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Contract Law Enforcement (CLE) Program The New Private Enforcement System



Photo: USAID Contract Law Enforcement (CLE) Program

The USAID Contract Law Enforcement (CLE) Program serves to improve the rule of law and create a better business environment for economic development and investment.

USAID Contract Law Enforcement (CLE) Program

Duration of the program:
May 2013 – April 2016

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Overview

Kosovo's system for enforcing court judgments will soon dramatically improve due to the recently adopted Law on Enforcement Procedures, which establishes a Private Enforcement System. This system is modeled on similar Western Balkans and EU Private Enforcement systems (more than 20 EU member states follow this approach). The new regime will commence on January 1, 2014. Starting from July 1, 2014, Private Enforcement Agents will be the exclusive means for enforcing all but family law, placement of workers and civil servants back to work, and other compensations. The Private Enforcement System will contribute positively to a more effective and efficient enforcement of judgments system. The Contract Law Enforcement (CLE) Program will assist the Ministry of Justice (MoJ) to fulfill the obligations deriving from the Law (adoption of a number of secondary legislation), as well as assist with the establishment of the Chamber of Private Enforcement Agents.

Support to the Ministry of Justice

The Contract Law Enforcement (CLE) Program supports the Ministry of Justice (MOJ) with drafting the secondary legislation required by the Law on Enforcement Procedure, and providing training for newly licensed Private Enforcement Agents. The Contract Law Enforcement (CLE) Program will continue to support the MOJ with developing a monitoring and disciplinary system for the private enforcement agents.

Establishment of the Chamber of Private Enforcement Agents

The Contract Law Enforcement (CLE) Program will assist with the establishment of the Chamber of Private Enforcement Agents, which will serve as a self-regulating body for the professional development and administration of the new profession. The Chamber of Private Enforcement Agents will supervise the private agents through its relevant bodies. The private enforcement agents will help creditors to enforce their legal rights, while simultaneously respecting the rights and dignity of debtors, the court and court decisions.