

**KOSOVO/A CIVIL SOCIETY PROJECT**

**KOSOVO/A STANDING TECHNICAL  
WORKING GROUP**

Graham Holliday

**TRAINING WORKSHOP:  
ADMINISTRATION OF THE JUDICIARY &  
HUMAN RIGHTS  
FLENSBURG  
12 - 15 JULY 2001**

**ECMI Report # 16**

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Director: Marc Weller

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## CONTENTS

I.	Introduction.....	1
II.	Objectives of the Training Workshop.....	1
III.	Activities undertaken in the Workshop.....	2
IV.	Summary of the Proceedings .....	4
V.	Successes of the Activities.....	10
VI.	Practical Problems Encountered .....	12
VII.	Project Evaluation.....	13
	Appendix	
	1. Results of the Evaluation .....	15
	2. Programme of Events.....	17
	3. List of Participants .....	19



## **I. INTRODUCTION**

The training workshop on human rights and the administration of the judiciary took place in Flensburg over three days (July 12-15) and was generously supported by a grant from the Westminster Foundation for Democracy. This training workshop is one component of a larger, long-term civil-society-building project initiated by ECMI in September 2000. The project seeks to focus political debate in Kosovo/a on practical issues and has established a permanent forum towards this end. This forum takes the form of a Standing Technical Working Group (STWG), which brings together representatives of political parties, minority groups and specialist NGOs to address technical issues. These issues are addressed at regular meetings of the Group and purposefully take place in Pristina so as to introduce a level of normalcy to democratic dialogue within Kosovo/a.

## **II. OBJECTIVES OF THE TRAINING WORKSHOP**

The main objective of this project and the training workshops is to utilize the activities of the STWG and increase the space for democratic dialogue across party and ethnic divides, thus facilitating the resolution of differences through reasoned positions. On a political level, the project aims to increase awareness of issue areas that are essential to the development of a vibrant civil society. Through the inclusion of civil society groups (NGOs), the project also aims to increase the transparency of the political process, diversifying the sources of advice available to Kosovar society and broadening the public debate. To generate tangible results from this process, the closing session of each meeting envisages the formulation of concrete policy recommendations.

A further objective of the project is to nurture a culture of accountability by generating a means for Kosovo/a civil society to engage the international implementation agencies and, increasingly, the emerging interim political and administrative structures in critical dialogue. This is foreseen through the procedure of the meetings and the generation of policy recommendations.

At each of the meetings, the Group examines a cluster of policy options that have previously been identified by a smaller Steering Committee, which has been established to study and prepare the issue at hand in greater detail. The Group then has recourse to local and international experts who advise them on the policy options under review and help the Group in formulating concrete policy recommendations. At the end of the session, the Group summons representatives of the international agencies and critically examines their performance.

The training events are designed to support and mirror the activities of the STWG meetings. These events are conducted abroad, to assist the Group in forming its identity and fostering dialogue in a neutral environment as well as to draw on educational opportunities not normally found in Kosovo/a. The topics for training sessions are directly linked to the issues discussed at the STWG meetings and are constructed expressly to enable the Group to base the follow-on of its initial sessions on a broader knowledge base. They are also designed to emulate the procedure of the meetings by stressing democratic dialogue, consensus decision-making and transparency.

### **III. ACTIVITIES UNDERTAKEN IN THE WORKSHOP**

The programme of the training event was constructed explicitly to further enhance the Group's understanding of human rights and judicial affairs. As such the training seminars were the culmination of a consolidated process that had begun in May with the establishment of a Steering Committee on the Judiciary. This smaller sub-group of the STWG was tasked with identifying a number of key issues to be debated at a future meeting of the STWG. With the help of a specially commissioned background study and through an ongoing process of consultation and discussion, the Steering Committee produced a meeting agenda around three main issue areas. These were:

- Unity, professionalisation and independence of the judiciary
- Cooperation with the executive
- Human rights in the judiciary

On 30 June, the third consecutive meeting of the STWG took place in Pristina, Kosovo/a (see ECMI Report # 15), to debate these issues, and a team of international and local experts were enlisted to help the Group in drafting policy recommendations. These draft recommendations were subsequently put to members of UNMIK and other implementing bodies, and were subsequently distributed to members of the Group and the appropriate offices of UNMIK.

On the back of this, ECMI set about designing a training workshop to help broaden the knowledge base of the participants and to provide the group with a further forum for debate guided by experts in this particular field of knowledge. The structure of the programme was designed to offer a logical development to the seminars and to avoid unnecessary overlap. The trainers were identified and selected to provide information and advice from a variety of perspectives. They included academics who could comment more profitably about problems from a comparative perspective as well as practitioners who could provide more detailed knowledge about the specific problems that exist in Kosovo/a. The criteria for selection also aimed to provide a mixture of practical group activity and involvement as well as straightforward presentations.

Prior to the event, the trainers were requested to structure their presentations in a way that allowed for a maximum of interaction within the group and to provide room for further questions. The trainers were also provided with a list of guidelines and materials (a list of participants and profiles) to help them better target their presentations to the audience at hand. This material reiterated the aim of the project as a mechanism for generating policy-oriented debate and highlighted practical problems that could arise in the seminars e.g. the limits of simultaneous translation.

Out of a group of approximately 50 members of the STWG, 25 permanent members were invited, which provide a representative mixture of Kosovar society as well as a good balance of gender. Members of civil society groups (specialist NGOs) were also invited. Provision was then made for transporting a group of around 30 Kosovars, including interpreters and local staff, to Flensburg, Germany (see Appendix 3.).

At the Regional Office in Pristina, the Regional Representative and Local Assistant coordinated the flight arrangements for the entire group and the provision of visas.

The regional staff also liaised with members of UNMIK and the OSCE who had agreed to participate in the session, and collated what materials were available on the judicial system and human rights in languages that the participants could understand.

Staff at ECMI main office set about arranging transport and accommodation for the participants as well as for the trainers and interpreters. A local hotel on the German-Danish border was identified as an appropriate venue. The venue also provided adequate conference facilities and a comfortable environment for the participants during the training event. Translation and interpretation equipment was hired and materials assembled into information packs for the trainers and trainees. A programme of social activities was also foreseen.

#### **IV. SUMMARY OF THE PROCEEDINGS**

##### *Day One:*

The training event proper commenced on 12 July. (A full programme of events is appended to this Report.) The ECMI Director welcomed the participants to Flensburg and expressed his appreciation of the continued commitment of the Group. There then followed an introductory comparative overview of the judicial systems adopted by countries in their transition phase from communism.

##### Introduction: comparative legal cultures - the post-communist transition in an internationalised environment

This review was provided by Dr Muhalena Hofmann of the Max Planck Institute for International Comparative Law at the University of Heidelberg, in Germany. Starting from a broad viewpoint the overview attempted to provide a perspective against which the participants could objectively assess the developments and problems faced in Kosovo/a. A second aim was to provide useful parallels for weighing the pros and cons of policies that had been adopted in other eastern European countries, paying due regard to the legal culture and historical legacy that prevailed. It was stressed that many of the problems Kosovo/a was confronting, and would encounter in the future, were common to all transitional judicial systems. Lessons could be drawn from this and policies implemented to tackle the problems before they became worse. It was



noted, that particular importance should be paid to the provision of adequate salaries for judges and judicial officials as an anti-corruption measure. From comparative studies it could be ascertained that levels of corruption in the judiciary dropped significantly with a corresponding rise in salaries. Constraints on judicial systems in post-communist countries could be traced back to inadequate provision of funding, mechanisms of structured training, and support services. This had often led to a backlog of cases, exacerbating the situation. One effective mechanism for countering this was often found to be the phenomenon of judges organising themselves into effective pressure groups and undertaking lobbying for better conditions. As a final proposal, Dr Hofmann recommended the participants look to the model adopted by Slovenia as a positive example of how the administration of the judiciary could be effectively implemented in a transition country.

### Discussion

This presentation generated lively debate and discussion, which lasted at least as long as the presentation itself. One topic that was addressed was to recur throughout the remaining training event, and this was the question of executive intervention in judicial decisions. There was a general feeling that the desire of many Kosovars to finally achieve a culture of democracy was in danger of being eroded by the use of executive vetoes. Dr Hofmann reminded the participants that although the potential use of intervention could not be regarded as a normal democratic measure, the whole character of the new constitution in Kosovo/a was transitory.

### *Day Two:*

After an overview of the context in which developments of the Kosovo/a judicial system could be judged, the workshop turned its attention to considering the specific conditions that obtain in Kosovo/a. Two presentations were provided by members of the international implementation agencies, Dr Anna Myriam Roccatello of the Department of Judicial Affairs, Joint Interim Advisory Structures, UNMIK and Dr Reinhold Gallmetzer of the OSCE's Kosovo Judicial Institute. Both had agreed to participate in the session in the capacity of trainers.

### Presentation of the Kosovo/a judicial system

Dr Roccattello described the obstacles that the UN administration had faced in establishing a judicial system in Kosovo/a and how the present system had come about. She pointed to the domestic constraints on policy that UNMIK had faced, such as the limited number of impartial and well-trained judges and prosecutors, as well as the international constraints under which they operated, such as the need for a clear and unambiguous mandate to start working towards a unified judicial system. Against this backdrop, Dr Roccattello outlined the present structure of the judiciary and judicial administration in Kosovo/a and emphasized the importance of creating a climate governed by the rule of law, and not one where impunity ruled.

### Professionalisation and independence of the judiciary

Dr Reinhold Gallmetzer then concentrated on the specific mechanisms that had been put in place to address key areas where gaps were perceived to exist and improvement in judicial services was deemed to be essential. This included issues of training and selection of judicial personnel as well as provisions for improving the status and payment of judges, especially with regard to the security environment prevalent in Kosovo/a and the potential for corruption and bias. Here he stressed the need for adequate provision of support services and a structured programme of continuous training.

### Discussion

Participants took advantage of the opportunity to engage in direct dialogue with representatives of the implementation agencies, although it had been stressed beforehand that both Dr Roccattello and Dr Gallmetzer were participating in the capacity of trainers, not as policy makers. A heated debate ensued and the presenters agreed to provide the opportunity for an extended questions and answers session at the end of the first morning. Very specific questions were posed, including a query about progress in drafting the penal code, as well as more general political questions about the role and powers of the SRSG in taking judicial decisions. On this point, Dr Gallmetzer clarified the criteria and constraints that prevailed with regard to the SRSG's powers and pointed to the inherently political nature of these questions.

The afternoon sessions of the first day dealt with two specific issue areas that are particularly pertinent to the situation in Kosovo/a i.e. the issue of international involvement in a traditionally domestic sphere of influence and the unique role UNMIK plays as the executive and judicial power in Kosovo/a. The first presentation addressed the issue of international involvement from the comparable circumstances of post-war Bosnia and Herzegovina; the second gave an insider's view of the problems and gaps in accountability associated with combining the executive and the judicial arms of UNMIK.

#### International involvement

Professor Josef Marko drew on his experience as a judge in the constitutional court of Bosnia and Herzegovina to give an overview of the legal instruments and institutions that had been employed in a similar post-conflict environment. He addressed the practical problems faced when internationals became involved in the judicial affairs of a third country and sketched the solutions that had been attempted in establishing a judicial system. Of utmost importance, he suggested, was the adequate provision of a countervailing mechanism for challenging executive decisions. This was a glaring omission in the Constitutional Framework adopted in Kosovo/a.

#### Cooperation with the executive

Professor Andrew Michels, a former senior member of UNMIK, picked up on some further omissions in the Constitutional Framework and pointed to the practical ramifications of insufficiently separating the executive and the judicial powers of a governing body. Some conspicuous omissions he suggested were the codified provision for an adequate level of funding in the judicial services, and for the provision of defence counsel. Other provisions that were inadequately addressed were the guarantee of safe premises, witness protection programmes and effective channels for executing court orders and serving summons. The ramification of these and other omissions could result in a loss in credibility for the judicial system, if justice remained to be done or seen to be done. One remedy Professor Michels suggested was the need to bolster specialist NGOs in this field and the need for administrative judges to lobby for better services and conditions. The courts needed an advocate of their own to engage their counterparts in the executive on behalf of their institutions.

## Discussion

Question of relations between the executive and the judiciary were of special interest to the participants. Many participants also picked up on the constructive suggestions offered by the presenters. The question of double standards being applied by UNMIK was raised. There were also many questions calling for further practical advice on addressing the issues raised: how could financial independence of the judiciary be ensured? Finally, there was an extended discussion on what form of court structure would be most appropriate for Kosovo/a.

## *Day Three*

The move to bring criminal proceedings and the penitentiary system in line with universal human rights standards was one of the main areas of concern originally highlighted by the Steering Committee on the Judiciary and Human Rights. Despite the importance of these safeguards to the establishment of a democratic culture based on the rule of law, relatively little importance is paid to these issues in Kosovo/a. As a consequence, the final day's training was devoted to raising the level of awareness of human rights issues and illustrating how such provisions pervade all aspects of the judicial system.

## Ensuring compatibility with international human rights covenants

Professor Marko pointed to the importance of fully incorporating international standards, such as the European Convention on Human Rights, into applicable law. He pointed to gaps in the present provisions in Kosovo/a and the need to challenge them. On the other hand, he emphasized that common standards entailed common responsibilities. Kosovars had the responsibility to think clearly and deeply about what kind of society they envisaged. They needed to ask themselves what constitutes a right and what discrimination. These rights were of particular significance in Kosovo/a, especially with regard to the protection of minority interests and the right to equality before the law.

## Equal access to justice for all communities

Dr Yannis Alexandros, former adviser on minority issues under the former SRSG Bernard Kouchnier, expanded on this issue. He pointed to the fundamental right of equality before the law and how violating this principle had grave ramifications for

the domestic and international development of Kosovo/a. International conventions apply equally strongly, regardless of the future status of Kosovo/a. He further highlighted the need for all communities in Kosovo/a to show they were serious about securing this principle, if needs be, by the adoption of affirmative action.

### Discussion

One participant was interested to know what avenues would be available to him if he had exhausted all the domestic means to protect his own rights against the state. Professor Marko responded that Kosovo/a was not a state and that it therefore had no legal standing in regard to the European Convention on Human Rights. This inevitably initiated a debate about the question of Kosovo/a's final status. Some argued that insecurity would continue in Kosovo/a until this issue was resolved, this in turn would hamper progress towards self-government and the rule of law. Others argued that the establishment of accountable self-government was a necessary first step towards resolving the issue of independence.

### Guaranteeing fair trial and pre-trial procedures

Through a questions and answers session and with particular reference to the European Convention on Human Rights, Dr Annette Windmeiser of the East European Human Training Rights Project sought to elucidate how pre-trial and fair trial procedures are guaranteed under international law. The group was split into smaller sub-groups and asked to note their perceptions of the two most important factors for ensuring the application of basic human rights concepts in trial situations. The sub-groups then presented their findings and a number of misconceptions were clarified.

### Post-trial human rights issues

The final presentation addressed the issues of human rights provisions in the post-trial phase. Professor Andrew Michels remarked that these provisions were normally sadly neglected, even in such countries as the United States. This was a fundamental error since the way a society treated its prisoners after conviction had consequences for the kind of people it returned to society after release. Professor Michels offered a number of recommendations in this regard. He singled out the role of NGOs in keeping the state of prisons in the public conscience; this could be further supplemented by

encouraging the media to be accountable in their reporting of convictions. There was a need for adequate funding for penal institutions as their proper administration entails long-term consequences for society. Pressure to safeguard proper conduct and standards for the treatment of prisoners could be brought about by the organization of official visitors programmes. Such public participation could also provide a means for inspection of objective and reliable procedures for parole.

### Discussion

Participants raised the question of possible channels of redress for violations of their rights by the international law enforcement bodies. Some participants furnished recent examples of such violations and highlighted the reluctance many Kosovars experienced in seeking redress. One participant queried whether it would be beneficial to open some trials to public scrutiny.

At the end of the final session on Sunday, the Chair called on each of the participants to make his or her comments and suggestions regarding the training event and the activities of the STWG so far. In connection to this, the Chair also highlighted the need to address the long-term direction of the initiative particularly in view of the forthcoming Assembly elections. A number of options were discussed and the Group was invited to consider these options in more detail at a later stage. This issue outlined in more detail below.

## **V. SUCCESS OF THE ACTIVITIES**

Throughout the event and particularly in the final round-up session on Sunday, the participants praised the high-level of organisation that had been on evidence. The organisers were also praised for their efforts to initiate an event of this nature and the commitment they had shown to supporting the process of civil society building in Kosovo/a. There was also thanks for arranging the presence of such high-level speakers. Many participants appreciated the level of debate that had been generated during the seminars and the expertise of the speakers invited.

Despite the arduous journey the participants had endured prior to the training event and despite the demanding schedule, attendance throughout the event remained very

high. No fewer than three-quarters of the group attended all sessions and the concluding question and answer sessions often lasted longer than the presentations themselves. This attests to the level of commitment shown by the group and the enthusiasm that was evident on the part of many of the trainers.

The training seminars were also successful at engaging the attention and involvement of non-lawyers – most of the group – while also managing to hold the attention of those with a legal background. It became apparent in the question and answer sessions that many of the participants were well informed about legal matters and able to pose quite trenchant and technical questions.

The event can also be regarded as going some way towards fostering better inter-ethnic and cross-party dialogue. The successful cooperation that was evident throughout the four-day event was testimony to the willingness of most communities to work together.

Meetings in Kosovo/a sometimes provide limited space for the kind of cooperation and interaction that is essential for a project of this kind. The necessity of having to provide a secure environment for meetings limits the time available for dialogue to develop. It also debars some participants from participating in social events. This was not the case in Flensburg. The changed environment and extended time the participants spent in each other's company increased the opportunity for interaction and dialogue. The capacity and willingness to get along was particularly evident at social occasions outside the formal framework of the seminars.

Although the organisers of the event cannot claim responsibility, the timing of the event also proved judicious in more ways than one. The STWG meeting at the end of June coincided with major developments inside Kosovo/a. The Constitutional Framework had only recently come into power and UNMIK had altered its administrative structure with the creation of a new pillar for justice and the police (Pillar I). This gave the STWG meeting in Pristina and the subsequent training event in Flensburg more immediate relevance to the participants.

In general, however, participants felt that the programme had been too intense and that too little time had been set aside for leisure activity. The question of the availability of materials was also raised and it was felt that the study material, documents and seminar handouts had not been supplied sufficiently early in advance of the training workshop. There was also criticism that the translation of documents into minority languages had not been adequately provided.

Another observation was that more could have been done to ensure minority participation in the training event. There was also a feeling that greater effort should have been made to ensure the participation of local experts as well as internationals.

Many of these criticisms are valid and arise not merely as a consequence of the huge practical and logistic problems involved in undertaking such an initiative but also from attempting to undertake a project of this nature in Kosovo/a. Some of these problems are outlined below.

With regard to the training programme, however, it must be acknowledged that the agenda had been too demanding. In the desire to make the most of a rare opportunity to bring the Group out of Kosovo/a and make the training event cost effective, the organisers had designed a programme that proved gruelling to all concerned. This was acknowledged in the final evaluation on Sunday. It was noted that for future training events the provision of leisure time and study periods would be taken into account and given sufficient weight in the programme.

## **VI. PRACTICAL PROBLEMS ENCOUNTERED**

Undertaking a project of this nature necessarily entails encountering a number of problems and obstacles. Ensuring the participation of minority representatives in a meeting or training session is no easy task. Guaranteeing the safety of Serbian participants in meetings or training events entails undertaking a complex procedure of ensuring adequate security provisions. As ECMI is not part of the UNMIK/OSCE structures, it has no direct entitlement to close protection facilities or safe transportation. ECMI has therefore often had to rely on the goodwill and commitment of the participants as well as the goodwill of UNMIK representatives supportive of



the venture. After developing contacts with UNMIK and going through the office of the SRSG, channels for providing security transportation are now in place.

For the training event in Flensburg, visas for the participants had to be arranged through the German Embassy in Skopje. As the situation in Macedonia deteriorated, Kosovar Albanians were unable to travel to Skopje themselves. An international intermediary therefore had to be found, which would be take this in hand. Luckily, the German Mission in Pristina kindly intervened and executed this task through diplomatic channels. Nevertheless, this procedure is time consuming and dependent on developments in the region. It was therefore uncertain right up until the last minute whether some participants would receive their travel documents in time. This was particularly the case for members who have so far only been issued with temporary travel documentation.

In addition to the provision of security and travel arrangements, there was also the problem of providing participants with adequate background materials for their activities. Documents are often only available in English. There is no official Albanian or Serbian translation of the Constitutional Framework, for instance, let alone Turkish. Where documents do exist in translation, these are often inconsistent or only available in one of the official languages. As Turkish is not counted as one of the official languages outside certain municipalities in Kosovo/a, there is a scarcity of Turkish language documents. Often international organisations, such as the Council of Europe, have taken it upon themselves to provide translations of important documents. As Turkey is, however, not a member of the Council of Europe, there is no provision made for translation into this language.

## **VII. PROJECT EVALUATION**

Formal evaluation of the training event was achieved through a roundtable discussion at the closing session of the training event as well as through the distribution of an anonymous questionnaire in the relevant languages. The overall evaluation of the training event was very positive. A breakdown of the evaluation can be found in Appendix 1 below.



## APPENDIX 1

### Results of the Evaluation

1. ORGANIZATION	
a. PROVISION OF REQUIRED MATERIAL	4
b. INTERPRETATION	3
2. RELEVANCE OF THE TOPICS CHOSEN	
a. WERE THE TOPICS RELEVANT?	4
3. PLEASE RATE OVERALL QUALITY OF LECTURES (from 1-5!)	
a. Comparative Legal Culture	5
b. Kosovo/a Judicial System,	4
c. Professionalization and Independence	4
d. International Involvement	4
e. Cooperation with the Executive	5
f. Compatibility with Intl Human Rights standards	5
g. Equal Access to Justice for all communities	4.5
h. Guarantee fair trial and pre-trial procedures	5
i. Post-trial human rights issues	5
4. PLEASE RATE THE DIFFICULTY OF THE LECTURES	
a. Comparative Legal Culture	4
b. Kosovo/a Judicial System	4.5
c. Professionalization and Independence	4.5
d. International Involvement	4.5
e. Cooperation with the Executive	4.5
f. Compatibility with Intl Human Rights standards	5
g. Equal Access to Justice for all communities	5
h. Guarantee fair trial and pre-trial procedures	4.5
i. Post-trial human rights issues	4
5. PLEASE RATE THE WAY OF PRESENTATION OF THE LECTURES (from 1-5)	
a. Comparative Legal Culture	5
b. Kosovo/a Judicial System,	4
c. Professionalisation and Independence	4
d. International Involvement	5
e. Cooperation with the Executive	5
f. Compatibility with International Human Rights standards	5
g. Equal Access to Justice for all communities	5
h. Guarantee fair trial and pre-trial procedures	5
i. Post-trial human rights issues	5

6. PLEASE RATE OVERALL QUALITY OF DISCUSSIONS (from 1-5)	
a. Comparative Legal Culture	4
b. Kosovo/a Judicial System,	4
c. Professionalisation and Independence	4
d. International Involvement	4
e. Cooperation with the Executive	4
f. Compatibility with International Human Rights standards	5
g. Equal Access to Justice for all communities	3.5
h. Guarantee fair trial and pre-trial procedures	4
i. Post-trial human rights issues	4.5

## APPENDIX 2

### Programme: Training Event on Judicial Administration and Human Rights

*Day one: 11 July*

22:00	Arrival of the participants in Cologne
	Overnight transfer to Flensburg

*Day two: 12 July*

Early morning	Arrival at Hotel
16:00-18:	<b>Introduction: comparative legal cultures - the post-communist transition in an internationalised environment</b> <ul style="list-style-type: none"><li>• The challenges of the construction of a judicial system on the basis of a complex and in part new substantive legal framework with international involvement</li></ul>
18:30	<b><i>Dinner in the hotel</i></b>

*Day three: 13 July*

9:30-11:00	<b>Presentation of the Kosovo/a judicial system</b> <ul style="list-style-type: none"><li>• Constitutional framework</li><li>• Present operation of the system</li><li>• Establishing unity of the system</li></ul>
11:30-13:00	<b>Professionalisation and independence of the judiciary</b> <ul style="list-style-type: none"><li>• Training, selection, status and payment of judges</li><li>• Security and corruption issues</li><li>• Availability of support services (e.g. forensic institutes) and ongoing training</li></ul>
13:00-14:30	<b><i>Lunch</i></b>
14:30-16:30	<b>International involvement</b> <ul style="list-style-type: none"><li>• International monitoring</li><li>• Coordination among different strands of the administration of justice</li><li>• Relations with the international layers of justice – international involvement or ‘interference’ in cases</li></ul>
17:00-18:30	<b>Cooperation with the executive</b> <ul style="list-style-type: none"><li>• Enhancing conduct of proceedings, communication of summons, protection of witnesses</li><li>• Ensuring execution of court orders</li></ul>
19:00	Presentation of ECMI <b><i>Official dinner in Flensburg</i></b>

*Day four: 14 July*

9:30-11:00	<b>Ensuring compatibility with international human rights covenants</b> <ul style="list-style-type: none"><li>• European Convention on Human Rights Framework</li><li>• Increasing judge's awareness of the human rights implications of their decisions</li></ul>
11:30-13:00	<b>Equal access to justice for all communities</b> <ul style="list-style-type: none"><li>• Local judicial services</li><li>• Provision of defence counsel</li><li>• Legal safeguards</li></ul>
13:00-14:30	<b><i>Lunch</i></b>
14:30-16:00	<b>Guaranteeing fair trial and pre-trial procedures</b> <ul style="list-style-type: none"><li>• Pre-trial detention</li><li>• Access to a lawyer</li></ul>
16:30-18:00	<b>Post-trial human rights issues</b> <ul style="list-style-type: none"><li>• Treatment after sentencing</li><li>• Issues of parole</li></ul>
18:00	<b><i>Dinner in the hotel</i></b>

*Day five: 15 July*

9:30-11:00	<b>Closing remarks</b>
11:30-13:00	<ul style="list-style-type: none"><li>• Evaluation and assessment of event</li><li>• Discussion of possible follow-on activities and project outlook</li></ul>
13:00-14:30	<b><i>Lunch</i></b>
	<ul style="list-style-type: none"><li>• Guided tour of Flensburg</li><li>• Boat trip of German-Danish border region</li></ul>
18:00	<b><i>Dinner in Flensburg</i></b>
20:00	Overnight transfer to Cologne airport

*Day six: 16 July*

07:55	Departure to Pristina
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### APPENDIX 3

#### List of Participants:

No.	Participants	Ethnicity	Affiliation
1	Arbnor Pula	Albanian	Project Director, Forum for Democratic Initiatives, Djakovo/Gjakovë
2	Bersant Disha	Albanian	Programme Coordinator, Kosova Institute for Democratic Society
3	Blerim Tafilaj	Albanian	Member of the Board, Alliance for the Future of Kosova (AAK)
4	Dragan Velic	Serbian	Member, the Serbian National Council, Ulpiani/Gracanica
5	Enver Hasani	Albanian	Director, Human Rights Center at the University of Prishtina
6	Fikrete Kadriu	Albanian	Republican Party of Kosova
7	Fisnik Halimi	Albanian	Kosova Action for a Civil Initiative
8	Gafurr Podvorica	Albanian	Secretary General, Liberal Party of Kosova
9	Gani Toska	Roma	President, Roma Association of Kosovo/a, Pejë/Pec
10	Gjulieta Mushkolaj	Albanian	Executive Director, Kosova Institute for NGO Law; Member of Committee for Bar Examination
11	Hysni Bajrami	Albanian	Democratic Party of Kosovo/a
12	Izet Sadiku	Albanian	Democratic League of Kosova
13	Mehmed Ceman	Bosniak	Bosnian Party for Democratic Action in Kosovo/a (BSDAK), Istog/Istok
14	Mikel Mirakaj	Albanian	Liberal Party of Kosova, Djakovo/Gjakovë
15	Mirlinda Kusari	Albanian	NGO SHERA, Djakovo/Gjakovë
16	Nazmi Halimi	Albanian	Vice-President, the Albanian Demochristian Party of Kosova (PSHDK), Podujevë/Podujevo
17	Nebahat Dogan	Turkish	Vice-President, Kosova's Turkish People's Party (KTHP)
18	Nenad Radosavljević	Serbian	Mayor of Leposavic, Director of Radio 'Mir' (Peace), Leposavic
19	Nexhmedin Sejdiu	Albanian	Legal Advisor, Kosovo/a Protection Corps
20	Radmila Djordjevic	Serbian	NGO 'Maras', Leposavic
21	Ruzdija Krijestorac	Bosniak	Member of the Executive Council, Party for Democratic Action
22	Serafetin Omer	Turkish	Head of the Prishtina Branch, Turkish Democratic Union (TDB)
23	Suzana Arni	Albanian	Minority Officer, Kosovo/a Foundation for Civil Society
24	Valon Murati	Albanian	LKCK
25	Vetima Krasniqi	Albanian	Member of the Board, AAK

**Ethnic breakdown**

Albanian – 17; Serbian – 3; Turkish – 2; Bosniak – 2; Roma – 1

**Gender breakdown:**

Male –18; Female –7

**Regional representation:**

Prishtina –15

Regions outside Prishtina (Gjakovë/Djakovo, Pejë/Pec, Podujevë, Leposavic/Leposaviq, Gracanica/Gracaniza, Istog/Istok) -10

**Political Party balance:**

LDK – 1; PDK – 1; AAK – 3; other smaller parties – 5;

**Interpreters:**

Senad Sabovic	OSCE (part-time interpreter)/AUBG
Dejan Vuruna	Legal Advisor, OSCE
Edon Vrenezi	AUBG (part-time interpreter)
Anita Kacamaku	Legal Advisor, OSCE

**Lecturers:**

Dr Mahulena Hofmann	Max Planck Institute for International Law, University of Heidelberg
Dr Anna Myriam Roccatello	Department of Judicial Affairs, Joint Interim Advisory Structures, UNMIK, Pristina
Professor Josef Marko	European Training and Research Centre for Human Rights and Democracy, International Judge Bosnia-Herzegovina
Dr Reinhold Gallmetzer	OSCE/Kosovo/a Judicial Institute, Pristina
Professor Andrew Michels	Executive Director, Human Rights Institute, De Paul University, Chicago
Dr Alexandros Yannis	Program for Strategic and International Security Studies, Graduate Institute of International Studies, Geneva – former advisor to Bernard Kouchner
Dr Annette Windmeisser	Legal Trainer, MOST, Germany

**ECMI Staff:**

Marc Weller	Director
Graham Holliday	Research Associate, Balkans Projects Coordinator
Leon Malazogu	Regional Representative – Kosovo/a Office
Camille Monteux	Visiting Researcher/Project Assistant
Ute Boesche-Seefeldt	Office Manager
Donika Krasniqi	Local Assistant – Kosovo/a Office

**Evaluators of the Event:**

Dr Karin von Hippel	Centre for Defence Studies, London University
Dr Richard Caplan	UK Parliamentary Adviser on Kosovo/a – Graduate School of European and International Studies, University of Reading