	7 people	3 people
Peja	4 people	6 people	10 people	6 people
Ferizaj	3 people	3 people	5 people	4 people
Gjakova	1 person	1 person	8 people	3 people
Gjilan	0 people	0 people	11 people	17 people

e. OVERALL RANKING ON ACCESS TO INFORMATION

Ranking on dimension of access to information is a result of average responses to the five following questions by all participants at each Basic Court:

1. In your experience, how easy is to get information about your case?
2. Was it easy to find the courtroom or office you needed?
3. How helpful was the information given to you by the court?
4. Did you use the court's website?
5. Did you find what you were looking for?

Basic Court	Rank
Ferizaj	1
Gjilan	2
Peja	3
Gjakova	4
Prizren	5
Mitrovica	6
Prishtina	7

**Ranking of Basic Courts based on respondents' answers, where 1 is comparatively better than other ranked courts and 7 is comparatively weaker than other ranked courts.*

The Basic Court of Ferizaj has the best ranking in this regard. This is because citizens could get information relatively easily, did not have any difficulty finding the courtrooms, and the court gave them information that was useful. On the other side of the spectrum, almost half of respondents at the Basic Court of Prishtina found it hard to get information about their case, and a quarter responded that information provided by the court was extremely unhelpful.

6. EFFICIENCY AND FAIRNESS

This section of the study looks at the experience respondents have in receiving court services. The respondents were asked if they got their business done in a reasonable time in that particular day, how long was it taking the court to solve their case, and fairness questions such as were they treated equally.

a. COURT EFFICIENCY

Overloaded with cases, courts in Kosovo have limited time to deal with their clients. The table below shows, by categorical percentages, participants describing their ability to finish what they came to court for in a reasonable timeframe.

Table 22. Ability to get court business done in a reasonable time

<i>Were you able to get your court business done in a reasonable time today?</i>					
	Strongly Disagree	Disagree	Neither agree or Disagree	Agree	Strongly agree
Prishtina	25.28%	16.85%	10.96%	22.75%	24.16%
Mitrovica	10.29%	48.53%	8.82%	19.12%	13.24%
Prizren	0%	2.94%	32.35%	57.35%	7.35%
Peja	0%	13.64%	36.36%	30.68%	19.32%
Ferizaj	2.52%	12.61%	12.61%	22.69%	49.58%
Gjakova	2.86%	21.43%	15.71%	41.43%	18.57%
Gjilan	1.37%	5.48%	38.36%	38.36%	16.44%

Interestingly, when respondents were asked “How long is it taking for the court to resolve your case?” the responses vary highly from one court to the other. Over 40% of the survey respondents in Prishtina stated that it is taking longer than two years to resolve their case; FGD participants anecdotally confirmed the same data. According to lawyers participating in the discussion, a big portion of cases are delayed because the Court of Appeals reverses and remands them for procedural errors though, according to them, these cases can be easily solved by the Court of Appeal without being sent back to the court for re-trial.

Respondents from Prizren (64.7%) declared a positive experience in this regard, and the finding was confirmed by FGD participants, who went on to evaluate the basic court as more efficient in civil cases than in criminal cases. Participants agreed that the court is efficient enough, given the number of cases that they receive. Therefore, they agree with the survey finding that 58% of respondents thought that they resolved their issues in reasonable time. However, one of the main issues with this court is the

delays – and sometimes cancellations – of hearings without a valid reason from the judge. However, this is a general problem across all the basic courts.

The vast majority of Gjilan responders claimed that they were able to finish their court business in a reasonable time, additionally, nearly 40% claimed that they were able have their case resolved in less than 6 months. Nonetheless, FGD participants presented a much worse picture then reflected on the survey findings. They were particularly dissatisfied with the Court's efficiency, and most shared their experience of having been “dragged” by the court for years for their case to be resolved, and some were still in process. The lawyers distinguished the Court departments, saying that the Criminal Department is more efficient than the Civil Department. However, in both departments, according to the participants, the number of judges is alarmingly low compared to the number of cases.

Most respondents from Mitrovica (58.82%) declared that they could not get their business done in a reasonable time, however 40% of the survey respondents said that it takes less than six months for the court to solve a case. The participants of the FGD justify these findings, saying that cases such as divorce, or labor can be solved under six months. Other than that, both lawyers and other participants do not feel that they were able to resolve their cases in a reasonable time. One of the participants has a property case that is taking over 7 years to be solved, whereas another's took 4 years to be resolved. Something else that the lawyers have noticed is that the percentage of cases reversed by the Court of Appeal is at an alarming rate. This is reportedly due to the fact that judges are more concerned about achieving their mandatory quota – number of cases per month that they have to solve – rather than making the right decision by law. The backlog of cases in the Court of Mitrovica is attributed to the low number of judges, and participants agree that this only makes way for corruption.

Respondents in Gjakova were overall happy with the period of time it took for their cases to be solved, and this was validated in the FGD, where it was noted that some cases may take a little longer, but generally there has been progress in recent years. Delays for resolving cases are attributed to the Court of Appeals, as a lot of cases are transferred to a higher instance.

Over 50% of the survey participants in Ferizaj agreed/strongly agreed that they were able to finish their court business in a reasonable amount of time. In fact, over 70% claimed to have had their case resolved in one year or less. The biggest challenge is that the court takes fair decisions but they are not executed, most of the examples came from participants who had been part of the Steel Pipes case. As for the time taken to resolve cases, participants agreed with the survey findings and further stated that it depends on the case and whether the party has a lawyer (when parties hire lawyers to represent them in court, the case is usually resolved faster than when a party has not engaged services of an attorney, as they are familiarized with procedures). Complaints in this dimension were directed to the prosecutors who they considered to be politically motivated in that they do not file charges for people who have political ties or are financially able to bribe the relevant actors in the system.

More than half of the survey respondents from Peja, said that it is taking them more than a year to solve their case, with 32% saying that it is taking them over 2 years to solve their case. In the FGD, attorneys attributed these findings to the type of case the parties have. Criminal cases usually take 1 year to be solved, as there are more judges in that department, and also judges work more efficiently in those cases given their nature. However, civil cases, which should be a priority as well, take more than 2 years to be solved, as the number of judges in that department is low compared to the number of cases they have. The backlog of cases is also a result of unnecessary bureaucratic procedures, and to make matters worse are the court employees, including some judges as well, who lack professionalism in the following aspects mentioned throughout the FGDs: appearance of judges, communication/manner of interacting with parties, and poor legal writing in the issued decisions and

verdicts. For this, participants feel there should be a supervisory institution, with stronger policies, which would hold judges accountable to a higher standard.

Table 23. Time required to resolve case, by Basic Court

<i>How long is it taking for the court to resolve your case?</i>				
	Less than 6 months	Up to one year	Up to two years	More than two years
Prishtina	23.88%	20.22%	14.04%	41.85%
Mitrovica	44.12%	11.76%	25.00%	19.12%
Prizren	29.41%	33.82%	11.76%	25.00%
Peja	18.18%	23.86%	25.00%	32.95%
Ferizaj	25.21%	25.21%	21.85%	27.73%
Gjakova	41.43%	30.00%	17.14%	11.43%
Gjilan	38.36%	35.62%	21.92%	4.11%

b. TREATMENT AT COURT

Although a court is not expected to be a client friendly premise, nevertheless citizens expect a level of courtesy and respect when dealing with court officials. The Basic Court of Peja leads in this regard, where almost 98% of respondents were *satisfied/extremely satisfied*. Prishtina is at the bottom of this range with almost 17% of respondents reporting to be *extremely/somewhat* unsatisfied.

The table below shows the number and percentage of participants who reported their satisfaction with the way they were treated at court the day the study was conducted. A majority describe their interactions with court officials as very or somewhat satisfactory, whereas fewer people were left somewhat dissatisfied.

Table 24. Quality of treatment by court staff

<i>Were you treated with courtesy and respect?</i>					
	Extremely unsatisfied	Somewhat unsatisfied	Neither	Somewhat satisfied	Extremely satisfied
Prishtina	11.24%	5.62%	4.49%	22.47%	56.18%
Mitrovica	5.88%	1.47%	1.47%	29.41%	61.76%
Prizren	0%	5.88%	17.65%	70.59%	5.88%
Peja	1.14%	0%	1.14%	37.5%	60.23%

	Extremely unsatisfied	Somewhat unsatisfied	Neither	Somewhat satisfied	Extremely satisfied
Ferizaj	0%	2.52%	9.24%	28.57%	59.66%
Gjakova	4.29%	4.29%	4.29%	62.86%	24.29%
Gjilan	2.74%	5.48%	6.85%	61.64%	23.29%

C. USE OF NATIVE LANGUAGE

The ability to use one’s native language is a basic human right guaranteed by the Constitution⁵ and specified in the Law on the Use of Languages⁶, and is another indicator of satisfaction of clients with courts. Overall, on average of 97.5% of respondents answered that they were able to communicate in their own language in the court. Nonetheless, given that all surveys were done at main branches of Basic Courts, the findings may not reflect the actual situation. Prishtina’s Basic Court, for example has a branch in the municipality of Gracanica where the population is predominantly Serb and are served at the branch. Additionally, Gjakova has a predominantly Albanian population, meaning that the survey may not have included any participant from other ethnic minorities, therefore all respondents answered that they could use their native language. As for the findings in the Basic Court of Mitrovica - at the time the survey was conducted, this court was located in Vushtrri and as a result there is a possibility that the respondents were not non-Albanian communities, so the result may not reflect the current situation with the relocation of the branch in Mitrovica.⁷

Whereas the Basic Court of Ferizaj scores rather well in other indicators, the largest percentage of respondents (5.88%) who answered that they could not use their native language came from this Basic Court. This may be due to the fact that this municipality has constituencies of other ethnic minorities.⁸ The table below shows the number and percentage of participants who stated whether they were able to use their native tongue while conducting court business. A majority of participants stated that they were able to do so.

Table 25. Ability to talk in native language

<i>Were you able to be talk in your native language?</i>		
	Yes	No
Prishtina	97.19%	2.81%
Mitrovica	100%	0%
Prizren	97.06%	2.94%
Peja	98.86%	1.14%
Ferizaj	94.12%	5.88%
Gjakova	100%	0%
Gjilan	95.89%	4.11%

⁵ Constitution of the Republic of Kosovo. Chapter I, Art. 5

⁶ Law on the Use of Languages (Law Nr. 02/L-37).

⁷ The study was done before the integration of the courts in the North, therefore data on the integration of courts are not reflected in the findings regarding the region of Mitrovica.

⁸ The survey was conducted before the integration of the courts in the north, therefore the data for the integrated courts in the Mitrovica region are not reflected in the findings.

d. EQUAL TREATMENT AT COURT

The Justice sector is blindfolded to serve all equally. However, only 41.5% of respondents felt that courts were treating all citizens equally. Almost a quarter (23.9%) answered that they were not treated equally which is a cause for concern as it erodes the trust in fairness of the courts. The table below shows the number and percentage of participants who opined on whether they were treated as everyone else at court.

Table 26. The degree to which court users felt treated equally

<i>Were you treated the same as everyone else?</i>			
	Yes	No	Somewhat
Percentage	41.45%	23.87%	34.68%

A closer look at each basic court shows that answers are somewhat split between a positive, negative, or neutral answer with Mitrovica scoring the worst and Gjilan scoring the best.

Table 27. The degree to which court users felt treated equally, by Basic Court

<i>Were you treated the same as everyone else?</i>			
	Yes	No	Somewhat
Prishtina	35.39%	35.67%	28.93%
Mitrovica	54.41%	13.24%	32.35%
Prizren	33.82%	23.53%	42.65%
Peja	44.32%	13.64%	42.05%
Ferizaj	42.86%	19.33%	37.82%
Gjakova	41.43%	12.86%	45.71%
Gjilan	60.27%	6.85%	32.88%

FDGs corroborate the findings of the survey. Participants in Gjakova went on to claim that the court’s decisions are not always fair and participants attributed this to the culture of Gjakova whereby the family name (“respectable” family name by the standards of the local culture) is very important and sometimes judges focus on that rather than the evidence. In Ferizaj the perception of fairness is fairly positive, as all FGD participants unanimously admitted that the court treats cases fairly, but the biggest challenge is that those fair decisions are not executed, most of the examples on this regard came from participants who had been part of the Steel Pipes case (a landmark case in this Basic Court).

e. OVERALL RANKING ON EFFICIENCY AND FAIRNESS

Ranking on dimension of efficiency and fairness is a result of average responses of five following questions by all participants in each Basic Court:

1. Were you able to get your court business done in a reasonable time today?
2. How long is it taking for the court to resolve your case?
3. Were you treated with courtesy and respect?
4. Were you treated the same as everyone else?

Basic Court	Rank
Ferizaj	1
Peja	2
Gjilan	3
Prizren	4
Prishtina	5
Gjakova	6
Mitrovica	7

**Ranking of Basic Courts based on respondents' answers, where 1 is comparatively better than other ranked courts and 7 is comparatively weaker than other ranked courts.*

The Basic Court of Ferizaj is ranked on top of the list in terms of efficiency. Users of this Basic Court could get their business done relatively faster than other basic courts in Kosovo. It also scored high amongst respondents with regards to the feeling of being treated equally and with courtesy. In the FGD, participants agree that the quality of services has improved significantly in the past years with the move to the new building and the addition of judges, and this held true even in cases when the decision was not in their favor (or their clients' favor). The Basic Court of Peja, generally scored second in this efficiency and fairness block of questions and leads as the court where respondents felt treated with most courtesy and respect.

On the other side of the spectrum, the Basic Court of Mitrovica in comparison with other basic courts scored the lowest. Respondents also scored it the lowest when asked if they got their court business done in a reasonable amount of time.

7. PERCEPTION OF CORRUPTION

There is a widespread public perception that the judiciary in Kosovo is affected by corruption to a large degree. This is substantiated by various studies of international and local organizations, and stated in the Progress Report of the European Commission for Kosovo for 2017 and 2018. Specifically, according to the reports: The judiciary is [...] vulnerable to undue political influence and rule of law institutions need sustained efforts to build up their capacities.⁹

In light of this situation, this study aimed to determine the prevalence of corruption in different Basic Courts based on court users' perception and personal experience. Survey participants were asked to rate the most important causes of corruption among five options provided in the questionnaire identified as the main ways in which cases bribes or favors are exchanged to influence the handling and/or outcomes of cases. These five causes include: **(1) Political influence:** the undue influence of politicians who misuse their power to affect case outcomes through threats or intimidation; **(2) Influence of the parties in the process:** nepotism, use of personal wealth and connections to influence case outcome; **(3) Financial motivation of the judge:** bribing the judge directly to rule in the favor of the party that executes the bribe; **(4) Inefficient court with limited resources:** limited human resources that slow down case processing and open the possibilities of "greasing the wheels" through bribery or quid-pro-quo; **(5) Attorneys' influence:** lawyers' ex parte communication with the judge assigned to case to expedite the case and or influence the verdict, or use of attorney to act as an intermediary to execute the bribe payment to the case judge by the parties involved.

FGDs participants claimed that all causes are interrelated in that if a judge's financial motivation is the reason behind corruption, then the influence of the parties in the process is behind it, or if political influence is the cause of corruption, the influence of the parties in the process is again the underlying cause behind it, and so on.

Furthermore, through the rest of the questions in this section, respondents were asked whether they have personally been involved in giving or demanded to give bribes to court employees to fast-track their case or have the verdict in their favor.

a. CAUSE OF CORRUPTION

The following five causes of corruption were provided as options to be graded by respondents in their importance to causing corruption in the judiciary, according to their perception and experience. Undue political influence was the most important cause of corruption in all Basic Courts, with the exception of Prizren, where the largest proportion of respondents (36.7%) stated that attorneys' influence was the most important cause of corruption. Overall, other causes of corruption (influence of the parties in the process, financial motivation of the judge, inefficient court with limited resources and attorney's influence) were reported much less as the most important cause of corruption compared to political influence. It is important to note that parties in proceedings and attorneys/authorized representatives had in general similar views when asked about the most important cause of corruption. Nevertheless, attorneys/authorized representatives who deal more

⁹ Kosovo Progress Report 2018, European Commission. More at: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-kosovo-report.pdf>

often with different cases identified *political influence* as the most important cause of corruption slightly more than parties in proceedings.

Table 28. The most important cause of corruption among 5 options provided, separately for parties in the proceeding and attorneys or authorized representatives.

<i>In your opinion, what is the most important cause of corruption?</i>					
	Political Influence	Influence of the parties in the process	Financial motivation of the judge	Inefficient court with limited resources	Attorneys' influence
Party to proceeding	40.95%	15.43%	14.84%	13.80%	14.99%
Attorney or authorized representative	48.78%	17.89%	10.57%	13.82%	8.94%

In line with the aggregated findings, respondents in Prishtina chose political influence as the most important cause of corruption with 32%, the rest of answers are divided almost equally between the other four options provided. The finding was explored further in depth in the FGD, where it was suggested that the reason why political interference is seen as the main cause of corruption is because there is a widely held belief that judges who pursue promotions are easily influenced by political forces, who are so influential in the judicial system that upgrades to higher instance courts depends directly on one's political connections. Thus, corruption in this Court is mainly of this exchange of favors whereby in cases when one of the parties is politically connected, ruling in that party's favor is rewarded by provisions such as employment for family members and acquaintances, economic/financial favors, promotions and so on. This corroborates the survey findings data, whereby 40% of respondents said that political interference is the main cause of corruption.

Responders in Gjilan also ranked political influence as the most important cause of corruption, (54%). The remaining four options received an almost equal distribution of responses. Though the survey presented a low percentage (1%) of court users experiencing corruption, the participants at this FDG claimed that corruption occurs much more frequently, even though only one respondent said that he/she had been asked for a bribe, and two respondents said that they have bribed court officials, others knew of cases but were not personally involved. Delineated herein as anecdotal evidence are the following experiences of FGD participants: A number of them claimed that bribes in this court are accepted or sought by court administrative staff, while judges seek favors instead of bribes per se; One participant shared her experience related to her divorce case – on occasions she visited the court to find out about why her case was not being enforced and met with a court staff responsible for the enforcement of her case, the same person was seen subsequently having dinner with her former spouse on numerous occasions; An attorney participating mentioned a case that he thought he had won on the merits, but later learned that his client had paid off an administrative staff member to influence the outcome, thus a situation about which the lawyer of the case himself was oblivious.

As the survey shows, over 50% of the respondents from Mitrovica consider political influence to be the main cause of corruption, and 25% consider the influence of the parties in the process to be the second most prevalent cause. The FGD participants agree with this data, and this furthermore goes to show that corruption has evolved – it has become more sophisticated – instead of money, now there is an exchange of favors and influence.

Respondents in Gjakova rank political influence as the most important cause of corruption (39% of them) and the influence of the parties in the process as the second most important cause (28%). In the FGD, the majority of participants expressed that this Court is characterized by “surprising” rulings by certain judges that make people believe there may be corruption involved. According to discussion participants, the Court’s decisions are not always fair and participants attributed this to the culture of Gjakova, whereby the family name (“respectable” family name by the standards of the local culture) is very important and sometimes judges focus on that rather than the evidence. They distinguish parties that come from “privileged” families by giving them smaller fines, and at times this is even reflected in the outcome of the case.

Most court users of the Ferizaj Basic Court (54%) consider political influence as the main cause of corruption in general. However, the only public case of corruption in this court is the 2010 case of a judge who took a 20 Euro bribe. It was pointed out that parties (citizens who are parties in proceedings) are the ones who think that if they pay a bribe then their case will be resolved more quickly and in their favor, but in practice no one admitted to having experienced such quid pro quo at this basic court. Participants stated that they are not informed about the operations and activities of the court, (including structure, processes, basis of judgments and logic of court decisions) and in this lack of information, they claimed that signals of corruption arise. Political influence was considered to be the biggest factor contributing to corruption in the justice system, which is mostly built on what they have heard, rather than on personal experience.

Users of the Basic Court of Peja have the strongest convictions that political influence is the main cause of corruption in the judiciary with 75% of survey responders ranking this as the main factor of corruption. The FGD’s participants agreed with the findings, stating that all other causes provided as options, are tied and led by political influence. The term “selective justice” was used to describe how the justice system is favorable to individuals who enjoy political connections and by association – power and influence. Participants were not surprised that none of the respondents admitted to either offering or being asked for a bribe by court employees, it no longer ensues explicitly. Yet again, 2 out of the 6 FGD participants have had first-hand experience with requests for bribes and one of the lawyers admitted to having had numerous clients who see bribery as a way to have their case resolved quicker. Therefore, with this information at hand, we may conclude that further study is needed to explore whether quid pro quo bribes have ended and are replaced entirely by the subtler influence of political entities and the parties’ influences, as it is clear from the FGD participants’ experience that parties and lawyers continue to contemplate and sometimes engage in bribery. Also, further study is needed to explore whether those parties who lack family or political ties are left with the only option of using bribery to influence the speed or outcome of the proceedings.

Finally, only users of the Basic Court of Prizren rank the influence of attorneys as the primary cause of corruption in the judiciary. The FGD participants agreed that lawyers’ influence is one of the main causes of corruption, however, they feel that politics has a larger influence in corruption and that the two causes are intertwined. When asked to elaborate on this finding, participants admitted that Prizren

is a small town and lawyers who know people utilize those personal friendly or family connections, and secure information that is not readily available to others and accelerate their cases they represent.

Table 29. The most important cause of corruption among 5 options provided, by Basic Court

<i>In your opinion, what is the most important cause of corruption?</i>					
	Political Influence	Influence of the parties in the process	Financial motivation of the judge	Inefficient court with limited resources	Attorneys' influence
Prishtina	32.75%	18.42%	16.67%	16.37%	15.79%
Mitrovica	53.73%	22.39%	10.45%	4.48%	8.96%
Prizren	16.18%	2.94%	13.24%	30.88%	36.76%
Peja	75.00%	4.17%	12.5%	4.17%	4.17%
Ferizaj	53.98%	17.7%	10.62%	11.50%	6.19%
Gjakova	38.57%	22.86%	12.86%	10.00%	15.71%
Gjilan	53.85%	10.77%	15.38%	10.77%	9.23%

When asked, what was the second most important cause of corruption, influence of the political parties in the process and financial motivation of the judge were mentioned slightly more than other causes of corruption. A relatively evenly distribution of causes was answered when asked what was the third, fourth and fifth cause of corruption. The tables below present those answers.

Table 30. The second most important cause of corruption among 5 options provided, by Basic Court

In your opinion, what is the second most important cause of corruption?

	Political Influence	Influence of the parties in the process	Financial motivation of the judge	Inefficient court with limited resources	Attorneys' influence
Prishtina	13.58%	24.38%	32.1%	21.91%	8.02%
Mitrovica	18.64%	25.42%	15.25%	16.95%	23.73%
Prizren	25.00%	19.12%	23.53%	11.76%	20.59%
Peja	38.78%	28.57%	14.29%	12.24%	6.12%
Ferizaj	18.56%	18.56%	22.68%	16.49%	23.71%
Gjakova	13.04%	27.54%	23.19%	20.29%	15.94%
Gjilan	11.11%	18.52%	29.63%	24.07%	16.67%

Table 31. The third most important cause of corruption among 5 options provided, by Basic Court

In your opinion, what is the third most important cause of corruption?

	Political Influence	Influence of the parties in the process	Financial motivation of the judge	Inefficient court with limited resources	Attorneys' influence
Prishtina	22.22%	30.33%	20.42%	16.52%	10.51%
Mitrovica	20.97%	32.26%	20.97%	19.35%	6.45%
Prizren	25.00%	35.29%	16.18%	13.24%	10.29%
Peja	0.00%	35.29%	8.82%	26.47%	29.41%
Ferizaj	10.58%	27.88%	26.92%	14.42%	20.19%
Gjakova	37.14%	27.14%	22.86%	8.57%	4.29%
Gjilan	25.00%	23.08	19.23%	25.00%	7.69%

Table 32. The fourth most important cause of corruption among 5 options provided, by Basic Court

<i>In your opinion, what is the fourth most important cause of corruption?</i>					
	Political Influence	Influence of the parties in the process	Financial motivation of the judge	Inefficient court with limited resources	Attorneys' influence
Prishtina	31.34%	12.84%	12.24%	20.30%	23.28%
Mitrovica	11.86%	15.25%	38.98%	22.03%	11.86%
Prizren	4.41%	16.18%	20.59%	32.35%	26.47%
Peja	18.18%	20.45%	15.91%	20.45%	25.00%
Ferizaj	16.67%	25.93%	23.15%	21.30%	12.96%
Gjakova	2.86%	12.86%	21.43%	37.14%	25.71%
Gjilan	6.00%	16.00%	12.00%	12.00%	54.00%

Table 33. The fifth most important cause of corruption among 5 options provided, by Basic Court

<i>In your opinion, what is the fifth most important cause of corruption?</i>					
	Political Influence	Influence of the parties in the process	Financial motivation of the judge	Inefficient court with limited resources	Attorneys' influence
Prishtina	6.42%	17.43%	20.18%	19.88%	36.09%
Mitrovica	1.69%	11.86%	16.95%	28.81%	40.68%
Prizren	29.41%	26.47%	26.47%	11.76%	5.88%
Peja	15.91%	34.09%	31.82%	9.09%	9.09%
Ferizaj	11.46%	23.96%	26.04%	21.88%	16.67%
Gjakova	8.70%	10.14%	20.29%	24.64%	36.23%
Gjilan	30.77%	25.00%	15.38%	21.15%	7.69%

b. BRIBERY

The prevalence of bribery as a form of corruption is an important indicator when assessing the existence and degree of corruption in the justice system. Out of the population of 817 respondents, 38 or 4.51% reported to have been solicited for a bribe by a judge or other court employee.

Table 34. The percentage and number of participants who reported on being solicited for a bribe by a judge or other court employee

Have you ever been asked for a bribe by a court judge or court employee?

Yes	No
4.5%	95.49%

35% of respondents from Prizren responded that they were asked for a bribe. This Basic Court seems to have major issues with requests and offers of bribery. This figure in Prizren, in terms of percentages is eight times higher than the second highest, the Basic Court of Mitrovica (with 4.6 % of respondents stating that they were asked for a bribe). Respondents in Gjakova and Peja did not report any cases of being asked for a bribe. A majority of participants were asked for bribes in order to sway the ruling to their favor or expedite the court proceedings, whereas the fewest reported being asked for bribes in order to obtain a document.

Worryingly, three quarters of respondents who were solicited for a bribe in Prizren stated that they were asked to pay to have the case ruled in their favor. Whereas five out to 7 cases of solicitation in Prishtina were to fast-track processes, and two were to have the case ruled in their favor. The table below, shows the number of respondents who reported that they were solicited for a bribe, the reason and the court where it happened.

Table 35. The reason why respondents have been asked for a bribe by a court judge or employee

If yes, why?

To fast-track processes	To obtain the needed documentation	To have the case ruled in my favor	Other
34.21%	5.26%	50.00%	10.53%

In terms of actually giving a bribe, the table below shows the number and percentage of participants who reported giving out bribes to a judge or employee. Similar to the incidence of solicitation for a bribe, respondents in Prizren reported the highest number of bribes, followed by Prishtina.

Table 36. Percentage of court users who have bribed a judge or court employee*Have you ever bribed a judge or employee?*

Yes	No
2.61%	97.39%

The table below shows the share of participants who have handed out bribes to court officials and who identified the position of the person receiving the bribe. The majority of participants placed the receiver in the *Other* category.

Table 37. Position of person who was bribed*What position did the person you bribed have?*

Judge	Referent	Administrative	Other
18.18%	9.09%	0%	72.73%

Given that the number of respondents who admitted to having given a bribe is very small (only 2.61%), the breakdown of results by Basic Court in the table below is represented in numbers rather than percentages. Respondents reported bribing a judge three times in Prizren and once in Prishtina. No participants reported bribing a person holding an administrative position at court.

Table 38. Position of person who was bribed, by Basic Court*What position did the person you bribed have?*

	Judge	Referent	Administrative	Other
Prishtina	1	0	0	2
Mitrovica	0	1	0	0
Prizren	3	0	0	13
Peja	0	0	0	0
Ferizaj	0	0	0	0
Gjakova	0	0	0	0
Gjilan	0	1	0	1

c. OVERALL RANKING ON PREVALENCE OF BRIBERY

Ranking on dimension of prevalence of bribery is a result of average responses of two following questions by all participants in each Basic Court:

1. Have you ever been asked for a bribe by a court judge or court employee?
2. Have you ever bribed a judge or employee?

Table 39. Ranking of Basic Courts on the prevalence of corruption

Basic Court	Rank
Gjakova	1
Peja	1
Ferizaj	3
Prishtina	4
Gjilan	5
Mitrovica	6
Prizren	7

**Ranking of Basic Courts based on respondents' answers, where 1 is comparatively better than other ranked courts and 7 is comparatively weaker than other ranked courts.*

Both Basic Courts of Gjakova and Peja ranked first in the category of prevalence of corruption, because respondents in both did not report any case of bribery. The ranking of the courts does not represent the number of corruption cases reported but the ratio between the positive and negative answers. The lower the ratio, the better the ranking.

8. RECOMMENDATIONS FOR IMPROVEMENT

Based on the findings of this study, recommendations for improvement of the quality of services offered by Basic Courts, are grouped into the following thematic areas:

Improve access to information about cases and court operations

The Basic Court of Prishtina needs to make information about cases available to parties and their legal representatives or attorneys including the status of case, judge assigned to case and schedule of hearings, on its official website. General information about the court operations should also be readily available on the webpage, as well as in court premises, and presented in a way that is useful to all constituents. This Basic Court should also improve responsiveness through email and phone, as currently the only channels of communication with parties to proceedings and lawyers are through official letters sent from the court through traditional mail. Additionally, it should improve signage in the court premises to make it easier for court users to identify the buildings and find the office or court room that they need. Similarly, the Basic Court of Gjilan and Mitrovica should improve citizens' access to information and two-way communication (through phone and email) rather than having them personally go to the court to seek information. Likewise, the Basic Court of Peja should give equal access to information to all court users rather than using one's personal connections and political influence to obtain information by the court.

The Basic Court of Ferizaj should work on increasing transparency about its daily operations by (1) informing the public about its undertakings and (2) increasing access to information for those who are actively seeking information from the court. It is highly recommended that these courts offer numbered tickets that determine the waiting sequence, and brochures with frequently asked questions and general information about services that the court offers.

Increase efficiency in processing cases

The Basic Court of Mitrovica should increase its efficiency in processing cases as it enjoys the lowest ranking in the efficiency and fairness dimension. Specifically, judges should write their decisions more clearly, to better reflect their reasoning and the legal basis for the decisions, to make them harder to reverse by the Appellate Court. Additionally, the number of judges need to be increased as an important factor in improving the efficiency of courts in decreasing the case backlog. Likewise, the Basic Court of Gjakova needs to take due action in the way cases are processed, as its efficiency is impaired by the large number of cases that are transferred to higher instance courts and back. The Basic Court of Prishtina, Prizren, Peja and Gjilan need to hire more judges to fast-track case processing especially in the Department of Civil Cases, as the number of judges is alarmingly low compared to the number of cases needed to be resolved.

Control for bribery

The Basic Court of Prizren, Mitrovica and Gjilan should address the issue of corruption by (1) introducing additional controls for bribery and (2) taking measures to prevent this occurrence. Potential ways to achieve this include: offering free toll numbers and complaint boxes in hallways for court users to anonymously report demands for bribes. It should also take measures to prevent corruption including vetting judges and offering compulsory trainings on ethics for judges and all court

staff. They should also have all court employees including judges undergo trainings on professional development, adopt stronger policies to hold judges accountable to a higher standard and put oversight measures by a supervisory institution such as the Kosovo Judicial Council.

Ensure equal and fair treatment for all

The Basic Court of Gjakova should ensure that justice serves all citizens equally without favoritism regardless of their family name or influence that they enjoy through political ties or other connections. Judges should write well-reasoned decisions that explain why the decision went as it did. Similarly, the Basic Court of Peja should treat all court users equally and without favoritism. This Court should at first undertake measures to identifying how common is this sort of behavior of Court staff by cooperating with court users (through exploratory surveys and/or complaint boxes) and undertaking measures to address it through staff trainings or disciplinary measures. The Basic Court of Ferizaj should improve the implementation of the law on the use of languages, as its constituents, and hence court users, include ethnic minorities, while the basic court of Prizren should ensure that all lawyers receive equal treatment by the judges. Finally, the Basic Court of Prishtina needs to work on improving the treatment offered by court employees to citizens, as this court is ranked in the worst position on the level of courtesy and respect that court users receive while at court.

Recommendations for improvement specific to the situation of each court are delineated below.

Basic Court of Prishtina needs to:

- Make information about cases including status of case, judge assigned to case and schedule of hearings available to parties and attorneys/legal representatives on its webpage;
- Provide general information about the court operations on its webpage;
- Improve responsiveness through email and phone;
- Improve signage in the court premises to make it easier for court users to identify the buildings and find the office or court room that they need;
- Improving the treatment offered by court employees to citizens;

Basic Court of Ferizaj needs to:

- Increase transparency about its daily operations by (1) informing the public about its undertakings and (2) increasing access to information for those who are actively seeking information from the court;
- Improve the implementation of the law on the use of languages, as its constituents and hence court users include ethnic minorities;

Basic Court of Gjilan needs to:

- Improve citizens' access to information and two-way communication (through phone and email) rather than having them personally go to the court to seek information;
- To hire more judges to fast-track case processing especially in the Department of Civil Cases, as the number of judges is alarmingly low compared to the number of cases needed to be resolved;
- Address the issue of corruption by: (1) introducing additional controls for bribery and (2) taking measures to prevent this occurrence, through:

- Offering free toll numbers and complaint boxes in hallways for court users to anonymously report demands for bribes;
- Vetting judges;
- Offering compulsory trainings on ethics for judges and all court staff;
- Having all court employees including judges undergo trainings on professional development;
- Adopting stronger policies to hold judges accountable to a higher standard; and
- Taking oversight measures by a supervisory institution such as the Kosovo Judicial Council;

Basic Court of Gjakova needs to:

- Take due action in the way cases are processed, as its efficiency is impaired by the large number of cases that are transferred to higher instance courts and back;
- Ensure that justice serves all citizens equally without favoritism regardless of their family name or influence that they enjoy through political ties or other connections;
- Ensure that judges should write well-reasoned decisions that explain why the decision went as it did;

Basic Court of Peja needs to:

- Give equal access to information to all court users rather than using one's personal connections and political influence to obtain information by the court;
- Hire more judges to fast-track case processing especially in the Department of Civil Cases, as the number of judges is alarmingly low compared to the number of cases needed to be resolved.
- Ensure that its employees (judges and administration) treat all court users equally and without favoritism by (1) identifying the frequency of occurrence of this phenomenon and (2) taking measures to enable citizens to report it and (3) taking measures to address it through staff trainings or disciplinary measures

Basic Court of Mitrovica needs to:

- Improve citizens' access to information and two-way communication (through phone and email) rather than having them personally go to the court to seek information.
- Increase its efficiency in processing cases
 - Specifically, judges should write their decisions more clearly, to better reflect their reasoning and the legal basis for the decisions, to make them harder to reverse by the Appellate Court;
 - Increase the number of judges need to be increased as an important factor in improving the efficiency of courts in decreasing the case backlog;
- Address the issue of corruption by: (1) introducing additional controls for bribery and (2) taking measures to prevent this occurrence, through:
 - Offering free toll numbers and complaint boxes in hallways for court users to anonymously report demands for bribes;
 - Vetting judges;
 - Offering compulsory trainings on ethics for judges and all court staff;
 - Having all court employees including judges undergo trainings on professional development;
 - Adopting stronger policies to hold judges accountable to a higher standard; and

- Taking oversight measures by a supervisory institution such as the Kosovo Judicial Council;

Basic Court of Prizren needs to:

- Hire more judges to fast-track case processing especially in the Department of Civil Cases, as the number of judges is alarmingly low compared to the number of cases needed to be resolved;
- Address the issue of corruption by: (1) introducing additional controls for bribery and (2) taking measures to prevent this occurrence, through:
 - Offering free toll numbers and complaint boxes in hallways for court users to anonymously report demands for bribes;
 - Vetting judges;
 - Offering compulsory trainings on ethics for judges and all court staff;
 - Having all court employees including judges undergo trainings on professional development;
 - Adopting stronger policies to hold judges accountable to a higher standard; and
 - Taking oversight measures by a supervisory institution such as the Kosovo Judicial Council.
- Ensure that all lawyers receive equal treatment by the judges;

9. ANNEX I

RECOMMENDATIONS AND PLEDGES FROM ROUND TABLES

The findings of the study "Transparency and Efficiency of Basic Courts of Kosovo" and the two accompanying reports "Citizens' Evaluation on Basic Court Services" and "Basic Court Services as Evaluated by Lawyers" were presented and discussed in six roundtables. Attending these events were the Court Presidents or Vice Presidents of the Basic Courts, who have pledged to engage in improving the quality of the services offered by Basic Courts in line with the findings of the study. Other participants were judges, administrators, lawyers and civil society representatives who provided their recommendations regarding the involvement of the courts in addressing issues arising from this report.

The recommendations and commitments made at the Round Table events by each basic court, are as follows:

Basic Court of Ferizaj:

- The Court President vowed that a work plan will be drafted, the purpose of which is to advance the flow of information to the public;
- The Court President vowed to take into account the recommendations for facilitating reporting of corruption to the court, either through complaint boxes or the provision of free-toll phone numbers.

Basic Court of Gjilan:

- The Court President vowed that, given that the results reveal a high frequency of "ex parte" communication, action will be taken to ensure that this does not occur since it is a direct violation of the Code of Ethics;
- The Information Officer of this court recommended that communication with the public be adapted to citizens' preferences, who visit the court's Facebook page much more than the official web site;

Basic Court of Mitrovica:

- After the transfer of the Basic Court in Mitrovica, the integration of Serbian judges into the Kosovo justice system and the translation of cases from Albanian to Serbian, the President of the Court pledged that the Court will undergo a restructuring of the work within the court, and that human resources will be better utilized;
- The President of the Court pledged that the Court will provide opportunities through which citizens can easily report cases of corruption, among which will be complaint boxes and toll-free phone numbers.
- With the aim of eliminating eventual misuse, special emphasis must be put on improving the way in which statistics are collected on cases reported by judges. This reporting should only be done by the Case Management Office and judges should not be involved in the process.

Basic Court of Peja & Gjakova:

- The presidents of both Basic Courts pledged to put the complaint box at the court building to enable citizens to file complaints about court services in general, as well as reporting misconduct and corrupt behavior by court staff;
- Participants recommended that lawyers' court visits should be managed more strictly and that they should not be permitted to visit judges' offices and inquire information about their cases.

Basic Court of Prizren

- Limiting / Prohibiting Attorneys' Access to Judges Chambers Court without Invitations by the Court to Avoid ex parte communication. The President of this Court has taken this decision and recommends that other Basic Courts follow the example;
- The Court President pledged to follow the recommendations of the report by placing the complaint box within the court facility.

Basic Court of Pristina

- The Court's Vice President expressed the Court's willingness to implement the recommendations of the report;
- Taking into account the work volume of the Information Officer of this Court, as well as the increase of court activities in relation to information and communication with the public, the Vice President presented said that they should plan to increase the number of staff at the information office;
- Civil society activists (specifically BIRN) proposed that within legal possibilities, to avoid the postponement of hearings for insignificant complications such as a lack of notebooks, papers /letters and other similar reasons.
- Civil society activists (specifically BIRN) recommended the abolishment of the KJC's administrative instruction to publish and anonymize judgments, as convicts are sentenced on behalf of the people, and it makes no sense to keep their names hidden.
- It was also recommended that the publication of the timetable of hearings be made by publishing the name of the parties at the main trial.
- The Public Information Officer from the Supreme Court proposed not to approve judges' vacation requests at times when they have trial hearings scheduled;

10. ANNEX 2

QUESTIONNAIRE TRANSPARENCY/ACCESSIBILITY & EFFICIENCY OF BASIC COURTS IN KOSOVO

INSTRUCTION: Outside the court house, field enumerator approaches every 5th person who exits the court, and proceeds with:

Good morning/afternoon/evening, my name is _____. I work as an interviewer for Democracy Plus, a subcontractor of USAID's Justice System Strengthening Program (JSSP). We are conducting a survey to understand what court users think about the efficiency and level of transparency of Basic Courts. Would you please take a few minutes to answer some questions? The survey is anonymous and all data will be presented as group data and used solely for the purposes of this project.

DATE OF INTERVIEW			
TIME OF INTERVIEW			
NUMBER OF INTERVIEW			OUT OF 100
REGION CODE 1 - PRISHTINA 2 - MITROVICA 3 - PEJA 4 - GJAKOVA 5 - GJILAN 6 - FERIZAJ 7 - PRIZREN			
RESPONDENT SEX 1 - MALE 2 - FEMALE			
RESPONDENT AGE GROUP 1 - AGE 18 – 24 2 - AGE 25 – 34 3 - AGE 35 – 44 4 - AGE 45 – 54 5 - AGE 55 – 64 6 - AGE 65+			

The reason why respondents have come to the court?

<p>Q.1</p>	<p>Target group: every 5th person exiting the court</p> <p>Why did you come today to the court?</p> <p>If codes 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 DO NOT PROCEED with the questionnaire.</p>	<ol style="list-style-type: none"> 1. A party in a proceeding - natural person – have to take part PERSONALLY (PLAINTIFF OR DEFENDANT) 2a. If a party, what type of case brought you to the court? <ul style="list-style-type: none"> <input type="checkbox"/>Criminal <input type="checkbox"/>Civil <input type="checkbox"/>Commercial <input type="checkbox"/>Administrative <input type="checkbox"/>Minor Offence <input type="checkbox"/>Juvenile 2. Lawyer or authorized representative 3. Obtain ONLY administrative services: documents, information, make a payment, make a statement, etc. 4. Witness 5. Journalist 6. Observer/Support a friend or relative 7. Judge, Judge Professional Associate, Judicial assistant 8. Prosecutor, Prosecutor Professional Associate, Prosecutor practitioner 9. Administrative staff 10. I work in the court, but not professional staff <p>Other (please specify):</p>	
------------	--	---	--

TRANSPARENCY QUESTIONS

The experience respondents have in accessing the Court

<p>Q.2</p>	<p>In your experience, how easy is to get information about your case?</p>	<ol style="list-style-type: none"> 1. Extremely hard 2. Somewhat hard 3. Neither hard or easy 4. Somewhat easy 5. Extremely easy 	
<p>Q.3</p>	<p>Was it easy to find the courtroom or office you needed?</p>	<ol style="list-style-type: none"> 1. Extremely hard 2. Somewhat hard 3. Neither hard or easy 4. Somewhat easy 5. Extremely easy 	
<p>Q.4</p>	<p>How helpful was the information given to you by the court?</p>	<ol style="list-style-type: none"> 1. Extremely unhelpful 2. Somewhat helpful 	

		<ul style="list-style-type: none"> 3. Neither helpful or unhelpful 4. Somewhat helpful 5. Extremely helpful 	
Q.5	Did you use the court's website?	<ul style="list-style-type: none"> 1. Yes 2. No <p>If code 1, continue to 5a.</p>	
Q. 5a	Did you find what you were looking for?	<ul style="list-style-type: none"> 1. I did not find any information I needed 2. I found very few information I needed 3. I found most of the information I needed 4. I found all the information I needed 	

EFFICIENCY and FAIRNESS QUESTIONS

The experience respondents have in receiving court services

Q.6	Were you able to get your court business done in a reasonable time today?	<ul style="list-style-type: none"> 1. Strongly Disagree 2. Disagree 3. Neither agree or disagree 4. Agree 5. Strongly Agree 	
Q.7	How long is it taking for the court to resolve your case?	<ul style="list-style-type: none"> 1. Less than 6 months 2. Up to one year 3. Up to two years 4. More than two years 	
Q.8	Were you treated with courtesy and respect?	<ul style="list-style-type: none"> 1. Extremely unsatisfied 2. Somewhat unsatisfied 3. Neither 4. Somewhat satisfied 5. Extremely satisfied 	
Q.9	Were you able to be talk in your native language?	<ul style="list-style-type: none"> 1. Yes 1. No 	
Q.10	Were you treated the same as everyone else?	<ul style="list-style-type: none"> 1. Yes 2. No 3. To some degree 	

PERCEPTION OF CORRUPTION QUESTIONS

Q. 11	People have different opinions about the causes of corruption in judiciary. In your opinion, what is the main cause of corruption? Please rank the following reasons from 1-5 where 1 is the most important cause, 2 is second in importance, 3 is the third in importance, 4 is the fourth in	<ul style="list-style-type: none"> 1. Political Influence 2. Influence of the parties in the process 3. Financial motivation of the judge 4. Inefficient court with limited resources 5. Attorneys' influence 	
-------	--	--	--

	importance, and 5 is the least important cause.		
Q. 12	Have you ever been asked for a bribe by a court judge or court employee?	1. Yes 2. No	If YES, why? 1. To fast-track processes 2. To obtain the needed documentation 3. To have the case ruled in my favor 4. Other
Q. 13	Have you ever bribed a judge or employee?	1. Yes 2. No	If YES, ask why and what position did the person hold? 1. Judge 2. Referent 3. Administrator 4. Other
Q. 14	What do you think can be done to reduce corruption?	OPEN ENDED QUESTION	
CLOSING QUESTION			
Q.15	Please do not hesitate to tell us if you have any remarks or observation, or would like to bring a certain aspect of the court to our attention in order to improve the functioning of justice: (Do you have anything to add?)	OPEN ENDED QUESTION	