

MEASURING AND IMPROVING CITIZENS' UNDERSTANDING OF THE JUSTICE SYSTEM

Public Opinion Survey in Kosovo 2005

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Justice System Reform Activity in Kosovo

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TABLE OF CONTENTS

EXECUTIVE SUMMARYi
1. SOURCES OF INFORMATION1
2. INFORMATION ABOUT SPECIFIC ELEMENTS OF THE JUDICIAL SYSTEM
3. ATTITUDES TOWARDS JUDICIAL INSTITUTIONS AND ACTORS
4. CORRUPTION AND OTHER IRREGULAR INFLUENCES ON THE JUDICIAL SYSTEM IN KOSOVO
CONCLUSION23
APPENDICES25
APPENDIX 1 - DESCRIPTION OF METHODOLOGY27
APPENDIX 2 - QUESTIONNAIRE

EXECUTIVE SUMMARY

This report details the findings from a public opinion survey in Kosovo. The survey was conducted through face-to-face interviews with 1,226 respondents throughout Kosovo between 08 and 26 August 2005. This data has been weighted to be representative of the resident population of Kosovo by region and urban/rural distribution. The objective of the survey was to measure the Kosovo residents' perceptions and knowledge of the justice sector, including specific legal issues, actors and the court system.

USAID's Justice System Reform Activity in Kosovo conducted a similar survey in 2004, and data from the two surveys is compared in this report to identify trends in the opinion environment in Kosovo. The margin of error for the 2005 survey is plus/minus 2.8%.

1. Sources of Information

- The survey shows that large majorities rely on Kosovo TV channels in Albanian language (89%) and Kosovo radio stations in Albanian (75%) for information. A somewhat smaller but still solid majority (61%) say they utilize Kosovo newspapers in Albanian to keep abreast of current events in Kosovo. Fewer than one in 20 use Serbian language TV channels (4%), radio stations (3%) or newspapers (2%) in Kosovo to get information on current events. Albanian Kosovars rely primarily on Albanian-language media while Serb Kosovars¹ rely on Serbian-language sources.
- Most residents of Kosovo (84%) believe that media in Kosovo is objective. Albanians are more likely to believe that the media is objective than non-Serb ethnic minorities (85% vs. 74%).
- A majority say that they have at least a fair amount of information about political (70%) and economic (69%) developments. Just over four in 10 residents of Kosovo say they have a great deal (9%) or a fair amount (32%) of knowledge of the laws currently being applied in Kosovo. Only a third (34%) have at least a fair amount of knowledge about UNMIK activities. Information about economic and political developments has increased since the 2004 survey.
- A majority of the population believe that the media in Kosovo give a "great deal" or a "fair amount" of coverage to the rights of citizen (65%) and the structure of the court system (51%). Just under half believe that legal proceedings (47%) and important legal issues (40%) receive a great deal or fair amount of coverage by the media. Albanians tend to have more positive impressions of media coverage of these issues than Serbs.

¹ For brevity of the text, the proper reference to Kosovo residents - Albanian Kosovar and Serb Kosovar will be replaced with Albanian and Serbs.

- A large majority of the population (88%) gains information about the court system mainly through the media. Fifty-four percent receive information about the court system from family and friends.
- More than 80% of Kosovo residents say they would be very or somewhat interested if there were to be a public information campaign about the judicial system and the rights of citizens. Most Albanians and Serbs hold this viewpoint. Mass media, as well as brochures and community dialogues, are seen as effective dissemination tools for this information.

2. Information About Specific Elements of the Judicial System

- Less than half of all Kosovo residents say they have at least a fair amount of information about different levels of the court system (46%), where to go for assistance on legal matters (42%), or where to go to report judicial misconduct (37%). Even fewer say they have at least a fair amount of knowledge about responsibilities of the different courts (32%), procedures for registering a case (33%), procedures for enforcing a court decision (33%), and procedures for appealing a court decision (34%). The level of information about these issues has increased since 2004, especially among Albanians and non-Serb minorities.
- A large majority of those with less information about these issues said it was very (54%) or somewhat (30%) important to them to have information about the judicial system. Those who believe that it is not particularly important to have information on the judicial system say that they don't have anything to do with the courts (and thus don't need the information), don't have an interest in the courts generally or are too busy. Among Serbs, 41% of those responding to this question say that it is not important to have information on the judicial system because they do not recognize the courts in Kosovo.
- Over three-fourths of the population (77%) say they do not know how to obtain information about the laws under which all residents of Kosovo live. This is a decrease from the 90% who said in the 2004 survey that they did not know how to obtain information about the laws in Kosovo. Serbs (7%) are less likely than Albanians (20%) or non-Serb minorities (19%) to say they know how to obtain information on laws in Kosovo.
- While few residents of Kosovo know how to obtain information on the laws in Kosovo, a majority (65%) do know how they would go about obtaining a lawyer to represent them in court. A majority among Albanians, Serbs, and non-Serb minorities say that they know how to obtain a lawyer.
- The majority of Kosovo residents are aware of their rights under the judicial system. The vast majority of people in Kosovo report knowing that citizens have the right to legal counsel (70%) and to a fair trial (72%). Over half are aware of the right to avoid self-incrimination (54%) and the right to file human rights abuse complaints against public agencies (58%). These figures have not changed substantially since 2004. In general, fewer Serbs than Albanians are aware of these specific rights.

- About one-third of residents of Kosovo (32%) say they know what role UNMIK plays in the judicial process (up from 14% in 2004). Of those who say they know UNMIK's role, more than half believe that UNMIK manages the overall judicial system (67%) or makes decisions about the judicial system (53%). About one in three also believe that UNMIK passes laws or monitors/manages the courts.
- The percentage of residents of Kosovo who are aware of the transition process has doubled in the past year from 28% to 56%. This increase in awareness of the transition process has largely been concentrated among Albanians and non-Serb minorities, with an actual decrease in the percentage of Serbs aware of the transition process. Only 5% of Serbs believe the transition will have a positive impact, while most Albanians believe it will have a positive impact.
- Seventy-nine percent express some interest in the position of a Public Information Officer (PIO). When asked specifically what topics would be most useful to learn from a PIO, many say any kind of judicial information at all (20%) or that it depends on their particular situation (16%). Over half report they do not know or did not answer (61%).

3. Attitudes Towards Judicial Institutions and Actors

- Eighty-one percent of Kosovo residents express confidence in the Kosovo Police Service (KPS), followed by the media (77%), the Kosovo Assembly (69%), their municipal assembly (66%), their community leaders (66%), the courts (60%), and judges in Kosovo (57%). Less than half express confidence in OSCE and UNMIK. Serbs are far less likely to have confidence in most of these institutions than Albanians, with only 13% of Serbs expressing confidence in the police.
- A majority of residents of Kosovo have a great deal or fair amount of confidence that the legal system can maintain law and order (79%) and that it can protect their rights (74%). A majority (70%) also agree that the judicial system in Kosovo is unbiased. Serbs are less likely to have positive opinions about the judicial system than are Albanians or non-Serb minorities.
- Nearly three-quarters of the residents of Kosovo (73%) strongly or somewhat agree that judges in Kosovo ensure that everyone, no matter their gender or ethnicity, receives a fair trial. Two-thirds (66%) agree that judges make decisions based on the law. More than four in five agree that women (85%) and minorities (82%) have no problems becoming judges in Kosovo if they are qualified. However, only 36% agree that judges in Kosovo have the education and training to effectively administer law and order in Kosovo.
- In the case of a robbery, physical or verbal harassment, discrimination, or bodily injury from an accident, the majority of Albanians would first approach the police to resolve the situation if they could not resolve it themselves. Serbs are more likely to approach the UNMIK police rather than the KPS. In the case of a property or labor dispute, the majority of residents of Kosovo would first approach a court or lawyer for help in resolving the dispute.

4. Corruption and Other Irregular Influences on the Judicial System in Kosovo

- The percentage saying corruption is common in the judicial system in Kosovo has increased from 49% in 2004 to 63% in this year's survey. A large increase in the percentage of Albanians who think corruption is common (63% versus 47% in 2004) is responsible for the increase in perceptions of corruption in the judicial system.
- Seventy percent of Kosovo residents believe that corruption happens all the time or sometimes among judges. This percentage is 65% for lawyers, 58% for prosecutors, 49% for registrars, 43% for police, and 51% for other court employees. Most residents of Kosovo blame the influence of criminal gangs for corruption in the judicial system (58%). Many also blame bribery of judicial officials as well as the influence of government and the influence of political parties.
- Even though a majority think corruption is common in the judicial system, only 6% of Kosovo residents say that they are aware of someone who offered a bribe to improperly influence judicial proceedings. Five percent of Kosovo residents say that they know of someone who was pressured not to testify in a court case.
- Ninety-eight percent of Albanians follow Kosovo law, while the same is true for 75% of non-Serb minorities (9% follow Serbian law). Among Serbs, 80% follow Serbian law while only 6% follow current Kosovo law.

1. SOURCES OF INFORMATION

In this chapter, we analyze the results related to popular sources of information about the current situation in Kosovo, focusing on sources of information about the justice sector and trust in these sources.

As was the case last year, Kosovo language media continue to be the most relied upon sources of information in Kosovo. Large majorities say they rely on Kosovo TV channels in Albanian (89%) and Kosovo radio stations in Albanian (75%) for information. A somewhat smaller but still solid majority (61%) say they utilize Kosovo newspapers in Albanian to keep abreast of current events in Kosovo. Fewer than one in 20 use Serbian language TV channels (4%), radio stations (3%) or newspapers (2%) in Kosovo to get information about current events.



Figure 1. Sources of Information About Current Events

Not surprisingly, there is a large ethnic component to a person's choice of sources of information, with those who self-identify as ethnic Albanians relying on Albanian language sources and self-identified Serbs preferring Serbian language sources.

Also consistent with last year, non-Serb minorities tend to rely on Albanian language information sources more often than on Serbian language ones.

Objectivity of Media

Consistent with results from the 2004 survey, most people in Kosovo believe the media are on the whole objective (84%), although the majority only agree somewhat that the media in Kosovo covers events objectively. Fewer than two in 10 (15%) citizens of Kosovo strongly believe the media is objective in its coverage, while nearly seven in 10 (69%) agree somewhat that media coverage in Kosovo is objective. There are minor differences in confidence levels based on ethnicity. Albanians are more likely to express an overall basic belief in the objectivity of the media than are non-Serb minorities (85% vs. 74%), while the confidence level of Serbs stands somewhere in between these two groups.



Figure 2. Agree/Disagree: Media Covers Events Objectively

[Those respondents who doubt the objectivity of the media were asked to cite examples of particularly biased sources of information. Among the top mentions were RTK, KTV, TV stations in general, Bota Sot, and daily newspapers in general.]

Information About Specific Issues

A majority of residents of Kosovo say that they have at least a fair amount of knowledge when it comes to general economic and political developments within Kosovo. Seven in 10 residents of Kosovo say they have a great deal or fair amount of knowledge about economic developments (69%) and political developments (70%) with the bulk of respondents saying they have a fair amount rather than a great deal of knowledge.

Information levels are significantly lower when respondents are asked specifically about their level of information about laws being applied in Kosovo, as well as the activities of UNMIK. Just over four in 10 residents of Kosovo say they have a great deal (9%) or a fair amount (32%) of knowledge of the laws currently being applied in Kosovo. Only a third (34%) have at least a fair amount of knowledge about UNMIK activities (Figure 3 next page).



Figure 3. Information About Specific Topics

On a positive note, information levels on these issues are significantly higher in this year's survey as compared to the 2004 survey. The percentage of Kosovo residents with a great deal or fair amount of knowledge on economic and political developments has increased roughly 15% from last year. There has been a similar increase in information about laws currently being applied in Kosovo. Information about UNMIK's activities has also increased, although to a lesser extent than information about the other issues (Figure 4).





As was the case in the 2004 survey, there are wide discrepancies in the levels of information about these issues professed by Albanians and other groups in Kosovo. Albanians are more likely than other groups, particularly Serbs, to say that they have a great deal or fair amount of information about the issues mentioned above. In three of the four cases, Serbs are less likely than either Albanians or non-Serb minorities to say that they are informed about the issues (Figure 5 next page).



Figure 5. Information Levels (by ethnicity)

Coverage of Legal Issues in Media

A majority of the population believe that the media in Kosovo give a "great deal" or a "fair amount" of coverage to the rights of citizen (65%) and the structure of the court system (51%). Just under half believe that legal proceedings (47%) and important legal issues (40%) receive a great deal or fair amount of coverage by the media (Figure 6).



Figure 6. Amount of Media Coverage on Legal System

In addition to the significant increase in levels of information about economic and political developments, as well as about the laws in Kosovo and UNMIK activities, there is also a significant increase in the perception that the media in Kosovo provides a great deal or fair amount of coverage to various aspects of the legal system in Kosovo. The percentage of Kosovo residents who believe that the media provides a great deal or fair amount of coverage on the rights of citizens has gone up from 45% in 2004 to 65% in this year's survey. Similar increases are recorded for coverage of the court system (32% to 51%), legal proceedings (28% to 47%), and important legal issues (30% to 40%). Thus, on average 17% more Kosovo residents in this year's survey believe that the media provides at least a fair amount of coverage on these issues than in the 2004 survey.

Another difference between the 2004 survey and this year's survey is that, in two cases—the rights of citizens and the structure of the court system—significantly more Kosovo residents say that the media provides at least a fair amount of coverage than say it does not provide much. In 2004, Kosovo residents did not say this was the case for any of these four issues. Figure 6 indicates that one point of emphasis for the media should be to increase coverage of important legal issues facing Kosovo and its residents.

Once again, responses to these questions appear influenced by ethnicity. Albanians tend to have more positive impressions of the media coverage about these issues than do Serbs. On average, the percentage of Albanians likely to say that the media provides a great deal or fair amount of coverage on these issues is 27 percentage points higher than the percentage of Serbs likely to say so.

Sources of Information About the Court System

The media in Kosovo is the largest single source of information about the court system in Kosovo. A large majority of the population (88%) gains information about the court system mainly through the media. Just over half also gain information from friends or family (54%). Only a handful get information about the court system from community leaders, public officials, lawyers, legal officers, or personal experience (Figure 7).

	TOTAL
Sample size	1240
Media	88%
Friends/family	54%
Your community leaders	8%
Public officials	4%
Lawyers, other private members of court	
system	3%
Legal officers/Prosecutors/Clerks	3%
Through personal experience in court	
cases	3%
Other	1%

Figure 7. Sources of Information About the Court System in Kosovo

Most respondents indicate interest in receiving more information about the legal system. Eight in 10 say they would be very (41%) or somewhat (38%) interested in hearing or reading about information if there were to be a public information campaign to provide more information about the judicial system and the rights of citizens. Few (13%) express little or no interest in gaining more information about the judicial system. An interesting point to note here is that, even among Serbs, 77% say that they would be at least somewhat interested in receiving more information about the legal system.

One aim of the survey was to gain insight about gaps in information and ways to address them. The figure below details the perceived utility of several possible channels for distributing information about the legal system to the citizens of Kosovo (Figure 8).



Figure 8. Usefulness of Various Information Dissemination Tools

A solid majority of more than six in 10 say that TV, radio and newspapers would be useful ways to distribute information about the judicial system. Similar numbers also say that free brochures or community dialogues would be useful. The Internet seems to be the least useful medium according to people in Kosovo, yet even so nearly half say that information posted on the Internet site for the local administration and UNMIK would be very useful.

2. INFORMATION ABOUT SPECIFIC ELEMENTS OF THE JUDICIAL SYSTEM

Information about Court Procedures

Although fewer than half the population of Kosovo say that they have a great deal or fair amount of information about several critical aspects of court procedures, the levels of information about these procedures has increased since the 2004 survey. Less than half of all Kosovo residents say they have at least a fair amount of information about different levels of the court system (46%), where to go for assistance on legal matters (42%), or where to go to report judicial misconduct (37%). Even fewer say they have at least a fair amount of knowledge about responsibilities of the different courts (32%), procedures for registering a case (33%), procedures for enforcing a court decision (33%), and procedures for appealing a court decision (34%).

The level of information about these specific aspects of court proceedings is directly related to levels of information on the laws operating in Kosovo, and also on the perceived coverage of legal aspects by the media in Kosovo. The more information respondents have about laws operating in Kosovo and the more coverage they perceive of legal issues by the media, the more likely respondents are to say that they have at least a fair amount of information on court proceedings.

Ethnicity plays a large role in determining the amount of information a person has about court proceedings. For each item, Serbs report significantly lower information levels than do Albanians or non-Serb minorities. What is more, this information gap appears to be widening. On the whole, Albanians and non-Serb minorities report larger increases in information levels over last year than do Serbs in Kosovo (Figure 9).



Figure 9. Percentage of People with Great Deal/Fair Amount of Information (2004 and 2005)

Figure 9 (continued)



Averaging the increased levels of information for each ethnic group over all seven items in Figure 9 shows that while the level of information among non-Serb minorities has increased by 21.9% between 2004 and 2005 and the level of information among Albanians has increased by 11.5%, this increase has been a relatively small 5.1% among Serbs.

Perhaps surprisingly, lack of information doesn't stem from a lack of interest. We asked those with lower information levels how important is it to them to have information about these aspects of the judicial system in Kosovo. A large majority of those with lower levels of information said it was very (54%) or somewhat (30%) important to them to have information on the judicial system. This belief in the importance of having information among the less informed is particularly strong among Kosovo's Albanian population. A majority of six in 10 (58%) of these Albanians say having information is very important. The same was true among only three in 10 (27%) Serbs and four in 10 (41%) non-Serb minorities with lower levels of information.

Those who believe that it isn't particularly important to have information on the judicial system say that they don't have anything to do with the courts (and thus don't need the information), don't have an interest in the courts generally or are too busy. Among Serbs, 41% of those responding to this question say that it is not important to have information about the judicial system because they do not recognize the courts in Kosovo.

Obtaining Information on Laws in Kosovo

Over three-fourths of the population (77%) say they do not know how to obtain information about the laws under which all residents of Kosovo live. This high level of lack of knowledge is somewhat surprising given that 42% report having at least a fair amount of information on laws currently being applied in Kosovo. But only 34% of those who say they have at least a fair amount of information about laws in Kosovo say that they know how to obtain information about these laws. This finding suggests that even people who feel aware of the basic legal framework do not know how to supplement what they already know about the law.

In last year's survey, 90% said they do not how to obtain information about the laws. Thus, there has been an improvement since the 2004 survey, but the data indicates that the vast majority of Kosovo residents must still get acquainted with avenues to obtain information about laws in Kosovo. Furthermore, the small increase in knowledge is not spread throughout society. Consistent with last year's results, Serbs (7%) are less likely than Albanians (20%) or non-Serb minorities (19%) to say they know how to obtain information

Among those who report that they know where to find legal information, the most commonly mentioned sources of information about laws in Kosovo are municipal courts and courts/judicial centers. Municipal courts seem to be particularly well suited as a place to gain information as solid majorities of seven in 10 or more of each ethnic group are aware of the location of their municipal courts.

While few residents of Kosovo know how to obtain information about the laws in Kosovo, a majority (65%) do know how they would go about obtaining a lawyer to represent them in court. A majority among Albanians, Serbs, and non-Serb minorities say that they know how to obtain a lawyer. Among those who do not know how to obtain a lawyer, 83% say that a public service that can help people locate a lawyer would be useful for Kosovo.

Citizen Rights and Court Jurisdictions

As shown in Figure 9 above, less than half of the people in Kosovo have some information about basic judicial and court proceedings in Kosovo. However, responses to another question indicate that a majority of residents of Kosovo are aware of their rights under the judicial system operating in Kosovo.

The vast majority of people in Kosovo report knowing that citizens have the right to legal counsel (70%) and to a fair trial (72%). Over half are aware of the right to avoid self-incrimination (54%) and the right to file human rights abuse complaints against public agencies (58%). These figures roughly correspond to 2004 responses.

However, in general fewer Serbs than Albanians are aware of these specific rights. For instance, Albanians are more aware than Serbs of their right to legal council (71% vs. 55%), to a fair trial (62% vs. 50%), and to not incriminate themselves (57% vs. 23%). Information levels of the non-Serb minorities tend to be in between those of Albanians and Serbs.



Figure 10. Awareness of Rights

Citizens were also asked specifically about the jurisdictions of the municipal, district, and supreme courts. Nearly three out of four people (71%) know that a municipal court decision can be appealed to a district court, but less than half (46%) are aware that the Supreme Court of Kosovo can decide the constitutionality of laws passed by the Kosovo Assembly.

Information about UNMIK

Currently about one-third of residents of Kosovo (32%) say they know what role UNMIK plays in the judicial process; this figure is up from 14% in 2004. This is similar to the percentage (35%) who report in 2005 that they are aware of UNMIK's activities in general (see chapter 1). More Serbs (46%) feel they know the role of UNMIK than do Albanians (32%), and non-Serb minorities report the lowest level of knowledge with only two in 10 (20%) saying they know UNMIK's role.

Of those who say they know UNMIK's role, more than half believe that UNMIK manages the overall judicial system (67%) or makes decisions about the judicial system (53%). About one in three also believe that UNMIK passes laws or monitors/manages the courts. These understandings are fairly consistent across ethnic groups.

One in five (20%) now report they are aware of UNMIK's announcements of new regulations or procedures regarding the judicial process. This is up from 8% last year. However, Albanians (21%) are more likely than Serbs (10%) to be aware of these announcements. Of all those who are aware, Albanians (82%) are much more likely to get these announcements from television than Serbs (45%).

As UNMIK increases its efforts to transition responsibilities to local authorities, awareness among the population of this process is also increasing. The percentage of residents of Kosovo who are aware of the transition process has doubled in the past year, but this increase in knowledge is concentrated among Albanians and non-Serb minorities. On the other hand, fewer Serbs say that they have a great deal or fair amount of information on the transition process (Figure 11).



Figure 11. Percentage Aware of Transition Process (by ethnicity)

More Albanians (62%) than Serbs (45%) also believe citizens have had a chance to give input on the transition process. About six in 10 non-Serb minorities believe citizens have been able to provide input.

When asked specifically about the impact of UNMIK transferring more authority to local courts to make decisions, Serbs are the least likely to think that this will be positive. Only one in 20 Serbs (5%) believes this will have a very positive impact, compared to 60% of Albanians and 50% of non-Serb minorities. Conversely, only a handful of Albanians and non-Serb minorities believe the transition will have a very negative impact, while one in five Serbs (22%) think it will be very negative.

Attitudes Towards Creation of Public Information Officer

There continues to be widespread interest in a Public Information Officer (PIO) position. This level of interest remains similar to last year's among all groups (79% express at least some interest; 82% did so in 2004). When asked specifically what topics would be most useful to learn from a PIO, many say any kind of judicial information at all (20%) or that it depends on their particular situation (16%). Over half report they do not know or did not answer (61%). These responses did not vary significantly across ethnic groups. Overall, if such a position existed, most report that they would approach the PIO only if needed (58%), but about one-third (31%) say they would definitely do so.

Implications for Public Outreach

During 2004 and 2005, USAID's Justice System Reform Activity in Kosovo produced two short brochures that provide information about the judicial system and citizens' rights in Kosovo. When respondents on the survey are asked about these brochures, 6% say that they have seen the "Basic Guide to the Judicial System," and 10% have seen the brochure called "Citizens' Rights," both produced by USAID's Justice System Reform Activity in Kosovo. The majority of those who have seen these publications report that they are very useful (57% and 61% respectively). Findings also indicate that the brochures are dispersed effectively beyond the initial training seminars, as citizens have received them from a variety of sources including friends, relatives and public information centers. For each brochure, over 40% read the document through a friend or relative, and about 15% read it at a training seminar. These responses do not differ significantly by ethnic group.

Although future public information campaigns could be targeted at any of the topics mentioned herein, when asked for their top two choices, people across ethnic groups report they would be most interested in learning more about citizens' rights and responsibilities (61%) and UNMIK's role (34%). However, Albanians (29%) are more likely to list the effect of the Standards process on the judicial system as one of their top two choices than either Serbs (0%) or non-Serb minorities (15%).

3. ATTITUDES TOWARDS JUDICIAL INSTITUTIONS AND ACTORS

Confidence in Select Institutions

Figure 12 shows that the percentage of people expressing a great deal or fair amount of confidence in select institutions has not changed markedly for any of these institutions since the 2004 survey. (The percentage of residents of Kosovo expressing a great deal or fair amount of confidence in these institutions in 2004 is indicated in the percentages in parentheses under the name of the institution in the chart below.)



Figure 12. Confidence in Institutions (2004 % in parentheses)

The figure above indicates that there has not been a significant shift in confidence in most institutions over the past year. One institution which has seen a slight increase in confidence is the media (77% versus 71% in 2004). One reason for this slight increase in confidence in the media may be found in data cited earlier in this report showing that larger numbers of Kosovo residents think the media is providing coverage of aspects of the legal system.

The Kosovo Assembly has seen a slight decrease in confidence (69% versus 76% in 2004), while residents of Kosovo continue to have the least amount of confidence in the OSCE and UNMIK.

As in last year's survey, Serbs consistently have much less confidence in all of these institutions than do Albanians and other ethnic groups. The most striking difference between Serbs and Albanians is in confidence in the police, with only 13% of Serbs expressing confidence in the police compared to 89% of Albanians. Differences are also evident for international institutions as Serbs express very little confidence in the OSCE and UNMIK (17% and 18%, respectively). The exceptions to this pattern are Serbs' level of confidence in their community leaders (60%), their municipal assembly (54%), and the media (65%).

Confidence in Legal System

Similar to confidence in specific institutions, confidence in the legal system in Kosovo to maintain law and order and to protect the rights of people has stayed at the same level as in the 2004 survey. A majority of residents of Kosovo have a great deal or fair amount of confidence that the legal system can maintain law and order (79%) and that it can protect their rights (74%). However, as in 2004, there is an ethnic divide on this issue, with a majority of Albanians and non-Serb minorities expressing at least a fair amount of confidence in the legal system to maintain law and order and protect rights, but a majority of Serbs expressing little confidence in the legal system in these matters.

Another question asks respondents to agree or disagree with the following statement: *"The judicial system in Kosovo is unbiased and treats all persons equally."*

While the majority of residents of Kosovo agree strongly or somewhat with this statement (70%), there is a difference of opinion on this issue between not only Albanians and Serbs, but also between Albanians and other minorities in Kosovo (Figure 13).





While 85% of Albanians at least somewhat agree that the legal system is unbiased, this figure is 20% among Serbs and 64% among non-Serb minorities. This divide is similar to that observed in the 2004 survey.

Those who disagreed that the judicial system is unbiased were asked to name groups or institutions that the judicial system favors. A majority of those asked this

question (61%) say that people with connections at court or businessmen/wealthy people (58%) are favored by the judicial system. Thirty-nine percent say people in authority are favored, while 28% say those who give bribes are favored. Sixteen percent believe Albanians are favored while 17% believe Serbs are favored.

Opinions on the ability of the legal system to maintain law and order and to protect rights, as well as the perception of objectivity of the judicial system, are crucial elements of overall confidence in the legal and judicial system in Kosovo. The discussion above has already illustrated that Serbs are far less likely to have confidence in the judicial system in Kosovo than either Albanians or non-Serb minorities. One way to measure the totality of responses on the three questions discussed above is to count the number of times members of each ethnic groups give positive assessments of the judicial system on these three questions. This analysis indicates that 58% of Albanians have positive assessments in all three questions, while this percentage is 44% among non-Serb minorities. Among Serbs, only 14% have positive assessments of the judicial system on all three questions. On the other hand, 29% of Serbs do not have positive assessments on any of the three questions, and 49% only have positive assessments of the judicial system on just one of the three questions.

Attitudes Towards Judges in Kosovo

Differences in opinion based on differences also persist when respondents are given several statements about judges in Kosovo and asked whether they agree or disagree. Overall, nearly three-quarters of residents of Kosovo (73%) strongly or somewhat agree that judges in Kosovo ensure that everyone, no matter their gender or ethnicity, receives a fair trial. Two-thirds (66%) agree that judges make decisions based on the law. More than four in five agree that women (85%) and minorities (82%) have no problems becoming judges in Kosovo if they are qualified. However, some held a negative attitude towards judges' qualifications. A majority of residents of Kosovo disagree that judges have the education and training to effectively administer law and order in Kosovo. Only 36% agree with this statement. As Figure 14 illustrates, this is one issue in which Albanians have a less positive attitude than Serbs.



Figure 14. Agreement with Statements about Judges (by ethnicity)

Only 35% of Albanians agree that judges in Kosovo are suitably qualified, compared to 49% of Serbs and 38% of non-Serb minorities. On other issues, Serbs are less likely to have positive opinions than Albanians or non-Serb minorities. On average for the five items in Figure 14, 44% of Serbs have positive opinions about judges, compared to 71% of Albanians and 60% of non-Serb minorities. Still, it is encouraging to note that Serbs are more likely to have positive opinions on judges than on many other issues related to the legal system that have been covered in this survey.

There is surprising little difference between men and women on whether women have any problems becoming judges in Kosovo. In the 2004 survey, a significant difference was detected on this issue between men and women.

Institutions Trusted to Resolve Disputes

Another question on the survey asked respondents what institution they would first approach to resolve a dispute or another situation if they could not resolve it themselves. The results indicate that in Kosovo as a whole, the police is most often the institution to which people would turn when confronted with a legal situation. The courts are another institution frequently mentioned, but all other institutions or individuals are not frequently mentioned (Figure 15).



Figure 15. Institutions to be Approached First for Resolving Disputes (in %)

In four of the six situations described, the respondent would first approach the police. In the other two situations, the respondent would approach the courts first and the police second. Lawyers are mentioned first by a significant percentage of Kosovo residents if they would be dealing with a labor or property dispute. It should also be noted that not many Kosovo residents would approach the UNMIK police first in any of these situations.

This report has detailed differences on many issues on the basis of ethnicity. The issue of who to approach first for resolution of the situations described in Figure 15 is also marked by significant ethnic differences. Albanians show a great deal of trust in the police and, in four out of the six cases, a majority of this group would first approach the police to help resolve the situation. Among Serbs, attitudes are exactly the opposite. In none of these situations do a majority or plurality of Serbs say that they would approach the police first to help resolve the situation. In fact, in the case of robberies, discrimination, harassment, bodily injury as a result of an accident, a majority of Serbs say that they would first approach the UNMIK police rather than the Kosovo Police. In the case of labor or property disputes, a majority of Serbs would first approach the courts or a lawyer. This finding echoes the earlier finding of lack of confidence in the police among Serbs in Kosovo.

Actual Experiences with Legal Issues in Kosovo

The respondents were also asked if they had ever experienced any of the issues described in Figure 15, and if so, what action they took to resolve the situation. Nine percent say that they were victims of a robbery. Among these respondents, 69% went to the police while 13% did nothing. Three percent were victims of harassment; among these respondents, 53% went to the police while 17% did nothing. Two percent had been involved in a property dispute; among these respondents, 52% went to court while others went to the municipality to resolve the dispute themselves.

4. CORRUPTION AND OTHER IRREGULAR INFLUENCES ON THE JUDICIAL SYSTEM IN KOSOVO

Corruption in the Judicial System

Since the 2004 survey, there has been an increase in those who say that corruption is very or somewhat common in the judicial system (Figure 16).



Figure 16. Frequency of Corruption in Judicial System, trend

In the 2004 survey, 49% said that corruption was very or somewhat common in the judicial system in Kosovo, 19% said it was rare, and a third did not know enough to respond. In this year's survey, the percentage saying corruption is common has increased to 63%. Correspondingly, those saying corruption is rare is now only 12%, and those who cannot answer has also fallen to 25%. It is noteworthy that the perception of corruption among Serbs has not changed since 2004 (71% in each year). Rather, it is a large increase in the percentage of Albanians who think corruption is common (63% versus 47% in 2004) that is responsible for the increase in perceptions of corruption in the judicial system.

Those who believe that corruption is common in the judicial system were asked to assess how common corruption is among its various actors (Figure 17).



Figure 17. Corruption among Judicial Actors

Corruption is felt to be most rampant among judges, with 22% saying that corruption happens at this level all the time and 48% saying it happens sometimes. Sixty-five percent think corruption happens at least sometimes among lawyers, and 58% feel the same way about public prosecutors. The least corrupt institution is felt to be the police, with 10% believing that corruption happens all the time in the police, and 33% saying it happens sometimes.

Respondents were given three hypothetical incidents and asked to assess whether these represented incidents of corruption. Ninety-three percent of residents of Kosovo believe that corruption has taken place when someone gives some money to the police to let him or her go after they are stopped. There is more ambivalence about the two other situations described to respondents. If a businessman talks to a judge about a case outside of court, 48% believe that this represents corruption, but 17% do not think this is corruption and 27% think that whether this represents corruption depends on the specifics of the situation, e.g., the nature of the conversation. There is similar ambivalence about a situation in which a public prosecutor drops a case when threatened with bodily harm. Thirty-nine percent believe that this is corruption, 24% do not think it is, and 20% think it depends on the situation.

When asked the influences that lead to corruption in the judicial system, most residents of Kosovo blame criminal gangs and many also blame bribery of judicial officials (Figure 18).



Figure 18. Factors in Corruption in Judicial System

The influence of government on the judicial process is also felt to be a factor in corruption by a significant number of Kosovo residents, as is the influence of political parties. On a positive note, ethnic bias does not seem to be blamed by many for

corruption in the judicial system. Even among Serbs, only 34% mention this factor (18% among Albanians).

Experience with Corruption and Other Irregular Influences

Even though a majority thinks corruption is common in the judicial system, only 6% of Kosovo residents say that they are aware of someone who offered a bribe to improperly influence judicial proceedings. In 26% of these cases, the bribe was offered to a judge and in 12% of cases to the court clerk. Other personalities mentioned include lawyers, public prosecutors, and the KPS. Among those who report knowing of someone who offered a bribe, 79% say that the bribe was accepted. The low number of incidents makes it difficult to discern whether this is an established pattern.

Five percent of Kosovo residents say that they know of someone who was pressured not to testify in a court case. This is the same percentage as in the 2004 survey. The most common form of pressure was reported to be threat of physical harm (57% of those who report pressure), followed by threat of property damage (27%) and threat of job loss (20%). These threats are usually successful, as 74% of those who report being aware of threats also report that the person threatened did not testify.

Seven percent of the respondents report having been called to testify in a court case, and all but 4% report having not done so. When respondents are asked whether they would testify if called in the future, all but 5% say they would testify. Those who say they would not testify primarily cite security concerns.

Legitimacy of Kosovo Law

Respondents on the survey were asked which law they currently follow, the law in Kosovo or Serbian law. Ninety-eight percent of Albanians follow Kosovo law, while the same is true for 75% of non-Serb minorities (9% follow Serbian law). Among Serbs, 80% follow Serbian law while only 6% follow current Kosovo law. There has not been any significant change in these responses from the 2004 survey.

Those who follow Kosovo law primarily say that this is because they live in Kosovo (51%). Most other reasons given for following Kosovo law also revolve around the notion of Kosovo statehood. Those who follow Serbian law were asked what it would take for them to follow Kosovo law. Many reply they would follow Kosovo law if there was better security and freedom of movement (26%). Others reasons given include: Kosovo law has to be unbiased (9%), when they know more about these laws (8%), and when the status of Kosovo is solved (6%). Others simply would not follow Kosovo law until it is the same as Serbian law (6%) or when Kosovo is re-integrated into Serbia (3%).

CONCLUSION

The 2005 Kosovo public opinion survey reveals that while there has been a general increase in information about legal and judicial matters, a large segment of the population in Kosovo is still not informed about key elements of the legal and judicial system in the country. Less than half of all residents of Kosovo are aware of the different levels of the court system or the responsibilities of these different levels. Less than half are aware of where to go for assistance on legal matters and such matters as the procedures for appealing a court decision. More than three-fourths do not know how to obtain information about the laws under which they live in Kosovo. While this data indicates that there is still much work to be done in informing the population in Kosovo about its legal and judicial system, the increases in levels of information since the 2004 survey do point to progress being made on the ground. The mass media and television in particular should be the key conduits used to disseminate information about the judicial and legal system, as these are the primary sources for information in Kosovo.

A large majority of the Albanian population in Kosovo continues to agree that the judicial system in Kosovo is unbiased and that judges in Kosovo ensure that everyone receives a fair trial regardless of gender or ethnicity. The majority of Serbs continue to disagree with these statements, and the lack of confidence among Serbs in the legal and judicial system continues to be a concern. The training of judges should continue to be a priority for future programming in Kosovo as only one-third of respondents consider that judges in Kosovo have the education and training they need to effectively administer law and order in Kosovo. Even a majority of Albanians hold this opinion.

One issue that has emerged over the past year as a more serious concern worth addressing is that of corruption. Perception of corruption in the judicial system has increased significantly since 2004, from half to about two-thirds of respondents. Corruption is felt to be prevalent at all levels of the legal and judicial system. Seventy percent of Kosovo residents believe that corruption happens all the time or sometimes among judges. This figure is 65% for lawyers, 58% for public prosecutors, and 51% for other court employees. While the influence of criminal gangs is most often mentioned as an influence on corruption, almost half of all residents of Kosovo also think that corruption is the result of ordinary people giving bribes. This indicates that corruption may be a commonly accepted practice in the legal system in Kosovo. Addressing this corruption should be an important first step in instilling confidence in the legal and judicial system in Kosovo.

APPENDICES
APPENDIX 1 - DESCRIPTION OF METHODOLOGY

From August 8 to August 26, 2005, Prism Research, under commission by and in consultation with IFES conducted a survey in Kosovo to collect data understanding of the justice system. The method utilized for the survey was the administration of a questionnaire during face-to-face interviews. A total of 1226 interviews were conducted on a representative sample of citizens - Kosovo Albanians and Kosovo Serb population. Out of the total number of 1226 interviews, 911 were conducted with Kosovo Albanians, 173 with Kosovo Serbs, and 142 non-Serb minorities in face-to-face interviews. This Methodological Report provides a description of the sampling methodology and procedure used; comparative tables showing how the sample parameters compare with known census and other demographic data; contact and non-response information. As appendices to the Methodological Report the fielded survey questionnaire and showcards in the local language version/s are included.

I. METHODOLOGICAL REPORT

Summary of procedures

The face-to-face interview method was utilized. Interviewers were instructed according to specific guidelines to go to randomly selected addresses at which to conduct interviews, and how to select individual household members with whom to conduct interviews. Interviewers read aloud the questions and the range of possible (coded) responses, presented the 'showcards', or in the case of open-ended questions, read only the question. The interviewer holds the questionnaire throughout the interview and marks in respondent answers.

Sampling methodology and procedures

A random stratified sample was designed for the purposes of this survey.

a. Population Statistics

The boycott of the 1991 census by the Albanian population of Kosovo and the enormous demographic shifts of the Albanian and Serb populations in the war and post-war period render all population data based on the 1991 census of very limited value of applicability as a basis of comparison of current population parameters.

The latest estimate of the size of the population of Kosovo was made by the UNHCR in 1998. (Again, based on the data from the 1991 census.) For a long time these estimates were the basis for the estimation of the most basic population parameters – such as the number of residents by settlement/populated area.

Fortunately, the enormous turnout of over 85% of the Albanian population (16 years and over) in the Civil Registration in the period running up to the October 2000 Municipal Elections in Kosovo greatly improves the population data available. On the basis of data from the Civil Register (OSCE/UNMIK) it is possible to get relatively accurate information about the population by settlement/populated area, gender and age. Unfortunately, this data has still not been made available to the public, so that it was not possible to utilize them for the purposes of this research.

In terms of data related to the Serb population, the situation is still worse. The Serb population of Kosovo essentially boycotted the civil registration process. Estimates of the number of Serbs remaining in Kosovo vary from between 75 000 to 100 000 of which some 60% live in the northern parts of Kosovo.

For the purposes of the construction of the sample for this survey population estimates and figures used by UNMIK, the OSCE and other international organizations was used.

Target Population

The target population for this survey is:

• Population of citizens over age 18.

Selection of Primary Sampling Points

To obtain 1226 valid interviews, we used an initial sample size of 1250. This initial sample was divided into 250 sampling blocks (5 interviews per each sampling point).

Each ethnic-majority area was allocated sampling blocks: 205 for Albanians and 45 for Serbs (out of 250). This is not proportional to the actual size of the populations living in these two areas. Less than 6% of the population of Kosovo is Serb. These specially designed quotas ensured the inclusion of some major minorities in this survey.

AREA	ETHNICITY	TOTAL	
AREA	ETHNETT		%
	Albanian	908	89.37
	Serbian	3	0.29
	Muslim	6	0.59
	Bosnian	23	2.26
	Gypsy	25	2.46
Albanian majority area	Slovenian	5	0.49
	Ashkali	25	2.46
	Egyptian	1	0.09
	Gorani	5	0.49
	Turk	11	1.08
	Qerkez	4	0.39
	Total	1016	100.0
	Serbian	173	82.38
	Bosnian	2	0.95
Serb majority area	Gypsy	33	15.71
	Montenegrin	1	0.47
	Slovenian	1	0.47
	Total	210	100.0

Data about the number of interviews conducted for each ethnic-majority area is presented in the table below:

1. Each of the ethnic-majority areas was divided into geographic regions.

For Albanian majority areas

The sample was divided into five regional units with Albanians as the majority in Kosovo. These five regional units corresponded to KFOR Areas of Responsibility: UK, USA, France, Germany, and Italy. These regions are essentially geographic areas of Kosovo, each including a few municipalities and one major town or city. See table below for detail of municipalities included in each region.

For Serbian majority areas

Essentially there is only one region in Kosovo where Serbs form the majority population -- northern Kosovo (including North Mitrovica, Zubin Potok, Leposavic and Zvecani). Other areas of Kosovo where Serbs live are in fact Serb villages or enclaves in inner Kosovo and are surrounded by Albanian majority areas. For the purposes of this survey these Serb enclaves were divided into three geographic regions: Center – the areas around Prishtina, Kosovo Polje, Obilic, Lipjan; East – the areas around Gnjilan, Vitine, Novo Brdo, Kamenica; and South – the area of Strpce.

Data about the number of interviews conducted for each region is presented in the table below:

REGION		Ν	%
	North	161	76.6 6
Serb	East		
Majority Areas	Central	49	23.3 3
	South		
	Total	210	100
	UK KFOR	267	26.2 8
	USA KFOR	195	19.1 9
Albanian Majority	FRANCE KFOR	155	15.2 6
Areas	GERMANY KFOR	216	21.2 6
	ITALY KFOR		18.0 1
	Total	1016	100
Total		1226	100

Each of the geographic regions was divided into municipalities. All municipalities within each region were divided into three categories proportional to the number of people living in these municipalities. The categories are: regional centre, medium and low population size. Regional centres were included in the sample for each region by default. In each region at least one municipality from each category is selected. Each of the selected municipalities is allocated a certain number of sampling blocks (out of the total number of sampling blocks allocated to each region) proportional to the size of population in the category represented by the selected municipality.

SELECTION OF SECONDARY SAMPLING POINTS

Selection of settlements within municipalities

Within each municipality settlements were randomly selected from a list. In each selected municipality and region approximately 65% of all interviews were conducted in urban areas and 35% in rural areas, reflecting current estimates about the actual distribution of the population in Kosovo. According to the last census figures from 1991, 70% of the Kosovo population was living in rural areas and 30% in urban areas. However, we cannot use this data because of the dramatic demographic changes resulting from the war and postwar period.

Due to the lack of reliable data on the number and percentage of people living in urban or rural areas, we decided to use ratio 65/35% in all regions and municipalities in our sample.

Selection of starting points

In the selection of secondary sampling points a database of the streets in urban areas and villages in rural areas was used. This database contains the following information:

Region	Municipality	Type of Settlement -	Neighborhood	Settlement	Street/urban
Region	wunicipality	Urban/Rural	Council	Settlement	Village/rural

For each of the selected municipalities, a random computer selection of streets and villages was made from the far right column. For each municipality a reserve number of streets and villages were selected. It was often the case that selected villages were found to be deserted and/or completely devastated. In such cases, that village was replaced by the first village on the reserve list. In extreme cases, where the list of reserve villages was exhausted due to desertion or devastation, the interviewer was allowed to select the nearest neighboring village where it was possible to conduct the survey.

Selected streets were allocated a randomly selected number between one and 300, representing the address of the first dwelling on the street. If it was a three-digit number and addresses on the selected street did not have that many digits, the interviewer ignored the first digit in the given address and moved to the address at the remaining two-digit number (the same process was repeated for a single digit number if there was no address with a two-digit number).

SELECTION OF HOUSEHOLDS

Random Walk Technique

The Random Walk technique was used for selecting households. Interviewers were given addresses of starting points for each secondary sampling point. In urban areas this was a specific household address. In rural areas it was a specific household or a landmark building such as the neighborhood council building, post office, or local school. Different size settlements required different directions to find a starting point.

In some cases the regional coordinator or supervisor determined the starting point after having visited the settlement.

The interviewer was directed to face the starting point looking north. S/he then chose the first street (house) to his/her right. Starting at this street (house), the interviewer proceeded in that direction and chose the second house as the first household for interviewing. If the second house was an apartment building (or had multiple dwelling units), s/he chose the second dwelling unit in this building to start the interviewing.

After the interview, s/he passed the next apartment or house and chose the fourth dwelling unit for the second interview. S/he proceeded in this pattern until the end of the street. At the end of the street, she moved to the next street on her right and continued the process until s/he completed the quota for that settlement.

Multi dwelling residential units

Each multi-dwelling unit was treated as one address. In each building the survey was conducted on only one floor, and in only one apartment. Interviewers were instructed that in each building they were to interview on the first floor in one building, the middle floor in the second, and the top floor in the third multi-story building.

SELECTION OF RESPONDENTS

Closest Birthday Technique

In this survey we used the technique of random selection by Closest Birthday.

INTERVIEWERS

RECRUITMENT AND TRAINING

For the purposes of this survey ten regional coordinators (eight in Albanian-majority and two in Serb-majority areas), 42 interviewers (36 in Albanian and 6 in Serb majority areas) and seven controllers were selected to form the field team. Selections were made based on aptitude, previous experience, age, gender, and regional origin.

All ten regional coordinators participated in a full day training session in Prishtina or Zubin Potok. After this training the regional coordinators organized interviewer training sessions for the interviewers whose work they organized and supervised.

Pilot study

Prior to the start of the main survey each interviewer had to successfully conduct and complete at least one interview to indicate that they were qualified to work in the field. After completion of the testing all questionnaires were collected, and interviewers discussed problems encountered, questions raised, and other issues. Interviewers were instructed to make note of all comments made by respondents in the course of the interview.

QUALITY CONTROL

Control of the interviewers' work in the field was conducted in two ways: first, as all interviewers were accommodated in major urban centers, at the end of each day in

the field supervisors met with them and collected completed questionnaires. Technical control of the interviews was conducted immediately, and interviewers were informed of any errors made in the marking of responses.

Back-check was another system of control applied. Prism Research applies its own system of control wherein every interviewer, upon completing an interview, leaves the respondent a specially designed 'control sheet' explaining the purpose and manner of control to the respondent. On the back of the control sheet there is a brief questionnaire that the respondent is asked to complete independently once the interviewer has gone. The questions are related exclusively to the conduct of the interviewer during the interview process, such as manner of asking questions, suggestiveness, prompting, or anything that might compromise the interview. The respondent is asked to keep the completed control sheet for a period of at least seven days from the date of the interview (controls are conducted within seven days of completion of fieldwork).

For each interviewer one or two contact sheets are selected – on each contact sheet there are five addresses at which interviews were conducted, as well as addresses where contact was made but interviews were not completed.

The controller goes to the listed addresses and asks respondents for the completed control sheet. If the respondent does not have the control sheet, the controller gives the respondent a blank one and asks the respondent to complete it. This allows maintenance of accurate records as to whether or not the interviewer selected the address and the household member in accordance with the set selection criteria.

If controllers discover any problems with interviewer conduct, interviewers are asked for an explanation or to repeat the necessary number of interviews.

The purpose of this method of control is to make very clear to the respondent why and how it is conducted. It promotes the full cooperation of the respondent and helps to protect respondent anonymity.

WEIGHTING

We did weighting procedure in this survey to have data representative for whole Kosovo based on the ethnicity.

PROBLEMS DURING FIELDWORK

There were no particular problems encountered in the fieldwork in the Albanianmajority areas. The interviewers did not have any particular problems with administration of the survey.

Length of interview

The administration of the survey questionnaire averaged 35 minutes. Shortest administration took 25 minutes, and the longest 55 minutes.

Treatment of missing values

In the preparation of the database for analysis there was no procedure applied to replace missing values. It was considered that the over sampling of 26 respondents adequately compensated for missing values in questions where this was an issue.

CONTACT AND NON-RESPONSE INFORMATION

The table below presents contact and non-response information for the sample in the Albanian-majority area:

Contact Result	Frequency	Percent
1-Interview completed	1016	72.31
2-Interview interrupted-respondents revisited – not		
completed	1	0.07
3-Interview interrupted-respondent refused to complete	0	
4-Selected household member is ill	2	0.14
5-Selected household member is away/abroad	1	0.07
6-Selected household member is not present after 2		
visits	11	0.78
7-Foreigners and residents who do not speak language	3	0.21
8-No answer after second visit	175	12.45
9-Person who opened the door refused to participate	149	10.6
10-Selected household member refuses to participate	33	2.35
11-Other reasons that interview was not conducted	15	1.07
Total	1405	100.00

Response rate for Albanian sample

On the basis of the data presented in the table above, the response rate was calculated using the formula:

1

1+2+3+4+5+6+8+9+10+11 = 73.09%

The following table presents contact and non-response information for sample taken in Serb-majority area:

Contact Result	Frequency	Percent
1-Interview completed	210	58.66
2-Interview interrupted-respondents revisited – not	:	
completed	0	0
3-Interview interrupted-respondent refused to complete	0	0
4-Selected household member is ill	3	0.84
5-Selected household member is away/abroad	13	3.63
6-Selected household member is not present after 2		
visits	18	5.03
7-Foreigners and residents who do not speak language	2	0.56
8-No answer after second visit	39	10.89
9-Person who opened the door refused to participate	61	17.04
10-Selected household member refuses to participate	7	1.95
11-Other reasons that interview was not conducted	5	1.4
Total	358	100

Response rate for Serb sample

On the basis of the data presented in the table above, the response rate was calculated using the formula:

1

1+2+3+4+5+6+8+9+10+11 = 58.99%

APPENDIX 2 - QUESTIONNAIRE

Observation Variables

- A. Date _____
- B. District_____
- C. Village/City_____
- D. Size of Locality

Categories to be specified by Contractor

E. Language of Interview

- 1. Albanian
- 2. Serbian

F. Ethnicity

- 1. Albanian
- 2. Serbian
- 3. Roma/Egyptian/Ashkali
- 4. Bosniak
- 5. Turkish
- 6. Gorani
- G. Start Time _____
- H. End Time _____
- I. Length of Interview _____

- 2. To begin, can you tell me what sources of information you use to get information on current events in Kosovo? Please note that I am asking about information on current events in Kosovo, not events outside Kosovo. *[Showcard] [Interviewer: Mark all sources mentioned]*
 - 1 Kosovo TV channels in Albanian
 - 2 Kosovo radio stations in Albanian
 - 3 Kosovo newspapers in Albanian
 - 4 Kosovo TV channels in Serbian
 - 5 Kosovo radio stations in Serbian
 - 6 Kosovo newspapers in Serbian
 - 7 Albanian TV channels
 - 8 Albanian radio stations
 - 9 Albanian newspapers
 - 10 Serbian TV channels
 - 11 Serbian radio stations
 - 12 Serbian newspapers
 - 13 Internet
 - 14 Local officials
 - 15 Community leaders
 - 16 Family/friends
 - 17 Civic associations
 - 18 International organizations such as OSCE, UNMIK, etc.
 - 19 Other _____
 - 00 NR
- **3.** Of the sources you mentioned, which three sources would you say you rely on most for information on current events in Kosovo?
 - 1 Kosovo TV channels in Albanian
 - 2 Kosovo radio stations in Albanian
 - 3 Kosovo newspapers in Albanian
 - 4 Kosovo TV channels in Serbian
 - 5 Kosovo radio stations in Serbian
 - 6 Kosovo newspapers in Serbian
 - 7 Albanian TV channels
 - 8 Albanian radio stations
 - 9 Albanian newspapers
 - 10 Serbian TV channels
 - 11 Serbian radio stations
 - 12 Serbian newspapers
 - 13 Internet
 - 14 Local officials
 - 15 Community leaders
 - 16 Family/friends
 - 17 Civic associations
 - 18 International organizations such as OSCE, UNMIK, etc.
 - 19 Other
 - 00 NR

- **4a.** Please tell me whether you agree or disagree with the following statement: In general, the media in Kosovo covers all events in an objective manner. *[Probe intensity of agreement/disagreement]*
 - 1 Strongly agree
 - 2 Agree somewhat
 - 3 Disagree somewhat
 - 4 Strongly disagree
 - 9 DK

- ► Go to Question 5
- Go to Question 5
- Go to Question 4b
- Go to Question 4b
- ► Go to Question 5
- 4b. What media source or sources do you think are especially biased in their reporting?
- 5. On this card are listed some issues in Kosovo. Can you tell me how much information you have on the following issues? Do you have a great deal, a fair amount, not very much, or no information at all on these issues? *[Showcard]*

	Great Deal	Fair Amount	Not Very Much	None At all	DK
A. Economic developments in Kosovo	1	2	3	4	9
B. Political developments in Kosovo	1	2	3	4	9
C. Laws currently being applied in Kosovo	1	2	3	4	9
D. UNMIK activities in Kosovo	1	2	3	4	9

6. Please tell me how satisfied you are with the overall situation in Kosovo. Are you very satisfied, somewhat satisfied, somewhat dissatisfied, or very dissatisfied?

1	Very satisfied	►	Go to Question 8
2	Somewhat satisfied		Go to Question 8
3	Somewhat dissatisfied		Go to Question 7
4	Very dissatisfied		Go to Question 7
9	DK	►	Go to Question 8

- 7. Why are you dissatisfied with the situation in Kosovo? [Open ended; Multiple responses accepted; Do not read pre-code list]
 - 1 General economic problems
 - 2 Unemployment
 - 3 Poverty
 - 4 Low salaries/Pensions
 - 5 General political problems
 - 6 Undefined political status of territory
 - 7 Privatization
 - 8 Infrastructure
 - 9 Dissatisfaction with legal/judicial system
 - 10 Lack of security/Fear

11 Discrimination Other Mentions:

- **8.** One year from now, do you expect the overall situation in Kosovo to be better than now, worse than now, or about the same as now?
 - 1 Better than now
 - 2 Same as now
 - 3 Worse than now
 - 9 DK
- **9.** I will now read to you the names of several institutions or individuals. For each, please tell me whether you have a great deal of confidence, a fair amount of confidence, not much confidence, or no confidence at all in these institutions or individuals.

	Great Deal	Fair Amount	Not Very Much	None At all	DK
A. The Kosovo Assembly	1	2	3	4	9
B. UNMIK	1	2	3	4	9
C. OSCE	1	2	3	4	9
D. Judges in Kosovo					
E. The police in Kosovo	1	2	3	4	9
F. The courts in Kosovo	1	2	3	4	9
G. The public prosecutors in	1	2	3	4	9
Kosovo					
H. Your Municipal Assembly	1	2	3	4	9
I. Your community leaders	1	2	3	4	9
J. The Media	1	2	3	4	9

10. Let's talk about the coverage the media in Kosovo gives to legal matters. Please tell me if the media in Kosovo gives a great deal of coverage, some coverage, not enough coverage, or no coverage at all on the following legal matters. *[Showcard]*

	Great Deal	Fair Amount	Not Very Much	None At all	DK
A. The rights of the citizens of Kosovo	1	2	3	4	9
B. The structure of the court system in Kosovo	1	2	3	4	9
C. Legal proceedings in Kosovo	1	2	3	4	9
D. Important legal issues facing Kosovo	1	2	3	4	9

- **11.** How have you generally received information about the court system in Kosovo? *[Showcard; Mark all mentioned]*
 - 1 Media (TV, radio, newspapers)
 - 2 Friends/family
 - 3 Your community leaders

- 4 Public officials
- 5 Legal officers/Prosecutors/Clerks
- 6 Lawyers, other private members of court system
- 7 Through personal experience in court cases
- 8 Other
- 98 Have no information on court system [Volunteered]
- 99 DK
- **12.** Let's suppose the authorities in Kosovo decided to start a public information campaign to provide the people of Kosovo with information on their judicial system and their rights. How interested would you be in hearing or reading about this information?

1	Very interested	►	Go to Question 13
2	Somewhat interested		Go to Question 13
3	Not too interested		Go to Question 13
4	Not at all interested		Go to Question 14
9	DK		Go to Question 14

13. How useful would you find each of the following sources of information for distributing the information on the judicial system: very useful, somewhat useful, not too useful, or not at all useful.

	Very useful	Somewhat useful	Not too useful	Not at all useful	DK
A. Five minute announcements on specific topics on TV	1	2	3	4	9
B. Five minute announcement on specific topics on radio	1	2	3	4	9
C. Notices in newspapers with information on aspects of the judicial system and rights	1	2	3	4	9
D. Free brochures available in libraries, markets, and other public areas	1	2	3	4	9
E. Community dialogues with persons knowledgeable about the judicial system and rights	1	2	3	4	9
F. Information posted on the internet site for the local administration and UNMIK	1	2	3	4	9

14. Are you aware that UNMIK publicly announces any new regulations or other procedures that impact the judicial process in Kosovo?

1	Yes	Go to Question 15
2	No	Go to Question 16

15. How do you find out about these announcements? [Open ended; Multiple responses allowed]

- 1 Media
- 2 TV
- 3 Radio
- 4 Newspapers/Magazines
- 5 News/News conference
- 6 Friends/Relatives

Other Mentions:

- **16.** Do you know what role UNMIK plays in the judicial process in Kosovo? *[If Yes]* Please tell me the specific functions of UNMIK in the judicial process? *[Open ended; Multiple responses allowed; Do not read pre-codes]*
 - 1 Makes decision on judicial system
 - 2 Manages overall judicial system
 - 3 Monitors/Manages courts in the country
 - 4 Passes laws
 - 5 Arrests/Punishes people
 - 6 Hires judges/prosecutors
 - 7 Informs/Educates people about judicial system
 - 8 Other: _____
 - 88 No, do not know role of UNMIK
- **17.** As you may know, UNMIK has started the process of transferring responsibilities in many areas to local authorities in Kosovo. How much information do you have on this transition process?
 - 1 Great deal
 - 2 Fair amount
 - 3 Not too much
 - 4 None at all
 - 9 DK

- Go to Question 18
- Go to Question 18
- $\bullet \quad Go \ to \ Question \ 18$
- Go to Question 20
- Go to Question 20
- **18.** Do you think that citizens of Kosovo have been given a chance to have input on the transition process being instituted by UNMIK?
 - 1 Yes
 - 2 No
- **19.** One of the areas in which the transition process is taking place is to give local courts more authority in deciding cases. Do you think the impact of this transition on law and order in Kosovo will be very positive, somewhat positive, somewhat negative, or very negative?
 - 1 Very positive
 - 2 Somewhat positive
 - 3 Somewhat negative
 - 4 Very negative

- 9 DK
- **20.** I am now going to list several aspects of the judicial system in Kosovo. For each, please tell me how much information you have on that aspect of the judicial system.

	Great Deal	Fair Amount	Not Very Much	None At all	D K
A. Different levels of the court system in Kosovo	1	2	3	4	9
B. Responsibilities of the different types of courts in Kosovo	1	2	3	4	9
C. Procedures for registering a case in the courts in Kosovo	1	2	3	4	9
D. Where to go for assistance and advice on legal matters	1	2	3	4	9
E . Procedures for appealing a court decision	1	2	3	4	9
F. The procedures for enforcing a court decision	1	2	3	4	9
G. Where to go to report judicial misconduct	1	2	3	4	9

21. *[For those with not much or no information at all on at least two aspects in Q18]* How important is it to you to have information on these aspects of the judicial system in Kosovo?

- 22. Why do you think it is not important for you to have information on these aspects of the judicial system in Kosovo? [Open ended; Multiple responses allowed]
 - 1 Don't have anything to do with courts
 - 2 Not interested in courts
 - 3 Busy/Have other things to do
 - 4 Don't recognize Kosovo courts/Recognize Serbian courts
 - 5 Don't think I will ever go to court
 - 6 Illiterate
 - 7 Age
 - 8 Other:
 - 99 Don't know
- 23. Do you know how to obtain information on the laws under which all citizens live in Kosovo? *[If Yes]* How would you obtain information on these laws? *[Open ended; Multiple responses allowed]*
 - 1 Do not know how to obtain information on laws

- 2 Municipal courts
- 3 Courts/Judicial center
- 4 Municipal administration building
- 5 Lawyer
- 6 Library
- 7 Internet
- 8 UNMIK
- 9 Government/Local officials
- 10 Other:
- 99 Don't know
- 24. Do you know the location of the municipal court that serves the area in which you live?
 - 1 Yes
 - 2 No
- 25. Do you know if the municipal court in your district has a bulletin board that announces the legal proceedings taking place in the court on a particular day? *[If Yes AND Know location of Municipal Court]* Have you ever gone to the municipal court to check the bulletin board?
 - 1 Yes, have gone to court
 - 2 Yes, have not gone to court
 - 3 No

- Go to Question 26
- Go to Question 27
- Go to Question 27
- **26.** How useful did you find the information on the bulletin board?
 - 1 Very useful
 - 2 Somewhat useful
 - 3 Not very useful
 - 4 Not very useful
 - 9 DK
- 27. There is currently an effort underway to hire and place Public Information Officers at every municipal court in Kosovo. This person would be responsible for answering questions about the court system in Kosovo and helping people in Kosovo gain access to the courts. In your opinion, what kind of information about the court system would be most helpful for people like you? [Open ended; Multiple responses accepted]
 - 99. Don't know
- 28. Would you ever approach this officer for information about the court system in Kosovo?
 - 1 Definitely
 - 2 Only if needed
 - 3 Probably not
 - 4 Definitely not

29. Have you seen or read a brochure titled, "Basic Guide to the Judicial System in Kosovo:"?

- 1 Yes
- 2 No
- 30. Where did you see or read this brochure?
 - At a public information center 1
 - 2 At a training seminar
 - 3 Through a friend or relative
 - 4 Other (*Specify*)
 - 9 Cannot recall
- 31. How useful did you find the information in the brochure?
 - 1 Very useful
 - 2 Somewhat useful
 - Not very useful 3
 - 4 Not at all useful
 - 9 Don't know
- 32. Have you seen or read a brochure titled, "Citizen Rights"?
 - 1 Yes
 - 2 No

33.

- Where did you see or read this brochure?
 - 1 At a public information center
 - 2 At a training seminar
 - 3 Through a friend or relative
 - 4 Other (*specify*)
 - 9 Cannot recall
- 34. How useful did you find the information in the brochure?
 - Verv useful 1
 - 2 Somewhat useful
 - 3 Not very useful
 - 4 Not at all useful
 - 9 Don't know
- Please look at this list of topics addressing different aspects of the judicial system in Kosovo. 35. Of these, please name two topics about which you would be most interested in reading. [Showcard]
 - UNMIK's role in the Kosovo justice system 1
 - 2 Citizen rights and responsibilities in the justice sytem
 - Effect of the Standards process (Kosovo Standards Implementation Plan) on the 3 Kosovo justice system

- Go to Question 33
- Go to Question 35

- Go to Question 30
- Go to Question 32

- 4 Minority rights under the Kosovo justice system
- 5 The structure of the Kosovo court system
- 6 How to report corruption in the Kosovo justice system
- 7 How to address unresolved property rights cases under the Kosovo justice system
- 8 Other (Interviewer: Ask respondent if any other topics are of interest, and please write *down*)
- **36** Please look at this list of rights. Do you know if citizens of Kosovo have any of these rights if
- **39.** they are involved in a judicial proceeding? [Showcard; Mark all mentioned].

	Yes	No	DK
36. Right to legal counsel	1	2	9
37. Right to a fair trial	1	2	9
38. Right not to incriminate oneself during trial	1	2	9
39. Right to file complaints about human rights abuses by any public agency in Kosovo	1	2	9

40. I will now read to you a list of different situations. Suppose you were involved in each of the situations I will read to you. For each of the situations, please tell me who you would go to <u>first</u> to resolve the situation if you could not resolve the dispute yourself. *[Showcard]*

	KP S	UNMIK Police	Court	Lawyer	Elected Local Official	Community Leader	Religious Leader	Local UNMIK Official	Other Courts (Specify)
A. Property dispute with a neighbor	1	2	3	4	5	6	7	8	9
B. Labor dispute with your employer	1	2	3	4	5	6	7	8	9
C. Bodily injury resulting from an accident	1	2	3	4	5	6	7	8	9
D. Robbery	1	2	3	4	5	6	7	8	9
E. You were a victim of discrimination	1	2	3	4	5	6	7	8	9
F. You were physically or verbally harassed	1	2	3	4	5	6	7	8	9

- **41.** Generally, how much trust do you have in the legal system in Kosovo to maintain law and order?
 - 1 Trust a great deal
 - 2 Trust somewhat
 - 3 Do not have much trust
 - 4 Do not have any trust at all
 - 9 DK

- 42. And how much trust do you have in the legal system in Kosovo to protect your rights?
 - 1 Trust a great deal
 - 2 Trust somewhat
 - 3 Do not have much trust
 - 4 Do not have any trust at all
 - 9 DK
- Please tell me if you agree or disagree with the following statement: The judicial system in **43**. Kosovo is unbiased and treats all persons equally. [Showcard; Probe intensity of agreement/disagreement]
 - 1 Strongly agree
 - 2 Somewhat agree
 - 3 Somewhat disagree
 - 4 Strongly disagree
- ► Go to Question 45
- Go to Question 45
- Go to Question 44 ►
- Go to Question 44

9 DK

- Go to Question 45
- 44. What types of persons do you think are given preference by the judicial system in Kosovo? [Open ended; Multiple responses allowed; Do not read pre-codes]
 - 1 Businessmen/Wealthy people
 - 2 Ethnic Albanians
 - 3 People with connections at courts
 - 4 People in authority
 - 5 Non-Serb ethnic minorities
 - 6 Those who give bribes/Corrupt people
 - 7 Ethnic Serbs
 - 8 Muslims
 - 9 International organizations
 - Others: 10
 - 99 Don't know

45-I will now read you some statements about judges in Kosovo. Please tell me whether you

agree or disagree with each statement. [Probe intensity of agreement/disagreement] **49.**

	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	D K
45. Judges in Kosovo have the education and training to effectively administer law and order in Kosovo.	1	2	3	4	9
46. Judges in Kosovo make decisions based only on the law and without any influence from outside parties.	1	2	3	4	9
47. Judges in Kosovo ensure that all persons, no matter their gender, income, or ethnicity, get a fair trial.	1	2	3	4	9
48. Women do not have any problems becoming judges in Kosovo if they are	1	2	3	4	9

qualified.
49. Members of minority communities do not have any problems with becoming judges in 1 2 3 4 9 Kosovo if they are qualified.

Please tell me whether you think the following statements are true or false.

- 50. The decisions of municipal courts in Kosovo can be appealed to the district court level.
 - 1 True
 - 2 False
 - 9 DK
- **51.** The Supreme Court of Kosovo can decide if a law passed by the Kosovo Assembly is consistent with the Constitutional Framework for Kosovo.
 - 1 True
 - 2 False
 - 9 DK
- 52. Please tell me whether any of the following has happened to you or a member of your immediate family. *[Mark all mentioned, then ask for each incident mentioned]* You say that you or a family member has been _____. What did you do to address the issue? *[Open ended]*

ACTION TAKEN

- A. Victim of a robbery
- B. Been involved in a property dispute
- C. Victim of harassment
- D. Been involved in a labor dispute
- E. Dispute over inheritance
- F. Dispute over a contract
- G. Victim of physical violence
- **53.** Have you ever been party to a civil or criminal case in Kosovo? *[If Yes]* How many cases have you been party to?
 - 1 Yes (Record Number of Cases ____)
 - 2 No
- 54. Do you know how to obtain a lawyer to represent you in court?
 - 1 Yes ► Go to Question 56
 - 2 No ► Go to Question 55
- **55.** Would you find it useful to have a public service that can help people in Kosovo locate a lawyer to represent them in court?

- 1 Yes
- 2 No
- **56.** Are you aware that Kosovo has a bar association? *[If Yes]* What services are offered by the bar association? *[Open ended; Multiple responses allowed]*
 - 1. Yes
 - 2. No
- **57.** In your opinion, how common a problem is corruption in the judicial system in Kosovo? Do you think it is very common, somewhat common, somewhat rare, or does it never happen?
 - 1 Very common
 - 2 Somewhat common
 - 3 Somewhat rare
 - 4 Never happens
 - 9 DK

- Go to Question 58
- ► Go to Question 58
- ► Go to Question 58
- ► Go to Question 60
- Go to Question 60
- **58.** In your opinion, how often does corruption take place among the following members of the justice system in Kosovo?

	Happens all the time	Happens sometimes	Only happens once in a while	DK
A. Police	1	2	3	9
B. Lawyers	1	2	3	9
C. Judges	1	2	3	9
D. Public prosecutors	1	2	3	9
E. Court registrars	1	2	3	9
F. Other court employees	1	2	3	9

- **59.** Please give me some examples of actions you would consider to be corrupt on the part of officials in the justice system in Kosovo? *[Open ended; Multiple responses allowed]*
- **60.** I will now list some situations to you. For each situation, please tell me whether you think this always constitutes a case of corruption or not.

	Corruption	Not Corruption	Depends (Volunteered)	DK
A. A person is stopped by the police and gives some money to the police to let him/her go.	1	2	3	9
B. A businessman talks about	1	2	3	9

his court case with the judge				
outside of court.				
C. A public prosecutor agrees				
to drop a case when threatened	1	2	3	9
with bodily harm.				

- **61.** Which of the following do you think are sources of corruption for the members of the justice system in Kosovo? *[Showcard; Mark any mentioned]*
 - 1 Influence of government
 - 2 Influence of criminal gangs
 - 3 Payments or gifts made by lawyers
 - 4 Payments or gifts made by ordinary people to push cases in their favor
 - 5 Ethnic bias
 - 6 Influence of political parties
 - 7 Influence of international organizations
 - 8 Other _____
- **62.** Do you know of anyone who has offered a bribe or other inducement to improperly influence a judicial proceeding?
 - 1 Yes ► Go to Question 63
 - 2 No ► Go to Question 65

63. To whom was this bribe or other inducement offered? [Open ended]

- **64.** Was bribe or other inducement accepted?
 - 1 Yes
 - 2 No
 - 9 DK
- 65. Do you know of anyone who has been pressured not to testify in a judicial proceeding?
 - 1Yes►Go to Question 662No►Go to Question 68
- 66. What type of pressure was applied to ensure that the person did not testify? [Mark all that apply]
 - 1 Threat of physical harm
 - 2 Threat of property damage
 - 3 Threat of job loss
 - 4 Other _____
 - 9 DK
- 67. Was the threat successful, in other words, the person did not testify?
 - 1 Yes

- 2 No
- 9 DK
- **68.** Have you ever been asked to testify in a court case?

1	Yes	► Go to Question 69
2	No	• Go to Question 71

69. Did you testify? [If Yes] What kind of a case was it?

1	Yes, Civil case	Go to Question 71
2	Yes, Criminal case	Go to Question 71
3	Yes, Other	Go to Question 71
4	No	Go to Question 70

70. Why did you not testify? [Open ended; Multiple responses accepted]

71. Would you testify in a case if you were asked to do so now?

1	Yes	►	Go to Question 73
2	No	►	Go to Question 72
2	Not Sure	►	Go to Question 72

72. Why would you be hesitant to testify in court? [Open ended; Multiple responses allowed]

73. Which law do you follow: the law now being applied in Kosovo or Serbian law?

- 1Kosovo►Go to Question 742Serbian►Go to Question 75
- 74. Why do you follow the law being applied in Kosovo? [Open ended; Multiple responses allowed]

**** If Serbian or Albanian, go to Demographic Section. Other, go to Q76****
75. What conditions would have to exist for you to follow the law being applied in Kosovo? [Open ended; Multiple responses allowed]

 *** If Serbian or Albanian, go to Demographic Section. Other, go to Q76****
 [ONLY FOR NON-ALBANIAN AND NON-SERBIAN MINORITY. OTHER ETHNICITIES, GO TO DEMOGRAPHIC SECTION] Do you consider yourself a citizen of Kosovo?

- 1 Yes
- 2 No

- 77. Do you think UNMIK considers the circumstances of your ethnic community when making decision on the judicial system in Kosovo?
 - 1 Yes
 - 2 No

DEMOGRAPHIC SECTION

- **78.** Gender
 - 1 Male
 - 2 Female
- 79. Age on last birthday (Record exact age)
- **80.** Education

Standard categories as provided by contractor

- **81.** Employment Situation
 - 1 Employed full time
 - 2 Employed part-time at one job
 - 3 Employed part-time at more than one job
 - 4 Unemployed, looking for work
 - 5 Unemployed, not looking for work
 - 6 Retired
 - 7 Student
 - 8 Housewife
- **82.** What is ('was' for Retired) your occupation?

Standard categories as provided by contractor.

83. Religion

Standard categories as provided by contractor.

- **84.** Marital Status
 - 1 Single, never married
 - 2 Married
 - 3 Divorced
 - 4 Widower
- 85. Do you have any children? [If Yes] How many? Record _____
- **86.** How would you describe the financial situation of your household? *Standard categories used by contractor.*

- Go to Question 82
- ► Go to Question 82
- Go to Question 82
- ► Go to Question 83
- ► Go to Question 83