



Republika e Kosovës- Republic of Kosovo
Qeveria-Vlada- Government
Minsitria e Punëve të Jashtme-
Ministarstvi Inostranih Poslova
Ministry of Foreign Affairs



MEMORANDUM OF UNDERSTANDING
BETWEEN
THE DIPLOMATIC ACADEMY OF THE REPUBLIC OF KOSOVO
AND
INTERNATIONAL LEGAL CLINIC OF THE UNIVERSITY OF IOWA COLLEGE OF
LAW

This Memorandum of Understanding ("MoU") is the result of discussions between the International Legal Clinic of the University of Iowa College of Law ("the Clinic") and the Ministry of Foreign Affairs of the Republic of Kosovo ("the Ministry") beginning in October of 2013 and culminating with meetings in Pristina in May 2014 between Nathan Miller, Director of the Clinic ("the Director") and staff of the Ministry.

The MoU sets out the objectives and responsibilities of the Diplomatic Academy of the Republic of Kosovo ("the Academy") and the Clinic with regard to the work to be performed by the Clinic on behalf of the Academy. This MoU is not intended to be a binding contract but rather an expression the shared expectations of the parties.

A. The Parties

1. The Academy produces strategic studies on the foreign policy of the Republic of Kosovo ("Kosovo"), trains diplomatic staff, provides educational opportunities for citizens of Kosovo, and organizes conferences, forums and seminars. Mr. Skender Durmishi is the Director of the Academy.
2. The Clinic is a part of the University Of Iowa College Of Law. Students are awarded academic credit for providing legal assistance to governments and NGOs on issues

related to public international law, international human rights law, development, and the rule of law. Students work under the direct supervision of the Director, who has worked in or on behalf of more than 20 countries.

B. Objectives of the Clinic's Work with the Academy

The objectives of the Clinic's work will be to:

1. Support the ongoing efforts to secure full membership for Kosovo in the United Nations ("UN");
2. Assist in developing a priority list of treaty regimes, including requirements for membership and obligations upon membership.
3. Support efforts to secure the designation of Kosovo as a distinct entity by the United Nations Statistics Division ("UNSD") and the International Organization for Standardization ("IOS"); and,
4. Support efforts to secure for Kosovo a top-level Internet domain (e.g., ".ks" or ".kv") from the Internet Corporation for Assigned Names and Numbers ("ICANN").

In furtherance of these objectives UICLP will produce the following:

1. A detailed analysis, for internal circulation, of the legal path and obstacles to full membership in the UN;
2. A draft position paper, for external circulation, on the legal case for Kosovo's full membership in the UN;
3. A background memorandum on the policies, procedures, and prior decisions of the UNSD, IOS, and ICANN; and,
4. A proposed advocacy plan, with several options, for the UNSD, IOS, and, ICANN. The Clinic will, to the extent feasible and with the approval of the Academy, be prepared to carry out the plan selected by the Academy.

C. Timelines and Commitment of the Parties

In order to achieve the objectives, the Parties agree that the general timeline described below will be implemented, subject to any reasonable variations. The following work plan is provisional, and may be modified by an agreement between the Clinic and the Academy.

1. Detailed Analysis and Position Paper regarding UN Membership

- a. Beginning on 26 August 2014, the Clinic will begin researching the listed issues. The Clinic will provide a proposed outline to the Academy by 1 October 2014.
- b. The Clinic will submit a draft of the detailed analysis and position paper to the Academy for comments by 21 November 2014.
- c. After receiving comments and suggestions from the Academy, the Clinic will revise and submit the final versions by 10 December 2014.
- d. Upon receipt and approval of the Clinic's final work product, the Academy will arrange for a presentation by the Clinic to the staff of the Academy in Washington, DC and/or Kosovo.

2. Memorandum regarding Treaty Regimes

- a. While researching and drafting the analysis regarding UN membership, the Clinic will consult with the Academy to better understand the Ministry's priorities for joining treaties.
- b. Beginning in January of 2015 the Clinic will begin its work based on the agreed-upon priorities.
- c. The deadline for final submission remains to be determined based on the number of treaty regimes selected, but in any case will not be later than 1 May 2015.

3. Background Paper and Advocacy Plan

- a. Following meetings in Pristina in which these projects were identified as a high priority for Kosovo, the Clinic has already begun research.
- b. By 15 July 2014 the Clinic will submit an outline to the Academy.
- c. By 30 September 2014 the Clinic will submit the background paper and proposed advocacy plans for further discussion with the Academy.
- d. The Clinic will, to the extent feasible and with the approval of the Academy, be prepared to implement the plan selected by the Academy.

D. The Clinic's and the Academy's Responsibilities

- a. **Confidentiality:** The Clinic will maintain client confidentiality and comply with ethical lawyering and professional responsibility standards. While the Clinic may publicize the fact of its partnership with the Academy in general terms (e.g., "providing legal assistance on issues of high priority to the Diplomatic Academy of the Republic of Kosovo") it will **not** disclose the precise nature of its work except as required in order to maintain its accountability to the University administration. Under no circumstances will the Clinic disclose client communications or work product without the express permission of the Academy. The Clinic will communicate with the Academy regarding status updates, important developments, and any changes in timelines.
- b. **Communication:** The Academy will designate a contact person for the Clinic, who will undertake to be available for telephone/Skype conferences, to respond to inquiries and requests for documents, and to facilitate communication with other staff members of the Academy and the Ministry.
- c. **Expenses:** The Clinic provides its services free of charge but it has limited financial resources and cannot commit to covering any costs beyond the normal expenses incurred in a representation. Such normal expenses include, for instance, international phone calls, legal database fees, and office costs. The Academy agrees to cover travel and accommodation costs for the Clinic to visit Washington, DC and/or Pristina to present the results of its work. Any additional expenses should be discussed by the parties before being incurred.

E. Amendments

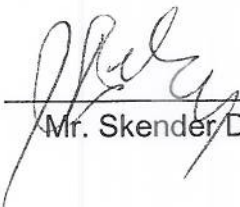
- a. Disagreements and disputes regarding the interpretation or application of this Memorandum will be settled between the Parties through consultations.
- b. Provisions of this memorandum may be amended by mutual written consent of the Parties

F. Entry into force

- a. This Memorandum will come into effect on the date of its signature and will remain valid, unless one Party informs the other in writing of its intention to denounce this Memorandum, at least three months in advance.

AGREED TO BY AND AMONG:

Diplomatic Academy of Kosovo

By:  (sign) 2.09.2014 (date)
Mr. Skender Durmishi, Director

International Legal Clinic, University of Iowa College of Law

By:  (sign) 8/27/14 (date)
Mr. Nathan Miller, Director