

## Horizontal Facility for Western Balkans and Turkey



## Results of actions in Kosovo\* under the European Union/Council of Europe Horizontal Facility for the Western Balkans and Turkey

### WHAT IS THE HORIZONTAL FACILITY FOR THE WESTERN BALKANS AND TURKEY?

The Horizontal Facility for the Western Balkans and Turkey is a co-operation initiative of the European Union and the Council of Europe for South East Europe. This is a three-year programme, which is being implemented as from May 2016 for a period of 36 months. The actions under the Horizontal Facility are funded primarily by the EU, and are co-funded and implemented by the Council of Europe.

Through the Horizontal Facility, the European Union and the Council of Europe assist beneficiaries in South-East Europe in complying with Council of Europe standards and the European Union *acquis* in the context of the enlargement process, covering three themes: *ensuring justice, fighting economic crime, and combating discrimination and protecting the rights of vulnerable groups*.

There are five beneficiary-specific actions for Kosovo, with a total budget of EUR 2.82 million.

### STRENGTHENING THE QUALITY AND EFFICIENCY OF JUSTICE

This Action started on 1 July 2016 and will continue until 23 May 2019.

The action aims to improve judicial services so to be able to deliver justice to citizens promptly and fairly. To achieve this, the Action relies on the tools and methodology made available to courts by the European Commission for the Efficiency of Justice (CEPEJ) with a view to their more efficient functioning.

- In order to improve the efficiency and the quality of the justice system, in-depth assessments of its functioning were completed in close co-operation with the relevant justice institutions. The assessments identified shortcomings and resulted in recommendations for improvement. They constituted a starting point for initiating measures to improve the justice system by implementing the priority recommendations made under the Action.

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\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

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- The beneficiary institutions gained sound knowledge of the CEPEJ tools and methodology. As a consequence, the courts and the Kosovo Judicial Council are increasingly using the CEPEJ court performance indicators to analyse judicial statistics. The analysis was shared with the public on social media, thus contributing to the transparency of the courts' functioning.
- To improve the efficiency of court proceedings, the Kosovo Judicial Council and the courts have begun collecting relevant data for analysis against CEPEJ indicators to monitor the length of proceedings.
- The Action contributed to an improved case management system for Kosovo (known as CMIS) with a view to obtaining reliable judicial statistics and introducing electronic case processing. The CMIS project incorporated some basic CEPEJ indicators into the system, reflecting the needs of court users in line with the CEPEJ Cyber justice Guidelines being used to develop the future system. The CMIS should not constitute an end in itself, but should assist courts in improving their day-to-day functioning.
- In order to improve the quality of judicial services, the Action supported three courts in conducting court user satisfaction surveys (the basic courts of Pristina, Gjakova and Prizren). The results analysis allowed the CEPEJ to recommend measures to respond to the shortcomings identified.

## ENHANCING THE CAPACITIES OF PRISON AUTHORITIES

This Action ran from 1 October 2016 until 31 August 2018.

The action improved the functioning of the prison service and the provision of health care in prisons while implementing the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Poor prison conditions hinder prisoners' reintegration into society and increase the health risks prisoners may pose to society if diseases are not treated in prison.

- Legislative safeguards were strengthened, thus ensuring better protection of prisoners against self-harm, suicide and ill-treatment. Kosovo's first Suicide Prevention Strategy was developed, along with tangible measures to prevent suicides in prison. A new methodology and new tools for the inspection mechanism reinforced internal prison inspections and improved the way in which prison inspectors carry out their regular duties.

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- Progress was made towards more effective management of healthcare services in prisons. The Action developed standard operating procedures for the provision of health care in prisons, providing step-by-step instructions for medical staff to meet the needs of their patients as far as possible within the available resources. The Ministry of Health, now in charge of the prison health care system, trained its staff regarding practical use of the special operating procedures. The monitoring report produced in 2018 by two pilot penitentiary establishments - Dubravka prison and Peja/Pec detention centre – showed that the medical staff indeed use the standard operating procedures in practice.
- The capacities of prison staff to deliver health care in line with European ethical principles were increased. 50% of all medical and rehabilitation prison staff were successfully trained in prison ethics and mental health care provision using the newly developed training materials. Training capacities were made even more sustainable through the establishment of a network of 18 trainers within the Ministry of Health.
- The concept of dynamic security was introduced to prison staff. Drawing on this concept, a trainer's manual was developed and a sustainable trainers' network of 12 facilitators was established. The trainers have already transmitted their know-how to about 250 prison staff who have learned the importance of developing and maintaining good relationships with prisoners and engaging in meaningful and constructive dialogue with them.
- The rehabilitation approach towards offenders was reinforced, thus increasing their chances of reintegrating into society after their release. By developing risk and needs assessment tools and two treatment programmes for prisoners, the action supported a shift in the prison staff's mindset towards a rehabilitative rather than a punitive approach to prisoners. Twenty prison staff members became facilitators able to train their peers about rehabilitation programmes in practice. The 2018 monitoring report issued by the two pilot prisons, where the rehabilitation programmes were applied, showed their positive impact on prisoners' behaviour.

## ENHANCING HUMAN RIGHTS PROTECTION IN POLICING

This project started on 1 November 2017 and will continue until 23 May 2019.

The action contributes to enhancing police capacities to comply with European standards in community policing and to strengthening the independence of the police inspectorate so that the police fully assume their role as an independent and trustworthy institution.

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- Three internal instructions and regulations were reviewed in light of recommendations emanating from the Action's legislative assessment. The new instructions provide a better framework for policing, by taking into account the standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).
- The capacities of the Kosovo Police to deliver quality training to police officers were improved. An in-service police training programme, covering police ethics, ill-treatment prevention, police inspection, respect for gender equality and non-discrimination, was developed based on modern teaching methods, tools and materials.

## STRENGTHENING INTEGRITY AND COMBATING CORRUPTION IN HIGHER EDUCATION

This Action was implemented from 1 October 2016 until 30 November 2018.

The action aimed to strengthen integrity and combat corruption in the higher education system by applying preventive mechanisms based on Council of Europe standards and practices, while working to increase awareness of the benefits of integrity standards and ethics among the main educational stakeholders, including students, academic staff and administrative management. Results achieved:

- The Baseline Assessment report on Integrity in Higher Education in Kosovo was drawn up.
- The Action supported the legislative reform of higher education in Kosovo by providing legal expertise with a view to the Draft Law on Higher Education. As a result, the new Draft Law on Higher Education requires universities to adopt and implement codes of ethics and related integrity policies.
- Model codes of ethics for three categories of higher education stakeholders (university management, academic staff and students) were developed and submitted to the Ministry of Education, Science and Technology; they were then endorsed by the public universities.
- Awareness of the risks of corruption and the benefits of academic integrity for quality education was raised among academics, students and the public at large.

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### FOSTERING A DEMOCRATIC SCHOOL CULTURE AND DIVERSITY IN SCHOOLS

This Action was implemented from 1 October 2016 to 30 November 2018.

The action was designed to introduce and monitor specific anti-discrimination measures at grassroots level, implemented by 20 pilot schools, with a view to scaling-up best practices at the policy level. Results achieved:

- A training curriculum aimed at working with the pilot schools on democratic school culture was developed and endorsed by the Ministry of Education, Science and Technology.
- Training of over 200 teachers, school principals, psychologists, and community representatives from 20 pilot schools with a focus on co-operation skills was undertaken; individual work plans for children with special needs were developed; and human rights education was introduced in some schools as an optional subject.
- 200 teachers were trained through peer-learning sessions focusing on bullying and violence in schools, social inclusion, drop-out prevention (including co-operation with parents, mediators and learning centres) and gender mainstreaming in education.
- Over 140 students are now aware of the risks and consequences of bullying and have received guidance on how to co-operate with school staff to establish anti-bullying mechanisms.
- Parent councils were set up and students were included in decision-making in schools; student clubs were established in most of the pilot schools to raise participants' awareness of issues such as bullying in schools, discrimination and human rights, and the use/abuse of narcotic substances.
- Following a proposal by the Council of Europe, the Ministry of Education, Science and Technology designated 26 April as an official Day of Diversity and Inclusion; 26 April 2018 was widely celebrated by all of the 20 pilot schools and beyond.
- A roadmap for creating a safe and inclusive school environment at the curriculum, pedagogy, assessment and teacher education levels was developed and published.

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### FOR MORE INFORMATION:

Website: <https://pjp-eu.coe.int/en/web/horizontal-facility/home>

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