

Advocacy Center for Democratic Culture (ACDC)

Citizens of North Kosovo about the Agreement on the judiciary - expectations and concerns

The report on a research conducted within the project Monitoring of judicial reform in the north of Kosovo, supported by the National Endowment for Democracy (NED)



North Mitrovica, December, 2015

Citizens of North Kosovo about the Agreement on the Judiciary - expectations and concerns

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Advocacy Center for Democratic Culture (ACDC), with the support of the National Endowment for Democracy, implements a project **Monitoring of judicial reform in the north of Kosovo**¹, which includes monitoring the implementation of the Agreement on the judiciary and the work of the newly established court in Mitrovica, through increased participation of citizens and civil society activists and, particularly, students of the Faculty of Law.

Within the project, a qualitative descriptive study was conducted with aim to assess the level and quality of knowledge citizens in Northern Kosovo have about the Agreement on the Judiciary, adopted in the framework of the negotiating process between Belgrade and Pristina, colloquially called „Brussels negotiations”. The results obtained will be used as a basis for the design of public debates and round tables aiming at ensuring greater awareness of citizens about the process of implementation of the Agreement on the judiciary and, at the same time, ensuring greater transparency of the process.

The views expressed in the research report are the responsibility of the Advocacy centre for democratic culture and do not necessarily reflect the views of the National Endowment for Democracy.

The photograph on the front page presents panorama of North Mitrovica. The photograph was taken from "Wikimedia Commons - free media repository".

¹ For more information about the project, please, visit the website of the Advocacy Center for democratic culture: www.acdc-kosovo.org

Contents

Background.....	4
Abstract.....	6
Methodology.....	8
Results.....	10
Conclusion and recommendations	19
Annexes.....	20

Background

After the end of the conflict, but also failed negotiations on Kosovo's status from November 2005 till March 2007 - when the Special Representative of the UN Secretary General, Martti Ahtisaari, was appointed to lead the negotiations on Kosovo's status - the Assembly of Kosovo declares independence² on February 17, 2008.

The next day, in an extraordinary session, the Assembly of Serbia confirmed the government's decision to annul a unilateral declaration of independence by Kosovo - 225 out of 234 MPs accepted the proposal of the Government of Serbia, while the Liberal Democratic Party, the Alliance of Vojvodina Hungarians and the League of Social Democrats of Vojvodina were abstained.

The reaction of the international community to this event could be summed up in two basic categories of answers: a) countries, which will recognize Kosovo as an independent state in future, believed that with the recognition they want to end the longtime uncertainty and instability in this region ... that the course of history cannot be stopped ... that the recognition is the only way to lay the foundations for the European future of both, Kosovo and Serbia; b) On the other hand, countries that will not recognize the independence of Kosovo believed that the issues of territorial integrity of a state must be resolved through negotiations and joint decisions ... that this unilateral act is a violation of international law ... that this act will cause similar reactions throughout the world.

² 119 MPs voted for the declaration of independence, while all 10 MPs from the Serbian community were not present during voting: http://www.assembly-kosova.org/common/docs/proc/trans_s_2008_02_17_al.pdf

Following this crucial moment, the European Union is gradually taking greater role for building a parliamentary democracy in Kosovo. As of 9 September 2010, EU became responsible for facilitation of the dialogue between Belgrade and Pristina, which was initiated on the basis of the UN General Assembly of the United Nations Resolution A/RES/64/298. Initially, the technical dialogue will be conducted on subjects such as: civil registries, freedom of movement, customs stamps, cadastre, the functioning of CEFTA, university diplomas, integrated administrative line/border management and regional representation and cooperation³; with aim to: a) promote cooperation; b) to achieve progress on the path to the European Union, and c) improve people's lives⁴.

Further dialogue between Belgrade and Pristina will be closely associated with gradual steps in the framework of accession to the European Union. Thus, Serbia gets the candidate status on March 1 2012. Two months later, Suzana Grubješić, the then Serbian Deputy Prime Minister in charge of European integration, announces in a joint address to the media with Štefan Füle, the then European Commissioner for Enlargement, that "Serbia is ready for the start of dialogue at a high political level which, according to her, is the only way to achieve long-term and sustainable solution between Serbs and Albanians"⁵. On the other hand, the international supervision of Kosovo's independence ends in September 2012.

Consequently, the First agreement on the principles governing the normalization of relations ("the Brussels Agreement") could be signed on April 19, 2013.

The First agreement on the principles governing the normalization of relations includes point 10 with which the two parties committed to integrate the judicial system of the Republic of Serbia on the territory of Kosovo into the legal system of Kosovo. Two years later, in February 2015, Pristina and Belgrade signed the Agreement on the judiciary. Federica Mogherini, The High Representative of the European Union for Foreign Affairs and Security Policy, commented on the event: "The two Prime Ministers finalized the agreement on justice and judiciary in Kosovo, thereby closing a critical chapter of the implementation of the Brussels Agreement that will substantially improve the lives of people on the ground "(RSE, 10.2.2015).

How this chronology of events will affect the daily lives of people in Kosovo, to what extent, after years of negotiations, "lives of people on the ground" are improved, what the process of normalization means to citizens in Northern Kosovo, how much they know about the Agreement on the judiciary and its implementation, what are their expectations almost eight months after the signing of this document - are some of the questions that the authors of this study will try to answer.

³ http://www.parlament.gov.rs/upload/archive/files/lat/pdf/akta_procedura/2013/1666-13Lat.pdf

⁴ http://eeas.europa.eu/kosovo/index_en.htm

⁵ <http://www.dw.com/sr/file-ne%C4%87emo-tra%C5%BEiti-dozvolu-beograda-za-kritike/a-16207268>

Abstract

Within the project Monitoring of judicial reform in the north of Kosovo, Advocacy Center for Democratic Culture conducted a qualitative descriptive study in November and December 2015, aiming to assess the level and quality of knowledge, as well as the attitude of citizens in northern Kosovo about the Agreement on the Judiciary, adopted in the framework of the negotiating process between Belgrade and Pristina. On the basis of data obtained, public dialogue will be designed to provide more information about the agreement and its implementation to citizens, as well as to ensure the transparency of the implementation.

To reach conclusions which include cognitive and emotional aspects of attitudes of citizens in relation to the topic of research, data were collected in the following areas:

- The level and quality of information on the Brussels negotiating process generally;
- The level and quality of information on the Agreement of the judiciary particularly;
- Attitudes about the Brussels negotiating process in general and the attitudes about the Agreement on the judiciary particularly;
- Attitudes and perceptions about the implementation of the Agreement on the judiciary;
- Attitudes and perceptions about the work of the existing judicial bodies;
- Attitudes and expectations about the future work of the Integrated Justice.

Some of the conclusions of the study are:

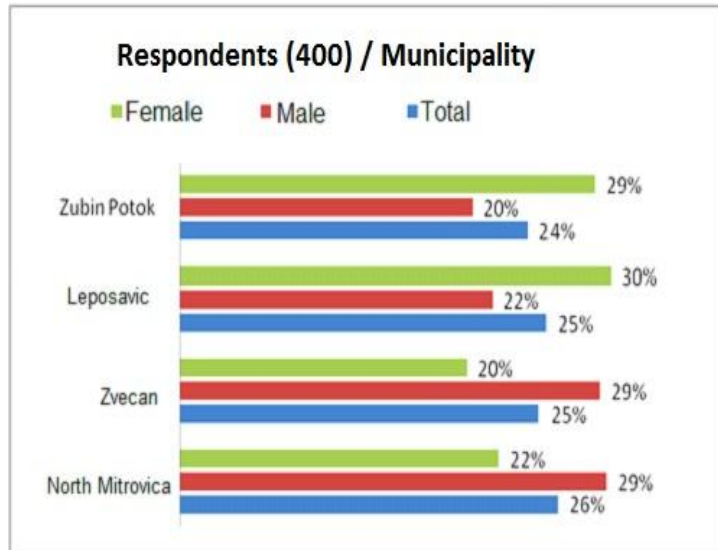
- Although 60% of respondents regularly follow the negotiation process between Belgrade and Pristina, a small number is familiar with the documents that are the basis, or closely regulate, particular agreements. Only 12% of respondents have read The Agreement on judiciary.
- The citizens in North Kosovo are not convinced that the dialogue is about them - only 16% of respondents believe that the aim of achieving the First agreement on the principles governing the normalization of relations was to improve the people's lives on the ground.
- Only 7% of the respondents think that citizens of North Kosovo can already see the positive consequences of the Agreement on the judiciary. When asked about expectation and future perspective ("Do citizens in North Kosovo believe that the Agreement on the judiciary will improve their daily lives?"), The percentage of affirmative answers increased by only 1%.

- Only 10% of respondents believe that the Agreement on Justice is applicable in practice. 47% of respondents believe that there is no basic precondition for the implementation - Pristina's political will. On the one hand, it is slightly smaller number (35.6%) of those who believe that there is no political will for implementation in Belgrade as well. The most frequently mentioned specific challenges when it comes to implementation of the Agreement on the judiciary were: insufficient number of Serbian judges who are to work in integrated courts, the backlog of pending cases, and non-recognition of diplomas issued by the University of Pristina, temporarily seated in Mitrovica/University in Mitrovica. Even 40% of respondents believe that the Agreement on Justice will never be fully implemented.
- The prevailing attitude is that citizens don't have the power to affect the process of negotiations, in general, and implementation of the Agreement on the judiciary. Citizens in the North Kosovo believe that neither Serbian nor Albanian wider community is actively involved in this process. And only 0.8% of respondents believe that citizens are fully informed on the implementation of the Agreement on the judiciary.
- The respondents think that citizens in North Kosovo do not usually have enough information about the current jurisdictions of the existing judicial bodies of both (Serbia's and Kosovo's) political and legal systems, and show a high level of mistrust primarily in Kosovo and international judicial institutions. The level of trust is slightly higher when it comes to the judicial institutions of Serbia.
- Trust in the the future work of the Integrated Justice remains at a low level, and 64% of respondents don't not know whether the people living in Kosovo can turn to any international judicial instance if their rights are violated.

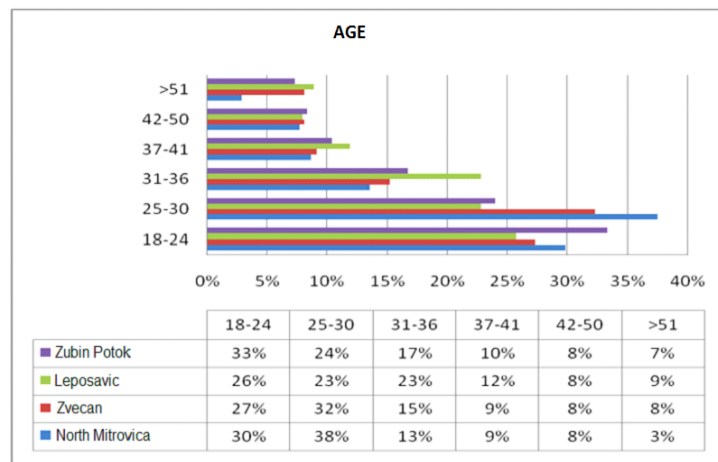
Keywords: The First agreement on the principles governing the normalization of relations; the Agreement on the judiciary; the integration of the judiciary; trust, North Kosovo.

Methodology

The research was conducted in the municipalities of Leposavic, North Mitrovica, Zubin Potok and Zvecan during November and December of 2015, on a random sample of 400 respondents, stratified by place of residence, gender and age. Attention was paid to approximately even representation of respondents per municipality, as well as to the even representation of both genders of respondents in each municipality.



The largest part of the sample consists of respondents of younger age (18-30), as practical application of the research is to be used as the basis for the design of public education programs, targeting students and youth, which should provide information and a better understanding of the Agreement on the judiciary and its implementation.



In line with this, the highest percentage of respondents is students who are mostly unemployed:

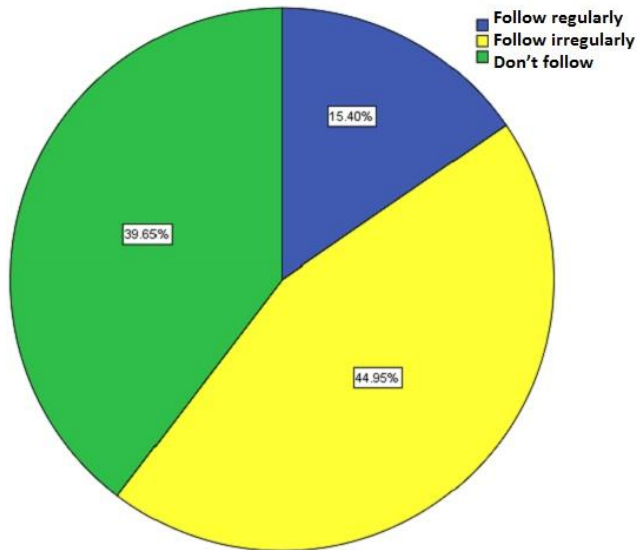
Education (%)	Completed Elementary School	Completed High School	Bachelor/first degree studies (Ongoing)	Bachelor/first degree studies (Completed)	Postgraduate studies (Ongoing)	Postgraduate studies (Completed)
	2,5	28,75	30,5	26,75%	7	4,5
Work status (%)	Unemployed	Employed in public sector	Employed in private sector	Employed in NGO	Owner of business	Retired
	41,25	19,75	17	8	9,25	3,5

The measuring instrument is designed in the form of a questionnaire. A set of questions was designed on the basis of a preliminary conducted semi-structured interviews with relevant stakeholders, directly involved in the integration process of the Judiciary, in order to collect the following categories of data: 1) sociodemographic data; 2) the level and quality of information on the Brussels negotiating process in general; 3) the level and quality of information on the Agreement of the Judiciary; 4) attitudes about the Brussels negotiating process in general and attitudes about the Agreement on the judiciary in particular; 5) attitudes and perceptions about the implementation of the Agreement on the judiciary; 6) attitudes and perceptions about the work of the existing judicial authorities and 7) the attitudes and expectations of future work of the integrated justice system which will take place as a consequence of the implementation of the Agreement on judiciary. The measuring instrument combines the types of questions and includes: dichotomous questions, interval questions on a Likert five-point scale, questions that indicate rank and open-ended questions in order to better understand the deeper motivation for the attitudes expressed. Preliminary testing and validation of the questionnaire was not conducted.

The obtained data were analyzed by descriptive statistical analysis on nominal and ordinal level of measurement and they are mostly presented through frequency and relative frequency. In interpreting the results secondary data has not been used. In this report, the data will be mainly shown through the variation of individual variables, as well as the co-variation of variables that are relevant in terms of research objectives. The entire database is available in the attached report so that readers could further investigate the relation between the data they are interested in. Statistical software used for data processing was SPSS (Statistical Package for the Social Sciences).

Results

Some of the insights provided by research on the basis of tested data categories are as follows:



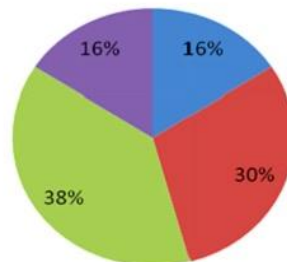
As it is shown in the diagram on the left, **more than half of the total number of respondents follow the negotiating process between Belgrade and Pristina.** However, a small number of them were familiar with the documents that are the basis for, or closely regulate, agreements related to the Belgrade – Pristina dialogue. Thus, 25% of respondents have read the "Ahtisaari Plan", 28% of them had read the First agreement on the principles governing the normalization of relations between Belgrade and Pristina. Only 12% respondents have read the Agreement of

judiciary, and the Implementation plan of the Agreement on the normalization of relations between Belgrade and Pristina have read only 15% of them.

The respondents don't perceive The First agreement on the principles governing the normalization of relations as a mean to ease the daily lives of citizens. I.e. only 16% of respondents recognize this goal as a reason for reaching the agreement:

In your opinion, why the Brussels agreement was reached?

- To ease the daily lives of citizens
- It was the Belgrade's "trump card" for Serbia's accession to EU
- So that Pristina could complete Kosovo's independence
- So that international community could withdraw from Kosovo



It is even less percentage (6%) of those who believe that, until 2013, this target –“improvement of people's lives” – was realized. 70% believe that life of citizens has not been improved, and 24% stated that they were not sure. Only 11% think that "the Brussels agreement" improved respect of civil rights, while 10% of respondents believe that the agreement improved respect of collective rights.

When asked if they are familiar with the text of **the Agreement on the judiciary**, whether they have read the agreement itself or are informed from the media or official statements, 21% of respondents answered affirmatively. However, even the respondents who are not familiar with the text of the agreement state that they don't support this document (51.6% do not support the agreement at all). This number, together with the percentage of those who do not support the agreement partially (39.1%) is almost 91%. When asked about the effects of the Agreement on the judiciary in the everyday lives of people, only 7.02% of the respondents answered positively to the question: "Has the Agreement on judicial improved the daily lives of citizens in northern Kosovo, already?". When asked about expectations and future perspective ("Do citizens in northern Kosovo believe that the Agreement on the judiciary is to improve their daily lives?"), the percentage of affirmative answers was increased by only 1% (8.31%). Those who believe that this will not happen in the future represent 54.16% of the respondents, while 37.53% are not sure.

Only 10.8% of respondents believe that the Agreement on judiciary is applicable in practice. On one hand 47% of respondents believe that a basic requirement, ie. Pristina's political will for implementation does not exist, while on the other hand it is slightly smaller number (35.6%) of those who believe that there is no political will of Belgrade for implementation. Even 41% of respondents believe that the agreement will never be fully implemented.

When asked to estimate of **the level of active involvement of Serbian and Albanian communities in the process of negotiation and implementation** when it comes to the Agreement on the judiciary, the respondents correspond as follows:

Is Serbian/Albanian wider community actively involved in process of negotiation and implementation when it comes to the Agreement on judiciary?	YES %	NO %	I don't know
Serbian community	9.07	56.68	34.26
Albanian community	11.70	40.2	48.09

The next question ("**What wider Albanian community thinks about the Agreement on the judiciary?**") was set up with the intention: a) to gain insight into the motivation and background of attitudes obtained in the previous set of questions, b) to serve as a control question in situations of socially desirable answers and the tendency of giving extreme responses and c) to

gain indirect insight about the (non)existence of communication in the two communities. The following categories of responses were obtained:

- The majority of respondents don't know what Albanian community thinks; and they are not interested in what the Albanian community thinks.
- A number of respondents believe that the Albanian community thinks positively about The Agreement on judiciary, because the agreement "helps in framing the Kosovo's independence and spreading its sovereignty"; or, on the other hand, because the agreement helps Kosovo on its path to the EU.
- A number of responders considered that the Albanian community thinks negatively about the agreement "because it was signed in Belgrade's favor"; because they are not enthusiastic with the rule of law which will limit the privileges that majority community has in Kosovo; because Kosovo is "losing sovereignty" if committed to the agreement; because the agreement is not constitutional, "which can be concluded on the basis of opposition protests," because they are not happy with specific agreement on a number of judges / prosecutors on the basis of ethnicity; because the agreement is "not transparent and thus serves to protect people from north Kosovo."
- The remaining respondents felt that the Albanian community does not know enough about the agreement ("I believe that if Albanian community is sufficiently informed about the content of the agreement, it would mostly support it, because according to the agreement the Serbia's judicial institutions will be abolished and integrated in the judicial system of Kosovo ")... "But, anyway, no one asks them for opinion".

When asked what the wider Serbian community thinks about the Agreement on the judiciary, the responders answer mainly in three categories:

- Serbian community "doesn't trust" in the Agreement on judiciary and its implementation, Serbs are "scared", "skeptical" and "confused". They do not have enough information and "no one asks them for opinion."
- The majority of respondents believe that the opinion of the Serbian community about Agreement on judiciary is negative because "it leads to the extinction of the Serbian institutions," that it is unconstitutional; that although the rule of law is necessary, the application of this agreement will not provide it to the citizens; the citizens' lives will not be improved because of: possible abuse of the agreement by Pristina, political interference, lack of independence and impartiality of judges; because Serbian judges in the jurisdiction are given only the first instance practice etc.
- Those who believe that the Serbian community thinks positively about the Agreement on judiciary, are stating the following reasons: the implementation of the Agreement on Judiciary will create new jobs, improve the position of Serbs, better regulate the law, it

will ease and improve the daily lives of citizens in the North Kosovo; Serbs will finally be able to exercise their rights.

More than half of respondents believe that the European Union and Pristina have not consulted the needs of the citizens of North Kosovo when reaching the Agreement on Judiciary; there is no significant difference when it comes to Belgrade, too:

Have Belgrade / Pristina / EU taken into account the needs of citizens in northern Kosovo when reaching the Agreement on judiciary?	YES %	NO %	Idon't know
Belgrade	23.56	47.52	28.82
Pristina	8.54	56.78	34.67
European Union	9.6	52.78	37.63

The next series of items is related to **possible challenges that may be encountered during the implementation of the Agreement on the judiciary**. Respondents were asked, based on information and experience they have, to answer each of the items by selecting one of three possible answers: a) yes b) maybe/not sure and c) no. The answers are presented in the table below:

In your opinion, would the following items pose a challenge in the implementation of the Agreement on Judiciary?	Yes %	Maybe %	No %
Lack of funds for housing and equipping the courts and prosecutor offices?	34.01	44.16	21.83
Insufficient number of the Serbian judges that should be integrated in the Kosovo judiciary?	56.03	33.67	10.30
Insufficient number of the Serbian prosecutors that should be integrated in the Kosovo judiciary?	59.3	31.66	9.05
Special Law on retirement?	43.94	44.7	11.36
Non-recognition of diplomas of persons who completed studies at UPKM/UM after 1999?	58.94	33.25	7.81
Insufficient number of the Serbian notaries who work in the Kosovo judicial system?	51.01	37.37	11.62
Insufficient number of the Serbian lawyers who work in the Kosovo judicial system?	61.56	30.9	7.54
Use of all official language in Kosovo?	60.8	29.4	9.8
Use of the Cyrillic alphabet?	53.15	30.73	16.12
Insufficient number of court interpreters?	49.62	38.29	12.09
A large backlog of pending cases?	68.34	24.62	7.04
Change of the Law on Amnesty?	50.38	40.25	9.37
Verification of the decisions brought by the Serbia's judicial authorities by Kosovo's judicial authorities?	55.56	35.1	9.34
Lack of political will of Belgrade for implementation of Agreement judiciary?	39.45	44.22	16.33
Lack of political will of Pristina for implementation of Agreement judiciary?	51.26	38.69	10.05

Opposition in the Parliament of Kosovo?

48.24 36.18 15.58

Inability to integrate the entire administrative staff currently employed in the Serbian judiciary?

57 32.57 10.43

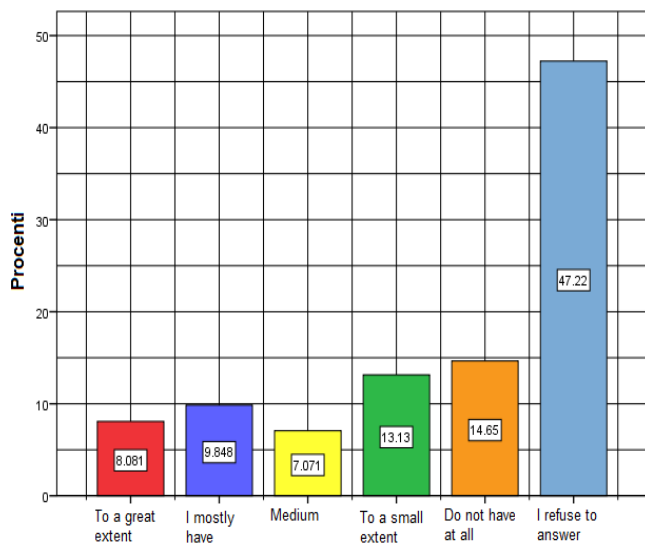
Asked to give only one answer on the open end question: What will be most challenging in implementation of the Agreement on the judiciary, respondents were mainly cited the following (rank order):

1. Insufficient number of Serbian judges
2. A large number of backlog cases
3. Non-recognition of diplomas

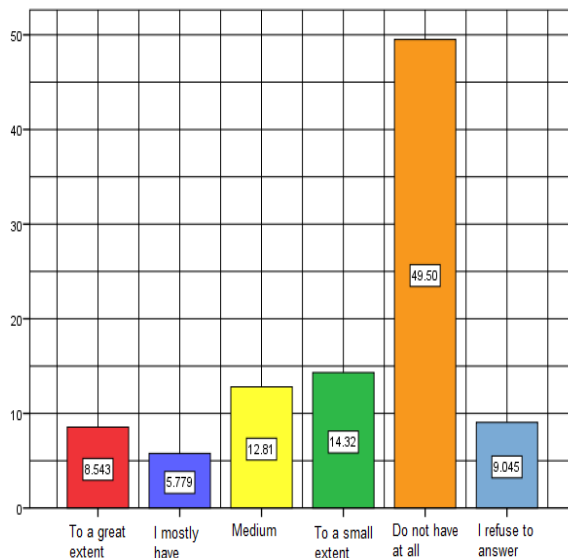
Measuring the **level of trust in the work of all judicial institutions which are active in North Kosovo**, authors of the research aimed to assess whether there is (and how much) the difference in trust of these institutions towards future integrated judicial system. As can be seen in the graph below, the level of trust in the international and Kosovo institutions remains low, the mod, value that occurs most frequently in the responses (almost 50%), is "I don't trust at all". When it comes to the level of trust of respondents towards Basic Court in North Mitrovica which is under jurisdiction of Republic of Serbia the distribution of data tends to be less asymmetrical. Almost 30% of respondents believe or completely believe in the work of this institution. On contrary, **only 10% of respondents is ready to believe or to completely believe in the work performance of the future Basic court which will be integrated into judicial system of Kosovo.**

The level of trust of respondents in existing judicial authorities and the level of trust in the future work of the integrated judiciary can be seen in the following charts:

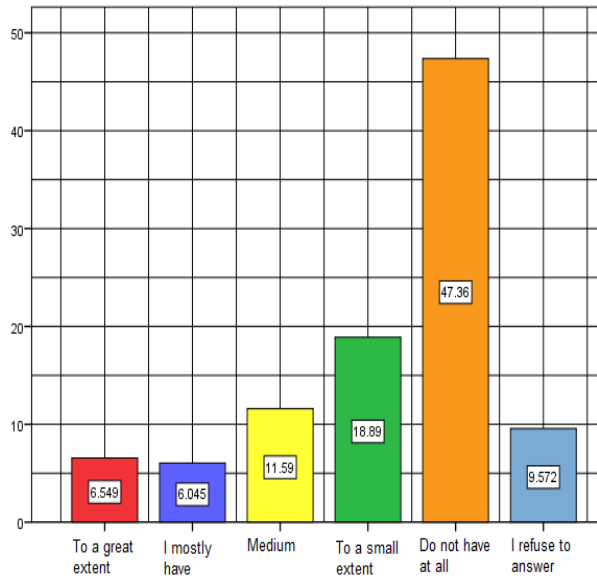
The level of trust of respondents towards EULEX Prosecution:



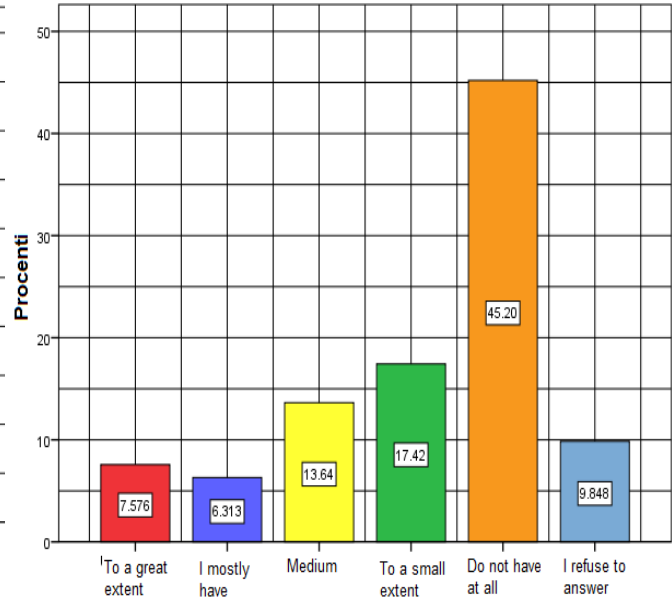
The level of trust of respondents towards EULEX judges:



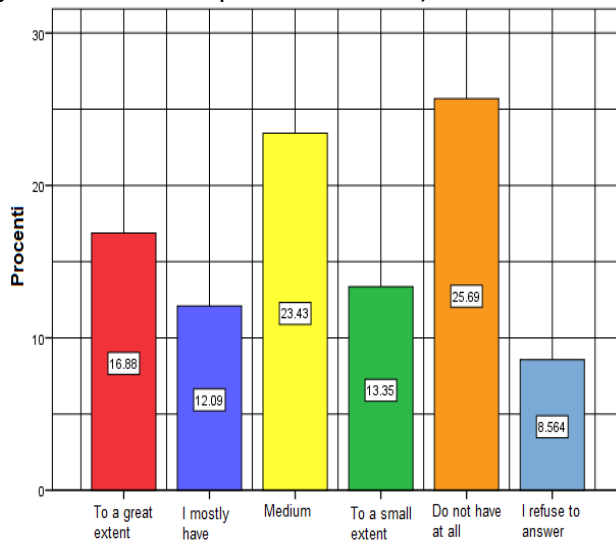
The level of trust of respondents towards Basic Prosecution Office (Vucitrn/ Vushtri):



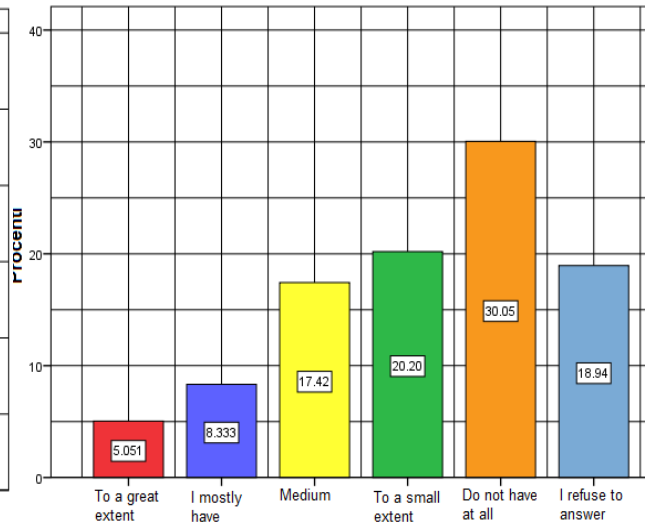
The level of trust of respondents towards Basic Court in Mitrovica (displaced in Vucitrn/Vushtri):



The level of trust of respondents towards Basic Court in North Mitrovica (under jurisdiction of Republic of Serbia):

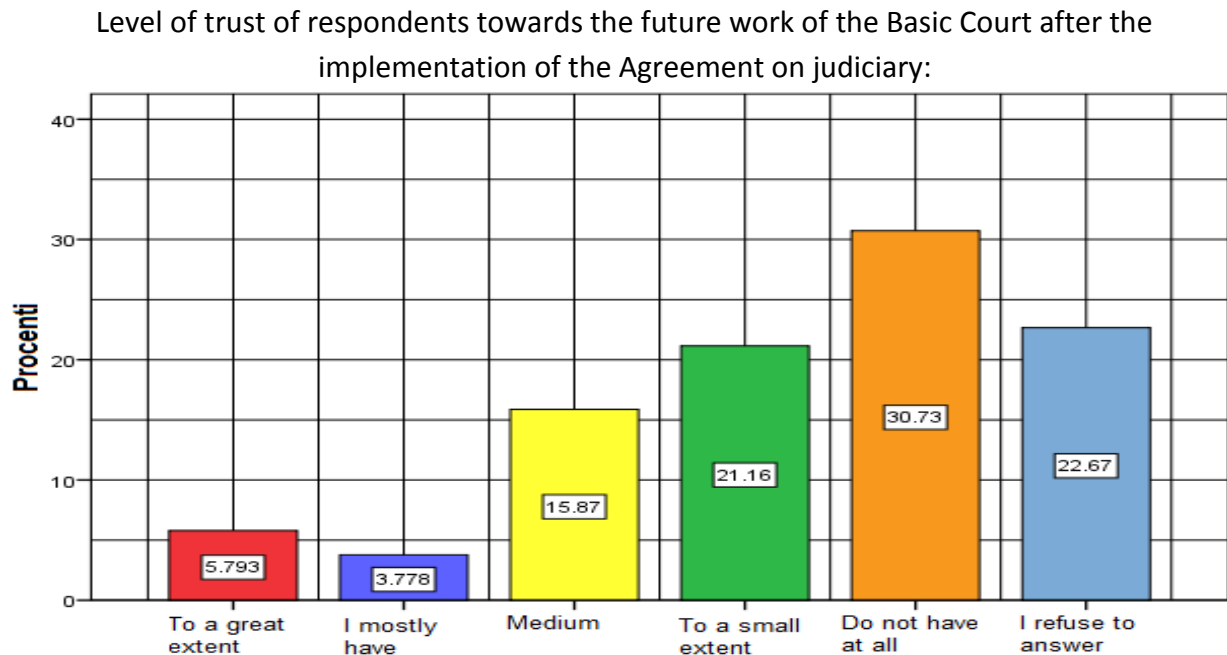


The level of trusts of respondents towards Office of the Ombudsman:



The data on the level of trust in institutions such as the Office of the Ombudsman, Office of the Protector of the victims, the Appellate Court of Kosovo, the Supreme Court and the Constitutional Court of Kosovo, Judicial and Prosecutorial Council of Kosovo, the Special Chamber of the Supreme Court and Notaries, and the estimates on the extent of corruption in Judicial institutions, can be found in the appendix to this report ("Presentation of the results").

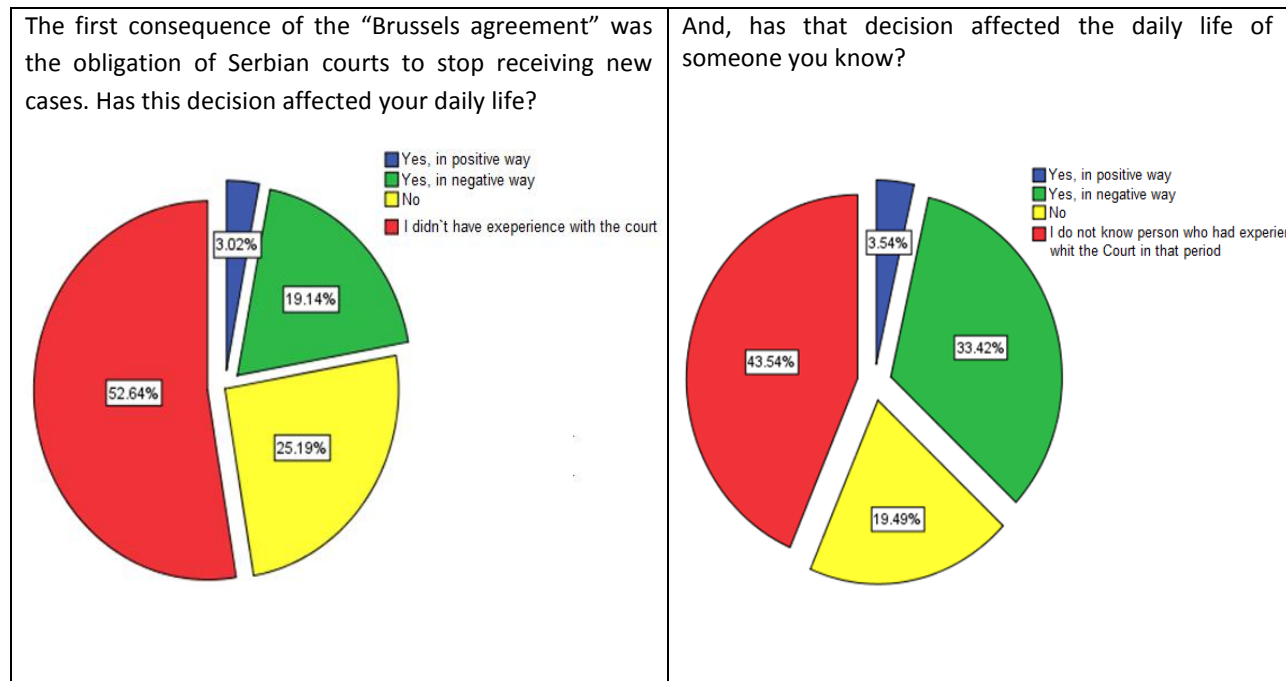
The following figures shows the **level of trust that respondents have regarding the future work of the Basic Court after the implementation of the Agreement on judiciary.**



The respondents have higher percentage of trust towards the Basic Court in North Mitrovica which is under jurisdiction of Republic of Serbia in comparison to the trust given to the the future integrated Basic Court. However, the future integrated basic court has more positive rates and higher level of trust among respondents than the existing Basic Court in Mitrovica (based in Vucitrn/ Vushtri). (The data on the respondents` level of trust in the future work of the Appellate Court and Basic Prosecution Office after the implementation of the Agreement on judiciary can also be found in the appendix to this report, in the chapter titled as "Presentation of the results").

With regard to the interpretation of motivation for levels of trust that citizens have in work of above mentioned institutions, some of the following data can be indicative: 79% of respondents estimated that there is political interference in the work of judicial institutions in Kosovo; in addition, 54% percentage of respondents answered that they would not have trust if they cases in the court would be delegated to a judge/prosecutor from another ethnic community.

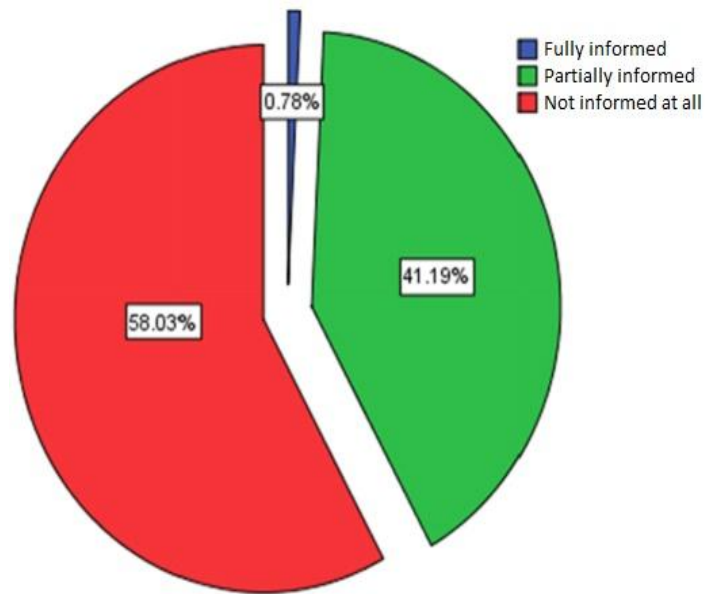
The obtained data on the following issues may indicate the reason why the respondents mainly have the attitude that the Agreement on judiciary has not been enacted to improve the lives of citizens:



The general impression is that the citizens of northern Kosovo are not sufficiently, unambiguously and promptly informed about the functioning of the judicial system currently operating, as well as about the details of the future functioning of the integrated judiciary:

- 65% of respondents answered that they do not know whether Kosovo citizens can sue the Republic of Kosovo to any international instances. Even the respondents, who answered that they know to which international instance they could sue the Republic of Kosovo, answered on the next control question that these instances are: OSCE, KFOR, etc.
- 86% of respondents answered that they do not know where the headquarters of the newly established Basic Court will be. Even the respondents who answered that they know this information, on the following control question “Where it will be?”, were giving various responses instead of a single unique answer, such as: The newly established court will be in the Administrative Office building, in the ex-building of “Jugobanka”, in Vucitrn/ Vushtri, etc.
- 91% of respondents do not know where the Basic Prosecutor's Office will be placed, nor the Department of the Appellate Court for North Kosovo;
- 76% of respondents do not know with certainty the current structure and mandate of the judiciary in northern Kosovo, nor to which court they should approach in order to initiate legal action on different matters;

- In overall, 58% of respondents believe that the citizens are not informed at all about the process of implementation of the Agreement on Judiciary (as shown in the diagram);
- The respondents do not possess enough information regarding the process and implementation of the Agreement, 78% of them do not know whether the judges and prosecutors who will work in the newly established judiciary are appointed; 84% of respondents do not know whether the vacancies for future integrated administrative staff of the judiciary are open; 88% of respondents do not know whether the management of the future integrated court is appointed, etc.



Given the relatively low level and quality of knowledge respondents have about the Agreement on judiciary and its implementation, the authors of the research asked them to suggest ways and methods which could, in their opinion, improve access to information on the judiciary integration process. The following proposals were obtained (some of the proposals are included in the research recommendations):

- To increase objective engagement of media in monitoring the implementation of Agreement;
- To organize debates, round tables, conferences, public educational workshops;
- To draft a manual with basic information;
- To have regular and accurate announcements of responsible officials;
- To increase transparency of the process;
- To draft and print an information bulletin on a monthly basis;
- To have a newspaper in the Serbian language with information on this topic;
- To increase accessibility of relevant information for both, media and citizens;
- Involvement of Civil Sector;
- To develop interactive internet platform;
- To provide accurate translations of documents from the official websites to public;
- To produce TV and radio shows on this topic;
- The municipal administration to take an informative role.

Conclusion and recommendations

An overall conclusion that can be generated based on the research results, which refers to the Agreement on the judiciary and its implementation, is that the public in North Kosovo has insufficient knowledge, an incomplete, vague, and often incorrect information, and is not involved in the implementation of the agreement, which causes feelings of uncertainty and disorientation, impressions that people in North Kosovo are means rather than the purpose and goal of the dialogue between Belgrade and Pristina, and the attitudes that they were not sure whether the integrated justice system will serve the citizens and be free from political influence.

The recommendation, based on the principles of openness, dialogue and share of responsibilities, is as follows:

To increase the intensity of citizen participation (direct and indirect) in the implementation of the Agreement on the judiciary, through:

1. Improved access to information

1.1. The proposal to the working group for the implementation of the Agreement on the judiciary is to appoint the person who will collect and at any time present information to the public about the progress of implementation of the agreement;

1.2. Advocacy Centre for Democratic Culture is a leading civil society organization in North Kosovo in the rule of law action field. Accordingly, the proposal is that the organization develops a plan for mediation and communication between the working group and the public that will include:

a) development of interactive internet subpag which will provide information on the progress of implementation of the Agreement on the judiciary, and include form in which citizens could ask individual questions, as well as the possibility to subscribe to email notifications

b) preparation and printing of info bulletins on a monthly basis, which would be distributed to members of the public who do not primarily use the Internet as a means of informing, but also delivered to the info desks of public institutions (municipalities, the Interim body, judicial institutions which currently operate, PMs and local assembly delegates, community centres etc.);

1.3. The proposal to media is to proactively monitor the implementation of the Agreement on the judiciary and to, whenever possible, include original data sources when reporting, in order to facilitate citizens' access to public documents;

2. Public consultations

2.1. The proposal to the working group and the non-governmental sector to jointly facilitate a three-month public consultation with citizens, including professionals, in the form of public discussions, roundtables; and to invite the public and enable them to give proposals and recommendations for the adoption of specific decisions and the development of specific documents, via e-communication. Rule of Law Civil Society Coordination meetings (RoLCSCM), led by the UN Mission in Kosovo can be taken as a good model for (indirect) communication with the public;

3. Active participation

3.1. The proposal to the working group is to actively involve representatives of citizens (non-government sector / assembly delegates) in the implementation of the Agreement on the judiciary, ie. to enable their participation in the development of detailed plans for the integration of Serbian judicial authorities in Kosovo structures, etc.

4. Education

4.1. Recommendation to the Advocacy Centre for Democratic Culture, and other civil society organizations which are active in the field of the rule of law, to design series of public discussions and trainings on following subjects:

a) The significance and consequences of the process of implementation of the Agreement on the judiciary; b) Political and legal context of the adoption of the Agreement on the judiciary - causes and expected outcomes; c) Implementation of the Agreement on the judiciary, difficulties and causes.

Annexes

Annexes to the research can be found on the website of the Advocacy Centre for Democratic Culture www.acdc-kosovo.org, within the subpage "Publications". Annexes include:

- Questionnaire
- Presentation of results
- Database with legend