

Swiss – Establishment of a Notary System in Kosovo		Domain Rule of Law and Democracy	
		Phase III	
Starting Situation		Achievements Previous Phases	
<p>Under the Yugoslav rule there was no notary system and consequently there has been no notary expertise available in Kosovo. Simple transactions, such as buying and selling of property have been and still are being overseen by municipal courts.</p> <p>Within this context, Kosovo courts are overburdened with thousands of backlogged non-contentious cases.</p> <p>In phase 3, support will be provided towards functionalisation of the notary system and its overall consolidation equivalent to: the service runs itself sustainably and without major problems. It is envisaged as the final phase of Swiss support to the Notary System in Kosovo.</p>		<p>In 2004, the Swiss notary experts from the "Institut des Hautes Etudes Notariales (Lausanne, IHN), under an SDC mandate, supported the UNMIK Department of Justice (DOJ) in drafting a first draft Law on Notary System in Kosovo. The support lasted until mid 2006 and included drafting of the law, discussion of the law among relevant stakeholders, drafting of secondary legislation and planning the implementation for this law.</p> <p>Phase two of the project (from 2008 to 2011) supported the MOJ in implementation of the notary law. Swiss support consisted of: drafting of relevant secondary legislation, training of 200 notary candidates, support in organisation of examination process for notary candidates, etc. In September 2011, MOJ certified the first 48 Kosovar notaries (among which 3 non-Albanians and 10 women).</p>	
Project Goal		Outcome Current Phase	
<p>The project contributes to the development of Rule of Law in Kosovo and to the consolidation of the judicial system.</p>		<p>A notary system is in place and functional</p> <ol style="list-style-type: none"> 1. Notary services are provided. 2. Kosovo notaries are organised efficiently and contribute to the sustainability of their profession. 3. Notaries in sufficient number are prepared for their profession. 4. Conducive framework conditions for the notary system are in place. 	
Methods and Instruments		Rationale	
<p>Phase 3 of the notary project represents the consolidation of the notary system in Kosovo. Besides coaching of the first bunch of 40 licensed notaries and of the Chamber of Notaries, this phase sets up the definite structure for future access to the profession as well as in-service training. Furthermore, harmonization of the legal framework related to the notary service is aimed. Finally, coaching of the new notary division in the Ministry of Justice shall contribute to better capacity of MOJ for monitoring of the notary sector in the future.</p>		<p>With the introduction of the notary service, notaries will be able to efficiently certify and authenticate and swiftly legalise and secure transactions. A more effective and efficient legal system will enhance guarantees for private property. Additional domestic and foreign investment will be attracted. All citizen of Kosovo, including the Diaspora will benefit from faster delivery of decisions and official documents needed for the settlement of companies, last wills, wedding contracts, etc.</p>	
Target Group			
Ministry of Justice MOJ; Notary Candidates; Chamber of Notaries.			
Duration Phase 1	01.07.2005-31.03.2006	Budget Phase 1	CHF 100'000.--
Duration Phase 2	01.09.2008- 30.06.2011	Budget Phase 2	CHF 1'185'800.--
Duration Phase 3	01.03.2012- 30.06.2017	Budget Phase 3	CHF 1'150'000.--
Partners		Financing and Implementation	

<p>The establishment of a notary system in Kosovo is in nature a state-building intervention: as such the overall authority, responsibility and the lead for the project is with the Ministry of Justice (MOJ). EROL Programme USAID/Checchi and Company Consulting Inc.;</p>	<p>The project is financed by the Swiss Agency for Development and Cooperation (SDC) and implemented by the 'Institut international des Hautes etudes Notariales' from Lausanne, Switzerland.</p>
<p>Relation to other Projects and Actors</p>	
<p>The project is implemented in close coordination and support by the USAID/Checchi EROL Programme. Kosovo Judicial Institute (KJC) is an important stakeholder.</p>	