



**Republika e Kosovës**  
**Republika Kosova-Republic of Kosovo**  
**Qeveria - Vlada - Government**

**Ministria e Drejtësisë - Ministarstvo Pravde - Ministry of Justice**

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**ADMINISTRATIVE INSTRUCTION MOJ - NO.09/2023<sup>1</sup>**  
**ON REGISTERS FOR APPLICANTS AND DECISIONS ISSUED**  
**ON COMPENSATIONS**

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<sup>1</sup> Administrative Instruction MoJ - No. 09/2023 on registers for applicants and decisions issued on compensations, signed by Minister of Justice, date 13.09.2023

**Minister of the Ministry of Justice,**

Pursuant to Article 38 (paragraph 1) of Law no. 08/L-109 on Crime Victim Compensation (Official Gazette, No. 33/2 November 2022), pursuant to Article 11, paragraph 1, subparagraph 1.5 of Law No. 08/L-117 on the Government of the Republic of Kosovo, based on Annex 1 (point 3) of the Regulation (GRK) - NO. 14/2023 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, Article 38 paragraph 6 of Regulation No. 09/2011 on Rules and Procedure of the Government (Official Gazette no. 15, dated 12.09.2011),

Issues:

**ADMINISTRATIVE INSTRUCTION MOJ -NO.09/2023 ON REGISTERS FOR APPLICANTS AND DECISIONS ISSUED ON COMPENSATIONS**

**Article 1  
Purpose and scope**

This Administrative Instruction determine the form and manner of keeping registers of applicants and decisions issued on victims compensations.

**Article 2  
Form of keeping registers**

1. Ministry of Justice, pursuant to the Law No.08/L-109 on Crime Victims Compensation (hereinafter the Law) and this Administrative Instruction, shall be obliged to regularly keep and maintain the paper register for all applications received and completed regarding crime compensation (hereinafter register) and books, and when required, other registers and supporting books.
2. The register shall be comprised of a necessary number of pages of the foreseen form bound with a hard cover. The sign and year of the register shall be noted in the hard cover (e.g. "RPP 2014").
3. Upon completing the first register book, the second book shall be opened, whereby the first register book shall be marked with a Roman numeral "I", and the second book with the Roman numeral "II" and so on.

### **Article 3**

#### **Content of the register**

1. The register shall contain sections for the ordinal number, the filing number, as well as sections for recording the following data:
  - 1.1. name and surname;
  - 1.2. name and surname of one parent;
  - 1.3. date of birth;
  - 1.4. place of birth, municipality, and state;
  - 1.5. current address;
  - 1.6. personal number from a valid identification document;
  - 1.7. sex;
  - 1.8. civil status;
  - 1.9. ethnicity;
  - 1.10. dependents;
  - 1.11. application for compensation;
  - 1.12. criminal offense;
  - 1.13. types of compensation;
  - 1.14. commission's decision;
  - 1.15. type of compensation awarded.
2. Registry shall be held in the way that on first sight, the beholder shall find out the state of procedure of certain matter, and the stage of the case
3. Registration of submissions in the register is done in a chronological order. Every case in the register shall be held until the completion of the procedure according to the same ordinal number.
4. If the procedure has been conducted by more than one persons and against several persons, the case shall be registered under the ordinal number, but small letters (a, b, c) shall be written alphabetically in front of the names of persons who have initiated the procedure, while Arabic numbers (1, 2, 3) shall be written in front of persons against whom the procedure is taking place.

**Article 4**  
**Note on closure of the register**

1. The register shall be closed at the end of the year and the ordinal number you note will contain the following data: day, month and year of closure, ordinal number of last entry, number of wrong entries, number of cases completed and number of cases uncompleted by the end of the year.
2. The Commission shall sign under the note of paragraph 1 of this Article.

**Article 5**  
**Case File**

1. The case file shall be comprised by the application for compensation and all other documents attached to the application for compensation.
2. The case file shall consist of acts issued by the Commission in original and copies of documents or submissions which according to the law should be attached, authorizations, findings and other submissions.

**Article 6**  
**Archiving, storage and reissue of documents**

1. After the full completion of the Commission action for which the document has been prepared, the document shall be archived.
2. Prior to archiving the document, the Commission shall check if the case has been fully completed, and that the case contains the original and all necessary submissions. The Commission shall write the date of archiving, retention period and the signature in the cover of the case file.
3. Cases archived shall be arranged by the type and the ordinal number of case files in the registry, in special files. In the first external part of the case file, short description of the case shall be noted and the year, including ordinal numbers of cases arranged in the file.
4. If case documents of the Commission are partially or fully lost, damaged or destroyed, in such a way that they cannot be used, such documents shall be reissued and shall be noted in the register, under the remarks  
section Reissued documents on which the procedure is ongoing and all actions of reissue shall be recorded under the same number in the register in which the lost, damaged or destroyed submission has been recorded. Documents shall be reissued based on the decision of the Commission for allowing the development of the procedure for reissuance.
5. Cost for the reissuance of the document shall be covered by the Ministry of Justice who was in possession of the lost, damaged or destroyed document.

5.Storage, processing and archiving of records under this Article shall be in compliance with the applicable legislation on personal data protection.

### **Article 7** **Access to registers**

The Commission shall be obliged that, pursuant to the applicable legislation for access to public documents, provide access to evidence for the parties and participants in compensation procedure, taking into consideration the applicable legislation on the protection of personal data.

### **Article 8** **Digital database**

1. The Ministry of Justice shall establish a digital database of all submitted applications and respective decisions.
  
2. The digital database shall contain data related to:
  - 2.1. applicants;
  - 2.2. decisions of the Commission;
  - 2.3. types of compensations;
  - 2.4. amount of compensation; and
  - 2.5. other records as may be appropriate in accordance with the requirements of the Law.
  
3. Other personal and identifying applicant data from the digital database shall be considered sensitive data and not released to the public, unless required for purposes of proceedings before other relevant bodies.
  
4. Records from this digital database may be used to generate statistical and analytical reports.

### **Article 9** **Repeal**

Upon entry into force of this Administrative Instruction, Administrative Instruction (GRK) no 02/2017 on registers for applicants and decisions issued on compensations is repealed.

**Article 10**  
**Entry into force**

This Administrative Instruction shall enter into force seven (7) days after its publication in the Official Gazette.

Albulena Haxhiu

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Minister of Justice

13.09.2023