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**Republika e Kosovës**

**Republika Kosova - Republic of Kosovo**

ANNUAL REPORT ON THE

IMPLEMENTATION OF THE STRATEGY ON

RULE OF LAW

May 2024

**EXECUTIVE SUMMARY**

The Strategy on Rule of Law 2021-2026 is the main strategic planning document in the rule of law sector with four defined strategic objectives and fifteen other specific objectives. The Strategy consists of an Action Plan 2021-2023 that contains a total of 464 activities for the period 2021-2023. This annual Report on the implementation of the Action Plan includes the monitoring of the implementation of all the activities that were planned during the 2023. During the reporting period for 2023, 357 activities have been identified, while 106 have been identified as successfully completed in the reporting period 2022. The progress recorded in the 2022 preliminary report is also reflected in the progress report for policy measures.

The Monitoring Report, excluding the activities completed in the period of 2022, shows that 41.23% of the activities of the 2023 period have been fully implemented, 34.36% of the activities have been partially implemented or are being implemented and 24.30% of the activities have not been implemented at all and there are no developments related to them. While, calculating the activities as a whole, it results that 55 % have been fully implemented, 26 have been partially implemented, and 19 have not been implemented at all. Objective 4 "strengthening the fight against corruption" has the most completed activities in relation to the number of planned activities, while the largest number of unimplemented activities in relation to the planned activities is in Objective 3 "strengthening access to justice'

The implemented activities include 1) approval of new policies, laws and by-laws, 2) advancement of the internal reporting system within the judiciary and prosecution, 3) the undertaking of a large number of specialized trainings, especially by the Academy of Justice, but also the chambers of free professions, 4) increasing transparency by providing access to and publishing a significant number of internal documents, 5) the advancement of the digitization system and 6) undertaking awareness-raising activities for access to justice or even the use of alternative dispute resolution mechanisms. Despite the implementation of activities in 2023, further work is needed by the Ministry of Justice, judiciary, prosecution and other institutions to address the continuous challenges related to: policy and legislative development and harmonization, efficiency, digitalization, performance evaluation, discipline, accountability, integrity, professional development, effectiveness of free legal professions and the use of ADR mechanisms, as well as transparency and functioning of institutions in general.

From the budget analysis, it is observed that from the planned cost of the activities of 2023, only 32% of the Budget has been spent, which corresponds to the implemented activities, and which means that the costliest activities have not yet been implemented. The Strategy also has indicators of impact and indicators of results at the level of objectives. According to the achieved value of these indicators until 2022, the trend seems to be partially positive, or only in some of the indicators, the targeted goals of the 2023 and 2026 Strategy can be achieved.

The monitoring report also identifies the relevant risks that may hinder the implementation of the Strategy, which are: non-prioritization of the implementation of activities by the institutions, lack of capacities, budget, or inter- institutional cooperation, as well as the risks related to the timely planned mid-term review with Strategy. Likewise, another challenge related to the completed activities of a periodic nature, is the continuity of their completion. As a response to these risks, the Report also presents specific steps to address them. The mid-term review of the Strategy is expected to take place no later than the beginning of 2024, while this review and the drafting of the new Strategy Action Plan 2024-2026 are expected to precede the specific analysis of the sector, which are expected to be drawn up with the support of development partners of Kosovo.

1. **INTRODUCTION**

The Strategy on Rule of Law (2021-2026) and its Action Plan (2021-2023) were approved by the Government of the Republic of Kosovo in August 2021. This Strategy is the main planning document in the field of the rule of law, which aims achieving four strategic objectives: 1) strengthening the judicial and prosecutorial system; 2) strengthening criminal justice; 3) strengthening access to justice; and 4) strengthening the anti-corruption fight. These four objectives are further divided into fifteen specific objectives on which the Rule of Law Strategy's Action Plan is based, divided in total into fifteen chapters according to specific objectives

Despite the adoption of the Strategy in August 2021, the implementation of the Strategy and its monitoring commenced officially only after the commitment of all involved institutions, at the meeting of the Steering Committee of the Strategy held in January 2023. The first six-monthly report for the implementation of the Strategy Action Plan in the period January - June 2023, was discussed and approved by the Steering Committee in July 2022.[[1]](#footnote-2) A per the six-month report, by June 2023, out of the 374 planned activities: 113 were fully implemented, 179 were partially implemented, or are in the process of implementation, and 73 remained entirely unimplemented and there is no development related to them. The main reasons for the non-implementation of activities, or their partial implementation can be mainly grouped into: 1) deficiencies in planning by the institutions; 2) lack of coordination between implementing institutions for joint activities and 3) lack of capacities (budgetary or even in terms of human resources), resulting in the need for better coordination with donors in the rule of law sector.

During the second period of the year, July - December 2023, the institutions have continued with the implementation of activities, the assessment of which is outlined in this annual report. This Report thus includes the monitoring of the implementation of the Strategy until the end of 2023, and also reflects the activities successfully implemented during the year 2022.

The monitoring was conducted in accordance with the Administrative Instruction on Planning and Drafting Strategic Documents and Action Plans[[2]](#footnote-3), as well as the Manual for Planning, Developing and Monitoring Strategic Documents and their Action Plans[[3]](#footnote-4). During the monitoring period, meetings were held between the Secretariat of the Strategy and all the institutions involved in the implementation separately, where the findings were discussed and validated. These findings are reflected in this report, which was discussed and voted in the monitoring structures of the Strategy - the Inter-institutional Coordination Body and the Steering Committee.

1. **PROGRESS IN IMPLEMENTING THE OBJECTIVES OF THE STRATEGY**

Within the four defined objectives of the Strategy and mentioned in the introduction of this Report, 464 activities are planned in the Action Plan of the Strategy for 2023, as well as 106 activities identified as completed in the 2022 reporting period.

The assessment of the implementation of activities according to this Report is divided into four categories: 1) fully implemented in the 2023 reporting period; 2) fully implemented in the 2022 reporting period; 3) partially implemented or under implementation; 3) not implemented. By the end of 2023, out of a total of 464 activities, 151 activities have been fully implemented during the 2023 reporting period, 106 activities have been implemented during the 2022 reporting period, 121 activities have been partially implemented or are being implemented and 87 have not been implemented and there is no development related to them.

*Figure 1 - General implementation of activities until the end of 2023*

Based on the objectives, it results that Objective 4 has the most implemented activities in relation to the number of activities for that objective, while Objective 2 has the highest number of partially implemented activities or that are in the process of implementation, as well as the highest number in terms of unimplemented activities, considering also the activities completed in 2022.

The following table presents the implementation of the activities in percentage according to the institutions that led them.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Institution** | **Number of activities** | **Percentage of full**  **implementation** | **Percentage of activities in**  **progress** | **Percentage of unimplemented**  **activities** |
| **Ministry of Justice** | **158** | 46% | 35% | 18% |
| **Kosovo Judicial Council** | **93** | 52% | 26% | 23% |
| **Kosovo Prosecutorial Council** | **73** | 55% | 33% | 12% |
| **The Assembly of Kosovo** | **4** | 25% | 25% | 50% |
| **Presidency** | **1** | 100% | 0% | 0% |
| **Academy of Justice** | **48** | 65% | 23% | 13% |
| **Ministry of Internal Affairs and Kosovo Police** | **32** | 50% | 19% | 31% |
| **Kosovo Correctional Service** | **18** | 74% | 26% | 0% |
| **Kosovo Probation Service** | **10** | 73% | 27% | 0% |
| **Kosovo Bar Association** | **10** | 20% | 40% | 40% |
| **Free Legal Aid Agency** | **13** | 77% | 15% | 8% |
| **Anti-Corruption Agency** | **29** | 28% | 72% | 0% |
| **Ombudsperson Institution** | **1** | 0% | 0% | 100% |
| **University of Prishtina** | **2** | 50% | 0% | 50% |
| **Ministry of Trade and Chambers of Commerce** | **2** | 50% | 0% | 50% |
| **Total number of activities** | **494** |  | | |

*Figure 3 – Implementation of Strategy activities (2021-2022) according to institutions*

During the 2023, the planned activities have resulted in important outputs starting from 1) the adoption of policies, laws and new by-laws, 2) the advancement of the internal reporting system within the judiciary and the prosecution, 3) the undertaking of a large number of specialized trainings especially from the Academy of Law but also the chambers of free professions, 4) increasing transparency by providing access and publishing a significant number of internal documents, and 5) undertaking awareness activities for access to justice or even the use of alternative dispute resolution mechanisms.

The following figures present the budget spent until the end of 2023 for the implementation of the Strategy's activities, in relation to the estimated cost of these activities at the time of the Strategy's approval

*Figure 4 - The budget in comparison to the indicative expenses for the year 2022 of the Action Plan for the period 2021-2023 of the Strategy, EUR*

|  |  |  |  |
| --- | --- | --- | --- |
| **Strategic objectives** | **Budget**  (RKS + Donors)  **2021** | **Budget**  (RKS + Donors)  **2022** | **Expenses**  (RKS + Donors)  **2022** |
| 1. Strengthening the Judicial and Prosecutorial System | 551,320 | 2,144,848 | 932,984 |
| 2. Strengthening the criminal justice system | 485,539 | 7,259,299 | 570,907 |
| 3. Strengthening of Access to Justice | 1,354,218 | 1,301,618 | 1,105,528 |
| 4. Strengthening the fight against corruption | 482,269 | 524,407 | 812,966 |
| **Σ** | **2,873,346** | **11,230,172** | **3,422,385** |

*Figure 5 - Budget estimate in comparison to the indicative expenses of strategic objective 1 for the year 2022, EUR*

In addition to the indicators of the outputs according to the activities elaborated above, the Strategy also defines the indicators of impact and the indicators of results at the level of the objectives. These indicators have been developed according to the methodology of the *World Justice Project* (WJP) and the *European Commission for the Efficiency of Justice* (CEPEJ). In order to evaluate the achievement of these indicators in this annual report, as far as WJP is concerned, the last report for Kosovo for 2023[[4]](#footnote-5) was taken into account.As far as CEPEJ indicators are concerned, information used is the one provided by the CEPEJ national coordinator within the Ministry of Justice to the CEPEJ Regional “Dashboard Project” based on the 2022 data provided by the relevant institutions, including the KJC.[[5]](#footnote-6) Moreover, the other indicators of the Strategy are based on the statistical data published by KJC in the Annual Statistical Report of 2022, which analyses the data in the judiciary for the year 2022[[6]](#footnote-7), but also the data from the Open Data Platform (ODP) of the judiciary.[[7]](#footnote-8)

Regardless of the large number of fully implemented activities and the spent budget, as far as the analysis goes, it is estimated that the trend of achieving the intended goals, namely the medium-term goal for 2023 defined in the Rule of Law Strategy, is partially positive, while in a significant part of the indicators, the trend is not positive, bringing even regression. In comparison to the reporting for the period of 2022, a trend of increase of completed and unimplemented activities can be observed, while the number of activities under implementation has decreased. During the 2023 period, there was no upward or downward trend in the evaluation compared to the 2022 evaluation period, from the indicators of the WJP methodology, where in the macro-indicator of the Strategy, Kosovo again scores with an overall score of 0.56, the same result with that of 2022.[[8]](#footnote-9) CEPEJ indicators show a negative result in some aspects (e.g. longer time available for resolving cases in the first instance) and a positive result in some other aspects (e.g. shorter duration for resolving cases in the second degree).

However, it is known that no indicator can completely cover the objectives of the intended policy or reform. These indicators should be analysed in relation to other indicators, circumstances and factors, so that when analysed as a whole they can give a more accurate picture of success.

There are several factors that are estimated to have slowed down progress in terms of indicators: first, the COVID-19 pandemic, which for a while paralyzed the work of the judiciary and the prosecutor's office during 2020, aspects of international legal cooperation, then the large number of civil disputes as a result of unenforced collective contracts in a certain sector, the focus of the Strategy on legal amendments which have been necessary but the result of which is expected to be observed during the implementation that may take a little longer to influence the above- mentioned indicators, but also other factors that at least indirectly had the opportunity to influence. This undoubtedly brings the need for the activities of the Action Plan of the Strategy to be revised and reflect more concrete activities that contribute to the achievement of the objectives. This should be done during the mid-term review of the Strategy and the drafting of the new Action Plan 2024-2026.

1. **PROGRESS TOWARDS OBJECTIVE 1: STRENGTHENING THE JUDICIAL AND PROSECUTORIAL SYSTEM**

The largest number of activities within the objectives are planned in Objective 1, a total of 168 until 2023, thus including activities carried out in the previous reporting period. Of these activities, as shown in Figure 2 above, 101 have been fully implemented (59%), 46 have been partially implemented or are being implemented (28%) and 23 activities have not been implemented at all (14%). As success stories in terms of products, here can be mentioned: the establishment of the branch of the Basic Court of Pristina in Fushë Kosovë with the League for Courts, the increase in the number of new judges and prosecutors through recruitment, the advancement of SMIL in accordance with all requirements of CEPEJ, the automatic assignment of cases to judges, the holding of numerous trainings by AD, in particular in the field of commercial law, then the approval of the Concept Document for Civil Servants in the administration of courts and prosecutions, the approval and entry into force of the Law on State Prosecutor, etc.

The following figure presents the planned cost and expenses so far regarding Objective 1.

|  |  |  |  |
| --- | --- | --- | --- |
| **Strategic objective of the Action Plan (2021-2023)** | **Budget**  (RKS + Donors)  **2021** | **Budget**  (RKS + Donors)  **2022** | **Expenses**  (RKS + Donors)  **2022** |
| **Objective 1: Strengthening the Judicial and Prosecutorial System** | **551,320** | **2,144,848** | **932,984** |
| Specific objective 1.1: Increasing the accountability of the judicial and prosecutorial system | 38,285 | 406,429 | 293,822 |
| Specific objective 1.2: Increasing the efficiency of the judicial and prosecutorial system | 332,886 | 1,533,880 | 552,389 |
| Specific objective 1.3: Increasing professionalism and competence in the judicial and prosecutorial system | 51,323 | 95,423 | 38,713 |
| Specific objective 1.4: Improving the integrity of judges and prosecutors | 128,826 | 109,115 | 48,060 |

*Figure 6 - Budget estimate versus indicative expenditures of strategic objective 1 for 2022, EUR*

As for policy measures within the specific objectives of Strategic Objective 1, it is observed that most activities have been fully implemented in relation to those that had a large number of planned activities, in the following measures: (1) an advanced system and objective performance evaluation that focuses on the quality and capabilities of judges and prosecutors, (2) high quality reporting to improve accountability, 3) effective exercise of judicial and prosecutorial mandates that ensure accountability, and (4) recruitment, promotion, and transfer of judges, prosecutors, and support staff based on competence. However, the lowest development in policy measures concern: (5) Kosovo Academy of Justice responsive to the needs of the justice sector (6) Harmonization of the training offered for professional development with the needs of the justice sector: (1) justice and data interoperability, (2) carrying out independent and continuous checks of the integrity of judges, prosecutors and supporting staff, (3) strengthening the capacities of existing units for verification in the KJC and KPC and (4) training of the KJC and KPC to preserve judicial integrity. Nevertheless, implementation of a high number of activities in the abovementioned policy measures foreseen in the Action Plan, does not entail that the reform on these measures is complete and further work is needed through inter-institutional commitments and during the process of mid-term review of the Strategy.

Regardless of the significant number of fully implemented activities, the indicators for achieving this objective, especially those according to the CEPEJ methodology, reflect a decrease in relation to the objectives defined by the Strategy in 2023 and 2026.

**↑ means a positive development**

**↓ means a negative development**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **The source of the indicator** | Baseline value 2019 | Value achieved 2022 | Mid-term target  2023 | **Value achieved 2023** | Final target 2026 | **The source of the indicator** | Baseline value 2019 | Value achieved 2022 | Mid-term target  2023 | **Value achieved 2023** | Final target 2026 |
| **1. WJP 'Rule of Law Index'** | 0.54 | 0.56 | 0.59 | **0.56↑** | 0.64 | **15. CEPEJ ‘Disposition time**  **in first instance, in criminal cases’ (in days)[[9]](#footnote-10)** | 298 | 613 | 206 | **692↓** | 144 |
| **2. WJP 7.1 'Civil justice is accessible and (financially)**  **affordable'** | 0.6 | 0.61 | 0.62 | **0.62↑** | 0.64 | **16. CEPEJ ‘Disposition time**  **in second instance, in criminal cases’ (in days)** | 81 | 99 | 72 | **152↓** | 63 |
| **3. WJP 7.3 'Civil justice is free from corruption'** | 0.46 | 0.42 | 0.61 | **0.44↓** | 0.67 | **17. CEPEJ ‘Clearance rate in first instance, in civil/commercial cases [[10]](#footnote-11)** | 84.6% | 53% | 122% | **61%↓** | 159% |
| **4. WJP 7.4 ‘Civil justice is free of improper**  **government influence'** | 0.44 | 0.51 | 0.51 | **0.51↑** | 0.58 | **18. CEPEJ ‘Disposition time**  **in first instance, in civil/commercial cases’ (in days)** | 852 | 1339 | 536 | **1511↓** | 338 |
| **5. WJP 7.5 ‘Civil justice is**  **not subject to**  **unreasonable delay'** | 0.24 | 0.24 | 0.36 | **0.26↑** | 0.39 | **19. CEPEJ 'Clearance rate in second instance, in civil/commercial cases’** | 123.11% | 66% | 123% | **95%**  **↓** | 123% |
| **6. WJP 7.6 ‘Civil justice is**  **effectively enforced'** | 0.42 | 0.48 | 0.52 | **0.49 ↑** | 0.53 | **20. CEPEJ ‘Disposition time**  **in second instance, in**  **civil/commercial cases’** | 425 | 646 | 306 | **591↓** | 221 |
| **7. WJP 8.2’The criminal**  **justice system is timely**  **accurate and effective’** | 0.34 | 0.33 | 0.50 | **0.33↓** | 0.53 | **21. CEPEJ Clearance rate in first instance, in**  **administrative cases’** | 93% | 94% | 132% | **82%↓** | 171.6% |
| **8. WJP 8.4 ‘The criminal**  **justice system is impartial’** | 0.60 | 0.53 | 0.62 | **0.56↓** | 0.65 | **22. CEPEJ ‘Disposition time**  **in first instance, in administrative cases’ (in days)** | 787 | 798 | 460 | **967↓** | 323 |
| **9. WJP 8.5 ‘The criminal**  **justice system is free of**  **corruption’** | 0.50 | 0.49 | 0.61 | **0.48↓** | 0.68 | **23. CEPEJ 'Clearance rate in second instance, in**  **administrative cases’** | 79.8% | 74% | 91% | **101% ↑** | 105% |
| **10. WJP 8.6 ‘Criminal Justice is free of improper government influence.’** | 0.29 | 0.36 | 0.48 | **0.39↑c** | 0.58 | **24. CEPEJ ‘Disposition time**  **in second instance, in**  **administrative cases’ (in days)** | 241 | 426 | 225 | **366↓** | 209 |
| **11. CEPEJ Unresolved cases in criminal matters (older than 2 years), in all courts** | 13013 | 15672 | 6506 | **14862 ↓** | 0 | **25. CEPEJ '% of unsolved cases older than 24 months in the Basic Court of Prishtina, for criminal cases'** | 53.18% | 47% | 26.90% | **42.1% ↑** | 0 |
| **12. CEPEJ Unresolved civil/commercial cases (older than 2 years) in all courts** | 17336 | 29093 | 10904 | **34460 ↓** | 6870 | **26. CEPEJ '% of unresolved cases older than 24 months in the Basic Court of Prishtina, for contested civil cases'** | 54.50% | 43% | 36.2% | **31.5%**  **↑** | 23% |
| **13. CEPEJ Unresolved administrative cases (older than 2 years) in all courts** | 2001 | **1830** | 1161 | 1610 **↑** | 813 | **27. CEPEJ '% of unresolved cases older than 24 months in the Basic Court of Prishtina, for administrative cases'** | 31.60% | 22% | 18.40% | **22.4% ↑** | 12.9% |
| **14. CEPEJ ‘Clearance rate in first instance, on criminal cases’** | x | **105%** | Increased by 50% | **100%** | Increased by 100% | **28. The number of adjourned sessions in the Court [[11]](#footnote-12)** | x | 16.9%  BC | -25% | **17.45%** | -75% |

Figure 7 – Indicators of Objective 1

In this regard, for the activities that have not been implemented or that have been partially implemented, the challenges or deficiencies were mainly related to the capacities of the institutions involved to implement the activities in time (e.g. the design of training programs for evaluation commissions of performance, or other analyses and long-term planning), individual reluctance to implement some activities (e.g. continuous and consistent implementation of SMIL), prioritization of other activities, not fully considering all relevant activities of the Strategy (e.g. regulations for recruitment of prosecutors, but also judges), the lack of budget, voluminous activities that require inter-institutional cooperation (laws and documents resulting from justice reform) and others.

In conclusion, regarding this Objective, after the full implementation of more than half of the activities, the focus during 2023 should be to fully implement the 63 partially implemented or planned activities. These should also be prioritized in the internal planning of institutions such as KJC, KPC and AJ, which have the largest number of these activities. Having said that, the success stories should be followed up with concrete implementation activities that are expected to be listed in the new Action Plan 2024-2026 of the Strategy.

1. **PROGRESS TOWARDS OBJECTIVE 2: STRENGTHENING THE CRIMINAL JUSTICE SYSTEM**

Within Objective 2, there are 82 planned activities. Of these activities, 39 (47.56%) have managed to be fully implemented, while 23 are being partially implemented (28.05%) and 20 (24.39%) remain unimplemented until the end of 2023.

The main success stories in this objective concern the consolidation of the legal framework, namely the development of the special hierarchical structure within the prosecution sector through the adoption of the Law on the State Prosecutor, the adoption of the Regulation on the activity, internal organization and systematization of the administration in The Prosecutorial Council of Kosovo, where a special unit for verification was established, approval of the Law on Special Prosecution in the Assembly, addressing the issue that the SPRK's focus should be on the laundering offenses with higher value, approval in the Assembly of the Law on the Central System of Criminal Records, as well as the reports and work plans approved within the framework of the KCS and KPS.

Costs and expenses until the end of 2022 regarding the activities of Objective 2 are presented in the figure below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Strategic Objective of the Action Plan (2021-2023)** | **Budget**  (RKS + Donors)  **2021** | **Budget**  (RKS + Donors)  **2022** | **Expenses**  (RKS + Donors)  **2022** |
| **Strategic Objective 2: Strengthening the Criminal Justice system** | **485,539** | **7,259,299** | **570,907** |
| Specific objective 2.1: Strengthening of the fight against organized crime and high-level corruption | 39,446 | 36,761 | 89,457 |
| Specific objective 2.2: Improving professionalism in the fight against organized crime and high-level corruption and money laundering | 90,704 | 75,350 | 6,416 |
| Specific objective 2.3: Improving the execution of criminal sanctions system | 190,378 | 32,737 | 174,720 |
| Specific objective 2.4: Strengthening the integrity of the Kosovo Police | 165,012 | 7,114,451 | 300,314 |

*Figure 8 - Budget estimate versus indicative expenditures of strategic objective 2 for 2022, EUR*

Consequently, based on the analysis of policy measures within the specific objectives of Strategic Objective 2, it results that most activities have been fully implemented in relation to the number of planned activities, within the following measures: (1) development of legislation, (2) strengthening the strategic planning capabilities of KCS and KPS, and (3) development of KCS and KPS policies for human resources, and (4) ) establish and develop a sustainable risk and needs assessment system, and individual sentence planning for convicted prisoners and probation clients to reduce the risk of recidivism, while the least implemented policy measures were: (1) Infrastructure and administration that empowers police officers, (2) improved vetting and compliance with the code of ethics, and (3) enhanced active cooperation with the prosecution to strengthen investigations by the Police.

Similar to Objective 1, also in this Objective and as can be seen from the figure below, the achieved value of the indicators in 2022 does not reflect a positive trend towards reaching the medium-term goal set in 2023.

**↑ means positive development**

**↓ means negative development**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **The source of the indicator** | Baseline value 2019 | Value achieved 2022 | Mid-term target2023 | **Value achieved 2023** | Final target 2026 | **The source of the indicator** | Baseline value 2019 | Value achieved 2022 | Mid-term target2023 | **Value achieved 2023** | Final target 2026 |
| **1. CEPEJ Unresolved cases in criminal matters (older than 2 years), in all courts** | 13013 | 15672 | 6506 | **14862**  **↓** | 0 | **9. WJP 8.2 ’The criminal**  **justice system is timely accurate and effective’** | 0.34 | 0.33 | 0.50 | **0.33 ↓** | 0.53 |
| **2. CEPEJ ‘Clearance rate in first instance, on criminal cases’** | x | 105% | Increased by 50% | **100%** | Increased by 100% | **10. WJP 8.3 ‘Correctional system is effective in reducing criminal**  **behaviour’** | 0.60 | 0.58 | 0.62 | **0.56↓** | 0.64 |
| **3. CEPEJ ‘Disposition time**  **in first instance, in criminal cases’ (in days)** | 298 | 613 | 206 | **692↓** | 144 | **11. WJP 8.4 ‘The criminal justice system is impartial’** | 0.60 | 0.53 | 0.62 | **0.56↓** | 0.65 |
| **4. CEPEJ ‘Disposition time**  **in second instance, in**  **criminal cases’ (in days)** | 81 | 99 | 72 | **152↓** | 63 | **12. WJP 8.5 ‘The criminal**  **justice system is free of**  **corruption’** | 0.50 | 0.49 | 0.61 | **0.48↓** | 0.68 |
| **5. WJP 1 ‘Constrains on Government Powers’ Police** | 0.52 | 0.56 | 0.55 | **0.56↑** | 0.62 | **13. WJP 8.5.1 ‘Police Military and Prosecutors are free of improper**  **influence’** | 0.50 | 0.49 | 0.61 | **0.48 ↓** | 0.68 |
| **6. WJP 2.3 ‘Government official in the police and the military do not use public office for private**  **gain’** | 0.64 | 0.62 | 0.71 | **0.61↓** | 0.77 | **14. WJP 8.6 ‘Criminal Justice is free of improper government influence.’** | 0.29 | 0.36 | 0.48 | **0.39↑** | 0.58 |
| **7. WJP 8 ‘Strengthening the Criminal Justice System’** | 0.47 | 0.46 | 0.5 | **0.46↓** | 0.56 | **15. WJP 8.7.5 ‘Rights of**  **prisoners’** | 0.60 | 0.60 | 0.62 | **0.60** | 0.65 |
| **8. WJP 8.1 ’Criminal**  **Investigation system is**  **effective’** | 0.35 | 0.32 | 0.47 | **0.33↓** | 0.49 |  | | | | |

*Figure 9 – The Indicators of Objective 2*

For this Objective, the challenges consist of inter-institutional cooperation (e.g. inter-institutional working group to provide a unified interpretation of "intent"), delays in drafting policies and laws (e.g. the Concept Document on the Status of Judges and Prosecutors, the Law on Police, the Law on the Retirement of Police Officers or the strategic plans of the KCS and KPS), analytical capacities (e.g. the development of a Test- based method to decide on requests for detention), but also budget limits as usually.

The focus during 2023 should be on the drafting and approval of the remaining policies and laws, but also the finalization of other initiatives by the implementing institutions. Similar to Objective 1, new activities should be placed in the new Action Plan of the Strategy, in order to work towards achieving the targets, at least in the long term, of the Strategy according to the indicators.

1. **PROGRESS TOWARDS OBJECTIVE 3: STRENGTHENING OF ACCESS TO JUSTICE**

Objective 3 has the second largest number of activities – a total of 151, out of all objectives 69 (45.70%) are the number of fully implemented activities, 47 (31.13%) partially or in progress, and 35 (23.18%) in which there is no development, within this Objective.

The strengthening of free legal aid, its advancement in projects related to justice institutions is one of the main success stories of this objective, then the electronic advancement of the justice institutions KJC and KPC in relation to the more concrete provision of access to justice for the citizens', the development of training programs for mediation as an alternative method for free professions, the training of translators, the fulfilment of legal initiatives such as the Drafting of the Law on Administrative Disputes, the approval of amendments to the Criminal Code to specifically address the criminalization of ill-treatment in police stations, in correctional centers and in detention centers, support for victims of gender-based violence, advancing training programs for judges and prosecutors regarding domestic violence, the drafting of analyses related to the right to a reasonable trial through exhaustion of legal remedies before the bodies of appeal, infrastructural advances in the Police in terms of electronic recordings of police interviews and the installation of cameras in places of detention, the recruitment of additional private enforcement agents by the MoJ, the advancement of MoJ officers’ knowledge of foreign languages.

The following figure presents the planned costs and expenses concerning Objective 3.

|  |  |  |  |
| --- | --- | --- | --- |
| **Strategic Objective of the Action Plan (2021-2023)** | **Budget**  (RKS + Donors)  **2021** | **Budget**  (RKS + Donors)  **2022** | **Expenses** (RKS + Donors)  **2022** |
| **Strategic Objective 3: Strengthening of Access to Justice** | **1,354,218** | **1,301,618** | **1,105,528** |
| Specific objective 3.1: Improving access to courts and prosecutions | 224,245 | 236,042 | 149,311 |
| Specific objective 3.2: Increasing the efficiency and effectiveness of legal remedies | 259,115 | 231,031 | 242,423 |
| Specific objective 3.3: Improving the services of free professions | 644,883 | 632,091 | 328,453 |
| Specific objective 3.4: Increasing the oversight and advocacy role of civil society organizations | 69,634 | 69,634 | 342,530 |
| Specific objective 3.5: Strengthening the role of the Ministry in the European Union membership process | 156,340 | 132,821 | 42,811 |

Figure 10 - Budget estimate against indicative expenditures of strategic objective 3 for 2022, EUR

Subsequently, as regards policy measures within the specific objectives of Strategic Objective 3, it results that most activities have been fully implemented in relation to those that had a large number of planned activities, in the following measures: (1 ) improving legal aid system in Kosovo in line with EU and CoE the requirements, (2) improving legal and institutional framework to provide effective legal remedies with a view to citizen-oriented legal and justice service, and (3) the further development and consolidation of mediation and bankruptcy proceedings. On the other hand, the least development policy measures were: (1) Effective cooperation between non-judicial bodies and courts and prosecutors' offices, (2) improving the quality of delivery of services for all free legal professions and (3) increasing the capacity of the Kosovo judiciary for EU integration.

Unlike other objectives, in this Objective there is a higher number of indicators, which are now achieved or are in a more positive trend with WJP in relation to the total number of indicators.

**↑ means a positive development**

**↓ means a negative development**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **The source of the indicator** | Baseline value 2019 | Value achieved 2022 | Mid-term target  2023 | **Value achieved 2023** | Final target 2026 | **The source of the indicator** | Baseline value 2019 | Value achieved 2022 | Mid-term target2023 | **Value achieved 2023** | Final target 2026 |
| **1. CEPEJ Unresolved cases in criminal matters (older than 2 years), in all courts** | 13013 | 15672 | 6506 | **14862**  **↓** | 0 | **13. CEPEJ ‘Clearance rate in second instance, in administrative cases’** | 79.8% | 74% | 91% | **101%**↑ | 105% |
| **2. CEPEJ Unresolved cases in civil/commercial matters (older than 2 years), in all**  **courts** | 17336 | 29093 | 10904 | **34460 ↓** | 6870 | **14. CEPEJ ‘Disposition time in second instance, in administrative cases’ (in**  **days)** | 241 | 426 | 225 | **366**↓ | 209 |
| **3. CEPEJ Unresolved cases in administrative matters (older than 2 years), in all courts** | 2001 | 1830 | 1161 | **1610 ↑** | 813 | **15. WJP 1.5.3 ‘Freedom of civil and political organization is respected’** | 0.57 | 0.59 | 0.62 | **0.59 ↑** | 0.67 |
| **4. CEPEJ ‘Clearance rate in first instance, on criminal cases’** | x | 105% | Increased by 50% | **100%** | Increased by 100% | **16. WJP 3.3 ‘Civic Participation’** | 0.57 | 0.59 | 0.58 | **0.58↑** | 0.64 |
| **5. CEPEJ ‘Disposition time**  **in first instance, in criminal**  **cases’ (in days)** | 298 | 613 | 206 | **692↓** | 144 | **17. WJP 6.4 ‘Respect of fair trial in administrative**  **procedures’** | 0.35 | 0.38↑ | 0.38 | **0.37↑** | 0.47 |
| **6. CEPEJ ‘Disposition time in second instance, in criminal cases’ (in days)** | 81 | 99 | 72 | **152↓** | 63 | **18. WJP 6.5 ‘The Government does not expropriate without lawful process and adequate** | 0.55 | 0.58 | 0.58 | **0.58↑** | 0.61 |
| **7. CEPEJ ‘Clearance rate in first instance, on civil/commercial cases’** | 84.6% | 53% | 122% | **61%↓** | 159% | **19. WJP 7.1 ‘People can access and afford civil justice’** | 0.60 | 0.61 | 0.62 | **0.62↑** | 0.64 |
| **8. CEPEJ ‘Disposition time in first instance, in civil/commercial cases’ (in days)** | 852 | 1339 | 536 | **1511↓** | 338 | **20. WJP 7.1.1 ‘People are aware of available remedies’** | 0.60 | 0.61 | 0.62 | **0.62 ↑** | 0.64 |
| **9. CEPEJ ‘Clearance rate in second instance, in**  **civil/commercial cases’** | 123.11% | 66% | 123% | **95↓** | 123% | **21. WJP 7.5.1 ‘Delays in adjudicating the dispute’** | 0.24 | 0.24 | 0.36 | **0.26↑** | 0.39 |
| **10. CEPEJ ‘Disposition time in second instance, in civil/commercial cases (in days)** | 425 | 646 | 306 | **591↓** | 221 | **22. WJP 7.7 ‘ADR mechanisms are accessible, impartial and effective** | 0.62 | 0.62 | 0.71 | **0.64↑** | 0.74 |
| **11. CEPEJ ‘Clearance rate in first instance, in**  **administrative cases’** | 93% | 94% | 132% | **82%↓** | 171.6% | **23. WJP 8.7 ‘Due process of law and the rights of the accused’** | 0.47 | 0.60 | 0.64 | **0.60↑** | 0.65 |
| **12. CEPEJ ‘Disposition time in first instance, in administrative cases’ (in**  **days)** | 787 | 798 | 460 | **967↓** | 323 | **24. WJP 8.7.4 ‘Legal Aid’** | 0.60 | 0.60 | 0.63 | **0.60** | 0.65 |

Figure 11 – The indicators of Objective 3

On the other hand, there have been delays in issues such as the appointment of lawyers for legal aid matters, but also challenges in mapping judicial needs or the development of surveys of court users, the role of the KBA in awareness raising of lawyers regarding the opportunities offered by mediation, the lack of reporting of the institutions to the Assembly on the implementation of recommendations from the Ombudsperson, the establishment of translation units in courts, non-approval of the law on court fees and expenses, delays in the drafting of the Mediation Strategy, etc. which generally result from the non- prioritization of activities, but also the lack of capacities, despite a significant presence of the projects from Kosovo's development partners related to this objective.

As a conclusion for this Objective, the MoJ, as the leading institution of policies in the justice system in Kosovo, must finalize the Internal Regulation and the filling of vacant positions, while other institutions must focus on the implementation of concrete activities that are already in the Action Plan of the Strategy and that directly affect access to justice, but also start planning activities for the mid-term review of the Strategy.

1. **PROGRESS TOWARDS OBJECTIVE 4: STRENGTHENING THE FIGHT AGAINST CORRUPTION**

In the introduction to this Chapter, it was mentioned that Objective 4 has the largest number of implemented activities in relation to the planned ones, a total of 47 out of 63 (74.60%). This Objective has been focused on creating a new legal framework for anti-corruption, namely changing the mission of the Anti-Corruption Agency to the prevention of corruption, which was done with a new Law, further specifying its powers. In addition to the approval of the new Law on the Declaration, Origin and Control of Assets and Gifts, in the previous phases, it was accompanied by the electronic system for the electronic declaration of assets. The Agency has had success in the adoption of the internal regulation which advances the anti-corruption assessment system of the legislation, continuous staff training and cooperation with other institutions in providing training for the fight against corruption, increasing professional capacities of police officers of the Special Investigations Unit for conducting the investigations in high-level corruption cases, drafting of the new definition of *'high-level corruption'* which will be uniformly included in the Law on the SPSRK, the Criminal Code and other relevant laws. These are considered the most important success stories regarding this Objective.

The planned costs and the budget spent until the end of 2022 regarding this Objective are presented in the following figure.

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| --- | --- | --- | --- |
| **Strategic Objective of the Action Plan (2021-2023)** | **Budget**  (RKS + Donors)  **2021** | **Budget**  (RKS + Donors)  **2022** | **Expenses** (RKS + Donors)  **2022** |
| **Strategic Objective 4: Strengthening the fight against corruption** | **482,269** | **524,407** | **812,965** |
| Specific objective 4.1: Improving the institutional framework for fighting corruption | 429,274 | 486,029 | 746,118 |
| Specific objective 4.2: Improving the assets declaration system and regulations on accepting gifts | 52,995 | 38,378 | 66,847 |

Figure 12 - Budget estimate versus indicative expenditures of strategic Objective 4 for 2022, EUR

Consolidation of the legal framework reflects also the policy measure that has been implemented mostly within the framework of the specific objectives of Strategic Objective 4, i.e. the measure 'strengthening the legal framework', while the least developments in terms of the measure of policy are with regards to 'training and capacity building'.

In relation to the indicators, a more positive trend is observed towards the achievement of medium-term goals of 2023, with some exceptions.

**↑ means a positive development**

**↓ means a negative development**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **The source of the indicator** | Baseline value 2019 | Value achieved  2022 | Mid-term target2023 | **Value achieved 2023** | Final target 2026 | **The source of the indicator** | Baseline value 2019 | Value achieved  2022 | Mid-term target2023 | **Value achieved 2023** | Final target 2026 |
| **1. WJP 2 ‘Absence of Corruption’** | 0.46 | 0.48 | 0.53 | **0.48↑** | 0.61 | **5. WJP 2.4 ‘Public officials in the police & army do not use public office for private benefits’** | 0.64 | 0.34 | 0.71 | **0.33↓** | 0.78 |
| **2. WJP 2.1 ‘Public officials in the executive branch do not use the public function**  **for private benefits’** | 0.45 | 0.48 | 0.47 | **0.48↑** | 0.54 | **6. WJP 6.1 ‘Regulatory enforcement’** | 0.36 | 0.38 | 0.6 | **0.38↑** | 0.63 |
| **3. WJP 2.2 ‘Public officials in the judicial branch do not use the public function for private benefits’** | 0.45 | 0.48 | 0.71 | **0.48↑** | 0.78 | **7. CEPEJ 226 ‘Number of proceedings initiated / completed / sanctions imposed for violation of conflict of interest rules in relation to judges and prosecutors’** | 2019:  9 | |  | **2023:**  For judges: 0 initiated, 0 completed -0 sanctions. For prosecutors -0 initiated, 0 completed -0 sanctions.  **↓** | |
| **4. WJP 2.3 ‘Public officials in the legislative branch do not use the public function for private benefits’** | 0.63 | 0.62 | x | **0.61↓** | x | **8. CEPEJ 202 ‘Number of procedures initiated against judges and prosecutors due to**  **violations / inconsistences** | **2019:**  For judges: 6 initiated, 1 e completed, 1 sanction.  For prosecutors:  3 initiated, 3 completed, 0 sanctions. | |  | **2023:**  For judges: N/A initiated, N/A completed, N/A sanctions.  **↓**  For prosecutors: N/A initiated, N/A completed, N/A sanctions.  **↓** | |

/A/

Figure 13 – Indicators of Objective 4

An important challenge remains the raising of awareness about corruption in the private sector and the undertaking of many activities for the appointment of officials responsible for whistleblowing in this sector according to legal requirements, for which there must be strong cooperation between the Agency for the Prevention of Corruption and the Labour Inspectorate.

1. **RISKS AND STEPS TO ADDRESS THEM**

Chapter II above presented the progress achieved so far in the implementation of the Strategy, in terms of the implementation of activities, the budget spent, and the achievement of indicators according to the objectives and challenges and shortcomings encountered so far. This Chapter presents the main risks that have hindered and may hinder the further implementation of the Strategy.

They can be grouped as follows:

* **Non-prioritization of the implementation of activities**. As seen from the evaluation of the implementation of the Strategy so far, a certain number of activities have been neglected by the units of the relevant institutions, which has resulted in their non-implementation or significant delays. **Future steps**: The leader of the relevant institution together with the Chief Administrative Officer and the support of the Strategy Secretariat lists these activities at the institutional level and addresses them urgently to the relevant units.
* **Lack of capacities.** The lack of staff or even specific skills for implementation of certain activities of the Strategy is evident. **Future steps**: Each implementing institution takes measures to fill vacant positions that are related to the implementation of the Strategy's activities, followed by relevant staff training. As a result, it is important that each implementing institution organizes specific meetings with the development partners to further concretize their support in the implementation of the Strategy's activities.
* **Budget.** For the implementation of certain activities, it is necessary to ensure the budget. **Future steps**: The Ministry of Finance and the Assembly of Kosovo take into account the budgetary requirements of the institutions for the implementation of the activities that so far have not been implemented.
* **Inter-institutional cooperation.** The lack of cooperation between the main actors of this Strategy may lead to further delays in the implementation of activities. **Future steps**: MoJ, KJC and KPC, without delay, implement the Document of Commitments signed in March 2023. KJC and KPC organize joint workshops and meetings for the implementation of related activities of this Strategy. Representatives of implementing institutions meet in regular terms and make appropriate plans for the implementation of joint activities
* The **mid-term review process of the Strategy**. According to Chapter V of the Strategy, the mid-term review of the Strategy is expected to take place no later than the mid of 2024, when the new Strategy Action Plan 2024-2026 is prepared. For this purpose, adequate capacities and commitment are needed. **Future steps**: The new Action Plan is preceded by the relevant analysis, which needs to be completed in the first part of the year 2024. The development of the analysis and the drafting of the new Action Plan are supported by the development partners.

**Annex 1: The monitoring report of the Action Plan for the year 2023**

Instruction:

The green colour indicates the complete implementation of an activity

The orange colour indicates partial implementation or that an activity is in the process of implementation

The red colour indicates that the activity has not been implemented and there is no relevant development related to it

The blue colour indicates the implementation of an activity which was reported as completed by the end of 2022

**Chapter 1.1 - Increasing the accountability of judges and prosecutors**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Action** | **Deadline** | **Leading and supporting institution** | **Output** | **Implementation progress** | | | | | | |
|
| *Policy measure: Strengthening of the KJC and KPC composition with active participation of non-judge and non-prosecutor members and with due regard for gender and ethnic equality* | | | | | | | | | | | ***50% fully implemented*** |
| 1 | Fill the KJC non-judicial member vacant seats | 2022 | Assembly | Non-judge member of the KJC appointed by the Assembly | The Assembly of Kosovo during the year 2022 has elected a non-judicial member according to Article 8(1.3) of the Law on the KJC, while it remains to elect one more member by the Assembly members, who shall hold their seats reserved or guaranteed for representatives of other communities, according to Article 8(1.4) of the Law on the KJC. On 17.6.2022, the Commission has decided to re-announce the vacancy for the election of this member. | | | | | | |
| 2 | Amending of the law on the KPC to stipulate that the number of prosecutorial members in the KPC is reduced; | 2022 | MoJ, KPC | Law adopted | The draft law with the amendments made has been approved by the government and is currently being considered and approved by the Assembly.  (link:https://www.kuvendikosoves.org/shq/projektligjet/projektligji/?draftlaw=490) | | | | | | |
| 3 | Adoption by the Assembly of Kosovo of procedures for the selection and appointment of non-judge / non-prosecutor members of the KJC and KPC; | 2022 | Assembly | Procedure or sub-legal act adopted | The Commission for Legislation has assessed this activity and found that the Law on the KJC, Regulation of the Assembly and the practice established in the Commission and the Assembly are sufficient for conducting the procedure for the election of non-judge and non-prosecutor members of the KJC and KPC. | | | | | | |
| 4 | Implementation of policy measures by the KJC and KPC to ensure gender and ethnic representation; | 2022 | KJC, KPC, Assembly | The composition of the KJC and KPC has equal gender representation and proportional ethnic representation | The current composition of the KJC adheres to gender and ethnic representation requirements, in accordance with the Law in force. There are 12 members of the KJC, of which 8 are men and 4 are women. From the judiciary, there are 7 judges in the composition of the KJC, as follows: Supreme Court 2 judges, 1 man and 1 woman; Court of Appeal 2 judges, 1 man and 1 woman; Basic Courts 3 judges, 2 men and 1 woman.  From the Assembly of Kosovo, there are 6 members in the KJC, as follows: According to Article 8 point (1.2) of the Law on the KJC, (Two male members, one a judge and the other is a non-judge); According to Article 8 point (1.3) of the Law on the KJC, (One female member); According to Article 8 point (1.4) of the Law on the KJC, (Two male members, one a judge and the other a non-judge)  Remaining to be elected: one member - judge from the members of the Assembly who hold the seats reserved or guaranteed for the representatives of the Serbian community in Kosovo according to Article 8 (1.2) of the Law on the KJC. Also, the Deputy Chairman of the KJC is a woman.  The KJC has fulfilled the gender quota. The current composition of the KPC has gender and ethnic representation, in accordance with the Law in force. Also, Regulation No. 06/2020 for the Election of Prosecutor Members of the Council provides that if there are applicants from the non-majority community or from the under-represented gender, the KPC will commit to ensuring its composition includes at least 1 member from the non-majority community and at least three members of the under-represented gender. Currently, out of the 9 members of the KPC, 6 members are men and 3 members are women, while the member from the Serbian community who was elected by the KPC is part of the group of resigned prosecutors.  . | | | | | | |
| *Policy measure: Advanced and objective performance appraisal system focusing on quality and skills of judges and prosecutors* | | | | | | | | | ***100% fully implemented*** | | |
| 5 | Amendment of regulations on the performance appraisal of judges to ensure that the quality criteria, indicators and procedures for the performance appraisal of judges are provided in detail by that act | 2021 | KJC | Regulations amended | The regulation on the performance evaluation of judges was adopted in 2021, including the criteria according to this activity.[[12]](#footnote-13) | | | | | | |
| 6 | Drafting the regulation for the evaluation of the performance of the Presidents of the Courts and the judges who hold leading positions | 2021 | KJC | Regulation adopted | The Regulation on the performance evaluation of Court Presidents and Supervisory Judges was approved by the KJC on 27.12.2022.[[13]](#footnote-14) | | | | | | |
| 7 | Conduct an analysis on the need for a functional Judicial Inspection Unit within the KPC | 2022 | MoJ, KPC | Analysis finalized | MoJ: This issue is related to the "Joint Declaration of Commitment". This activity is expected to be moved to KPC after the revision of the RLS Action Plan.  KPC: KPC has analysed the need for the functioning of this Unit and has concluded that this function lies with Commission for the Administration of Prosecutions | | | | | | |
| 8 | Adoption of the regulatory framework by the KJC to ensure that the functions of the Judicial Inspection Units (JIUs) are provided by law, while respecting judicial independence | 2022 | KJC | Regulatory framework in KJC adopted | The Regulation on the Organization and Operation of the JIU was adopted by the KJC on 27.12.2022.[[14]](#footnote-15) | | | | | | |
| 9 | Reviewing and amendment of the current templates used for performance appraisal of judges so that the templates fully reflect the quality criteria under the amended legislation | 2022 | KJC | Templates amended in accordance with the amended legislation | KJC has issued new templates for performance evaluation based on the 2021 Regulation on Performance Evaluation. | | | | | | |
| 10 | Drafting instruction manuals with detailed explanations by the KJC and KPC regarding the entire performance assessment process | 2022 | KJC, KPC | Manuals approved | The KJC has issued the Instructions for the Performance Evaluation of Judges, which is based on the Regulation on the performance evaluation of 2021.[[15]](#footnote-16)  The KPK has issued the Instructions for the implementation of the Regulation on Performance Evaluation of Prosecutors, in June 2021.[[16]](#footnote-17) | | | | | | |
| 11 | Performance appraisal committees shall regularly publish reports on the number of judges who have been evaluated, recommendations given, and delivered to the parties in due time | 2021  -  2023 | KJC | Committee reports are published and performance appraisals are delivered to the parties in due time; | The annual report on the work of the Committee for performance evaluation of judges for the year 2023 has been published on the website of the KJC.[[17]](#footnote-18) | | | | | | |
| 12 | Performance appraisal committees shall regularly publish reports on the number of prosecutors who have been evaluated, recommendations given, and delivered to the parties in due time | 2021-2023 | KPC | Committee reports are published and performance appraisals are delivered to the parties in due time; | The report on the number of prosecutors evaluated in 2022 has been published on the web page of the prosecutorial system, and the parties have been timely notified about the evaluation.[[18]](#footnote-19) The KPC will draw up the annual report, which will reflect all processes of performance evaluating of prosecutors during the year 2023. In December 2023, the KPC approved the Commission's plan for performance evaluation, which includes the processes and the number of prosecutors that will be evaluated during the year 2024. | | | | | | |
| 13 | Annual assessment by the KJC of the legally required number of judges (1/3) | 2021  -  2023 | KJC | Regular annual assessment | The KJC has completed this activity by evaluating 1/3 of the judges required by law.[[19]](#footnote-20) | | | | | | |
| 14 | KJC shall provide clear reasoning for any decision regarding the promotion of judges and prosecutors based on performance evaluation | 2021  -  2023 | KJC | Decisions on the promotion of judges contain reasoning on the performance of the judge | KJC's decisions on the promotion provide clear reasoning based on performance evaluation. This issue is also addressed through the regulation on amending and supplementing the Regulation no. 04/2023 on amending and supplementing of Regulation no. 01/2014 on the procedure for promotion of judges.[[20]](#footnote-21) | | | | | | |
| 15 | KPC shall provide clear reasoning for any decision regarding the promotion of prosecutors based on performance evaluation | 2021  -  2023 | KPC | Decisions on the promotion of prosecutors contain reasoning on the performance of prosecutor | During the year 2023, the Reports of the Commission for Advancement and Transfer have been presented at the meetings of the Council and these reports contain every proposal for the advancement of prosecutors in a detailed and justified manner, including the evaluation of the performance of the candidates, and decisions are made based on these reports by the Council for advancement. Decisions on transfer and promotion are also published, but the remaining unresolved cases of those prosecutors who are promoted are also taken into account. Moreover, Article 12 paragraph 1.2 of the Regulation on the Transfer and Advancement of Prosecutors clearly defines as a general criterion for advancement the sufficient or higher performance assessment. Therefore, prosecutors who do not have this level of assessment do not meet this criterion. Therefore, performance evaluation is always taken into account during the review of the applications of candidates/prosecutors who have applied for advancement. Candidates are notified of the results and given a deadline for possible complain directly to the KPC. The commission's report contains detailed reasoning regarding the entire process, including the grade in the performance evaluation. However, these justifications and reports are not published since the data related to the evaluation of the performance of the prosecutors and the level at which they were evaluated are closed to the public.[[21]](#footnote-22) | | | | | | |
| 16 | Strengthening the mechanism for analysing of performance evaluations to identify specific training needs of judges | 2021 | KJC, AJ | The Committee’s recommendations for performance evaluation for fully implemented training | The KJC has approved the action plan for the training of judges for the year 2024, where in cases where the Performance Evaluation Commission identifies specific training needs for judges, such training will be organized in accordance with this plan.[[22]](#footnote-23) | | | | | | |
| 17 | Strengthening the mechanism for analysing of performance evaluations to identify specific training needs of prosecutors | 2021 | KPC, AJ | The Commission's recommendations for performance evaluation for fully implemented training | KPC drafts the training policy document, with input from the Performance Evaluation Commission and then this document is forwarded to the Academy of Justice. Whenever a decision is made wherein a prosecutor receives an insufficient evaluation, they are sent for mandatory training at the Academy of Justice. These decisions specify the areas and modules in which the prosecutor must receive training. Regarding this issue, the KPC has signed a Memorandum of Understanding with the Academy of Justice, and protocols have been drawn up for the implementation of this Memorandum, which have also been put into effect in a case where we sent a prosecutor to mandatory training with the proposal of the Performance Evaluation Commission. . | | | | | | |
| 18 | Design training programs for members of performance evaluation committees based on the needs | 2021 | AoJ, KJC, KPC | Adopted Program | The approved program has been fulfilled in its entirety even beyond planning. Since there were also additional trainings as a result of the new requirements for the new additions of the Criminal Procedure Code, in the field of domestic violence, for the investigation and recovery of assets, etc. which were mainly supported by donors and which were approved by the competent authority of AoJ. | | | | | | |
| 19 | Organizing of training programs for members of performance evaluation committees | 2021-2023 | AoJ, KJC, KPC | Trainings held for committee members | In cooperation with the Chemonics Initiative for the Rule of Law in the Western Balkans (WBROLI), funded by the United Kingdom, a two-day training session was held on December 18 and 19, separately, for the members of the KJC and KPC Commissions who have the mandate for evaluating the performance of judges and prosecutors. During these trainings, important aspects of the work of these commissions were addressed, including measurement indicators and practical problems in implementing the regulations for the evaluation of judges and prosecutors. In addition to the members of the Performance Evaluation Commissions, this training was attended by the Chairman of the KJC and the KPK, the President of the Supreme Court, Acting Chief State Prosecutor, Presidents of Courts and Chief Prosecutors, Judges from the Supreme Court, Senior Judicial Inspectors, statistics officers, members of permanent Commissions in the KPC, Heads of Training and IT Departments, as well as legal officers. | | | | | | |
| *Policy measure: High quality reporting to improve accountability* | | | | | | *86% fully implemented* | | | | | |
| 20 | Setting guidelines and templates for reporting of court presidents | 2021 | KJC | Reporting to the Council is done in accordance with the guidelines and templates | The reporting of the presidents during 2021 and in continuity is being carried out according to the guidelines and templates for reporting. The reporting of the presidents is transmitted online. Apart from the templates, the presidents also respond directly to additional questions asked by the Council members. | | | | | | |
| 21 | Setting guidelines and templates for reporting of chief prosecutors | 2021 | KPC | Guidelines and templates for better reporting have been drafted, approved and provided to prosecutors | The new unified forms have been created as a reporting mechanism of the chief prosecutors, which were put into operation during the reporting of the chief prosecutors during 2021 and which continue to be used. | | | | | | |
| 22 | Publication of detailed reports on the recruitment process, which contain detailed information on the entire recruitment process and its progress, in accordance with the law | 2021 | KJC | Regular court reports are submitted on time; The public has access to information on recruitment processes, including job vacancies, applicant lists and recruitment results | The KJC has announced a vacancy for 47 positions for judges at the level of the Basic Courts and the Commercial Court - first instance chambers, of which five (5) positions of judges are reserved for the Serbian community. The vacancy and other procedures are published on the KJC website. Link below. KJC has published all the detailed reports on the recruitment process. [[23]](#footnote-24) | | | | | | |
| 23 | Publication of detailed reports on the recruitment process, which contain detailed information on the entire recruitment process and its progress, in accordance with the law | 2021 | KPC | The regular reports of the prosecutions were submitted on time; The public has access to information on recruitment processes, including job vacancies, applicant lists and recruitment results | In the reporting period, there were no new recruitment processes. | | | | | | |
| 24 | Preparation and publication of quarterly reports by all court presidents and annual reports of the KJC which also contain information on disciplinary proceedings against judges | 2021 | Courts Presidents , KJC | Quarterly court reports are submitted on time and are public; The annual reports contain concise but clear information about the disciplinary procedures that have been conducted against judges | The courts have submitted and reported to the Council regarding their work reports in a timely manner. These reports are publicly accessible and can be found in the work report in the publications section of each court.  1.Supreme Court: https://supreme.gjyqesori-rks.org/publikimet/raporti-i-punes/  2.Court of Appeals: https://apeli.gjyqesori-rks.org/publikimet/raporti-i-punes/  3.Commercial Court: https://komerciale.gjyqesori-rks.org/raporti-i-punes/  4.Basic Court in Prishtina: https://prishtine.gjyqesori-rks.org/publikimet/raporti-i-punes/  5. Basic Court in Mitrovica: https://mitrovice.gjyqesori-rks.org/publikimet/raporti-i-punes/  6. Basic Court in Peja: https://peje.gjyqesori-rks.org/publikimet/raporti-i-punes/  7. Basic Court in in Prizren: https://prizren.gjyqesori-rks.org/publikimet/raporti-i-punes/  8. Basic Court in Ferizaj: https://ferizaj.gjyqesori-rks.org/publikimet/raporti-i-punes/?cYear=2023  9. Basic Court in Gjilan : https://gjilan.gjyqesori-rks.org/publikimet/raporti-i-punes/  10: Basic Court in Gjakove: https://gjakove.gjyqesori-rks.org/publikimet/raporti-i-punes/  KJC publishes anonymized decisions on disciplinary cases of judges and quarterly statistics on disciplinary complaints against judges at the level of Kosovo [[24]](#footnote-25) | | | | | | |
| 25 | Preparation and publication of quarterly reports by all chief prosecutors and annual reports of the KPC, which also contain information on disciplinary proceedings against prosecutors | 2021 | Chief Prosecutors, KPC | The quarterly reports of the prosecutor's offices are submitted on time and are public; The annual reports contain summarized but clear information about the disciplinary procedures that have been conducted against the prosecutors | The Chief Prosecutors report on a 3-monthly basis to the KPC through the harmonized reporting mechanism of the Chief Prosecutors in open meetings of the Council.  The reports of the chief prosecutors also contain data on the disciplinary cases that the chief prosecutors handle during the reporting period.  All the quarterly reports of the chief prosecutor's reporting mechanism have been published on the web portal. [[25]](#footnote-26)  In addition, at the end of the year, the chief prosecutors report for the whole year, which are included in the annual report of the State Prosecutor and the Prosecutorial Council, which are made public and accessible on the web portal of the prosecutorial system. Likewise, the KPC on an annual basis draws up and publishes the KPC's annual work report, which is also accessible on the web portal, and includes disciplinary procedures against prosecutors.  Moreover, regarding the disciplinary procedures against prosecutors, the KPC has a separate section on the webpage dedicated only to the publication of data regarding these procedures.[[26]](#footnote-27) | | | | | | |
| 26 | Regular discussion of annual reports by the KJC and KPC in the Assembly of Kosovo | 2021  -  2023 | Assembly | KJC and KPC reports discussed in the Assembly | The reports of KJC and KPC have not been discussed. | | | | | | |
| *Policy measure: Effective exercise of judicial and prosecutorial mandate to ensure accountability* | | | | | | | *70% fully implemented* | | | | |
| 27 | Drafting of the Code of Criminal Procedure and accompanying legislation to allow legal remedies against the prosecutor's decision to terminate the criminal prosecution | 2021 | MoJ | Adopted Code | The Criminal Procedure Code was adopted by the Assembly on 14.07.2022.[[27]](#footnote-28) Article 156(8) explicitly provides the right of the injured party or the victim to file a complaint against the ruling on termination of the investigation at the Appellate Prosecution Office, through the Basic Prosecution Office | | | | | | |
| 28 | Adoption of mandatory instructions by the KJC in the premises where hearings take place, to ensure that court hearings are held in the courtroom instead of judges' offices, especially those of high-profile cases | 2021 | KJC, Court Presidents, Judges | Court hearings are held in court rooms | In all high-profile cases, hearings are held in courtrooms. This fact is also proved through the reports of the organizations that cover and monitor the trials in this field.[[28]](#footnote-29) | | | | | | |
| 29 | Amendment of the Regulation on Internal Organization of Courts to ensure its harmonization with the new Regulation on Promotion, regarding the conditions that must be met by the judge before promotion/transfer in order to avoid the need to resume the case after promotion/transfer | 2022 | KJC | Adopted Regulation | The KJC has approved the Guidelines on automatic distribution of cases, which also includes the issue of distribution of cases after the promotion of judges. The issue of distribution of cases after the promotion of judges is also included here. KJC has approved Regulation No. 04/2023 on amending and supplementing the Regulation No. 01/2014 on procedure for promotion of Judges, KJC always takes into account the workload of judges during interviews. | | | | | | |
| 30 | The KJC ensures the implementation of legal criteria for the transfer and promotion of judges and reports on them, in order to improve the practices of promotion of judges through transfers | 2021  -  2023 | KJC | The legal criteria for the transfer and promotion of judges are fully respected | The KJC has implemented the criteria for the transfer and promotion of judges, which have been addressed through the current regulations. During this period, the KJC, based on the criteria defined by the regulation on transfer, transferred 3 judges, while the request for transfer was rejected for 11 judges. During this period, the KJC, according to the announced internal vacancy, proposed to the president of the Republic of Kosovo the president of the Supreme Court of Kosovo, promoted three judges to the Court of Appeal, three judges to the Special Chamber of the Supreme Court, three judges to the Special Department and two supervisory judges, one in the Basic Court branch in the Fushe Kosove, and one in the Gracanica branch.[[29]](#footnote-30) | | | | | | |
| 31 | KPC closely monitors the implementation of legal criteria for the transfer and promotion of prosecutors and reports on them, in order to improve the practices of promoting prosecutors through transfers. | 2021-2023 | KPC | The legal criteria for the transfer and promotion of prosecutors are fully respected | Based on Regulation No. 02/2021 on the Transfer and Promotion of State Prosecutors, the KPC respects and applies the criteria and procedures for the transfer and promotion of state prosecutors, in every case. This Regulation, which entered into force in 2021, represents the strengthening of the processes of advancement and promotion of prosecutors. In addition, the KPC has also approved the Guidelines on implementation of the Regulation on the Transfer and Promotion of State Prosecutors.[[30]](#footnote-31)  KPK is also part of the working groups in the framework of the joint declaration for the reform in justice, where the special objective is the transfer and advancement of prosecutors. | | | | | | |
| 32 | KJC closely monitors the external engagements of judges as well as compensation to ensure the implementation of the legal criterion that the income of judges from external engagements does not exceed 25% of their basic salaries | 2021-2023 | KJC, Court Presidents | Annual monitoring reports by the KJC do not contain violations of this legal criterion | The KJC regularly monitors the external engagement of judges and currently evidences that there are 5 judges with external engagements, which do not exceed 25% of their basic salaries. This issue is also reflected in the asset declarations made by these judges. | | | | | | |
| 33 | KPC closely monitors the external engagements of prosecutors as well as compensation to ensure the implementation of the legal criterion that the income of prosecutors from external engagements does not exceed 25% of their basic salaries | 2021-2023 | KPC, Chief Prosecutors | Annual monitoring reports by the KJC do not contain violations of this legal criterion | In all cases, the KPC applies the legal criteria under the Law on the State Prosecutor, which prohibits the income of prosecutors from external engagements to exceed 25% of their basic salary. This can also be verified by the property declaration of the prosecutors.  The prosecutor with the approval of the Chief Prosecutor of the prosecution and the Chief Prosecutors of the prosecution offices, with the approval of the Council, participate in activities that are in accordance with the Code of Ethics and the professional conduct of prosecutors, only outside of working hours.  During the year 2023, around 22 prosecutors have been engaged in professional activities, including lecturing at the Academy of Justice. | | | | | | |
| 34 | MoJ, KJC and KPC conduct regular assessments of the effects of the normative framework governing the KJC, KPC, courts, prosecutors' offices on the real and perceived independence of these bodies from any undue influence | 2021-2023 | MoJ, KJC, KPC | Assessments are conducted on an annual basis | With the purpose of harmonizing and updating the sublegal acts and adaptation to the eventual new legal and structural changes, the KPC through its own mechanisms, has planned to analyse the implementation of the sublegal acts in force. As a result, the Committee for Normative Issues has drafted a questionnaire with questions related to the sublegal acts in force and conducted visits to all prosecution offices of the Republic of Kosovo where it received answers from the Chief Prosecutors regarding this issue. As a result of these visits, the Committee has drafted a report with findings and recommendations. | | | | | | |
| 35 | KJC conducts a systematic and independent review of the working practices of courts at different levels to identify the types of risks that affect accountability, taking into account different contexts in which courts operate and the variations of potential challenges due to the level of courts and their location | 2021 - 2023 | KJC | Systematic reviews are conducted | KCJ, based on the legislation in force and in accordance with the Work Plan, through the Unit for Judicial Inspection continuously conducts audit processes addressing the important issues. During this period, this Unit has carried out Inspections with the following topics: Inspection, "Cobra" cases "Basic Court in Prizren, the Report was completed on 25.01.2023;[[31]](#footnote-32); Inspection, "Review of the time factor in sending/receiving court cases according to subject matter and territorial jurisdiction", the report was completed on 17.03.2023; Inspection, "Reasons for expiration of prison sentences, criminal fines and misdemeanour fines due to the statute of limitation", the report was completed on 02.05.2023; Inspection - "Delays in justice for solving the crime against teenagers; Inspection / Inspection report "A. P. (Italian)". | | | | | | |
| 36 | KPC conducts a systematic and independent review of the working practices of prosecutors 'offices at different levels to identify the types of risks that affect accountability, taking into account different contexts in which prosecutors' offices operate and the variations of potential challenges due to the level of prosecutors and their location | 2021 - 2023 | KPC | Systematic reviews are conducted | The Committee for the administration of prosecutions is responsible for the systematic review of the work practices of all prosecutions. During 2023, the Committee held monthly meetings, conducted visits at the prosecutor's office and organized 2 workshops with the support of the EUKOJUST project. At the beginning of 2023, the Committee organized a 2-day workshop for the drafting of the Commission's 2022 annual report and the 2023 work plan. These 2 documents have been drafted in cooperation with the relevant units of the Secretariat and prosecutor's offices in order to reflect the needs of the prosecutorial system.  On March 14, 2023, the Committee established the working group for monitoring the implementation of the Case Management Information System (CMIS) in the prosecutor's offices of the Republic of Kosovo, and appointed the officials responsible for supervision in the prosecutor's office by region. This working group held online meetings with all administrators and made visits to the Prosecutor's Office of Appeal, BP Prishtina, Mitrovica and Prizren. Based on these, reports have been prepared for each prosecutor's office that contain information regarding the comparison of the manual report with the CMIS report. The problems or challenges that have been identified by the respective supervisors of the prosecutions within this working group have been sent to each administrator.  In July 2023, a workshop was held to deal with these reports for CMIS, prosecution infrastructure, security and human resources.  During the month of September 2023, the Committee held a meeting with the Directorate of the Regional Police in Pristina with the purpose of advancing the use of CMIS. Also, a joint meeting was held with the Court Administration Committee. The purpose of this meeting was the detailed discussion of the challenges emerging during the work process of prosecutors and judges in CMIS, and the intensification of the joint commitment of these two committees to facilitate the work activity in this major project of the justice system in Republic of Kosovo. With the Committee proposal, the KPC has established the CMIS user group, which consists of prosecutors from all levels of the prosecutorial system, in KPC, and its activities are specifically included in the annual report of the Council. | | | | | | |
| *Policy measure: Sustainable disciplinary platform for ensuring accountability* | | | | | | | | | | 67% *fully implemented* | |
| 37 | KJC shall establish a tracking mechanism that records complaints about breaches of disciplinary rules, actions taken and progress throughout the investigation phase | 2022 | KJC | This mechanism has been established and is operational | The electronic tracking mechanism for registering complaints for disciplinary breaches has been established and the relevant official in the KJC is entering the data of the procedure where all disciplinary investigations and sanctions against a judge are recorded. Due to confidentiality, only the above-mentioned relevant official has access to this data and register. | | | | | | |
| 38 | Trainings on the new Law on Disciplinary Responsibility of Judges and Prosecutors | 2021 | AoJ, KPC | Trainings delivered | The Academy of Justice, during 2021, has conducted three trainings[[32]](#footnote-33) on professional ethics and the Law on disciplinary responsibility for judges and prosecutors. 75 prosecutors participated. Beneficiaries of these trainings were prosecutors from the Office of the Chief State Prosecutor, SPRK, Appellate and the Basic level. | | | | | | |
| 39 | KJC shall conduct media and information campaigns to raise public awareness of the new legal system of disciplinary responsibility of judges | 2021- 2023 | KJC | Media campaigns implemented, information materials placed in complaint boxes in court buildings and prosecutor's offices premises  Information in ordinary language is posted on the relevant websites" | With the purpose of raising the awareness of citizens, KJC with the support of the Project for Justice-USAID, has distributed informative posters to all courts and branches with information about disciplinary proceedings against judges. These posters outline the concrete steps for filing a disciplinary complaint against a judge and the legal basis why citizens can file this complaint. The posters are mainly placed at the entrance of the court buildings, considering that it is a part accessible by citizens. Additionally, through the link on the KJC website, citizens can Access the complaint form and the legislation in force.[[33]](#footnote-34) | | | | | | |
| 40 | KPC shall conduct media and information campaigns to raise public awareness of the new legal system of disciplinary responsibility of judges and prosecutors | 2021- 2023 | KPC | Media campaigns implemented, information materials placed in complaint boxes in court buildings and prosecutor's offices premises  Information in ordinary language is posted on the relevant websites | There were no campaigns during the reporting period  In the web portal of the prosecutorial system, we have published the law on the disciplinary liability of prosecutors and judges, as well as the corresponding regulation, which clearly defines the procedures for submitting complaints against prosecutors.[[34]](#footnote-35) | | | | | | |
| 41 | KJC shall assess the effectiveness of the new system of accountability of judges after a 3-year implementation period, and shall propose corrective measures to relevant authorities, as appropriate | 2022 | KJC | Assessment completed; corrective measures proposed | This activity has been completed and clarifications were also provided in the 1-year evaluation report. | | | | | | |
| 42 | KPC shall assess the effectiveness of the new system of accountability of prosecutors after a 3-year implementation period, and shall propose corrective measures to relevant authorities, as appropriate | 2022 | KPC | Assessment completed; corrective measures proposed | KPC is part of the working group led by the Ministry of Justice, for the amendment and completion of this Law, where it provides its assessments of the disciplinary system.  Likewise, the KPC is part of the working groups for justice reform in the framework of the joint declaration, where one of the main groups is the one for disciplinary procedures. | | | | | | |
| *Policy measure: Efficient public information mechanisms that provide quick and accurate access to information* | | | | | | | | | 27% *fully implemented* | | |
| 43 | KJC shall adopt guidelines and procedures for handling claims regarding access to public documents, including court decisions and indictments | 2022 | KJC | Procedures for public access to court decisions, indictments, and other documents are clear and publicly available | The KJC has adopted the Regulation on Access to Public Documents, resolving all dilemmas regarding access to public documents. The KJC has addressed all the issues related to this activity in the regulation.[[35]](#footnote-36) It has also appointed the competent officials who deal with this issue. | | | | | | |
| 44 | KPC shall adopt guidelines and procedures for handling claims regarding access to public documents | 2022 | KPC | Procedures for public access to relevant documents and other documents are clear and publicly available | The KPC has adopted the Regulation on Access to Public Documents, which will facilitate the procedural aspect of access to public documents of the prosecutorial system. This Regulation was adopted on 22.12.2023. [[36]](#footnote-37)  The KPC is in the process of preparing and drafting annexes for the implementation of Regulation No. 06.2023 on Access to Public Documents, which include: the decision to allow access to public documents, the decision to partially allow access to public documents, the decision to refuse access to public documents and the request forms for access to public documents in all institutions of the prosecutorial system. The KPC has published the request from for access to public documents [[37]](#footnote-38) on the web portal, as well as the name of the person responsible within the prosecutorial system for access to public documents who can be addressed with the requests that the parties may have.  Access to the Indictment is regulated by Article 237 of the new Code of Criminal Procedure. [[38]](#footnote-39)  Moreover, based on the decisions of the Information and Privacy Agency, the KPC has provided access to the rulings on the dismissal of criminal charges and the rulings on the termination of investigations. | | | | | | |
| 45 | Drafting of instructions for procedures for handling requests regarding access to public documents | 2022 | KPC | Procedures for public access to relevant documents and other documents are clear and publicly available | The KPC has adopted the Regulation on Access to Public Documents, which will facilitate the procedural aspect of access to public documents of the prosecutorial system. This Regulation was adopted on 22.12.2023. [[39]](#footnote-40)  The KPC is in the process of preparing and drafting annexes for the implementation of Regulation No. 06.2023 on Access to Public Documents, which include: the decision to allow access to public documents, the decision to partially allow access to public documents, the decision to refuse access to public documents and the request forms for access to public documents in all institutions of the prosecutorial system. The KPC has published the request from for access to public documents [[40]](#footnote-41) on the web portal, as well as the name of the person responsible within the prosecutorial system for access to public documents who can be addressed with the requests that the parties may have.  Access to the Indictment is regulated by Article 237 of the new Code of Criminal Procedure.[[41]](#footnote-42)  Moreover, based on the decisions of the Information and Privacy Agency, the KPC has provided access to the rulings on the dismissal of criminal charges and the rulings on the termination of investigations. | | | | | | |
| 46 | KJC shall assess their internal capacities to handle applications for access to public documents in accordance with relevant legislation on access to public documents and data protection | 2021 | KJC | Assessments are made and recommendations are given for measures needed to increase the capacity | The KJC has assessed the internal capacity by selecting the heads of the information offices in the KJC and the courts of Kosovo, who, by the decision of the KJC, have simultaneously been appointed officials responsible for access to public documents, and it has also appointed the officials responsible for reviewing requests for protection of personal data. | | | | | | |
| 47 | KPC shall assess their internal capacities to handle applications for access to public documents in accordance with relevant legislation on access to public documents and data protection | 2021 | KPC | Assessments are made and recommendations are given for measures needed to increase the capacity | KPC has conducted an analysis and estimates that it has the necessary capacities to provide access to public documents. In addition, KPC has appointed the person responsible for access to public documents. | | | | | | |
| 48 | KJC shall take the measures recommended from the assessment to increase the capacity to expedite the process of anonymizing court decisions, in order to be published online | 2023 | KJC | Capacity increased, the number of decisions published on court websites has increased | Courts have increased their capacity in order to increase the anonymization and publication of judgments, where the total number has reached 142,359 published judgments. The number of judgments published during the year 2023 is 40502 decisions, while during the period of 2022 35130 decisions. During the year 2023, 5372 more decisions were published comparing to year 2022. | | | | | | |
| 49 | The KJC continues to update the website with essential information for the public, in both official languages ​​including: court decisions published immediately upon receipt; access to analytical and comprehensive reports with information on the processes of appointments, promotions, assessments, disciplinary proceedings, relevant information on the work and activities of the KJC and action plans, the results of regular consultations between the KJC/KPC and courts/prosecution offices on follow-up activities of issues identified through various assessment mechanisms | 2021-2023 | KJC | Functional websites contain such information in both official languages ​​and are easy for the public to use. | The KJC is continuously updating the data on its website where, among other things, it also regularly publishes the court decisions. The decisions of the Council are being published in both official languages and continuous efforts are being made to publish all the data. The KJC has established information offices for the courts, recruiting the heads of these offices. | | | | | | |
| 50 | KPC continues to update the website containing essential information for the public, in both official languages ​​including: prosecutors' decisions are published immediately upon receipt; access to analytical and comprehensive reports with information on appointment processes, promotions, assessments, disciplinary proceedings, relevant information regarding the work and activities of the KPC and action plans, including the results of regular consultations between the KJC/KPC and courts/prosecutors for follow-up activities of issues identified through various assessment mechanisms | 2021-2023 | KPK | Functional websites contain such information in both official languages ​​and are easy for the public to use. | The KPC, with support of the UNDP, has worked intensively to develop the new web portal, which is expected to be launched in the first half of 2024.  Until the new web-portal is fully operational, all processes related to performance evaluation, discipline, recruitment, transfer and promotion of prosecutors, the decisions of the KPC and the SP, annual reports, work plans and other analytical reports, KPC monthly bulletins Albanian, Serbian and English language are published on the current web-portal during this period. [[42]](#footnote-43) Consultative meetings with other institutions are always published through press releases, decisions taken or memoranda. Also, the web-portal is updated on a daily basis with new information that serves to increase transparency and inform citizens. Moreover, the 24-hour report of the SP is published daily, providing insights into decisions of the prosecutor's offices within 24 hours related to filed indictments, received criminal charges, detentions, etc. All drafts of sub-legal acts are published for public consultation before they are put to vote in the KPC.  On September 4, 2023, the Facebook social network and the YouTube channel for the prosecutorial system were launched, funded by the American Embassy in Pristina, carrying out the live broadcasts of the Council's meetings for the public.  Consultative meetings with other institutions are always published through press releases, decisions taken or memoranda.  All drafts of sub-legal acts are published for public consultation before they are put to vote in the KPC.[[43]](#footnote-44) | | | | | | |
| 51 | KJC shall ensure live broadcasting of their regular meetings | 2021 | KJC | Meetings are broadcast live on the KJC website | The KJC by its decision has foreseen the live broadcast of its meetings. Likewise, the meetings of the Assembly of the presidents of the courts are broadcast live. This activity is being implemented regularly. | | | | | | |
| 52 | KPC shall ensure live broadcasting of their regular meetings | 2021 | KPC | Meetings are broadcast live on the KJC website | This activity is foreseen in the Strategic Plan of the Prosecution System 2022-2024.  In order to carry out this activity, KPC is waiting for the functionalization of the new webpage. On the official Facebook page, KPC is broadcasting its meetings.[[44]](#footnote-45)  Likewise, the meetings of the KPC are public and it is possible to follow them through the ZOOM platform, where the link is sent to all the media, civil society and other persons who express interest, in addition to international partners. | | | | | | |
| 53 | Improving the database published in the current court portal to enable readable data in the OCR system, which allows generation of information based on keywords and identifiable criteria | 2021 | KJC | The portal is equipped with information for court hearings, and search engine with the mentioned features | The KJC has continuously upgraded the current judicial portal by making it accessible and easy to generate information based on key words and identifiable criteria. This was done thanks to the officials of the ICT Department at KJC. Also, the Information Office at the KJC has made sure to improve online users' access to promotional materials, how to use the search methods on the portal (videos, posters, brochures, etc.) & increase the use of online services by implemented awareness campaigns for services that can be accessed remotely (videos, posters, brochures, etc.) | | | | | | |
| 54 | The State Prosecutor provides timely access to interested parties regarding decisions to discontinue high-profile prosecutions of high-profile cases, in accordance with applicable law | 2021-2023 | State Prosecutors' Office | Decisions on suspension of criminal prosecution are sent to interested parties in a timely manner | In any case, when the criminal prosecution is suspended, the parties are notified of the Prosecutor's Decision. | | | | | | |
| 55 | KJC, KPC and MoJ shall establish a coordination and cooperation mechanism with civil society organizations, the KCA and the academy, to debate on practices, issues, measures to approve and implement; | 2021-2023 | KJC, KPC, MoJ, CSO, AoJ, KBA | Regular six-month meetings are held with the civil society organizations, chambers and academia | The inter-institutional coordinating body of the Strategy for the Rule of Law and the Steering Committee of the Strategy serve to discuss with civil society, KBA and Academy on various rule of law related issues that derive from this Strategy, and beyond.  Furthermore, within the framework of the Joint declaration for Justice Reform and the Action Plan, the coordinating group and the working groups were established based on the objectives outlined in the plan, represents a fairly consolidated mechanism for inter-institutional cooperation. | | | | | | |
| 56 | KJC, KPC and MoJ shall collaborate to regularly explore the development of public perception of the justice system, through surveys with the public, businesses and other professionals | 2023 | KJC, KPC, MoJ | Regular public surveys with the public, businesses and other professionals are conducted and findings are published | There was no development. | | | | | | |
| 57 | KPC shall draft and approve guidelines for prosecutors' offices and the individual presence of prosecutors on social media platforms, to provide guidance on how prosecutors' offices may be present on social media platforms (type of information that can be shared publicly) and the publicly acceptable online conduct of prosecutors | 2022 | KPC | Guidelines approved | This activity is foreseen in the Strategic Plan of the Prosecution System 2022-2024. This activity was presented in the coordination meeting with development partners (November 2022) where support was requested from donors for its implementation. This activity is planned with the 'EUKOJUST' project. During the reporting period, no activity was undertaken. | | | | | | |
| *Policy measure: Consistent implementation of the Code of Ethics* | | | | | | | | 100% *fully implemented* | | | |
| 58 | The Academy of Justice shall update the ethics training programs for judges and prosecutors and shall provide these trainings regularly, focusing on joint training | 2021 | AoJ, KJC, KPC | Programs updated | In addition to the training for prosecutors, during 2021 the Academy of Justice has carried out a training on the topic of 'Integrity and ethical behaviour' where 15 participants took part: professional associates, legal officers, administrative assistants, clerks, legal secretaries and administrative assistants.  During the year 2022, another training was carried out on that topic, where 17 participants took part: professional associates, legal officer, assistant administrator, referents, finance officers and archive officers.  For the period 2021-2022, there were no trainings for judges on Judicial Ethics. These trainings have already been attended by all the judges, therefore the KJC has assessed that they are not necessary to be an integral part of the training program for 2021 | | | | | | |

**Chapter 1.2 - Increasing the efficiency of the judicial and prosecutorial system**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | | | | | | |
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| *Policy measure: Drafting of a Special Plan for the Prishtina Basic Court* | | | | | | | | 50% *fully implemented* | | | | |  |
| 1 | Carrying out an analysis and assessment of the capacities and efficiency of the Prishtina Basic Court, including caseload, backlog cases, which also provides for a fair distribution of the number of cases to the judges of the Basic Court in Prishtina. | 2022 | KJC | Analysis completed | The analysis has been finalized and the Report has been approved by the Court Administration Committee 2. The plan for the reallocation of cases has been prepared and is in the process of being implemented in the court. This aims to ensure that the judges have approximately the same number of old cases, so that the old and priority cases can be addressed as soon as possible. | | | | | | | |  |
| 2 | Amending the Law on Courts in order to establish and operate a branch of the Basic Court of Prishtina in Fushë Kosovë / Kosovo Polje. | 2022 | MoJ | Branch has been established and is operational | The Law on Courts is in force and the Branch of the Basic Court of Pristina in Fushe Kosove is regulated by this Law on Courts.[[45]](#footnote-46) | | | | | | | |  |
| 3 | Amending the Law on Courts in order to delete the Junik and Shtime branches. | 2022 | MoJ | Adopted Law | The Draft Law on Courts No. 06/L-054 is foreseen in the 2024 legislative plan and the deadline for approval is 28.6.2024 based on the "Joint Declaration of Commitment". | | | | | | | |  |
| 4 | Drafting a Concept Document for civil servants in the administration of courts and prosecution offices. | 2022 | MoJ | Approved Concept Document | The concept document for civil servants in the administration of courts and prosecutions was approved by the Government of the Republic of Kosovo on 26.07.2023.[[46]](#footnote-47) | | | | | | | |  |
| 5 | Drafting of a yearly and three-year plan that contain needs for recruitment and training, and sets rigorous and transparent medium and long-term policies in determining the number of judges and court support staff | 2022 | KJC | Plan adopted | Drafting a one-year and three-year plan that includes recruitment and training needs and defines rigorous and transparent mid-term and long-term policies in determining the number of judges, and support staff for the courts.  The Kosovo Judicial Council in the meeting held on December 27, 2023 adopted both the one-year and five-year work plan, also in the meeting the plan on trainings was approved.[[47]](#footnote-48) | | | | | | | |  |
| 6 | Drafting of a yearly and three-year plan that contain needs for recruitment and training, and sets rigorous and transparent medium and long-term policies in determining the number of prosecutors and support staff | 2022 | KPC | Plan adopted | At the end of each year, the KPC drafts and approves the training policies, and submits them to the Academy of Justice, based on which the training modules are designed. For this period, this document was approved on December 22, 2023 and was sent to the Academy of Justice.  The KPC also through the Committee for the Administration of Prosecutions with the support of the Prosecutors Performance Review Unit, during the reporting period has drawn up the analysis with the needs for the number of new prosecutors, which is based on the caseload, retirements and other vacancies of prosecutors' positions as well as transfers and promotions. This analysis was sent to the KPC and based on it, a vacancy was announced for the recruitment of new prosecutors.  Moreover, the annual budget plans of the Council clearly define the number of positions of prosecutors and staff that we are allowed to recruit with the budget. The council has drawn up and submitted our budget request for 2024 as well as the forecasts for 2025-2027, which also include the plans for positions for prosecutors and staff.  In addition, the Council on an annual basis draws up and approves the Staff Plan, where all the positions and the number of staff that the prosecutorial system has, as well as those that are planned to be recruited, are foreseen. | | | | | | | |  |
| 7 | Provision of specialized management and leadership training for court presidents and supervisory judges’ candidates for management positions | 2022 | AoJ | 2 trainings held within a year | In addition to the training reported in the first half of the year, a training for the management of courts and prosecutions was also carried out in October on the topic: Improving the efficiency of courts based on CEPEJ's instruments and indicators for performance using CMIS's statistical reports and dashboards. Beneficiaries of the training were the Presidents of the Courts, the Chief Prosecutors, the IT officers and Statistics Departments in the Courts and the Prosecutor's Office.[[48]](#footnote-49) | | | | | | | |  |
| 8 | Provision of specialized management and leadership training for chief prosecutors and candidates for management positions | 2022 | AoJ | 2 trainings held within a year | In addition to the training reported in the first half of the year, a training for the management of courts and prosecutions was also carried out in October on the topic: Improving the efficiency of courts based on CEPEJ's instruments and indicators for performance using CMIS's statistical reports and dashboards. Beneficiaries of the training were the Presidents of the Courts, the Chief Prosecutors, the IT officers and Statistics Departments in the Courts and the Prosecutor's Office.[[49]](#footnote-50) | | | | | | | |  |
| *Policy measure: Improvement of data collection and analysis by KJC, KPC, Courts and Prosecution Offices* | | | | | | | | | | *50% fully implemented* | | |  |
| 9 | Provision of specialized management and leadership training for chief prosecutors and candidates for management positions | 2022 | KJC | New statistical module developed; Features of CMIS in accordance with the new statistical module; CMIS enables the collection, processing and publication of all data required by CEPEJ | The statistical module developed is in accordance with CEPEJ requirements.[[50]](#footnote-51) | | | | | | | |  |
| 10 | Enhancement of templates of the annual work plan documents for all prosecution offices and ensuring transparency | 2021 | State Prosecutor | New and coherent templates of work plans are approved | At the beginning of 2023, the Office of the Chief State Prosecutor has prepared the Annual Work Plan, based on this format, prosecutors' offices of all levels prepare their annual work plans.[[51]](#footnote-52) | | | | | | | |  |
| 11 | Continuous and consistent implementation of CMIS in order for the reports to provide quantitative and analytical content and for the public to have access to information on the role and activity of courts and prosecutors' offices. | 2021-2023 | KJC, KPC, Court Presidents, Judges, KPC, Chief Prosecutors and Prosecutors | KJC and KPC reports contain sensational statistical and analytical information | KPC and KJC have signed the cooperation agreement for the implementation of the Transitional Phase (Fourth Phase) of the project Case Management Information System in the courts and prosecutor's offices of Kosovo, which is financed by the Norwegian Government.  KJC: CMIS has been developed and is implemented by all Courts. KJC is continuously advancing it in terms of increasing the quality of data entered into the system by users. With the establishment of the Commercial Court, CMIS was developed and implemented in this court as well.[[52]](#footnote-53)  KPC: Implementation and execution of the ICT/CMIS Project. CMIS is being implemented in all basic prosecutions, the Special Prosecution, the Appellate Prosecution, and, since 2023 we have started implementing the system in the Office of the Chief State Prosecutor.  So far, the electronic exchange has been implemented with the systems of: Civil registry, business registry, Kosovo Police and courts, while the Kosovo Customs and Tax Administration is in the process of implementation  • The Committee for Prosecution Administration has established the Working Group for monitoring the implementation of the Case Management Information System (CMIS) in the prosecutions of the Republic of Kosovo, as well as for increasing the level of data quality in CMIS. In the first six months, visits were made and reports were prepared on the implementation of CMIS for all Basic Prosecutors and the Appeals Prosecutor's Office. The workshop was held on the topic Presentation of reports for monitoring the implementation of CMIS. This workshop was organized by the Committee for Prosecution Administration in cooperation with the EUKOJUST Project and the participants were: Administrators, Heads of the Registry Offices and IT trainers. Action plans have been prepared for the identified findings, and the activities are continuously being monitored.  • Reports have been developed that present the work of the prosecutors related to the received cases, resolved cases, etc., as well as how they are resolved. In addition, in cooperation with the representatives of the CEPEJ project, we are working on the design of new reports that fully reflect the work process in the prosecutor's office.  Regular meetings were held with the Committee for Administration of Prosecutions and all issues related to CMIS were discussed, starting from implementation, data quality, statistical reports, upgrade of CMIS, etc. The activity reports that have been carried out within the framework of CMIS have been continuously presented.  In cooperation with the EUKOJUST Project, a two-day workshop was held on the topic of the implementation of CMIS monitoring. In this workshop, the report for each prosecutor's office was presented regarding the comparison of statistics (manual - CMIS) as well as the problems that were identified.  Continuous monitoring of data quality in CMIS, compilation of reports on findings, coordination with staff for error correction has been carried out continuously.  Meetings were held with the General Directorate of Police and the KJC for the advancement of electronic exchange. While the interoperability of the system between the Customs and the Prosecutor's Office in the process of development. | | | | | | | |  |
| 12 | Raising the human capacities of KJC in relation to the analysis of collected data, aimed at the development of policies based on data | 2022 | KJC | The number of data analysis officers has increased; Officials are trained in data analysis | The KJC is working on the digitization of the work process, which has reduced the time of data collection.  Based on this, the improvement and advancement of performance calculation for courts and judges has been achieved, facilitating the identification of needs and reallocation of human resources based on analysis and findings. However, recognizing the increasing needs of the KJC and the courts for advanced analysis and statistics to further elevate the functionality of the work of the courts, the unit needs to be strengthened with human resources, both numerically and for training.  Raising the human capacity of the KJC in relation to the analysis of collected data, aimed at the development of policies based on data. | | | | | | | |  |
| *Policy measure: Improved case management* | | | | | | | | | *50% fully implemented* | | | |  |
| 13 | Implementing of the CEPEJ recommendation for time management so that the case, in one instance, is resolved within a period of two years from the day of its filling | 2021-2023 | KJC | Cases, in one instance, are resolved within two years of their registration, except in highly complex cases | KJC, based on CMIS data on the duration of cases, has made reports and addressed all findings in KJC meetings, meetings of the Assembly of Court Presidents and, when necessary, with individual courts. This activity is in the process of implementation. | | | | | | | |  |
| 14 | Development of a plan to address delays in proceedings and periods of case inactivity. | 2021 | KJC, Court Presidents | Approved plan which addresses delays and periods of inactivity | This activity is implemented. The KJC continuously publishes 3, 6, 9 monthly and annual statistical reports, reporting the average duration. | | | | | | | |  |
| 15 | Enabling and consistent implementation of automatic case assignment to judges | 2021 | KJC | Cases are assigned immediately and automatically by CMIS | This activity has been implemented and CMIS enables this. | | | | | | | |  |
| 16 | CMIS measured the number of cases returned from the Court of Appeals for retrial to the Basic Courts, in a consistent manner and the KJC publishes this data in their annual reports | 2022-2023 | KJC | The number of cases returned for retrial is known; Number of cases returned for retrial is included in annual reports of the KJC | This activity has been completed, in CMIS, where the statistical data is stored, a column is also included that shows the number of cases returned for retrial. The annual report also contains the number of these cases | | | | | | | |  |
| 17 | The KJC undertakes the necessary regulatory actions and develops the technical features of CMIS to compel judges to include the reason for the delay and/or postponement of the hearing in the CMIS. | 2021 | KJC | The judge is obliged by regulations and features of CMIS to enter the reason for the delay/postponement of the hearing | According to the Decision of the KJC, all judges and the administrative staff of the courts are obliged to use the CMIS, including the obligation to record the reasons for the delay/postponement of the sessions. This issue was discussed and addressed in the Assembly of Court Presidents, where during the reporting of the court presidents, it was established that this activity is being implemented by all courts. In addition, the presidents have committed that they will do continuous monitoring of whether this activity is being implemented. | | | | | | | |  |
| 18 | Court presidents report to the KJC on a quarterly basis on reasons for delays and/or adjournments od sessions | 2021 | KJC | Quarterly reports of the Presidents contain a special section in which it is reported about the reasons for delays | The presidents of the courts report on a regular basis to the KJC, including the quarterly and annual reports, where the reasons for the postponement of the court hearings are also addressed. | | | | | | | |  |
| 19 | Amending the Regulation on performance assessment of judges so that one of the criteria for assessing the performance of Court Presidents is the management of delays/adjournments and reporting on delays/adjournments of hearings | 2022 | KJC | Regulation on performance assessment amended | Regulation no. 13/2022 on performance evaluation of the Presidents of the Courts and supervisory judges was approved by the KJC on 27.12.2022.[[53]](#footnote-54)   Article 10 (1.2.4) includes the criteria related to the efficiency of the court's work, namely the evaluation of the presidents for adjourned and cancelled sessions and the undertaking of measures to avoid adjournments and cancellation of court sessions | | | | | | | |  |
| 20 | Drafting the Concept Document on Judicial and Prosecutorial Expertise | 2022 | MoJ, KJC, KPC | Concept document Approved | Concept Document was approved on March 9, 2022.[[54]](#footnote-55) | | | | | | | |  |
| *Policy measure: Alignment of the commercial legislation* | | | | | | 0% *fully implemented* | | | | | | |  |
| 21 | Establishment of a single working group for reviewing the legislation in the commercial field | 2022 | MoJ, MTI | Committee has been established and is operational | In the process of implementation. On 13.9.2023, the Draft Law on Bankruptcy was adopted by the Government, this issue was also addressed in the process of drafting the relevant concept documents: Concept Document for the Administrative and Labour Court and Concept Document for the Code of Civil Procedure | | | | | | | |  |
| 22 | Conducting legislative impact assessment in the existing legal framework. | 2022 | MoJ, MTI | Assessment completed | There are no developments | | | | | | | |  |
| 23 | Drafting of the Commercial Law Package. | 2023 | MoJ, MTI | Laws are drafted and processed for approval by the Assembly | The Draft Law on Bankruptcy, after approval in the Government, has been processed in the Assembly.[[55]](#footnote-56) | | | | | | | |  |
| *Policy measure: Establishment of the Commercial Court* | | | | | | | 75% *fully implemented* | | | | | |  |
| 24 | Drafting the Law on Commercial Court. | 2021 | MoJ | Law on Commercial Court adopted | The Law on the Commercial Court was approved in January 2022, and after the decree was published in the Official Gazette in February 2022.[[56]](#footnote-57) | | | | | | | |  |
| 25 | Adjustment and reorganization of the Commercial Court budget | 2021 | KJC | The approved budget addresses the infrastructural needs of the new Commercial Court | In 2023, the budget for the Commercial Court was allocated, although not sufficient. The KJC has completed this activity successfully, within the possibilities of the budget | | | | | | | |  |
| 26 | Training of judges in specialized commercial fields | 2021-2023 | AoJ | 9 trainings delivered during the year. | 10 trainings have been delivered in the commercial field, with the participation of judges and professional associates, with the following topics: Implications in practice of the Law on Business Organizations[[57]](#footnote-58); Enforcement procedure-authorization of enforcement; [[58]](#footnote-59) Arbitration; [[59]](#footnote-60) Understanding the banking industry, insurance and financial institutions; [[60]](#footnote-61)  Contracts on construction; Implementation and specifics of international instruments, EU Directives and Regulations on commercial and customs matters, [[61]](#footnote-62) and one on the topic: Overview of the specifics of the ICT industry, licensing and property rights[[62]](#footnote-63); as well as Recognition and execution of foreign judicial and arbitration decisions. [[63]](#footnote-64) | | | | | | | |  |
| 27 | Training of support staff in specialized commercial fields | 2021-2023 | AoJ | 9 trainings delivered during the year. | 10 trainings have been delivered in the commercial field, with the participation of judges and professional associates, with the following topics: Implications in practice of the Law on Business Organizations;[[64]](#footnote-65) Enforcement procedure-authorization of enforcement.;[[65]](#footnote-66) Arbitration;[[66]](#footnote-67) Understanding the banking industry, insurance and financial institutions;[[67]](#footnote-68) Contracts on construction; Implementation and specifics of international instruments, EU Directives and Regulations on commercial and customs matters,[[68]](#footnote-69) and one on the topic: Overview of the specifics of the ICT industry, licensing and property rights;[[69]](#footnote-70) as well as Recognition and execution of foreign judicial and arbitration decisions.[[70]](#footnote-71) | | | | | | | |  |
| *Policy measure: Effective ADR mechanisms tailored to the size and needs of the business* | | | | | | | | | | | *50% fully implemented* | |  |
| 28 | Launching of arbitration awareness and advocacy campaigns for specific sectors or business activities | 2021-2023 | Chambers of Commerce, MoJ, MTI | Awareness campaign conducted | There are no developments. | | | | | | | |  |
| 29 | Awareness-raising activities to promote the inclusion of arbitration clauses in business contracts that include the enforcement of high-risk, time-sensitive activities | 2021-2022 | Chambers of Commerce, MoJ, MTI | One awareness media campaign within a year, which targets businesses; One roundtable discussion with businesses within the year. | Kosovo Chamber of Commerce and the American Chamber of Commerce of Kosovo with the support of the USAID Program "Commercial Justice", during 2021 have carried out awareness activities about arbitration and the importance of inclusion of arbitration clause in contracts and these are going on in 2022.  From January 2021 to June 2022, 13 roundtables for arbitration were held. 7 were held during the year 2021, and 6 are from January 2022 to June 2022.  In order to measure the result of these awareness activities, the following data are presented:  1. According to the 2021 study, the number of clauses for Alternative Dispute Resolution Mechanism is  increased from 21% (2019-baseline study) to 35% (2021 study).  2. Awareness about arbitration institutions has increased from 17% (2019-baseline study) to 35% (2022 study). These activities will continue to be carried out in 2022 and the following years. | | | | | | | |  |
| 30 | Training of mediators, education of court staff and mediation officers for case referral | 2021 | AoJ | Trainings conducted | In the reporting period, 3 regional training sessions [[71]](#footnote-72) for mediation were held, which included judges, administrative staff from the courts and prosecutor's offices, lawyers, etc.  In addition to the trainings, in the reporting period, two training sessions were held within the Program for the training of trainers in the field of mediation.[[72]](#footnote-73) | | | | | | | |  |
| 31 | Strengthen the special division for oversight of free professions in the MoJ, with human resources for proper oversight of the mediation profession. | 2022 |  | MoJ has special oversight for mediation | The vacancy for 2 officers in the Division for Overseeing the Legality of the Work of Free Legal Professions. | | | | | | | |  |
| *Policy measure: E-Justice and data interconnectivity* | | | | | | | | | | | | *0% fully implemented* |  |
| 32 | Functionalization of the CMIS feature to enable electronic court summonses (service) to parties and their representatives | 2023 | KJC | The CMIS feature is functional; The parties are summoned to hearings electronically | The KJC has so far signed an MoU with the State Advocacy and the Municipality of Prishtina for serving the summons for legal hearings in electronic form. This activity is in the process of implementation. It will be foreseen in the Civil Procedure Code. | | | | | | | |  |
| 33 | Publication of a monthly electronic court bulletin for companies that have applied for insolvency or bankruptcy. | 2022 | KJC | Monthly electronic public bulletins | In the process of implementation. | | | | | | | |  |
| 34 | Development of an interconnected data exchange platform between KBRA, tax and customs authorities, procurement bodies, and judiciary. | 2023 | KBRA, TAK, Procurement Bodies, courts | Platform is operational | In the process of implementation. | | | | | | | |  |

**Chapter 1.3 - Increasing professionalism**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | | |
|  |
| *Policy measure: Strengthening the institutional and legislative framework for professional development* | | | | | | *0% fully implemented* | | |  |
| 1 | Drafting a Concept Document on the need for a special law on the status of judges and prosecutors, which defines the duties and responsibilities of judges and prosecutors, all instruments and career development opportunities, and clarifies the competencies between the KJC, KPC and AJ. | 2022 | MoJ, KJC, KPC, AoJ | Concept Document on the status of judges and prosecutors approved. | As part of the work of the judicial reform working groups, modalities related to regulation of the status of judges and prosecutors are being discussed. | | | |  |
| *Policy measure: Harmonisation of the provided trainings for professional development with the needs of the justice sector* | | | | | | | 53% *fully implemented* | |  |
| 2 | Develop a Human Resources Strategic Plan (HRP), which includes recruitment and training needs. | 2021-2023 | KJC | Strategic Plan for Human Resources approved. | The KJC has approved the employment plan, which includes the need for recruitment and training[[73]](#footnote-74) | | | |  |
| 3 | Develop a Human Resources Plan Strategic (HRP), which includes recruitment and training needs. | 2021-2023 | KPC | Strategic Plan for Human Resources approved. | The human resources plan for 2023 was approved at the KPC meeting on February 23, 2023 by the decision of the KPC.no. 193/2023. On October 13, 2023, the completion/amendment of the Personnel Plan was approved with the decision KPC/no. 775/2023. While the training policy document for prosecutors and administrative staff of the prosecutorial system for the year 2024 was approved on December 22, 2023 and was sent to the Academy of Justice. | | | |  |
| 4 | Training Impact Assessment on the judicial system conducted in the last 3-5 years. | 2022 | AoJ, KJC | Assessment conducted. | It continues to be challenging, as it is not being fully supported initially with the pre- and post-training questionnaire on the spot. It remains to be addressed further. An even more active commitment of the trainer is needed in this process, as required by the Trainer's Manual. | | | |  |
| 5 | Training Impact Assessment on the prosecutorial system conducted in the last 3-5 years. | 2022 | AoJ, KPC | Assessment conducted. | It continues to be challenging, as it is not being fully supported initially with the pre- and post-training questionnaire on the spot. It remains to be addressed further. An even more active commitment of the trainer is needed in this process, as required by the Trainer's Manual. | | | |  |
| 6 | Automatic assignment of cases based on the expertise of the judge, when possible | 2023 | KJC | The automatic random case assignment system contains judge's profile information and enables case assignment taking into account this expertise. | The KJC has approved the criteria for the automatic and equal allocation of cases to judges according to the departments where they work. In the general department, civil division, domestic violence cases are assigned to the judge according to his/her expertise. | | | |  |
| 7 | Development of training plans for areas that have been identified as deficient for judges during the performance assessments in the justice sector and based on surveys of Training Needs Assessment conducted online by the Academy | 2021 | AoJ | Training Plans developed. | In 2022, Training Plans have been drawn up based on the assessment of training needs which have been identified by the assessment mechanisms and mainly with the identified training needs for judges in the relevant departments.[[74]](#footnote-75)  For each year, the AoJ develops training plans that reflect the requirements from the training needs assessment process. All actors of the judiciary are involved in this process. The Academy published the annual training program for 2023 on its website on November 25, 2022. [[75]](#footnote-76) The training plans were delivered to judges and prosecutors at least 3 weeks before the training in order to coordinate the training with the work processes in the prosecution and from their representatives. Lists of candidates were prepared and invitations, agendas, and other training details were sent out. | | | |  |
| 8 | Development of training plans for areas that have been identified as deficient for prosecutors during performance assessments in the sector of justice and based on surveys of Training Needs Assessment conducted online by the Academy | 2021 | AoJ | Training Plans developed. | In 2022, the Training Plans have been drawn up based on the assessment of the training needs, which have been identified by the assessment mechanisms and mainly with the identified training needs for the prosecutors in the relevant departments.[[76]](#footnote-77)  For each year, the AoJ develops training plans that reflect the requirements from the training needs assessment process. All actors of the judiciary are involved in this process. The Academy published the annual training program for 2023 on its website on November 25, 2022.[[77]](#footnote-78) The training plans were delivered to judges and prosecutors at least 3 weeks before the training in order to coordinate the training with the work processes in the prosecution and from their representatives. Lists of candidates were prepared and invitations, agendas, and other training details were sent out. | | | |  |
| 9 | Conduct training needs analysis of court and prosecution support staff | 2022 | AoJ | Compiled analysis; The analysis clearly identifies staff training needs. | In September 2022, the Academy of Justice held meetings [[78]](#footnote-79) with the administrators of the courts and prosecutor's offices in order to assess the training needs of the support staff of the courts and prosecutor's offices. In addition to the meetings, the proposals from the training needs assessment forms after each training session held during 2022 were also taken into consideration.  The proposals from these mechanisms have served during the drafting of the training curriculum for 2023. | | | |  |
| 10 | Develop training plans for areas that have been identified as common shortcomings of court and prosecution support staff | 2023 | AoJ | Plans designed and planned in the AoJ calendar | As a result of the training needs for the support staff of both courts and prosecutions, and the priorities of the KJC and KPC, the training plan for professional associates and legal officers of the courts and prosecutions has been designed. Based on the training calendar, the trainings have been delivered since April and continuing until June 21 trainings were delivered in the criminal field covering the basic training module - material and procedural aspect, and 8 trainings covering the civil module - material and procedural aspect.[[79]](#footnote-80) The same sessions were followed in June, but with other groups of professional collaborators. Similar to judges and prosecutors, training plans for professional associates, legal officers and other support staff that have been approved in advance have been shared with court and prosecution administrators and beneficiaries depending on the training module/curriculum. In the second half of the year, about 34 days of training for professional associates, legal officers and other support staff have been planned, while three two-day trainings have been added especially for professional associates as a result of support from the Western Balkans Rule of Law Initiative (WBROLI). | | | |  |
| 11 | Design a new special training curriculum for Court Presidents and Chief Prosecutors, with a focus on advancing their managerial and other skills necessary for their leadership positions | 2022 | AoJ | Approved curriculum | The training curriculum has been designed. | | | |  |
| 12 | Provision of specialized training for judges in areas identified as shortcomings in performance appraisal. | 2021-2023 | AoJ | Judges trained | There were no requests from the KJC for mandatory training, resulting from the evaluation of judges' performance; therefore, there was no mandatory training for judges. | | | |  |
| 13 | Provision of specialized training for prosecutors in areas identified as shortcomings in performance appraisal. | 2021-2023 | AoJ | Prosecutors trained | A mandatory training for a prosecutor was delivered as per the decision of the KPC. The training was delivered in accordance with the Protocol for mandatory training for prosecutors with poor performance. The Academy forwarded a report to the KPC containing the results of the prosecutor’s performance in the training. Aside from this training, there were no other requests from KPC. | | | |  |
| 14 | Advancing and enriching online resources for professional development of justice sector staff. | 2021 | AoJ | Online resources enriched. | The Academy has continued its subscription for this year to the Association of Electronic Libraries, which as a result continues to have databases with various legal sources. In the reporting period, the electronic library of the AoJ has been enriched with various legal materials from the trainings of the AoJ.[[80]](#footnote-81) | | | |  |
| 15 | Further specialization of Supreme Court judges in the field of human rights and ECtHR practice. | 2021-2023 | Supreme Court, AoJ | 2 trainings/seminars/study visits conducted during the year. | ECHR as well as the national legal framework in cases of discrimination and the relation with other laws with an emphasis on the Labour Law and the Law on Contested Procedure. This training was attended by 21 judges, 3 of them from the Special Chamber of the Supreme Court, 2 from the Court of Appeal and 16 others from the basic courts level from all regions of Kosovo.    https://ad.rks-gov.net/media/Buletini%20Informativ/2023/bultetor2023shq\_\_.pd ( Faqe-14)    Meanwhile, a training on the topic of the Right to freedom and security - the implementation of Article 5 of the ECHR and the role of the Supreme Court - was delivered. However, judges from this court did not participate in this training, rather, attendees were from the lower instances. | | | |  |
| 16 | Review of AoJ programs to find cases of domestic violence in order to advance them | 2022 | AoJ | Revised program; Recommendations for program change approved by AoJ | During 2021, the Training Program regarding Domestic Violence was revised. In the training curriculum for the year 2022, domestic violence trainings have moved to a specialized program.[[81]](#footnote-82) As a result of this revision, during the year 2022, the implementation of trainings has started. | | | |  |
| *Policy measure: Kosovo Academy of Justice responding to the needs of justice sector* | | | | | | | | 70% *fully implemented* |  |
| 17 | Drafting the Concept Document for the Academy of Justice which, among other things, provides clear rules for all types of training, gives AoJ the possibility to issue internal regulatory acts, regulates the competence of governing bodies, committees and deals with its internal organization | 2022 | MoJ | Approved Concept Document | Concept Document has been drafted.[[82]](#footnote-83) | | | |  |
| 18 | Allocation of a larger budget for the AoJ, in order to enable the restructuring and engagement of a higher number of permanent trainers. | 2023 | Government Assembly | AoJ budget increased. | It was addressed in the framework of the Concept Document for the Academy of Justice, and it is planned to be addressed during the drafting of the Law. | | | |  |
| 19 | AoJ shall conduct an analysis on the need for specialization of judges and prosecutors, in cooperation with the KJC and KPC. | 2021 | AoJ, KJC, KPC | Analysis conducted. | Based on the legislation in force, the KJC and the KPC hold exclusive competence in analysing the human resources and the capacities of the judiciary and the prosecution, since according to the mandate they decide on the number of judges/prosecutors in each jurisdiction, for promotion, transfer and also for the training. The Academy of Justice, based on its mandate, conducts the assessment of the training needs of judges and prosecutors and, on the basis of this assessment, designs training programs tailored to their work functions and tasks in order to raise and strengthen professional capacities and improve the quality of work in court and prosecutor. This process was carried out together with the actors of the judiciary and the prosecution, and evidently, both during the assessment and during the implementation of the trainings, the need for profiling of judges and prosecutors was noted, but in this regard, based on the powers according to the law, the AoJ can have a supporting role, and to support them with programs especially for these categories, in case the relevant institutions need specialized staff, respectively profiled staff. | | | |  |
| 20 | Signing of a Memorandum of Cooperation to enable the exchange of information between the AoJ, KJC, and KPC and to ensure coordination mechanisms in the training of judges and prosecutors. | 2021 | KJC, KPC, AoJ | Memorandum of Cooperation signed. | The database has already been consolidated with the requirements regarding interoperability and the possibility of exchanging information. It is expected to be operationalized and to facilitate the exchange of information, especially with the Committee for performance evaluation, the presidents of the courts, and the chief prosecutors of the prosecutions | | | |  |
| 21 | Use of modern equipment (intelligent panels) during and after trainings, to assess the knowledge of trainees and their ability to attend (or not) more advanced modules. | 2021 | AoJ | Training process and training evaluation modernized. | In 35 trainings for which the questionnaire was implemented before and after the training, only two of them used the devices or intelligent panels. These were used in the specialized trainings on the subject of PST Domestic Violence February 14-15, 2023 and PST Cybercrime and Cryptocurrencies - Session I. | | | |  |
| 22 | Expanding of the training program to include IT modules, English language, ECHR jurisdiction and social sciences. | 2021 | AoJ | Training Program expanded. | The training program for 2023 includes training modules, within the scope of all departments and divisions of courts and prosecutors. In addition, they also include training modules related to communication skills, the use of CMIS, audio-video systems and for witness protection systems, legal English, training on the ECHR. Some of these trainings are also integrated into the platform.[[83]](#footnote-84) All the trainings planned according to the offered program have been delivered. | | | |  |
| 23 | The Concept Document on the Academy examines the issue of potential conflict of interest when the Management Board and the Program Council decide on the annual training program, who later lecture on the same program modules, benefiting financially from them. | 2022 | AoJ | Conflicts of interest avoided. | The Steering Committee of the Academy, on March 8, 2021, has decided to prevent conflict of interest in the exercise of public function, for the members of the Management Board and Program Council of the AJ, to prevent them from simultaneously exercising the function of trainer in the AoJ.[[84]](#footnote-85)  Moreover, as a result of the requirements of the Law on Prevention of Corruption, AoJ has drawn up and approved the Integrity Plan, which will be implemented and monitored to avoid any breach of integrity. | | | |  |
| 24 | Publication of regularly updated list of permanent trainers, temporary trainers, and mentors. | 2021 | AoJ | Trainers List updated every 6 months, published. | Following the completion of the recruitment process of trainers, through the open public and competitive competition, the list of trainers has been approved by the KD and the same has been published on the website of the AoJ.[[85]](#footnote-86) | | | |  |
| 25 | Publication of regularly updated list of permanent trainers, temporary trainers, and mentors. | 2021 | AoJ | Trainers List updated every 6 months, published. | During the year 2023, 7 trainings of trainers were carried out on the following topics: 2 training sessions of 3 days for Mediation[[86]](#footnote-87);  Organized crime and corruption;[[87]](#footnote-88)  Certification of Trainers Training (OPDAT);[[88]](#footnote-89)  Training for the trial of corruption cases, one for the reasoning of court decisions and one on the HELP methodology. [[89]](#footnote-90)  These trainings have been supported by donors such as INL, CEELI and OPDAT | | | |  |
| 26 | Defining of strict and clear criteria for the selection of mentors and trainers. | 2021 | KJC, AoJ, MoJ | Criteria for selecting mentors and trainers are defined by law. | AoJ in cooperation with the KJC and with the support of the 'EUKOJUST' Project have drawn up the Regulation, which contains clear criteria for trainers and mentors.[[90]](#footnote-91) | | | |  |
| 27 | Defining of strict and clear criteria for the selection of mentors and trainers. | 2021 | KPC, AoJ, MoJ | Criteria for selecting mentors and trainers are defined by law. | AoJ in cooperation with the KJC and with the support of the 'EUKOJUST' Project have drawn up the Regulation, which contains clear criteria for trainers and mentors.[[91]](#footnote-92) | | | |  |

**Chapter 1.4 - Increasing the integrity of judges and prosecutors**

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| *Policy measure: Training of the KJC and KPK to maintain judicial integrity* | | | | | | | 0% *fully implemented* | | |
| 1 | Amend and supplement the Law on the Kosovo Judicial Council so that additional qualitative criteria are foreseen for judges with a permanent mandate to become members of the KJC | 2022 | MoJ KJC | Law on Amending and Supplementing the Law on the Kosovo Judicial Council adopted. | Drafting of the Draft Law is related to the "Joint Declaration" and is first on the legislative agenda for 2024 | | | | |
| 2 | Promotion of non-judicial applications for KJC membership. | 2021-2023 | KJC | At least one roundtable discussion attended yearly with KBA, Faculty of Law and CSOs. | During the organization of the annual conference in the meeting with the media, this issue was also addressed. Due to the fact that there were no open positions, it was not considered necessary to organize the roundtable. | | | | |
| 3 | New Regulation of the KJC on the recruitment, examination, appointment and reappointment of judges, enables inclusion of non-judge members in the KJC, as a member of Recruitment Commission | 2022 | KJC | New contains these elements. | With the decision of the Kosovo Judicial Council, KJC.no.190/2023 dated 18.05.2023, it was decided on the composition of the Commission for the recruitment of judges of the basic courts in Kosovo.  This composition includes a non-judge member of the KJC, Vilard Bytyqi. During the discussion regarding the appointment of Mr. Bytyqi, the KJC took into account the implementation of this activity. The non-judge member participated during the entire process of appointment of judges. | | | | |
| 4 | Amending and supplementing the Law on the Kosovo Prosecutorial Council in order to facilitate the criteria for the appointment of non-prosecutor members in the KPC. | 2022 | MoJ KPC | Law on Amending and Supplementing the Law on the Kosovo Prosecutorial Council adopted. | The draft law with the amendments made has been approved by the government and is currently being considered and approved by the Assembly.[[92]](#footnote-93) | | | | |
| 5 | Amend and supplement the Law on the Kosovo Prosecutorial Council so that only candidates who have not been politically active for the last three years can be considered for membership in the KPC. | 2022 | MoJ KPC | Law on Amending and Supplementing the Law on the Kosovo Prosecutorial Council adopted. | The draft law with the amendments made has been approved by the government and is currently being considered and approved by the Assembly.[[93]](#footnote-94) | | | | |
| 6 | Amend and supplement the Law on KJC so that only candidate that were not politically active for the past three years are considered for membership for KJC. | 2022 | MoJ, KJC | Law on Amending and Supplementing the Law on the Kosovo Judicial Council adopted. | Drafting of the Draft Law is related to the "Joint Declaration" and is foreseen in legislative agenda for 2024. | | | | |
| 7 | Amend and supplement the Law on the Prosecutorial Council of Kosovo in order to define additional specific qualitative criteria for prosecutors with a permanent mandate who can be members of the KPC. | 2022 | MoJ KPC | Law on Amending and Supplementing the Law on the Kosovo Prosecutorial Council adopted. | The draft law with the amendments made has been approved by the government and is currently in the Assembly for the review and adoption. [[94]](#footnote-95) | | | | |
| 8 | Promotion of non-judicial applications to join the KPC | 2021 | KPC | At least 1 roundtable discussions conducted during 2021 with the KBA, law faculties and civil society. | There was no development. | | | | |
| 9 | Drafting a written instruction for prosecutors for the voting of future members of the KPC according to merit and capacity. | 2022 | KPC | Approved instruction. | Currently, the KPC has the regulation for the election of the prosecutor members of the KPC, which clearly introduces the procedures for voting and selection of the prosecutor members of the KPC.[[95]](#footnote-96)  Due to the ongoing amendment process of the Law on the KPC, and the main points affected are specifically the election of members, the KPC is currently unable to initiate the drafting of any act related to these issue. | | | | |
| *Policy measure: Recruitment, promotion and transfer of judges and support staff based on competence* | | | | | | | | | 45% *fully implemented* |
| 10 | Drafting a sub-legal act, which defines the procedure for maintaining the confidentiality of all parts of the exam for the selection of new judges. | 2021 | KJC | Approved sub-legal act. | Maintaining the data confidentiality is addressed within the current Regulation on the recruitment and this issue is being implemented meticulously, which is proven by the last process of recruitment of candidates for new judges carried out during 2022.[[96]](#footnote-97) | | | | |
| 11 | Amending the sub-legal act to advance the procedure for maintaining the confidentiality of all parts of the exam for the selection of new prosecutors. | 2021 | KPC | Approved sub-legal act. | The new Regulation no. 02/2022 on the Recruitment, Examination, Appointment and Re-appointment of State Prosecutors has advanced the procedure for maintaining the confidentiality of all parts of the exam for the selection of new prosecutors. | | | | |
| 12 | The sub-legal act which is proposed to be drafted (the point above in KJC) provides for the construction of a secure base of questions for the qualification test and the written test with automatic selection of questions for the selection of new judges. | 2021 | KJC | Approved sub-legal act. | Regulation No. 03/2021 for the recruitment, examination, appointment and reappointment of judges adopted by the Council during 2021, determines all procedures, including the procedures and the way of drafting the questions and the qualifying test for new judges. The entire procedure held for the qualifying test in accordance with the regulation was monitored and is being monitored by international and local organizations, including civil society. They were satisfied with this procedure and had no remarks or suggestions.[[97]](#footnote-98) | | | | |
| 13 | Advancing the secure database of questions for the qualification test and the written test with automatic selection of questions for the selection of new prosecutors. | 2021 | KPC | The secure database of questions is functional | According to the new KPC Regulation on the recruitment of prosecutors, the secure database of questions has improved, because the test is compiled on the day of the exam.  A test module has been developed within electronic system for managing prosecutor’s files, which enables automatic selection of questions for qualification test, and upon completion, candidates are notified of their scores. The system is fully operational and ready for implementation.  During the last recruitment process for State Prosecutor, this system was not utilized due to the high number of applicants, and we were unable to provide the necessary equipment (laptops) for all candidates. | | | | |
| 14 | The sub-legal act which is proposed to be drafted (the point above in KJC), defines the structured methodology for the evaluation of the written test which includes the use of model answers supported by a matrix of results. | 2021 | KJC | Approved sub-legal act. | With the entry into force of Regulation No. 03/2021 on the recruitment, examination, appointment and reappointment of judges, adopted by the Council during 2021, all completed processes of the KJC have received positive evaluations from both local and international organizations[[98]](#footnote-99) | | | | |
| 15 | Advance the structured methodology for the evaluation of the written test, which includes the use of model answers supported, by a matrix of results. | 2021 | KPK | New methodology is functional | According to the new KPC Regulation, model answers are used for the qualification test, while for the written test there is a special unique form that specifies the way the test will be evaluated in detail and what is expected from the candidates' answers, since they are written. | | | | |
| 16 | The sub-legal act which is proposed to be drafted (above in the recommendation for the KJC) foresees assessment methodology based on competence (competency-based questioning) and, among other things, the concept of role play in the process of selecting of new judges, where a candidate faces real-life problems as part of testing of the selection criteria. | 2021 | KJC | Approved sub-legal act. | The current regulation does not provide for this methodology.  With the entry into force of Regulation No. 03/2021 on the recruitment, examination, appointment and reappointment of judges, adopted by the Council during 2021, all completed processes of the KJC have received positive evaluations from both local and international organizations[[99]](#footnote-100). | | | | |
| 17 | The sub-legal act which is proposed to be drafted (above in the recommendation for the KPC) foresees assessment methodology based on competence (competency-based questioning) and, among other things, the concept of role play in the process of selecting of new judges, where a candidate faces real-life problems as part of testing of the selection criteria. | 2021 | KPC | Approved sub-legal act. | The new KPC Regulation envisages the assessment based on competence during the oral interview (Article 27). | | | | |
| 18 | Draft a new Regulation on the recruitment, examination, appointment and reappointment of judges | 2022 | KJC | New Regulation on recruitment, examination, appointment and reappointment of judges adopted. | The Regulation on recruitment was adopted in 2021, while the Regulation no. 08/2022 on the transfer of judges was adopted by the KJC on 28.07.2022.[[100]](#footnote-101) | | | | |
| 19 | New regulation on recruitment, examination, appointment and reappointment of judges establishes an engagement procedure for monitoring all stages of the recruitment process. | 2022 | KJC | New Regulation contains these elements. | The new regulation on the recruitment, promotion, appointment, reappointment and transfer of judges, among other things, establishes an engagement procedure for monitoring all stages of the recruitment process. | | | | |
| 20 | The Council invites international partners and CSOs to monitor all stages of the recruitment process. | 2021  -  2023 | KPC | Invitation by the Council is made public | During the reporting period, there was no recruitment process.  However, in each recruitment process, as previously reported, the Council invites international partners and civil society organizations to monitor all stages of the recruitment process. This was also done during the last recruitment process, which can be proven by the publication of the KPC annual report. | | | | |
| 21 | Draft a new Regulation on recruitment, appointment and reappointment of prosecutors | 2022 | KPC | New Regulation on recruitment, adopted. | The new Regulation no. 02/2022 on the Recruitment, Examination, Appointment and Re-appointment of State Prosecutors was adopted on 27.06.2022.[[101]](#footnote-102) | | | | |
| 22 | New Regulation on recruitment, appointment and reappointment of prosecutors provides for the possibility of including non-prosecutor members in the appointment commissions. | 2022 | KJC | New Regulation contains these elements. | This activity is addressed in the new Regulation on recruitment, adopted in 2022 (Article 7.3). | | | | |
| 23 | Develop operational instructions for all new and old REC members. | 2022 | AoJ, KJC | Operational instructions approved. | Currently, the operational aspects of the members of the Recruitment Commission are guided according to the procedures of the Regulation on recruitment, while the annexes/forms of the Regulation serve to guide the Commission. | | | | |
| 24 | Providing initial and ongoing training to all new and old REC members. | 2021-2023 | KJC | Trainings held. | **AoJ:** The implementation of this activity depends entirely on the request and readiness of the members of the KJC. The implementation of this measure poses a challenge for the Academy, since the training programs that have been developed in collaboration with the actors of the judiciary and the prosecution, are exclusively aimed at increasing the professional capacities in the exercise of the duty of the judge and other legal functions that are beneficiaries of the trainings according to the Law on AoJ. Given these circumstances and the lack of practical experience for this type of training, the AoJ is engaged in finding expertise and the possibility of donor support. | | | | |
| 25 | New KJC Regulation on the recruitment, examination, appointment and reappointment of judges provides for an extended mandate of REC members. | 2022 | KJC | New Regulation contains these specific elements. | With the entry into force of Regulation No. 03/2021 on the recruitment, examination, appointment and reappointment of judges, adopted by the Council during 2021, all completed processes of the KJC have received positive evaluations from both local and international organizations. | | | | |
| 26 | New KJC Regulation on the process of recruitment, appointment and reappointment of prosecutors determines the objective and comprehensive list of criteria for decision-making according to which KJC may refuse to implement the recommendations of the Appointments Commission and the obligation of KJC to justify in writing the refusal of the Commission recommendations. | 2022 | KPC | KJC gives written justification when rejecting recommendations of the Commission. | There are no developments. | | | | |
| 27 | New KPC Regulation on the process of recruitment, appointment and reappointment of prosecutors determines the objective and comprehensive list of criteria for decision-making according to which KPC may refuse to implement the recommendations of the Appointments Commission and the obligation of KPC to justify in writing the refusal of the Commission recommendations. | 2022 | KPC | New Regulation amending and supplementing the Regulation (02/2013 on recruitment, appointment and reappointment of processors, approved. | This activity was not addressed in the new KPC Regulation on Recruitment. | | | | |
| 28 | Amend and supplement the Law on the KJC to provide for the possibility of appeal to the Supreme Court, with an expedited procedure, for candidates dissatisfied with the final decision on appointment by the KJC. | 2022 | MoJ, KJC | Law on KJC amended. | The Draft Law on amending and supplementing the Law on the Kosovo Judicial Council is provided for in the Legislative Program for the year 2023. | | | | |
| 29 | Amend and supplement the Law on the KPC to provide for the possibility of appeal to the Supreme Court, with an expedited procedure, for candidates dissatisfied with the final decision on appointment by the KPC. | 2022 | MOJ, KPC | Law on KPC amended. | The Draft Law with the amendments made has been approved by the government and is currently being reviewed and adopted by the Assembly. | | | | |
| 30 | Drafting operational guidelines for the committee tasked managing the process of appointing prosecutors. | 2021 | KPC | Operational Guidelines adopted. | The new adopted regulation provides for the forms for each step of the recruitment process, while the drafting of instructions for the committee is planned. | | | | |
| 31 | Advancement of templates for the recruitment committee for the evaluation of candidates, with a particular focus on the interviews | 2021 | KPC | Templates updated | In the annexes of the new KPC Regulation for the recruitment of prosecutors, the templates for evaluation of candidates are defined. | | | | |
| 32 | Specialized training for the committee members | 2021 | KPC | Delivered trainings. | During the reporting period, there was no recruitment process and according to the regulation, the commission is established when the recruitment vacancy is announced. | | | | |
| 33 | Amending and Supplementing the Regulation on the transfer and appointment of judges in order to determine the objective criteria for the evaluation of candidates, knowledge, skills and experience in exercising the specific role to which they want to transfer. | 2022 | KJC | Regulation amending and supplementing the Regulation on the transfer and appointment of judges, adopted. | Regulation No. 08/2022 on the Transfer of Judges was adopted by the KJC on 28.07.2022.[[102]](#footnote-103)  The specific required criteria according to this activity are included in Article 8 of the Regulation. | | | | |
| 34 | Amending and Supplementing the Regulation on the selection, appointment, evaluation, suspension and removal of presidents of courts and supervisory judges in order to determine the leadership and managerial skills required for the position of President of the Court which will be tested during the interview. | 2022 | KJC | New Regulation on the selection, appointment, evaluation, suspension and removal of presidents of courts and supervisory judges, adopted. | Regulation no. 12/2022 on the selection, appointment, suspension and dismissal of Presidents of Courts and supervising judges was adopted on 27.12.2022 by the KJC.[[103]](#footnote-104)  The criteria related to leadership and managerial skills are defined in Article 8. | | | | |
| 35 | Amending and supplementing the Law on State Prosecutor in order for the process for the appointment of the DCSP to be an objective process, based on competence, open, fair and competitive. | 2022 | MJ KPC | Law on Amending and Supplementing the Law on State Prosecutor adopted. | It has been implemented. The Law on the State Prosecutor has been adopted and published in the Official Gazette.[[104]](#footnote-105) | | | | |
| 36 | Amending and supplementing the Regulation (08/2016) on the appointment of Chief Prosecutors in order to clarify the methodology to be used for the evaluation of candidates for the position of CP, including a reasoning for scoring categories and award of points for various selection criteria. | 2022 | KPC | Regulation amending and supplementing the Regulation (08/2016) on the appointment of Chief Prosecutors, adopted. | Following the adoption of the current Regulation on the appointment of the Chief State Prosecutor and the Chief Prosecutors of the Prosecutor's Offices of the Republic of Kosovo, the evaluation system has been advanced by creating a special evaluation form, which includes the different scoring categories and the awarding of points for the different selection criteria.[[105]](#footnote-106) | | | | |
| 37 | Specialized support training for the Commission for the Evaluation of managerial skills of candidates for the position of Chief Prosecutors (CP). | 2022-2023 | KPC KJA | 1 training conducted during 2021. | There were no trainings in this field | | | | |
| 38 | Amending and supplementing the Law on KPC so that the process of appointing Deputy Chief Prosecutors and Heads of Departments is treated the same as promotion and the successful candidate is selected through an open, competitive and merit-based process and skills. | 2022 | MoJ KPC | Law on KPC was amended | Following the recommendations from the Constitutional Court, the draft law with the amendments made has been approved by the government and is currently being considered and approved by the Assembly.[[106]](#footnote-107) | | | | |
| 39 | Approval of Integrity Plans for judges. | 2022 | KJC | Integrity Plans, adopted. | Taking into account that the judicial system has extensive structures and scope, in order for the plan to be comprehensive and meet all requirements, the SKJC after the necessary consultations has completed the draft, which is in the final stage of approval and will soon be sent to the Anti-Corruption Agency Corruption. | | | | |
| 40 | Approval of Integrity Plans for prosecutors. | 2022 | KPC | Integrity Plans, adopted. | Pursuant to Article 11, paragraph 2, point 2.3 of Law No. 06/L-056 on the Prosecutorial Council of Kosovo as well as on the basis of Article 25 of Law No. 08/L-017 on the Agency for the Prevention of Corruption dated 17.01.2024, the head of the institution issued the decision to appoint the Working Group for the drafting of the Integrity Plan, in accordance with the compilation and implementation of integrity plans. The working group has been mandated to prepare the drafting of the Integrity Plan, with the purpose to assess the current operational state of the institutions, focusing on analysis of the existing measures for managing the risk of corruption, and the assessment of the intensity of the risk of corruption. The Working Group has held meetings in a smaller composition twice, and the third time on 26.01.2024, in a broader composition, it completed the first draft of the integrity plan, which it forwarded to the Agency for the Prevention of Corruption, on the same date. On January 29, 2024, some comments of the Agency were received and soon a workshop is being planned to proceed according to the recommendations towards the finalization of the document. | | | | |
| *Policy measure: Carry out independent and ongoing integrity checks of judges, prosecutors and support staff* | | | | | | 0% *fully implemented* | | | |
| 41 | Drafting of the Law on Integrity Checks of Judges, Prosecutors and Support Staff, which determines the establishment of a Special Integrity Control Unit, capable of conducting full integrity, checks of judges, prosecutors and support staff. | 2023 | MoJ, KJC, KPC | Law on the control of the integrity of judges, prosecutors and support staff, adopted. | Being implemented. Drafting of the Draft Law is related to the "Joint Declaration of Commitment" | | | | |
| 42 | The Law on Integrity Control of Judges, Prosecutors and Support Staff clearly defines the purpose of integrity checks. | 2023 | MoJ, KJC, KPC | Purpose of integrity checks is legally defined. | Being implemented. Drafting of the Draft Law is related to the "Joint Declaration of Commitment" | | | | |
| 43 | The Law on Integrity Control of Judges, Prosecutors and Support Staff provides for the conduct of regular integrity checks. | 2023 | MoJ, KJC, KPC | Integrity checks performed every x years. | Being implemented. Drafting of the Draft Law is related to the "Joint Declaration of Commitment" | | | | |
| 44 | The Law on Integrity Control of Judges, Prosecutors and Support Staff separates the integrity control process from other professional evaluations during the recruitment process. | 2023 | MoJ, KJC, KPC | The integrity control process and the recruitment process are clearly separated by law. | Being implemented. Drafting of the Draft Law is related to the "Joint Declaration of Commitment" | | | | |
| 45 | The Law on Integrity Control of Judges, Prosecutors and Support Staff clearly sets out the relevant information that will be taken into account during the integrity check. | 2023 | MoJ, KJC, KPC | Information which will be taken into account during the legally defined integrity check. | Being implemented. Drafting of the Draft Law is related to the "Joint Declaration of Commitment" | | | | |
| *Policy measure: Strengthening the capacities of the existing Verification Units in the KJC and KPC* | | | | | | | | 25% *fully implemented* | |
| 46 | The new regulations on the recruitment, promotion, appointment and reappointment of judges and prosecutors clearly define the mandate of the Verification Units. | 2022 | KJC, KPC | The new regulation on the recruitment, examination, appointment and reappointment of judges was approved; The new regulation on the process of recruitment, appointment and reappointment of prosecutors was approved. | At the meeting of June 26, 2023, the Council approved the regulation on the activity, internal organization and systematization of the administration in the Kosovo Prosecutorial Council, where a special unit for verification with a clear mandate was established and during this year, an acting head of this unit director was appointed.[[107]](#footnote-108) | | | | |
| 47 | Development of joint work arrangements between the KJC and KPC verification units, including the sharing of information and consistent work practices in both units. | 2021 | KJC, KPC | Sublegal acts adopted | There are no developments. | | | | |
| 48 | Trainings for the existing KJC verification units in order to increase the capacities in verification. | 2021  -  2023 | KJC, AoJ | 1 training conducted during the year. | The training plan related to this activity is being prepared | | | | |
| 49 | Trainings for the existing verification units of KPC in order to increase the capacities in verification. | 2021  -  2023 | KPC, AoJ | 1 training conducted during the year. | There are no developments. | | | | |

**Chapter 2.1 - Strengthening the fight against organized crime and high-level corruption**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | |
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| *Policy measure: Improving the legal framework in the fight against organized crime and high-level corruption* | | | | | | 33% *fully implemented* | |  |
| 1 | Amending the legislation on confiscation of ill-gotten wealth so that a certain percentage of confiscation proceeds are allocated to justice sector agencies | 2022 | MoJ | The amended and approved law; established fund | Drafting of the Draft Law on amending and supplementing the Law No. 05/L-049 on Administration of Sequestrated and Confiscated Property supplemented and amended by Law No. 08/L-034 is foreseen in the legislative agenda on 20.12.2024. | | |  |
| 2 | Organize joint trainings for confiscation of property | 2021-2023 | AD, KGJK, KPK, AAPSK | 4 trainings conducted during the year | During the year 2023, a total of 8 trainings were delivered, as follows:   * - 3 trainings were conducted exclusively for seizure and confiscation. The trainings were regional. On May 12, 2023, the training was dedicated to the region of Pristina and Mitrovica. The next training on May 19 was for the region of Prizren, Gjakova and Peja, and on May 26, 2023, which was for the region of Gjilan and Ferizaj.[[108]](#footnote-109) * - 3 trainings on the innovations in the Criminal Procedure Code, within which sequestration and confiscation were addressed based on the legal amendments. These trainings were delivered on January 13-14, 2023, January 27-28, 2023,[[109]](#footnote-110) February 10-11, 2023,[[110]](#footnote-111) and June 23-24 2023.[[111]](#footnote-112) * - 4 other trainings related to this field. On February 6-10, 2023:[[112]](#footnote-113) Financial Investigation and Asset Recovery Training Program.[[113]](#footnote-114) Next training on March 20-24, 2023, Financial investigation and asset recovery.[[114]](#footnote-115) On April 18- the Specialized Training Program - Money Laundering and Financial Investigation - Session I, as well as on May 16-17, 2023 the continuation of this program with Session II[[115]](#footnote-116):   In addition to these training activities, the Academy of Justice in cooperation with the American Embassy/OPDAT, in February 2023, also conducted a workshop on the Drafting of the Instruction on Confiscation. The working group responsible for the drafting of this instruction comprised of 8 prosecutors who also serve as coordinators of the confiscation network, 1 judge, 1 official of the Agency for Confiscation and Sequestration, and 1 Advisor from the Kosovo Prosecutorial Council.[[116]](#footnote-117)  In the second half of the year, 5 trainings on the innovations in the Criminal Procedure Code were delivered, within which the legal innovations regarding seizure and confiscation were addressed.[[117]](#footnote-118) | | |  |
| 3 | Drafting the Criminal Procedure Code to extend the legally allowed period for investigations into high-level corruption and organized crime offenses | 2021 | MoJ | New Criminal Procedure Code adopted | The Criminal Procedure Code was adopted by the Assembly on 14.07.2022.[[118]](#footnote-119) Article 157 of the Code "Time limits of investigation" provides for an extension of one (1) year of the investigation (upon request of the prosecutor and the authorization of the pre-trial judge). This deadline is longer than the previous one in the repealed Code, which was six (6) months. | | |  |
| 4 | Establishment of an inter-institutional working group to provide a unified interpretation of the intent and to precede the legal opinion of the Supreme Court | 2021 | KJC, KPC, Chief State Prosecutor | Established working group and conclusions shared with the Supreme Court | In the process of implementation. | | |  |
| 5 | The Supreme Court should draft and adopt a legal opinion to unify the interpretation of "intent" as defined in Article 21 of the Criminal Code | 2022 | Supreme Court | Legal opinion, adopted | The Supreme Court issues Legal Opinions, with the aim of ensuring the uniform application of laws, when certain legal provisions are not applied in the same way in the courts of Kosovo. From the practice so far, such cases have not been encountered. | | |  |
| 6 | Enabling the interoperability of multi-agency computer systems to facilitate prosecution | 2023 | MoJ, KJC & KPC | Interoperability of computer systems completed | The Case Management Information System is interoperable with:   Civil Registration Agency (this interoperability will enable data copying from the civil registry to CMIS during the registration of persons in the system, using their personal number)   Kosovo Business Registration Agency (this interoperability will enable data copying from the business register to CMIS during the registration of businesses in the system, through the business number)   Kosovo Police (this interoperability enables the delivery/receipt of all documents between the prosecution system and the police system electronically)   Basic Courts (all acts are sent to the court and also received by the court electronically through CMIS.  The interoperability with the Kosovo Customs system and the Tax Administration of Kosovo is also underway.  . | | |  |
| *Policy measure: Improved performance of judges and prosecutors* | | | | | | | 50% *fully implemented* |  |
| 7 | Amending the Law on SPRK to remove the SPRK exclusive jurisdiction over money laundering offenses so that the SPRK focus is on higher value money laundering offenses | 2022 | MoJ | The Law on SPRK amended. | It has been implemented. The Law on Special Prosecution was adopted in the Assembly on 26.10.2023 and the issue of SPRK's focus being on money laundering offenses of greater value was addressed.[[119]](#footnote-120) | | |  |
| 8 | Increasing the number of specialized financial experts in PSRK and strengthening the criteria for their selection | 2022 | KPC & SPRK | Recruitment of specialized financial experts completed | In the SPRK there are currently 5 financial experts employed according to certain criteria, and one position is vacant.  With the Law on the budget for the year 2023, we have also been allowed the position of military expert for which clear and concrete criteria for recruitment have been defined. | | |  |

**Chapter 2.2 - Improving professionalism in the fight against organized crime and high-level corruption**

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| *Policy measure: Effective assessment of performance* | | | | | | 50% *fully implemented* | |
| 1 | Amendment of the KJC Regulation on Performance Evaluation so that the recruitment of the Performance Review Committee is done with an open call, with clear and measurable criteria, with different time mandates that ensure the preservation of institutional memory | 2021 | KJC | Recruitment of the Performance Review Committee completed | According to the Regulation no. 02/2021 (Article 5.3), the recruitment of the Performance Evaluation Committee was done through an open call and competitive process. In addition, Article 33 of this Regulation has determined the different time mandates of the members of the Committee, to ensure the preservation of institutional memory. | | |
| 2 | Amendment of the KPC Regulation on performance evaluation so that the recruitment of the Performance Review Committee is done with an open call, with clear and measurable criteria, with different time mandates that ensure the preservation of institutional memory | 2021 | KPC | Recruitment of the Performance Review Committee completed | The current Regulation for the evaluation of prosecutors has defined clear and measurable criteria for the Committee, as well as different time mandates for the members of the Committee. However, the recruitment of the Committee is not done through an open call.  However, the working group for performance evaluation in the framework of the justice reform is working and their recommendations are expected to be seen. | | |
| 3 | Drafting a Concept Document on the need for a special Law on the Status of Judges and Prosecutors, to define compulsory continuing legal education for prosecutors and judges | 2022 | MoJ, KJC, KPC, AoJ | Concept Document on the Status of Judges and Prosecutors approved | As part of the work of the working groups for the justice reform, discussions are ongoing regarding the modalities for regulating the status of judges and prosecutors. | | |
| 4 | Extension of the AoJ Electronic Platform, to contain more online training modules | 2021 | Academy of Justice, AIS | The AoJ Electronic Platform more accessible | In total, 18 courses are translated into Albanian and Serbian. In addition, during the year 2023, the MOODLE distance-learning platform was used for the development of a training in cooperation with UNDP/SAEK on the topic: Financial investigation and asset recovery. The MOODLE platform has served as a baseline for participants and trainers in the deployment of training materials as well as practical exercises. Two training sessions were held in this regard.[[120]](#footnote-121)  In addition, in order to develop the training staff, during 2023, the AoJ has also organized a Training of Trainers on the HELP Methodology, which will serve in the future development of training courses on the moodle platform. | | |
| 5 | Review curricula for legal education and incorporate critical thinking skills | 2021  -  2023 | Law faculties, KPC, KJC & AoJ | Reviewed Curricula approved | There are no developments | | |
| 6 | Establishment of the Ethics Council | 2022 | KPC, KJC & AJ | Ethics Council established | The KJC has established the Ethics Council and it is functioning. | | |
| *Policy measure: Strengthening the independence of the judicial institutions* | | | | | | | 50% *fully implemented* |
| 7 | Development of a special hierarchical structure within the prosecution sector where KPC is the main administrative body for this sector. Chief prosecutors must report to the CSP, which in turn must report to the KPC. | 2022 | MoJ, KPC | Special hierarchical structure within the prosecution sector developed | The amendments are provided for in the Law on the State Prosecutor.[[121]](#footnote-122) | | |
| 8 | Amend the Law on KPC in order to eliminate the obligation for representation from each region in KPC. | 2022 | MoJ, KPC | Amended KPC law and composition of the council amended | The draft law with the amendments made has been approved by the Government and is currently being considered and adopted by the Assembly.[[122]](#footnote-123) | | |
| 9 | The CSP and the PC of the basic level in cooperation with each other create written standards as recommendations for proposing the sentences, alternative measures and plea agreement negotiation | 2022 | CSP | Drafting written standards as recommendations for sentencing and plea negotiation | The Instruction for Negotiating the Plea Agreement has been issued, which is being implemented by the Prosecutor's Office.[[123]](#footnote-124)  As before, the Instruction on the role and contribution of the state prosecutor in sentencing has also been adopted.[[124]](#footnote-125) | | |
| 10 | Amend the Law on KPC so that the Chief State Prosecutor is no longer a member the Council | 2022 | MoJ | KPC law and composition of the council amended | There were no developments.  It is expected to be removed as an activity during the process of review of the SRL Action Plan | | |

**Chapter 2.3 - Improving the execution of criminal sanctions**

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| *Policy measure: Strengthening the strategic planning capacities for the KCS and KPS* | | | | | | 100% *fully implemented* | | | | | | |
| 1 | Drafting of a multi-year strategic plan by the KCS, which also provides for the reorganization of correctional centers, the implementation of which is regularly evaluated against the approved indicators | 2022 | KCS | Strategic plan Approved | The strategic development plan of KCS was approved on 15.11.2023.[[125]](#footnote-126) | | | | | | | |
| 2 | Drafting of a multi-year strategic plan by the KPS, the implementation of which is regularly evaluated against the approved indicators | 2022 | KPS | Strategic plan Approved | The Strategic Development Plan of KPC 2023-2025 has been finalized and approved by the Minister of Justice.[[126]](#footnote-127) | | | | | | | |
| 3 | Drafting the annual KCS Action Plan based on the strategic plan | 2022 | KCS | Annual Action Plan, Approved | The annual action plan based on the strategic development plan of the KCS drafted on 31.12.2023, | | | | | | | |
| 4 | Drafting the annual action plan of the KPS based on the strategic plan | 2022 | KPS | Annual Action Plan, Approved | The action plan is a document attached to the KPC Strategic Development Plan 2023-2025, which has been approved and is being implemented.[[127]](#footnote-128) | | | | | | | |
| *Policy measure: Reorganization of the KPS infrastructure* | | | | | | 0% *fully implemented* | | | | | | |
| 5 | Analysis of infrastructure and current capacities of the KCS to ensure an efficient use of all human and infrastructure resources | 2022 | KPS | Analysis completed and recommendations approved | The analysis has been incorporated and developed within the draft Strategic Development Plan of the KPS. | | | | | | | |
| *Policy measure: Development of KCS and KPS policies for human resources* | | | | | | 88% *fully implemented* | | | | | | |
| 6 | Drafting a long-term staff needs assessment | 2022 | KCS | Long-term staff needs, identified | This plan was adopted. The KCS has adopted the Personnel Plan 2022-2026, [[128]](#footnote-129) | | | | | | | |
| 7 | Training of new staff, making maximum use of the Training Unit in KAPS | 2023 | KCS | Basic trainings held during 2022. | Forty-six new correctional officers attended professional training for 7 months at KAPS.[[129]](#footnote-130) Seventy (70) new correctional officers recruited in 2023 have started professional training for 7 months at KAPS on 15.01.2024 | | | | | | | |
| 8 | Develop a long-term on-the-job training plan for all KCS staff members | 2022 | KCS | Plan, drafted | The long-term plan for the training of Correctional Service personnel (2023-2026) was adopted in July 2022,[[130]](#footnote-131) providing the on-the-job training, and 70 officials were trained on the subject of 'protection and access to classified information'. | | | | | | | |
| 9 | Drafting a plan by the KCS for equipment with technical safety tools to relieve staff of routine tasks | 2022 | KCS | Plan, drafted | The plan for equipment with technical safety tools to relieve staff of routine tasks for all Correctional Institutions was approved on July 27, 2023. | | | | | | | |
| 10 | Develop a plan for the inclusion of women at all levels of the organization | 2022 | KCS | Plan, drafted | The KCS has adopted the Plan for the Inclusion of Women in July 2022.[[131]](#footnote-132) The recruitment procedure for 50 female correctional officers is being finalized. | | | | | | | |
| 11 | Drafting a long-term development plan to improve the organization of the work of the KPS regional offices. | 2022 | KPS | Plan drafted | It has been addressed in the Strategic Development Plan and in the Regulation on the organization and systematization of workplaces in the KPS. The approval of these two documents has provided for the activities in the organization and advancement of the work of the regional offices.[[132]](#footnote-133) | | | | | | | |
| 12 | Drafting a report on the long-term needs’ assessment for KPS staff in order to train staff using service training in KAPS. | 2022 | KPS | Long-term staffing needs, identified | The KPC has approved the Plan for Personnel in the Probationary Service (2022-2026) no. 40 dated 04.05.2022 | | | | | | | |
| 13 | Preparation of a development plan by the KPS to improve the organization of work in regional offices | 2022 | KPS | Plan approved | In the regulation for the systematization of workplaces, a dedicated section has been prepared to organize regional offices, aiming at best efficiency of the regional offices.[[133]](#footnote-134) | | | | | | | |
| *Policy Measure: Establish and develop a robust system of risk and needs assessment, and individual sentence planning for sentenced prisoners and probation clients to reduce the risk of reoffending 100% fully implemented* | | | | | | | | | | | | |
| 14 | Drafting a Risk and Needs Assessment Report for all convicted prisoners, in order to reduce the risk of recidivism | 2021-2023 | KCS | Risks identified | For each new convict, the KCS currently conducts a risk and needs assessment. | | | | | | | |
| 15 | Development of individual plans for serving a sentence based on the risk and needs assessment costs for all prisoners serving a sentence of more than 6 months | 2021-2023 | KCS | Plans drafted | After the risk and needs assessment report, the individual plan for serving the sentence is prepared for each convicted person | | | | | | | |
| 16 | The KPS compiles reports of presence for the courts | 2022  -  2023 | KPS | Reports Drafted | In 2023, there has been an increase in requests to draft pre-sentencing reports, as a result of organizing many meetings and round tables to raise the awareness of the judiciary and other actors on the importance of pre-sentencing reports and the capacity of KPS to implement alternative punishments. 18 Pre-Sentencing Reports were drafted, at the requests of the courts. | | | | | | | |
| 17 | KPS draft pre-sentencing report | 2022-2023 | KPS | Reports Drafted | In 2023, there has been an increase in requests to draft pre-sentencing reports, as a result of organizing many meetings and round tables to raise the awareness of the judiciary and other actors on the importance of pre-sentencing reports and the capacity of KPS to implement alternative punishments. 18 Pre-Sentencing Reports were drafted, at the requests of the courts. | | | | | | | |
| 18 | Ongoing training of KPS staff on drafting sentencing plans | 2021-2023 | KPS | 2 trainings held during the period of 2021 | Two trainings were held, organized the EULEX Office, regarding sentencing planning. 5 probation officers participated in these trainings, directly participating in the drafting of individual plans for persons sentenced to alternative punishments. Furthermore, within the project the KPS conducts with the Council of Europe, 3 trainings have been delivered so far on sentencing planning and rehabilitation of persons after release. In this training, 3 KPS officials participated and as a result of this process, the post-release Rehabilitation Program was finalized, and the Risk Assessment Instrument for probationers will be finalized. | | | | | | | |
| *Policy Measure: Focus on the rehabilitation and resocialization of the inmates* | | | | | | | | | *33% fully implemented* | | | |
| 19 | Identification of basic rehabilitation programs to be provided by correctional centers in cooperation with the KPS | 2021 | KCS, KPS | Programs, identified | The working group established by the Minister of Justice has drafted the list of rehabilitation programs, and in July, the cooperation agreement was signed with KPS.  https://shkk.rks-gov.net/wp-content/uploads/2024/03/Marrveshje-bashkpunimi-SHKK-SHSK.pdf | | | | | | | |
| 20 | Certification of KCS staff in basic rehabilitation programs aimed at addressing the needs of prisoners in different stages of imprisonment (admission, main phase, release phase). | 2021-2023 | KCS | Staff certification, Completed | In the first reporting period of 2023, 9 social officers were certified for the psycho-social program, "Domestic Violence", 4 officers for the program "Training of Trainers in the treatment of dependent persons", 19 officers for the program, " Conversation for Change" The agreement with the NGO "SIT" was signed at the end of 2022 and is being implemented in the Correctional Center in Lipjan.  In the second reporting period of 2023, 5 social officers were certified for the psychosocial program, "Domestic Violence", officers for the program, "Conversation for Change" and 16 officers for the program, "Motivational Interview".[[134]](#footnote-135) | | | | | | | |
| 21 | Development of programs for KCS staff focusing on behavioural and psychotropic substance abuse | 2021 - 2023 | MoJ, KCS, KPS | Rehabilitation programs for substance abuse, drafted | During the year 2023, the Health Department of Prisons, in support of Council of Europe, through the Project for strengthening mental health services in prisons, revised the PSV for the provision of services to drug users, with the aim of advancing the standard, with the active participation of the security staff of the KCS. In three meetings of 3 working days each, 4 or 6 officials from SKK were involved. | | | | | | | |
| *Policy Measure: Developing legislation* | | | | | | | | | | 43% *fully implemented* | | |
| 22 | Drafting the Law on KCS | 2021 | MoJ, KCS | Law, adopted | The Law on the Kosovo Correctional Service was adopted by the Assembly on 14.07.2022.[[135]](#footnote-136) | | | | | | | |
| 23 | Drafting the Regulation on the structure and organization of the KCS, to regulate the decision-making authority according to the positions of the KCS staff | 2022 | MoJ, KCS | Regulation adopted | In the process of implementation. The Draft Regulation on the structure and organization of the KCS is currently in the phase of legality review by the Ministry of Internal Affairs. | | | | | | | |
| 24 | Drafting of the Law on the structure and organization of the KPS, to regulate the decision-making authority according to the positions of the staff of the KPS | 2021 | MoJ, KPS | Law, adopted | The Law on the Kosovo Probation Service was adopted by the Assembly on 14.07.2022.[[136]](#footnote-137) | | | | | | | |
| 25 | Drafting of the Regulation on the structure and organization of the KPS, to regulate the decision-making authority according to the positions of the KPS staff | 2022 | MoJ, KPS | Regulation adopted | The regulation was drafted during the reporting period, while it was adopted in 2024. The regulation ON the internal organization of the Probation Service of Kosovo was adopted on 14.02.2024.[[137]](#footnote-138) | | | | | | | |
| 26 | Drafting the Law on Execution of Criminal Sanctions which regulated the execution of imprisonment and detention on remand as well as the semi-liberty | 2021 | MoJ, KCS | Law, adopted | The Law on the Execution of Criminal Sanctions was adopted by the Assembly on 14.07.2022.[[138]](#footnote-139) | | | | | | | |
| 27 | Amend Criminal Code to request the consent of the suspect for the alternative measure in community service | 2023 | MD | Code amended | Law No. 08/L -188 on supplementing and amending the Criminal Code of Republic of Kosovo No. 06/L-074 was adopted in the Assembly on 26.10.2023, and this issue has not been addressed. | | | | | | | |
| 28 | Drafting a Concept Document for electronic surveillance of persons whose movement is restricted by a court decision, to analyse the inclusion of electronic monitoring | 2023 | MoJ, MIA | Criminal Code amended | Since funds have been allocated for the implementation of the Law on electronic surveillance of persons whose movement is restricted by a court decision, the Ministry of Justice has suspended the drafting of this Concept Document. Based on the feasibility study for electronic surveillance, the evaluation of expenses was carried out and has already entered the Medium-Term Expenditure Framework for 3 (three) years  MoJ: It is proposed to be removed during the revision of the Rule of Law Strategy/Action Plan. This action is under the competence of MIA. | | | | | | | |
| *Policy Measure: Developing Kosovo Probation Service and supporting the use of alternative sanctions and measures* | | | | | | | 33% *fully implemented* | | | | | |
| 29 | Supplementing and advancing the Supreme Court guidelines to ensure a unified and implementation of sentencing policies of courts | 2022 | KJC | Judicial guidelines, approved | This activity is being implemented. During the year 2023, several meetings were held related to this activity, including the discussions in the Assembly of court presidents to ensure a unique sentencing policy. | | | | | | | |
| 30 | Develop a plan based on the analysis of how to increase the number of alternative measures and how to develop the KPS ability to address the future challenges of increasing alternative sanctions | 2022 | KPS, KJC | Plan, drafted | The work plan has been drafted based on assessments and documents regarding the implementation and increase in the imposition of alternative measures and punishments.  https://md.rks-gov.net/desk/inc/media/79DBC333-542E-4C11-ACD6-1F6BE5B98325.pdf | | | | | | | |
| 31 | Analysing the reasons for the high number of hospitalizations and taking the initiative to reduce this number in accordance with the number of prisoners | 2021 | MH, HPP, KCS | Analysis completed | HDP has analysed the high number of hospitalizations and has undertaken the following measures to reduce this number since 2021:  1. Increasing professional capacities  a. Increasing the number of consultant psychiatrists in HSP and DC Prishtina  b. Addition of psychologists to the HUP of DC Prishtina and CC Dubrave  c. Addition of general practitioners HUP HSP  2. Functionalization of the service for basic laboratory analysis in each prison.  3. Addition of dental services, dental chairs in each prison.  4. Equipping all prisons with portable diagnostic ultrasounds.  5. Ensuring the presence of a doctor 24 hours a day, seven days a week at HSP.  6. Ensuring regular servicing of radiological equipment in prisons.  7. The appointment and placement of the coordinating nurse for appointments at the UCCK in order to reduce cases and time of hospitalizations.  8. Equipment of HUP with 4 ambulances.  9. The establishment of the Institution for the Treatment of Persons with Special Needs has been completed, and by now it is accomplished;  a. Renovated facility  b. Equipment provided  c. Staff in recruitment procedure based on the signed interministerial agreement.  10. PSV implementation according to harmonization with the Council of Europe | | | | | | | |
| *Policy Measure: Stroger approach towards imposing criminal sanctions* | | | | | | | | 0% *fully implemented* | | | | |
| 32 | Amendment of the Criminal Code so that all criminal offenses are included in a single Code | 2023 | MoJ | Criminal Code, Amended | There were no developments. | | | | | | | |
| 33 | Promotion of Supreme Court Sentencing Guidelines to ensure the unique implementation of mitigating and aggravating factors in sentencing. | 2021 | SC | Supreme Court conducts promoting activities, roundtables and discussions to promote the sentencing guidelines; Sentences are imposed in accordance with guidelines | The Supreme Court has been continuously supported by the American Embassy in Kosovo, with an emphasis on the drafting, revision and promotion of the Sentencing Policy Guidelines. In the wake of this process, a meeting was held on April 4, 2023. In addition to the Court's website, the promotion of the Guidelines has also been placed on the Court's website on the Facebook social network, where all the events related to the sentencing policy and implementation of the guidelines have been published. | | | | | | | |
| 34 | Develop a test-based method to decide on requests for detention on remand | 2021 | KJC | Method approved and implemented | There were no developments. | | | | | | | |
| 35 | Collection of data by the court on the amount of fines imposed on the defendants, including the amount of procedural costs/the amount of the lump sum incurred during the criminal proceedings | 2021-2023 | KJC | Publication of collected annual data | In 2023, the KJC sent requests to all courts, requesting this detailed information for all courts and branches. The courts have started to send the reports, and soon these data will be published. | | | | | | | |
| Policy Measure: A transparent post-conviction release process for imprisoned persons | | | | | | | | | | | 100% *fully implemented* | |
| 36 | Publication of decisions by the KJC Conditional Release Panel | 2021-2023 | KJC | All decisions published during the year | All decisions of the Conditional Release Panel are being published:[[139]](#footnote-140) | | | | | | | |
| 37 | Publication of the list with compensation data of persons who have been unjustly deprived of their liberty | 2021-2023 | KJC | List published | KJK in accordance with Article 17 paragraph 1 of Administrative Instruction No. 01/2023 on the Procedure for Compensation of Damage to Persons Convicted or Arrested Without Reason publishes the list with the compensation data of persons unjustly deprived of their liberty. The list has been published.[[140]](#footnote-141) | | | | | | | |
| *Policy Measure: A reliable Criminal Record System that provides accurate data in a fast manner* | | | | | | | | | | | | 50% *fully implemented* |
| 38 | Direct data exchange between SEQP and CMIS to ensure direct recording | 2022 | KJC | Fully interactive NCCR module with SMIL | The KJC, through the relevant Departments of IT and DCCR, is working on the process of interoperability of the system CMIS/NCCR, with the purpose of automatic data exchange. This complex process is being implemented with difficulty and the progress at this point will depend on the level of development of the CMIS System. | | | | | | | |
| 39 | Drafting the Law on Central Criminal Records System, to define the MoJ as the central authority for the management of the CCRS | 2022 | MoJ | Law, adopted | The Draft Law on the Central Criminal Records System of Kosovo was adopted by the Assembly on26.10.2023.[[141]](#footnote-142) | | | | | | | |
| 40 | CCRS unit to be equipped with professional staff and necessary equipment | 2023 | MJ | At least three officials recruited | There are no developments. | | | | | | | |
| 41 | Final judgments are recorded on an ongoing basis in the CCRS | 2021-2023 | KJC, MJ | Final judgments, recorded in the NCRR | In CCRS, all final criminal judgments are being registered, and this process is ongoing and regularly monitored. Moreover, as of December 2022, the process of issuing certificates on criminal convictions has commenced in all the courts of the country and online. This process is conducted without obstacles. | | | | | | | |
| *Policy measure: Ensuring uniformed/same sentencing policies by courts* | | | | | | | | | | 0% *fully implemented* | | |
| 42 | Drafting internal regulations for the establishment of panels required by the new Law on Minor Offenses | 2021-2023 | Institutions responsible for contravening sanctions | Regulations adopted | There are no developments. | | | | | | | |
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**Chapter 2.4 - Guaranteeing the integrity of the Kosovo Police**

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| *Policy measure: Infrastructure and administration that strengthens police officers* | | | | | | | 30% *fully implemented* | |
| 1 | Amendment of the Law on Police to include Life and Health Insurance for police officers | 2022 | MIA | Amended law | There are no developments. | | | |
| 2 | Drafting the Law on Pensions of KP Police Officers and PIK employees with police authorizations, to reduce the retirement age | 2022 | MIA | Law on Pensions of KP Police Officers and PIK Employees with Police Authorizations, adopted. | There are no developments. | | | |
| 3 | Drafting and updating the public relations strategy for better use of social media in building public relations | 2022 | MIA, KP | Strategy approved | The Kosovo Police with the support of the OSCE has drafted the Public Relations Strategy for the KP, which is completed and will be processed for approval soon. The Ministry of Internal Affairs, the Association of Journalists of Kosovo, as well as other partners of the KP, such as ICITAP, the EU Mission, were part of the drafting of the strategy.  Regarding the Communication Strategy of the MIA, the prepared draft has not been approved yet. | | | |
| 4 | Improving the coordination mechanisms between KP and PIK regarding regular and extraordinary inspections | 2021-2023 | KP, KPI | Better cooperation between KP and PIK | Advanced cooperation continued during the reporting period. All actions have resulted in concrete implemented products. Regular and extraordinary inspections of PIK are reflected in the Annual Work Report for 2023 (ipk.rks-gov.net). Meanwhile, the Internal Inspection Unit of the Kosovo Police has processed regular and extraordinary inspections and inspection reports in accordance with the SOP, and during the reporting period, it has carried out regular inspections in the following areas:  1. Inspection of Evidence and Police Actions against Wanted Persons according to arrest warrants and wanted notice issued by Competent Bodies, during the year 2022.  2. Inspection of the Management of Police Staff in terms of health, during the year 2022.  While the extraordinary inspections were carried out mainly in the areas related to standards of wearing uniforms and respecting the working hours, including the broad structure of the local level of organization. | | | |
| 5 | Incorporation of DPS Audit recommendations into relevant policies and procedures. | 2021 | KP, KPI | DPS Audit Recommendations, implemented | The recommendations of the Inspection Sector, related to the use of vehicles for official work after working hours, by the decision of General Director, have been implemented, as well as the recommendations related to securing the bases of special units, have been incorporated into the SOP of the Special Units Division. | | | |
| 6 | Amendment of the Law on Police authorizing DSP to undertake integrity tests for police | 2022 | MIA | Amended Law | There are no developments. | | | |
| 7 | Appointment of officials responsible for whistleblowing by employers and notification of ACA for the private sector | 2021-2022 | MoJ, AAC | Officers responsible for Whistleblowing, assigned | Some businesses have appointed responsible officers (including a business that provides telecommunications services and one that provides banking services). In addition, with the support of the CoE PECK III Project, a round table was held with the Labour Inspectorate and other regulators. [[142]](#footnote-143) | | | |
| 8 | Appointment of officials responsible for whistleblowing by employers and notification of ACA for the public sector, | 2021-2022 | MoJ, AAC | Officers responsible for Whistleblowing, assigned | All public sector institutions, according to the Law - namely 182 institutions, have appointed the responsible official. | | | |
| 9 | Drafting of an Administrative Instruction which provides for the establishment and functioning of joint investigation teams at the inter-institutional level | 2022 | MIA | Approved Administrative Instruction | The Article 16 of the Law on Special Prosecution, adopted at the end of 2023, created a legal basis for regulating the work and manner of operation and cooperation of the Special Investigation Unit of the Police with the Special Prosecution. As a result, the drafting of this administrative instruction is foreseen in the program of sub-legal acts of the MIA for 2024.  In addition, Article 17 of the aforementioned law provides for the possibility of establishing joint investigative teams. | | | |
| 10 | Drafting of an Administrative Instruction which provides for the establishment and functioning of joint investigation teams for the implementation of international cooperation | 2022 | MIA | Approved Administrative Instruction | There are no developments. | | | |
| *Policy measure: Improved vetting and compliance with the code of ethics* | | | | | | | | 17% *fully implemented* |
| 11 | Amendment of the Law on Police for the establishment of the Ethics Council | 2022 | MIA | Law amended and Ethics Commission established | There are no developments. | | | |
| 12 | Ethics trainings in KAPS for KP members, which include simulations of ethical dilemmas | 2021-2023 | KAPS, KP | 2 trainings held during the year | For the period July - December 2023, the Kosovo Police did not have training related to these topics. | | | |
| 13 | Intensive ethics training for supervisors | 2021-2023 | KAPS, KP | 2 trainings held during the year | There were no developments during the reporting period. | | | |
| 14 | Drafting of the Law on Declaration of Assets which provides for the legal obligation to declare assets for all investigators, especially for those involved in high level/high profile investigations | 2021 | MoJ | Law adopted | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.[[143]](#footnote-144)  Article 5(1.11) includes investigators. | | | |
| 15 | Amendment of the Law on Police to determine measures for police officers who fail in verification | 2022 | MIA | Law amended | There are no developments. | | | |
| 16 | Amendment of the Law on Police to determine the integrity control for members of the Police which provides for the undertaking of regular five-year integrity checks after the initial vetting | 2022 | MIA | Law adopted | There are no developments. | | | |
| *Policy measure: Emphasised active cooperation with the prosecution in order to strengthen Police investigations* | | | | | | *33% fully implemented* | | |
| 17 | Developing a plan for the implementation of body-mounted cameras for police officers using international assistance and advice where possible | 2021 | KP | Plan, drafted | Based on the duties and authorizations of the police provided by law, and with the purpose of increasing responsibility, transparency and accountability towards citizens, as well as increasing the trust of citizens towards the police, the Kosovo Police, with the support of the Embassy of the United States of America of America in Pristina, through the INL and ICITAP program, in addition to continuous assistance in increasing the efficiency and effectiveness of police work, by connecting it with the law enforcement by police officers and respect for the rights and freedoms of citizens, has initially accepted the idea of equipping body cameras for the KP, and financially supported it by donating all the necessary equipment for the "body cameras for the KP" project.  As part of this donation, 250 cameras with all additional equipment were received for the police, which are now functional and usable by all police units that uses them, (of which 145 cameras were distributed to traffic units, and 105 to the border police).  For the use and administration of the body camera system, all police staff who use them in the field during the performance of official duties have now been trained and certified.  It is worth noting that body cameras are generally working well and are used to a significant extent by all units.  All the necessary configurations have been made in the system, the registration of all the officers who use the system and the cameras in the system, has been carried out, the generation of QR codes for each officer, the access and user roles in the system have also been configured, as well as the configuration of the classification of recordings and their storage according to classification.  Recently, in order to facilitate the use of body cameras by police officers, an additional manual with amendments was sent for the use of body cameras and their system. | | | |
| 18 | Developing guidelines for feedback from judges to improve investigations in general | 2022 | KJC | Guidelines, approved | There are no developments. | | | |
| 19 | Developing guidelines for feedback from prosecutors to improve investigations in general | 2022 | SP | Guidelines, approved | Acting Chief State Prosecutor, Mr. Besim Kelmendi, on February 14, 2023, issued a mandatory Instruction: A. no. 42/2023, regarding the "Operating procedure on reviewing the appeals against the decisions of Basic Prosecution Offices and SPRK in the Appellate Prosecutor's Office".  Likewise, the acting Chief State Prosecutor, Mr. Besim Kelmendi, on June 6, 2023, has also issued "Instructions for the mandatory implementation of the provisions of Article 154 of the Criminal Procedure Code of Kosovo regarding to the mandatory examination of cases". | | | |
| 20 | Consistent implementation by the judiciary of collection and sharing of feedback to improve investigations in general | 2021  -  2023 | KJC | Feedback shared with the Police | There are no developments. | | | |
| 21 | Consistent implementation by the prosecution of collection and sharing of feedback to improve investigations in general | 2021  -  2023 | KPC | Feedback shared with the Police | The interoperability established with the Kosovo Police allows the police and the prosecutor to forward certain documents-information through the system. An advanced interoperability has been implemented with the courts, which enables all necessary actions to be forwarded to the court and vice versa to the prosecution. | | | |
| 22 | Collaborative training sponsored by KP, prosecutors and judges for reasons of better coordination in terms of mutual understanding of relevant codes and laws | 2021-2023 | AoJ and KAPS | 8 trainings held during one year | The AoJ, in the second half of the year has continued with the same methodology. A significant part of the trainings has been shared with police officials in matters of common interest in the field of corruption, extremism and radicalism, the investigation of human trafficking, etc. The list is long, however, some of these trainings are presented the links below:https://ad.rks-gov.net/media/Buletini%20Informativ/2023/bul\_korrik\_gusht\_.pdf (fq-9, 12, 15)  https://ad.rks-gov.net/media/Buletini%20Informativ/2023/Bulshtatshq\_\_.pdf (fq-19) | | | |

**Chapter 3.1 – Improving access to courts and the prosecutions**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | | | |
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| *Policy measure: Improving legal aid system in Kosovo in line with the EU and COE requirements* | | | | | | | | | 64% *fully implemented* |  |
| 1 | Drafting a Concept Document on free legal aid so as to analyse that free legal aid is provided through a single body, and a single and coherent budget in civil, criminal, administrative, and minor offenses cases; provide clear criteria for the recruitment of qualified legal staff; to provide for the advancement of legal representation and legal aid in accordance with the ECtHR case law; | 2022 | MoJ, KJC, KPC, AFLA | Concept Document for Free Legal Aid approved | In the process of drafting. | | | | |  |
| 2 | Draft a new regulation, deriving from the new Law on Free Legal Aid, for the appointment and supervision of lawyers and other competent professionals for free legal aid 2022 | 2022 | AFLA and KBA | Regulation on the appointment and oversight of lawyers and other competent professionals for free legal aid, approved | There are no developments as the new Law has not been drafted yet. | | | | |  |
| 3 | Develop and implement adequate and regular training program for capacity building of AFLA staff | 2021  -  2023 | AFLA | Training program for AFLA staff, established and 2 trainings for AFLA staff within a year, conducted | Based on the annual training plan and with the support of donors during the period July-December 2023, 14 trainings were delivered, as follows:  Trainings supported by GIZ DIMAK:  - 2 (two) trainings together with judges and prosecutors were delivered with the support of GIZ, through the Academy of Justice on the topics: Protection of the rights of children without parental care and in cases where their status changes, Victims of sexual violence;  - 1 (one) training through the Academy of Justice and NGO CLARD - Domestic Violence and the European Convention on Human Rights  Trainings supported by USAID:  - 3 (three) trainings with the support of USAID-JAK - Peer to Peer Education for the use of the FLA Practitioners' Manual  Trainings supported by UNHCR:  - 1 (one) Training in the Field of Asylum – Legal assistance and qualitative decision-making  - 2 (two) trainings on the subject of International Protection of asylum seekers, refugees and stateless people, for officers of the Regional and Mobile Offices for Free Legal Aid  IKAP, MIA, MoJ, KBA and MF trainings:  - 1 (one) Training for trainers for lawyers on the Law on Protection from Discrimination  - 1 (one) Training on the Law no. 08/l-108 on Declaration, Origin and Control of Assets and Gifts  - 1 (one) on the subject of the Report related to the results of the satisfaction of the parties.  - 1 (one) on the topic of Whistleblowing, administrative investigation, the role of responsible officials and the Agency for the Prevention of Corruption  Other trainings:  - 1 (one) on the topic of Fundamental Rights in the European Union: Main Principles and Contemporary Challenges - conducted at the European Institute of Public Administration in Luxembourg | | | | |  |
| 4 | Draft a new regulation on the provision of free legal aid by NGOs, which foresees an accreditation mechanism for NGOs to provide free legal aid through clear criteria | 2022 | AFLA | Regulation on the accreditation of NGOs for providing free legal aid, approved; NGOs accredited | In June 2023, the Ministry of Justice signed Regulation MoJ - No. 05/2023, on determining the criteria for the provision of free legal aid by NGOs that entered into partnership with the Free Legal Aid Agency. Therefore, based on the regulation, all the necessary actions have been completed; the public call for NGOs to apply for entering the partnership was announced, the Committee for evaluating the criteria was established, and based on the Committee's assessments, six NGOs have met the criteria defined in the regulation. Therefore, we are now in the phase of concluding Partnership Agreements with NGOs. | | | | |  |
| 5 | Draft the Regulation in order to establish a fair and transparent mechanism for handling requests for free legal aid, and selection of cases in accordance with Article 6 of the ECHR, and ECHR jurisprudence | 2022 | AFLA | Regulation on the treatment of requests and selection of approved free legal aid cases; the internal mechanism for handling free legal aid cases is operational. | This Regulation is planned to be drafted after the adoption of the new Law on Free Legal Aid. | | | | |  |
| 6 | Draft model decisions for AFLA for granting or refusing free legal aid. | 2021 | AFLA | Model decisions, adopted | This activity is completed. | | | | |  |
| 7 | Draft a sub-legal act for the establishment of a system for the collection of reliable statistics, which records the requests, decisions for granting and refusing free legal aid, the reasons for the refusal, in order to measure the criteria for providing free legal aid. | 2021 | AFLA | Sub-legal act, adopted | Throughout 2023, the agency, with the support of donors, has continuously published and distributed informative materials in the official languages (Albanian, Serbian) as well as in Turkish and English and in the Braille alphabet for blind people, with the support of USAID.  While with the support of GIZ, during the period July - August, 5100 brochures were published and distributed in the Municipal Offices for Communities and Return , as well as in the Offices of the National Agency for Legal Aid, with the theme Free legal Aid for repatriated persons in Kosovo.  Likewise, during the "16 days of activism against gender-based violence" campaign, nearly 500 brochures were distributed with information about free legal aid services and information on regional and mobile offices, with the aim of raising awareness of the existence of free legal aid and the opportunities it provides for better access to justice. | | | | |  |
| 8 | Regularly maintain and publish reliable statistics on claims, decisions granting and refusing free legal aid and reasons for refusal. | 2021-2023 | AFLA | Statistics in the annual report, published | The data are extracted on monthly, semi-annual and annual basis from the Agency's database and published on the AFLA website. [[144]](#footnote-145)  The specific data related to the cases of free legal aid are placed in the annual, which is published on the website of the AFLA. Due to attacks on the website according to AIS, we are unable to publish the annual report, but we are attaching it to the email.[[145]](#footnote-146) | | | | |  |
| 9 | The Supreme Court issues a legal opinion and clarifies the concept of "interest of justice" for ex-officio representation, in criminal justice in accordance with the ECHR jurisprudence | 2021 | Supreme Court | Legal Opinion adopted by the Panel of the Supreme Court and distributed to all Courts, Prosecutions and Kosovo Police | The Supreme Court issues Legal Opinions, with the aim of unifying the consistent application of laws, when certain legal provisions are not applied in the same way in the courts of Kosovo. Even in this case, the Supreme Court may consider the possibility of issuing any guidelines concerning the concept of "interest of justice". This matter will be deliberated in the next meetings of the Commission for Penal Policy. | | | | |  |
| 10 | Sign a Memorandum of Understanding between AFLA and AoJ for the development and implementation of a joint training program for judges, prosecutors and legal aid officers of AFLA in order to increase the capacity to provide legal aid free of charge, and better understanding by judges of the notion of "interest of justice" when assigning free legal representation. | 2021 | AFLA, AoJ, KJC, KPC | Joint training program, approved | Following the signing the cooperation agreement between the Agency for Free Legal Aid and the Academy of Justice, AFLA, with the support of the donor GIZ, in cooperation with the Academy of Justice, has delivered training for its staff. AoJ has also expressed the readiness to allow officials of AFLA to apply for further trainings of interest, according to the training calendar published on their website.  Links to trainings held with AoJ: [[146]](#footnote-147) | | | | |  |
| 11 | Organize joint trainings for AFLA staff, judges and prosecutors | 2022-2023 | AFLA, AoJ, KJC, KPC | 4 joint trainings for AFLA staff, judges and prosecutors conducted during the year | In the period July - December 2 joint trainings were held with judges and prosecutors.[[147]](#footnote-148) | | | | |  |
| 12 | Approve a Decision on criteria and procedures for the distribution of funds for mobile offices of free legal aid in order to ensure better territorial coverage, based on a preliminary assessment of the needs of citizens in a given territory and level t of providing free legal aid by AFLA. | 2021 | Government of RK, MoJ and AFLA | Decision on criteria and procedures for distribution of funds for mobile offices of free legal aid, approved and mobile offices, operational | There are no developments. | | | | |  |
| 13 | Establish toll-free telephone lines in order to raise awareness about the existence of free legal aid and the opportunities it provides for better access to justice. | 2022 | Government of RK, MoJ and AFLA | Toll-free telephone lines to the public, available | The toll-free telephone line is operational. | | | | |  |
| 14 | Organize awareness campaigns in order to raise awareness about the existence of free legal aid and the opportunities it provides for better access to justice. | 2022 | AFLA | 2 awareness campaigns during the year, launched | During the July-December period, AFLA participated, as it does every year, in the global campaign "16 days of activism against gender-based violence", being part of dozens of activities carried out by the Ministry of Justice, with the aim of informing and raising awareness. In addition, during this campaign, AFLA carried out an informational activity for citizens on gender-based violence and free legal aid on the Prishtina-Peja train line, during which nearly 500 brochures were distributed.[[148]](#footnote-149) | | | | |  |
| 15 | Publication of information materials in official languages in order to raise awareness about the existence of free legal aid and the opportunities it provides for better access to justice. | 2022 | AFLA | Information materials in the official languages ​​of the Republic of Kosovo published and distributed; | Throughout 2023, the agency, with the support of donors, has continuously published and distributed informative materials in the official languages (Albanian, Serbian) as well as in Turkish and English and in the Braille alphabet for blind people, with the support of USAID.  While with the support of GIZ, during the period July - August 5100 brochures were published and distributed in the Municipal Offices for Communities and Return, as well as in the Offices of the National Agency for Legal Aid, with the theme Free legal Aid for repatriated persons in Kosovo.  Likewise, during the "16 days of activism against gender-based violence" campaign, nearly 500 brochures were distributed with information about free legal aid services and information on regional and mobile offices, with the aim of raising awareness of the existence of free legal aid and the opportunities it provides for better access to justice. | | | | |  |
| 16 | Hold information sessions for the public in order to raise awareness about the existence of free legal aid and the opportunities it provides for better access to justice. | 2022 | AFLA | 2 number of public information sessions held during the year. | During the period of July - December 2023, in order to disseminate information to non-majority communities, the following events were held:  • 6 legal informative sessions were conducted with the Roma community on Access to Justice together with Eukojust in different regions of Kosovo.[[149]](#footnote-150)  • 1 legal informative session was conducted with non-majority communities in the region of Peja by AFLA.[[150]](#footnote-151) | | | | |  |
| *Policy measure: Improving access to court and prosecution services* | | | | | | 32% *fully implemented* | | | |  |
| 17 | MoJ cooperates with the KJC and KPC, to create a map of the legal needs of citizens in accordance with the Revised Guidelines for the Establishment of Court Maps in Support of Access to Justice in a Quality Judicial System of CEPEJ. | 2022 | MoJ, KJC, KPC | Map of legal needs of citizens, finalized | A working group has been established for this issue. | | | | |  |
| 18 | Adopt a special Law on procedures in civil/ commercial disputes of small value, in order to provide faster and less costly procedures for citizens. | 2022 | MoJ, KJC, Assembly of Kosovo | Law on Procedures in Civil / Commercial Disputes of Small Value, adopted. | Being implemented. Concept Document has been sent to the Government for approval. | | | | |  |
| 19 | Conduct a survey of users of courts and prosecutors' offices regarding their needs to access justice, in accordance with the Revised Guidelines for Creating Judicial Maps in Support of Access to Justice in a CEPEJ Judicial System. | 2022 | MoJ, KJC, KPC | Survey, conducted; Results of the survey, published | There are no developments. | | | | |  |
| 20 | Drafting relevant information and making it available to the public in the official languages ​​through a smartphone application, which provides information such as the location of the court(s) and prosecution offices, availability and schedule of public transportation, timing of hearings and similar information) | 2022 | KJC, KPC | Application, completed and information for citizens, easily accessible. | **KJC:**  KJC has implemented it. The KJC portal also has an application for mobile devices. All the necessary data are present in the portal.  **KPC**:  On the website of the KPK, however, all information on the location of the Prosecutor's Offices (addresses) has been placed, and the phone numbers of prosecutors on duty call, by departments, are published. Likewise, the phone numbers of the Victim Protection and Assistance Officers on duty call, are also placed, as well as all necessary information for the public. | | | | |  |
| 21 | Drafting relevant information and making them available to the public in official languages ​​through promotional materials such as brochures and posters, which contain information such as the location of the court(s) and the availability and schedule of public transportation, in order to provide public information that is easily accessible to citizens. | 2022 | KJC, KPC | Materials, published and information for citizens, easily accessible | **KJC:** In order to provide public and accessible information to citizens, the KJC publishes information on the official website of the judiciary, the Facebook social network and the YouTube platform. During the year 2023, the following publications for citizens have been published so far: 1. Informative video for citizens: The importance and efficiency of the Commercial Court in dealing with commercial disputes link: https://fb.watch/muYn5YdJ8x/  2. Informative video for the online platform for issuing the criminal status certificate https://fb.watch/muYymTbv8N/  3. Publication of infographics related to the implementation of reforms under the responsibility of the KJC according to the National Plan for European Integration during the year 2022 link of the post  4. Publication of infographics related to the fulfilment of the Annual Work Plan for 2023 link to the post  Also, regarding the location of judges, the KJC updates the information of each judge depending on the court in which he/she works, on the website of each court, under the About tab Court > Judges > In service.  .  **KPC**: Information on the location of prosecution offices is published on the web portal of the prosecution system. | | | | |  |
| 22 | Update "Gjykata ime" portal with essential and simplified information for the public, including legal information, templates of documents to be submitted to the court / and other instructions to the public. | 2021-2023 | KJC | "Gjykata ime" updated | The portal "Gjykata ime" is not the portal of the KJC and the KJC does not deal with the updating. This portal belongs to the Faculty of Law and the faculty should be responsible for updating it. | | | | |  |
| 23 | Update KPC websites with essential and simplified information for the public in official languages, including legal information, templates of documents to be submitted to the court/prosecution and other instructions required by public. | 2022 | KPC | Website with essential information for citizens, updated; websites contain document templates | On July 27, 2023, the KPC appointed the Officer Responsible for Access to Public Documents of the Prosecution System, by the decision., while in the prosecutor's office this task has been exercised by the spokespersons.  The KPC is in the process of preparing and drafting appendices for the implementation of Regulation No. 06.2023 on Access to Public Documents, which include: the decision to allow access to public documents, the decision to partially allow access to public documents, the decision to refuse access to public documents and the request forms for access to public documents in all institutions of the prosecutorial system  Furthermore, the names of the officers designated for whistleblowing in all prosecution offices of Kosovo have been published. | | | | |  |
| 24 | Conduct a training program for court translators/ interpreters on legal concepts and the Code of Ethics for Translators / Interpreters in order to increase the quality of translation/ interpretation services. | 2022 | AoJ, KJC, KPC | Training program for court translators/ interpreters, conducted; | The training program was developed and the training was carried out in October 2023.[[151]](#footnote-152) | | | | |  |
| 25 | Conduct trainings for translators/ interpreters of courts on legal concepts and the Code of Ethics of Translators/ Interpreters. | 2022 | KJC | 4 trainings for legal translators/ interpreters until 2022, held. | This activity has been completed and the trainings have been delivered:[[152]](#footnote-153) | | | | |  |
| 26 | Establishment of Translation Units in Courts in order to manage translators and prioritize the translation of cases | 2022-2023 | KJC | 4 units established during 2022 and 5 units during 2023 | On June 20, 2023, the KJC approved the functional requirements for the development of the electronic system for the centralized management of translations for courts. In the future, the KJC will engage in the establishment of the central translation office and the development and implementation of the system. However, in the second half of the year, there was no development regarding this issue. | | | | |  |
| 27 | Establish the Department of Slavic Languages at the Faculty of Philology of the University of Prishtina in order to provide qualified bilingual interpreters / translators. | 2023 | Faculty of Philology, Language Commissioner | Department of Slavic Languages at the Faculty of Philology, established and operational. | There are no developments. | | | | |  |
| 28 | Establishment of a working group which will analyse the main legal framework in the Republic of Kosovo to identify discrepancies in the versions of laws in the official languages and to make the necessary recommendations to address them | 2022 | MoJ | Analysis completed; Recommendation of the analysis approved by MoJ | The analysis was conducted with the support of the OSCE Mission in Kosovo.  The analysis includes recommendations for changes in the Serbian language version of the Draft Laws as follows:  - On Administrative Conflicts;  - On Judicial Experts;  - On Central Criminal Records System of Kosovo. | | | | |  |
| 29 | Adopt a special Law on court costs and fees in order to increase transparency regarding justice costs. | 2022 | MoJ, KJC, KPC | Law on Court Costs and Fees, adopted. | There are no developments. | | | | |  |
| 30 | Update institutions portals in order to provide clear and transparent information regarding the types of alternative dispute resolution options, when they are appropriate, their costs and duration. | 2022 | MoJ, KJC, KPC | Webpage with essential information for citizens, updated | The website of the Ministry of Justice has been updated with information on alternative dispute resolution and specific details about it.[[153]](#footnote-154)  The KJC has integrated the mediation link on its website.[[154]](#footnote-155) Also, the KPC website presents the possibilities for mediation in the criminal field.  SP has issued and published instruction A.nr.360/16 regarding the practice of mediation as an alternative procedure in cases of domestic violence.[[155]](#footnote-156) In addition, in the six-monthly and annual reports of the SP, all statistics related to the handling of cases with alternative procedures are published. | | | | |  |
| 31 | Sign a Memorandum of Understanding between the various legal aid providers and other sectors such as health, social services, employment centers and others, in order to establish a network of cooperation in providing legal aid, advice and information on dispute resolution options and creation of referral networking. | 2022 | MoJ, KJC, KPC, KBA, Kosovo Chamber of Mediators, other sectors. | Memorandum of Understanding concluded;  network of cooperation between various legal services and justice, operational. | The cooperation between AFLA and social health institutions, as well as other relevant institutions remains ongoing, however due to the regional offices falling under the jurisdiction of local level, determining the best way of entering into this Memorandum is being considered. However, during the second half of the year, there were no development. | | | | |  |
| 32 | Draft a Mediation Strategy in accordance with the CEPEJ Guidelines on Mediation by Lawyers, in order to increase the role of lawyers in promoting mediation | 2022 | KBA | Mediation strategy, adopted. | During the reporting period, there was no development related to the drafting of a Mediation Strategy. | | | | |  |
| 33 | Promote mediation by lawyers, in accordance with the Strategy, through meetings with representatives of courts, mediation services, the Chamber of Mediators; coordinated communication between the KBA and the courts regarding mediation information; standard ready information for the parties regarding the mediation clauses, model mediation agreements between the parties and the mediators. | 2022-2023 | KBA | At least 2 meetings held between the KBA, lawyers, representatives of courts, mediation services, the Chamber of Mediators; coordinated communication between the KBA and the courts regarding mediation information; Standard ready-made information for the parties regarding mediation clauses, model mediation agreements between the parties and mediators | As stated in the annual report of the KBA, the approval of the Training Program Plan has made it possible for the KBA to hold trainings with lawyers in the field of Mediation, with the aim of mandatory continuous legal education and the promotion of Mediation. Training program plan for 2023.  • Training delivered on 18.03.2023  • Training delivered on 25.03.2023  • Training delivered on 17.06.2023 | | | | |  |
| 34 | Amend the Code of Ethics for Lawyers to include obligation to recommend lawyers to consider alternative tools of resolving disputes, including mediation, before referring parties to court, and provide relevant information and advice to parties. | 2022 | KBA | Amended Code of Conduct Ethics for Lawyer, approved. | The changes in the relevant sub-legal acts are planned after the process of amending the Law on the Bar. | | | | |  |
| 35 | KBA promote amendments to the Code of Ethics for Lawyers, to promote the use of mediation through contract mediation clauses and in advice to parties | 2022 | KBA | The number of contracts drafted by lawyers that provide for contract mediation clauses, increased; lawyers advise the parties on the possibility of mediating their disputes. | There are no specific developments; however, 25% of the training offered during the year for lawyers are related to the Code of Professional Ethics of Lawyers. | | | | |  |
| 36 | Establish and implement individual and joint training programs for lawyers on dispute resolution skills (especially mediation) in order to increase the skills of lawyers in the field of mediation. | 2021 | KBA, KJC, KPC, AoJ | Individual and joint training program between the KBA, KJC, KPC and AoJ established  1 joint training / meeting on the role of mediation held; mediation as a module of initial and ongoing legal training for lawyers. | The KBA has provided training for lawyers in the field of alternative dispute resolution, where 3 of them have been organized for Mediation, while 2 have been organized for Arbitration issues.  Arbitration training on 27.05.2023:[[156]](#footnote-157)  Arbitration training on 24.06.2023: [[157]](#footnote-158)  These trainings are based on the training program plan in order to further advance the knowledge of lawyers in these fields. | | | | |  |
| 37 | Conduct individual and joint training for lawyers on dispute resolution skills (especially mediation) in order to increase the skills of lawyers in the field of mediation. | 2021 | KBA, KJC, KPC, AoJ | 2 individual and joint trainings/meetings on the role of mediation | During this period, 3 trainings in the field of Mediation and 2 trainings for Arbitration were organized and delivered. | | | | |  |
| 38 | Drafting the Law on Administrative Conflicts | 2022 | MoJ, KJC | Adoption of the Law on Administrative Conflicts | Law No. 08/L-182 on Administrative Conflicts was adopted by the Assembly on 14.12.2023.[[158]](#footnote-159) | | | | |  |
| *Policy measure: Improving access to justice for vulnerable persons and groups* | | | | | | | 55% *fully implemented* | | |  |
| 39 | Approve decision on the criteria and procedures for the distribution of additional funds for shelters for victims of gender-based violence. | 2022 | MoJ, Government of RK | Decision adopted | On November 23, 2022, the Government of the Republic of Kosovo approved the decision to allocate financial resources in the amount of EUR 500,000.00 (five hundred thousand euros) to non-governmental organizations providing social and family services, including shelters for the protection of victims of domestic violence and victims of trafficking, the implementation of which commenced in the period January-April 2023.  In May 2023, the MoJ announced a public call for financial support for legal entities and licensed non-governmental organizations in the field of social and family services for the period May-December 23-February 24. In addition to the MoJ's public call, on 15/03/23 the commission for project evaluation was established for assessing applications for public financial support for NGO projects licensed in the field of social services, where out of 49 applications of legal entities (shelter, NGO) 41 benefited, out of which 10 shelters. From the budget of the MoJ for the period May - December 2023/February 2024, the value of funding for the shelters is 692,000 Euros (six hundred and ninety-two thousand Euros). With the Government's decision, the value of the budget for legal entities/NGOs has increased from 1,000,000 Eur (one million euros), to 1,500,000 Eur (one million five hundred thousand euros). | | | | |  |
| 40 | Extend the mandate of the coordination mechanism between judicial and non-judicial institutions to combat gender-based violence, within the MoJ | 2021 | MD | Government Decision on extending the competencies of the coordination mechanism for domestic violence, approved | The Ministry of Justice has established the working group for drafting the Draft Regulation for local mechanisms for Protection from Domestic Violence, Violence against Women and Gender Based Violence. Program for Standard Operating Procedure, derived from Law no. 08/L-185 on prevention and protection from domestic violence, violence against women and gender-based violence. | | | | |  |
| 41 | Establishment of a support mechanism for the Office of the National Coordinator | 2022 | MD | The mechanism created | The Ministry of Justice has initiated the recruitment procedures for the Support Mechanism of the Office of the Coordinator. | | | | |  |
| 42 | Harmonization and updating of Standard Operating Procedures (SOPs) that address various forms of domestic violence and gender-based violence for the purpose of improved response and intervention | 2022 | MD | SOPs updated, harmonized and approved. | The Ministry of Justice has established the working group for drafting the Program for standard operating procedures, derived from Law no. 08/L-185 on prevention and protection from domestic violence, violence against women and gender-based violence based on gender. | | | | |  |
| 43 | Approve the decision on the annual analysis of court decisions related to cases of domestic and gender-based violence to assess whether the decisions are in line with the Kosovo Sentencing Guidelines. | 2021  -  2023 | KJC | Approved decision of the KJC; Significant number of judicial decisions reviewed on an annual basis; Discussion of the assessment report in the KJC | There are no developments. | | | | |  |
| 44 | Approve the decision on the annual analysis of indictments related to cases of domestic and gender-based violence to assess whether proposals for sentences and measures take into account the Kosovo Sentencing Guidelines. | 2021  -  2023 | KPC | Approved decision of KPC; Significant number of judicially reviewed indictments on an annual basis; Discussion of the evaluation report in KPC | There are no developments. | | | | |  |
| 45 | CMIS analysis to see if the data needed to monitor and report crimes against the LGBTIQ + community are included and reflect the recommendations of this CMIS analysis to enable monitoring of the investigation, prosecution and sentencing of crimes against the LGBTIQ + community. | 2022 | OGG, KP, KPC, KJC, KBA | CMIS contains and generates data specific to cases related to crimes against the LGBTIQ + community. | The KPC registers all cases in CMIS with comprehensive data, including the actions of the prosecutors.  Completed. In CMIS it has become mandatory to fill in the field that determines the motive of the criminal offense. In the system it is now possible to collect data on LGBTIQ+ and other motives and these data can be extracted from the system for statistical purposes. | | | | |  |
| 46 | Draft specialized training programs for judges and prosecutors regarding the gender nature of acts of violence against women, including domestic violence, and implementation of the Kosovo Punishment Guidelines. | 2021  -  2023 | AoJ, KJC, KPC | Specialized training program, drafted. | In the second half of the year, this training curriculum was once again subjected to revision and with the support of the experts of the Council of Europe, it was redesigned to contain 4 training modules aligned with the standards of the Istanbul Convention, covering both the civil aspect and criminal aspect of domestic violence. This training curriculum is expected to be implemented during 2024. | | | | |  |
| 47 | Implement specialized training programs for judges and prosecutors related to the gender nature of acts of violence against women, including domestic violence, and implementation of the Kosovo Punishment Guidelines. | 2022  -  2023 | AoJ, KJC, KPC | 4 specialized trainings for judges and prosecutors and lawyers | Also, in the second half of the year, trainings were delivered in the field of domestic violence and gender-based violence. On August 31, the training on the risk assessment of cases of domestic violence. On September 5-1. Accusation and punishment of domestic violence cases. On October 26, the victims of sexual violence. On November 24, 2023, training was delivered on the topic: Training on Domestic Violence and the European Convention on Human Rights.[[159]](#footnote-160) | | | | |  |
| 48 | Develop specialized systematic training programs for the staff of relevant institutions that have competencies for combating gender-based violence. | 2022 | National Coordinator for Domestic Violence | Systematic training program, developed. | With the organization of the Academy of Justice, the Training Program has been designed.[[160]](#footnote-161)  Also, two sessions of the training "Combating and preventing violence against women/Domestic Violence" were organized, developed in cooperation with the project of the Council of Europe.[[161]](#footnote-162)  In addition, other trainings have been organized for the professionals involved, more specifically on 29.11, 30.11 and 01.12.2023, on the topic 'Istanbul Convention: Strengthening implementation to end violence against women, domestic violence and gender-based violence'.[[162]](#footnote-163) | | | | |  |
| 49 | Develop specialized systematic training programs for the staff of relevant institutions that have competencies for combating gender-based violence. | 2023 | National Coordinator for Domestic Violence | 4 separate and joint trainings for the staff of relevant institutions that have competences for combating-based violence | As part of the specialized trainings, the Ministry of Justice, in cooperation with the Agency for Gender Equality and strategic partners, has organized specialized trainings with the responsible institutions. The topic of these trainings is addressing sexual harassment, handling cases of sexual violence according to the State Protocol, training on reporting methodology for monitoring and implementing the Strategy and Action Plan for Protection from Domestic Violence, and training with the Local Coordinating Mechanism and Shelters for management of cases of domestic violence and violence against women. Moreover, within the specialized trainings, in cooperation with EULEX, trainings have been organized at the country level with actors responsible for handling cases of sexual violence. These trainings are organized with the prosecutor's office, the courts, the victims’ advocates, the Institute of Forensic Medicine and the Institute of Forensic Psychiatry. The special trainings are: 1. The State Protocol for handling cases of sexual violence 2. Training for addressing sexual harassment in state institutions 3. The Istanbul Convention and the role of the Local Coordinating Mechanism. 4. Reporting on the monitoring and implementation of the National Strategy for Protection from Domestic Violence and Violence against Women. The organized trainings cover the period January-June 2023. | | | | |  |
| 50 | Continuous and consistent reporting of data in the Integrated Domestic Violence Database | 2021  -  2023 | MoJ, other institutions | Updated data base and publication of annual reports | The database for recording the cases of domestic violence is updated with data by a total of 497 users, among them:  ● Court – 216  ● Prosecution – 30  ● Police – 114  ● VA – 24  ● SWC – 101  ● Shelters – 12  However, we are in the process of connecting the databases with the KJC, where the Ministry of Justice will have the opportunity to generate data on cases of domestic violence from the Judiciary system (CMIS).  The Ministry of Justice in December 2023 has published on its website the data on cases of domestic violence, as follows;  The published data for the years 2019-2023 is categorized as:  1. The number of cases of domestic violence reported to the Police,  2. The number of victims of domestic violence categorized by gender,  3. Victims of domestic violence categorized by nationality,  4. Victims of domestic violence categorized by age group,  5. The number of perpetrators of domestic violence categorized by gender,  6. Perpetrators of domestic violence categorized by nationality,  7. Perpetrators of domestic violence categorized by age group,  8. Number of sheltered women and children,  9. Murdered victims of domestic violence,  10. Issuance of orders for temporary emergency protection  The database for the treatment of perpetrators of domestic violence has been developed within the current database for the identification of cases of domestic violence with the support of UNDP, while its launch was made on 08.12.2023 by the Ministry of Justice.  Within the database for the identification of cases of domestic violence, the Institutions dealing with the treatment of perpetrators of domestic violence are already included, which are: The Correctional Service of Kosovo and the Probation Service of Kosovo.  Also, within this current database, the module of the Agency for free legal aid has been developed, which is directly related to the services they offer to victims of violence. | | | | |  |
| *Policy measure: Effective cooperation between non-judicial bodies and courts and prosecution offices* | | | | | | | | 0% *fully implemented* | |  |
| 51 | The Assembly of Kosovo takes all necessary procedural steps to ensure the reporting of the MoJ, MIA, KJC, KPC to the Committee on Human Rights of the Assembly of Kosovo regarding the recommendations of the Ombudsperson and actions undertaken in accordance with these recommendations, in order to increase responsibility in relation to claimed human rights violations. | 2022 | Assembly of Kosovo, MoJ, MIA, KJC, KPC | At least one report from each public institution regarding the addressing of the recommendations of the Ombudsperson Institution | There are no developments. | | | | |  |
| 52 | Establish and functionalize a coordination mechanism between the OIK and other non-judicial, administrative and equality bodies, in order to improve inter-institutional coordination for better protection of human rights, and to provide of the best legal services for citizens. | 2022 | OI, AGE, other non-judicial, administrative, and other equality bodies. | Established and functional coordination mechanism; 2 coordination meetings between the actors | There are no developments. | | | | |  |

**Chapter 3.2 - Increasing the efficiency and effectiveness of legal remedies**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | |
|  |
| *Policy measure: Improving the legal and institutional framework to ensure effective legal remedies with a view to citizen-oriented legal and justice services* | | | | | | 72% *fully implemented* |  |
| 1 | Develop an analysis on the forms for the protection of the right to trial within a reasonable time to determine effective legal remedies for cases involving delays in court proceedings, where opportunities such as appeals to the Constitutional Court will be analysed, appeals to the highest court, expediting and compensatory legal remedies and specific remedies in the field of criminal justice, and the legal powers of the Ombudsperson to initiate court proceedings in cases where legal remedies are ineffective, directly to the Constitutional Court | 2022 | MoJ, KJC, KPC | Concept Document on Protection of the Right to a trial within a reasonable time, adopted. | This Concept document was approved by the Government on 06.29.2023 | |  |
| 2 | Adopt the Criminal Procedure Code, in order to enhance the rights on information and interpretation in the field of criminal justice, in line with EU standards, as well as to increase the number of legal remedies available and increased effectiveness of legal remedies for malfunctions of the justice system related to the rights of defendants in criminal proceedings. | 2021 | MoJ | New Criminal Procedure Code, adopted | The Criminal Procedure Code was adopted by the Assembly on 14.07.2022.[[163]](#footnote-164) Harmonization has been done to a certain extent with the Directive of the European Parliament and the Council on the right to information in criminal proceedings. In addition, Article 14(10) provides for the right of the defendant to appeal the decision denying interpretation or translation | |  |
| 3 | Amend the Code of Ethics for judges to sanction as a serious disciplinary violation the restriction of the right to legal representation in criminal matters. | 2022 | KPC | Amended Code of Ethics for prosecutors, adopted | There are no developments. | |  |
| 4 | Approve the amendment of the Criminal Code to specifically address criminalization of ill-treatment in police stations, correctional centers and detention centers. | 2023 | MoJ | Amended Criminal Code, adopted. | Law No. 08/L -188 on supplementing and amending the Criminal Code of the Republic of Kosovo No. 06/L-074 was adopted by the Assembly on 26.10.2023[[164]](#footnote-165) and the criminalization of ill-treatment in police stations, correctional centers and detention centers is not specifically addressed. | |  |
| 5 | Establish an independent, accessible and effective complaint mechanism regarding claims on torture and ill-treatment at police stations | 2022 | MIA | Mechanism of complaints in police stations, operational. | Allegations on torture and ill-treatment in police stations are investigated by the Directorate for Professional Standards and the Police Inspectorate, based on the complaints. The police provide complaint forms at each station. Complaints boxes are also located at each station, to which only the Ombudsman Institution has access, as the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman and Degrading Treatments and Punishments. | |  |
| 6 | Establish an independent, accessible and effective complaint mechanism on claims on torture and ill- treatment in corrective and detention centres. | 2022 | KCS | Mechanism on complaints in detention centers and corrective centers, operational. | The Guidelines to handling complaints is in force. Also, in every detention center and correctional center there are complaint boxes, to which only the Ombudsman Institution has access, as the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman and Degrading Treatments and Punishments. The complaints mechanism is therefore functional, all complaints are handled and registered in the relevant registers. | |  |
| 7 | State prosecutors and the police provide mandatory information for individuals regarding their right to legal representation and the consequences of waiving this right. | 2021-2023 | KPC, SP, MIA, KP | Police and the Prosecutor's office reports and minutes emphasize the provision of information | The State Prosecutor is obliged to inform the parties about their rights in criminal proceedings every time. This is implemented regularly. | |  |
| 8 | Drafting the Law on Execution of Criminal Sanctions for the determination of legal provisions guaranteeing: a) the right to doctors, regular and frequent medical visits to all correctional and detention centers; b) improve the complaint mechanism of detainees after sentencing (in legal and practical terms); c) provide an accessible, completely independent, expeditious and effective complaint system | 2021 | MoJ | The Law on Execution of Criminal Sanctions adopted | The Law on Execution of Criminal Sanctions was adopted by the Assembly on 14.07.2022.[[165]](#footnote-166)  Article 46 regulates visits and medical examinations.  Articles 12, 24, 28, 57(7), 90, 93, 96, 107, 108, 117 and 135 regulate the right to appeal for various issues, namely the procedure for their handling. | |  |
| 9 | Draft and detail the Letter of Rights, with relevant information for suspects and accused persons in accordance with European standards | 2021 | Kosovo Police | Letter with information on the rights of persons approved and distributed to all police stations, and accessible to every suspect and accused | The Human Rights Form has been drawn up with relevant information for suspected and accused persons in accordance with European standards. During the July-December period, it was distributed to 2913 people. | |  |
| 10 | Increase transparency of KCS operations in relation to the handling of violations by staff in correctional and detention centers. | 2021-2023 | MoJ, KCS | The KCS annual report contains information regarding the handling of violations | The 2023 report included the number of disciplinary violations committed by staff and the measures taken.[[166]](#footnote-167) | |  |
| 11 | Improve system of keeping and updating the records in the KCS regarding detainees. | 2022 | MoJ, KCS | KCS system for maintaining and updating records, operational. | The problems with the detainee registers were solved and now the current system is operational and efficient. | |  |
| 12 | Functionalize electronic recording (audio and/ or preferably video) of police interviews in all police stations | 2022 | MIA, Kosovo Police | All interviews and interrogations in police stations in Kosovo, recorded as audio and video. | This is a gradual process and the Kosovo Police is constantly activating new cameras in places of detention.  The current situation is as follows:  - Police Station Vushtrri Yes-Functional  - Police Station Skenderaj Yes-Functional  - North Mitrovica Region, Police Station in North Mitrovica, Yes-Functional  - Police Station Leposaviq Yes-Functional  - Police Station Zvecan Yes-non-functional (Detention Center – non-functional)  Peja Region:  - Police Station Peja Yes-Functional  - Police Station Istog Yes-Functional  - Police Station Kline Yes-Functional  - Police Station Decan Yes-Functional  Prizren Region:  - Police Station Prizren Yes-Functional  - Police Station Suhareke Yes-Functional  - Police Station Dragash Yes-Functional  Ferizaj Region:  - Police Station Ferizaj Yes-Functional  - Police Station Kacanik Yes-Functional  Gjilan Region:  - Police Station Gjilan Yes-Functional  - Police Station Viti Yes-Functional  - Police Station Ranillug Yes-Functional  - Police Station Partesh Yes-Functional  Gjakova Region: - Police Station Gjakove, Yes-Functional  - Police Station Rahovec Yes-Functional  - Police Station Malisheve Yes-Functional  Border Police  - BCP Glloboqica has a detention room - functional camera.  - RDBP West: BCP Qafa and Prushi has a detention room - functional camera;  - BCP Qafa e Morines has a detention room - functional camera;  - BCP Merdare has a detention room - functional cameras;  - BCP Mutivode has a detention room - functional cameras;  - RDBPN (Lluzhan) has a detention room - functional cameras | |  |
| 13 | Functionalize cameras in all places of detention under the Kosovo Police management | 2022 | Kosovo Police | In all detention places cameras are installed and operational. | This is a gradual process and the Kosovo Police is constantly activating new cameras in places of detention.  The current situation is as follows:  Regions / Stations - installed cameras:  Pristina Region:  - Police Station Pristina Center Yes-Functional  - Police Station Podujevo Yes-Functional  - Police Station Lipjan Yes-Functional  - Police Station Obiliq Yes-Functional  - Police Station Graçanica Yes-Functional  - Police Station Drenas Yes-Functional  South Mitrovica Region:  - Police Station South Mitrovica Yes-Functional  - Police Station Vushtrri Yes-Functional  - Police Station Skenderaj Yes-Functional  - North Mitrovica Region, Police Station in North Mitrovica Yes-Functional  - Police Station Leposavic Yes-Functional  - Police Station Zvecan Yes-non-functional (Detention Center – non-functional)  Peja Region:  - Police Station Peja Yes-Functional  - Police Station Istog Yes-Functional  - Police Station Kline Yes-Functional  - Police Station Decan Yes-Functional  Prizren Region:  - Police Station Prizren Yes-Functional  - Police Station Suhareke Yes-Functional  - Police Station Dragash Yes-Functional  Ferizaj Region:  - Police Station Ferizaj Yes-Functional  - Police Station Kacanik Yes-Functional  Gjilan Region:  - Police Station Gjilan Yes-Functional  - Police Station Viti Yes-Functional  - Police Station Ranillug Yes-Functional  - Police Station Partesh Yes-Functional  Gjakova Region: - Police Station Gjakove, Yes-Functional  - Police Station Rahovec Yes-Functional  - Police Station Malisheve Yes-Functional  Border Police  - BCP Glloboqica has a detention room - functional camera.  - RDBP West: BCP Qafa and Prushi has a detention room - functional camera;  - BCP Qafa e Morines has a detention room - functional camera;  - BCP Merdare has a detention room - functional cameras;  - BCP Mutivode has a detention room - functional cameras;  - RDBPN (Lluzhan) has a detention room - functional cameras | |  |
| 14 | Continuous installation of cameras in centers under the KCS management. | 2021-2023 | KCS | Increased number of cameras installed and operational. | With the service and maintenance contract, the camera system has been installed and repaired: CC-Dubrave: 02, CC-Lipjan:10, DC-Prishtina: 3, DC-Prizren:05, CC-Smrekonicë:02, DC-Gjilan: 21, DC-Mitrovica: 7. The contract has been signed for the activity of installation of security cameras in Dubrava Correctional Center (the number of cameras to be installed is 176). | |  |
| 15 | Systematically translate selected case law of the ECtHR | 2021-2023 | AoJ | Selected case law of the ECtHR published, and disseminated in all courts and prosecution offices. | As emphasized in previous reports, the AoJ continues to offer access to ECtHR decisions through HUDOC. In addition, through the trainings carried out for case law, the ECHR continues to promote human rights standards for all its beneficiaries according to the law. | |  |
| 16 | Establish an independent institutional list for selection and appointment of "ex officio" certified defence attorneys, to ensure minimum standards of expertise, experience and conduct for defence attorneys in criminal matters. | 2022 | MoJ and KBA | List of defence attorneys in legal representation, published. | There is a list of defence attorneys providing legal services in ex-officio cases 24/7, the list is independent and is managed in the entire process by the Coordination Office, which is operational 24 hours a day, every day of the year, for the needs of the Police, Prosecution, Court and relevant institutions regarding these issues. | |  |
| 17 | Amend legislative framework for setting qualification criteria for ex officio assigned lawyers in complex and serious criminal matters | 2022 | KBA | Qualification criteria, approved and publication. | Regarding this matter, the case is in the Court of Appeal and we are waiting for the decision, regarding the suspension of the Regulation, which provided for such criteria. | |  |
| 18 | Update list of defence attorneys appointed "ex officio" in complex and serious criminal cases, with information on the individual compliance of each with the set qualification criteria | 2022 | KBA, MoJ | List of defence attorneys, published. | The list of defence attorneys is public and everyone has access to the KBA website. Likewise, the appointed defense attorneys are published in real time, but also in the form of a summary of the report on a weekly basis on the KBA website. | |  |

**Chapter 3.3 - Improving the provision of services by independent professions**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | | |
|  |
| *Policy measure Further development and consolidation of mediation and bankruptcy procedures* | | | | | | | 62% *fully implemented* | |  |
| 1 | Approval of sub-legal act on mediator fees | 2021 | MoJ | Sub-legal act on mediators’ fees, approved | Administrative Instruction MoJ-No. 4/2021 on mediators’ fees in the Republic of Kosovo, was signed by the Minister of Justice on 07.12.2021 | | | |  |
| 2 | Approval of sub-legal act for self-initiation of the mediation procedure | 2021 | MoJ | Sub-legal act on self-initiation of the mediation procedure, approved | Administrative Instruction 04/2021 on mediators’ fees has been adopted by the Minister and published in the Official Gazette in December 2021.[[167]](#footnote-168) | | | |  |
| 3 | Equip the Chamber of Mediators with the necessary tools (including infrastructure) in order to make it operational. | 2022 | MoJ | Office, staff and all accompanying infrastructure of the Chamber of Mediators, completed and operational | During 2022, the Ministry of Justice has supported the Chamber of Mediators with infrastructure and supporting materials of the Chamber's office. Also, with the support of the Commercial Justice Project (USAID), the engagement of an intern has been ensured to support the operation of the Chamber's office, in terms of strengthening and creating permanent staff in the future. | | | |  |
| 4 | Establish and functionalize a coordinative, applicable and flexible mechanism, between the relevant state authorities in order to make the mediation offices in the courts and the prosecution operational. | 2022 | MoJ, KJC, KPC, KCM | Established and functional coordination mechanism; 2 meetings held; functional mediation offices in courts and prosecution offices | At the level of basic courts, 16 mediation spaces have been created. All main courts have spaces for mediation and almost all branches (except Kamenica, Vushtrri, Suhareka, Dragash and Gracanica. Also, in all basic prosecutions the spaces for mediation have been created. | | | |  |
| 5 | Undertake activities to raise awareness of the role of mediation among professionals and the general public in order to increase the use of mediation. | 2021-2023 | MoJ, KJC, KPC, KCM | 1 video production and its broadcast on television channels, as well as billboards and advertisements on portals, MoJ website and social networks, realized, every year. | During 2021 and 2022, the MoJ has promoted the role of mediation. Specifically, Mediation Week has been organized with various activities in 2021, as well as television spots (RTK) for mediation have been broadcasted, but mediation has also been promoted on the Facebook page of the Ministry and the Chamber of Mediators. In addition, with the support of the Commercial Law Program, 10 trainers have been engaged to organize awareness activities, where a total of 24 have been held for judicial professionals, non-governmental organizations and the public in general.  Mediation week was also held, where brochures were distributed in municipalities, meetings were held with citizens in order to inform them about the use of mediation. Mediation has also been continuously promoted on the MoJ website and its social networks.[[168]](#footnote-169) | | | |  |
| 6 | Establish a coordination group between MoJ and MTI to analyse legislation in the field of bankruptcy. | 2021 | MoJ, MTI | Concept document on Bankruptcy, approved | Concept document on Bankruptcy has been approved by the Government Decision no. 16/99 dated 30.09.2022.[[169]](#footnote-170) | | | |  |
| 7 | Drafting of amendment to the Law on Bankruptcy in order to remove the current obstacles to its implementation in practice, better protection of creditors' interests, increase opportunities for debtors (businesses) to return into the market through reorganization, and providing the legal basis for the establishment of the Chamber of Bankruptcy Administrators. | 2022 | MoJ, MTI | Amended Law on Bankruptcy, adopted | The Draft Law on Bankruptcy was reviewed in principle on 19.10.2023. This activity is planned to be implemented after the approval of the new Law on Bankruptcy. | | | |  |
| 8 | Approve the new Statute of the Chamber of Bankruptcy Administrators, based on the amendments of the Law on Bankruptcy. | 2022 | CBA | New Statute of the Bankruptcy Administrators, approved | The Draft Law on Bankruptcy was reviewed in principle on 19.10.2023. This activity is planned to be implemented after the approval of the new Law on Bankruptcy. | | | |  |
| 9 | Equip the Chamber of Bankruptcy Administrators with necessary tools (including infrastructure) in order to make it operational. | 2022 | MoJ | Office along with complete accompanying infrastructure of the Chamber of Bankruptcy Administrators, complete and operational. | The Ministry of Justice in cooperation with the Ministry of Internal Affairs has provided the offices for the Chamber of Bankruptcy Administrators, as well as the inventory and necessary equipment for functioning of the CBAK office. | | | |  |
| 10 | Prepare and implement regular activities for raising awareness of bankruptcy proceedings and the role of bankruptcy administrators in these proceedings, within the justice system and for the public. | 2021 - 2023 | MoJ, KJC, KCBA, Chambers of Commerce | 1 video production and its broadcast on TV channels, as well as billboards and advertisements on portals, MoJ website and social networks, realized, every year. | This activity is planned to be implemented after the adoption of the new Law on Bankruptcy. The draft Law on Bankruptcy was adopted in the first reading by the Assembly on 19.10.2023 | | | |  |
| 11 | Establish and implement an appropriate and uniform data collection system for the performance of the enforcement system, in order to create a better and clearer picture of the system performance and registered general trends, allowing better-informed decision-making. | 2021 | MoJ, KCPEA, KJC | Uniform data collection system for the performance of the enforcement system, established and implementable. | This system has been officially launched but has not started to be implemented, because the Chamber of Enforcement Agents has requested legal changes for the use of this system. | | | |  |
| 12 | Decision on the recruitment of 20 additional private enforcement agents to have a better geographical distribution of enforcement services. | 2022 | MoJ | 20 newly recruited private enforcement agents. | The public announcement for the exam for private enforcement agents was made by the Ministry of Justice on April 27, 2022. On 23.07.2022, 13 candidates passed the exam for private enforcement agents, of which 4 started exercising the activity of the enforcement agents in December 2022. The other two are expected to start their activity in 2023. During 2023, a new announcement for appointment is planned. | | | |  |
| 13 | Decision on the recruitment of 10 additional private enforcement agents to have a better geographical distribution of enforcement services. | 2023 | MoJ | 10 newly recruited private enforcement agents. | In January and February of 2023 - 2 private enforcement agents have started the enforcement activity. In December 2023, 3 private enforcement agents were sworn in. | | | |  |
| *Policy measure: Improving the quality of service provision for all legal professions* | | | | | | 12% *fully implemented* | | |  |
| 14 | Drafting of a Concept Document on Enforcement Procedure | 2022 | MoJ | Concept Document approved | Regarding this Concept Document , following the discussions and analyses by the Working Group, they concluded that the field of enforcement should be handled within the Concept Document for Civil Procedure (CPC), since this field is a segment of it. Therefore, this CP has been integrated into the CP for KPC, which is currently in the finalization stage. | | | |  |
| 15 | Undertake a comprehensive training needs analysis, taking into account similar previous assessments regarding the legal, administrative and technical skills of the free professions. | 2021 | MoJ, KCPEA, NCK, Chamber of Mediators, CBA | List of training needs, approved | There are no developments. | | | |  |
| 16 | Draft initial, continuous and specialized training curricula for mediators, in order to increase the level of knowledge and skills and the quality of service delivery. | 2021 | MoJ, Chamber of Mediators, | Initial, continuous and specialized training curricula, approved. | The draft curriculum has passed the consultation phase and is now in the Legal Department of the MoJ | | | |  |
| 17 | Organize initial, continuous and specialized trainings for mediators, based on the approved curricula | 2022-2023 | MoJ, Chamber of Mediators, | 2 trainings held during the year. | Continuous trainings were planned to start in September-October of 2023, when experts from the U.S. were expected to be in Kosovo, while the initial trainings will start only if deemed necessary to announce a call for certification of new mediators. However, there has been no development. | | | |  |
| 18 | Draft initial, continuous and specialized training curricula for bankruptcy administrators, in order to increase the level of knowledge and skills and the quality of service delivery. | 2021 | MoJ, KCBA | Initial, continuous and specialized training curricula, approved. | This activity is planned to be implemented after the adoption of the new Law on Bankruptcy. The draft Law on Bankruptcy was approved in the first reading by the Assembly 19.10.2023 | | | |  |
| 19 | Organize initial, continuous and specialized trainings for bankruptcy administrators, based on the approved curricula | 2022-2023 | MoJ, KCBA | 2 trainings held during the year. | This activity is planned to be implemented after the adoption of the new Law on Bankruptcy. The draft Law on Bankruptcy was approved in the first reading by the Assembly 19.10.2023 | | | |  |
| 20 | Draft initial, continuous and specialized training curricula for notaries in accordance with accepted standards and best practices, in order to increase the level of quality of services for citizens and businesses. | 2021 | MoJ, NCK | New initial, continuous and specialized training curricula, approved. | The Notary Chamber has drafted and completed the initial and continuous training curricula for notaries.[[170]](#footnote-171) | | | |  |
| 21 | Organize initial, continuous and specialized trainings for notaries, based on the newly approved curricula. | 2022-2023 | MoJ, NCK | 4 trainings, held. | During this reporting period, the NCK conducted 2 trainings for Notaries: 03 June 2023 The Notary Chamber in cooperation with the Kosovo Cadastral Agency (KCA) delivered the training for notaries and associates of notary offices, on the topic "Notes by notaries in SIKT-K", application developed by this agency for noting the LRP and REF in the remark column in the property certificate by notaries. The purpose of this training was to provide detailed information on the steps that notaries must follow in the Digital Services System of KCA, for the registration of note for the cadastral units that will be the subject of notarial acts. Held at Hotel Emerald, Pristina. • February 25-26, 2023, the Notary Chamber in cooperation with GIZ and NJIF-K, conducted advanced training on the Prevention of Money Laundering and Combating the Financing of Terrorism, with Mr. Dritan Vakaj as the speaker. Group 1: Prizren, February 25, 2023, "Lakeside" Hotel. Group 2: Prishtina, February 26, 2023, "Sirius" Hotel. | | | |  |
| 22 | Draft new initial, continuous and specialized training curricula for private enforcement agents in accordance with accepted standards and best practices, in order to increase the level of quality of services for citizens and businesses. | 2021 | MoJ, CPEA | New initial, continuous and specialized training curricula, approved. | There are no developments | | | |  |
| 23 | Organize initial, continuous and specialized trainings for private enforcement agents, based on the newly approved curricula | 2022-2023 | MoJ, NCK | 4 trainings, held. | During this period, the CPEA conducted 3 trainings: 1. Training on Administrative Instruction for Enforcement fees, on 27.01.2023.  2. Training on Enforcement Procedures - permission of enforcement, on 31.05.2023. While in the second part of the year, there were no developments. | | | |  |
| 24 | Strength capacities of respective chambers of free professions in relation to the provision of training (compulsory initial training and continuous training) in order to increase the level of quality of services for citizens and businesses. | 2022 | MoJ, NCK, CPEA, KCBA, Chamber of Mediators | 4 trainings for trained trainers, 1 for each free profession: notaries, private enforcement agents, bankruptcy administrators and mediators. | In relation to increasing the internal capacities of NCK, IUN (International Union of Notaries) has delivered the training ToT (Training of Trainers). | | | |  |
| 25 | Foresee in the Law on Bankruptcy, the obligation to attend continuous annual training for bankruptcy administrators, in order to increase knowledge and skills, quality of services provided and increase public confidence in services provided by free professions. | 2022 | MoJ, MTI | Amendments to the Law on Bankruptcy providing continuous training for bankruptcy administrators, adopted. | The Draft Law on Bankruptcy was adopted in the first reading by the Assembly on 19.10.2023 and this part has been incorporated [[171]](#footnote-172) | | | |  |
| 26 | Approve internal act of KCBA that regulates continuous training for bankrupt administrators. | 2022 | KCBA | KCBA act on continuous training of bankrupt administrators, approved. | This activity is planned to be implemented after the adoption of the new Law on Bankruptcy. The draft Law on Bankruptcy was adopted in the first reading by the Assembly on 19.10.2023 | | | |  |
| 27 | Establish in-service training program for notary staff, in order to increase the quality of services provided to citizens and businesses. | 2021 | MoJ, NCK | In-service training program for notary staff, approved. | The Notary Chamber has drafted and completed the initial and continuous training curricula for notaries, while the training program for notary employees is planned during 2023. | | | |  |
| 28 | Organize trainings for notary staff, based on the approved training program | 2022-2023 | MoJ, NCK | 4 trainings held for notary staff | There are no developments. | | | |  |
| 29 | Establish in-service training program for employees in private enforcement offices, in order to increase the quality of services provided to citizens and businesses. | 2021 | MoJ, NCK, CPEA | In-service training program for employees of private enforcement agents, approved. | There are no developments. | | | |  |
| 30 | Organize trainings for employees of private enforcement offices, based on the approved training program. | 2022-2023 | MoJ, NCK | 4 trainings held for employees of private enforcement offices | There are no developments. | | | |  |
| 31 | Sign Memorandum of Understanding with the Academy of Justice for the establishment of mechanisms for the provision of joint thematic trainings for the free professions with judges, prosecutors, support staff from courts and prosecutor's offices, aiming joint improved inter-institutional coordination and cooperation between the MoJ, AoJ and respective chambers. | 2021 | MoJ, KJC, KPC, Chambers of Free Professions, AoJ | Memorandum of Understanding, signed. | During the reporting period, the Academy of Justice was engaged in reaching cooperation agreements with the Chambers of Free Professions for which there is still no agreement. In September, namely on September 8, it addressed the Chamber of Mediation through its representative and on the platform 'info@noteria-ks.org'. In the email addressed to the relevant chambers, they were reminded of the measure outlined in the Strategy for the Rule of Law in relation to our institutions, that through cooperation agreements we create opportunities for joint thematic training together with judges and prosecutors and in this way contribute to increasing the capacities of legal professionals and strategy implementation.  The Chamber of Mediation has responded to this request and initiative of the AoJ, for which we have agreed and reached a cooperation agreement which was signed on the days of the mediation, namely on September 26, 2023. As a result of this agreement, the mediation officials have the opportunity and have participated in the trainings of AoJ, both those conducted with judges and prosecutors and those trainings dedicated to mediation officials.  Despite the attempt and reminder of the AoJ to Notary Chamber, we have not succeeded since we have not had an answer. | | | |  |
| 32 | Establish curriculum by the Academy of Justice for joint thematic trainings between judges, prosecutors and the free professions | 2021 | AoJ, KJC, KPC | AoJ curriculum for joint training, approved. | The AoJ training program is a common program, and beneficiaries are determined based on the topics covered in the program. Therefore, a significant part of the training offered by this program includes other legal professions such as state attorneys, mediators, free legal aid officers and others. In the following text of this document, the training activities in which the relevant entities have participated are presented. | | | |  |
| 33 | Organize joint thematic trainings for free professions with judges, prosecutors, support staff from courts and prosecutor's offices, in order to improve coordination and inter-institutional cooperation between the MoJ, AoJ and respective chambers. | 2022-2023 | AoJ, MoJ, KJC, KPC, Chambers of Free Professions | 4 joint trainings conducted with free professions, judges and prosecutors, conducted. | During the reporting period, professionals from the ranks of free professions were given the opportunity to participate in the trainings, which are of interest according to the continuous training program. As a result of this, they participated in joint trainings with judges and prosecutors, but also in special trainings dedicated to the relevant categories. State advocates, mediators, free legal aid officers, victims' advocates, officials from the SWC and other legal professionals have participated in these trainings, based on the relevance of the legal issues covered by the training and the connection of their work with the respective topics.[[172]](#footnote-173) | | | |  |
| 34 | Revise the Code of Ethics for Notaries, to reflect on latest amendments to the Law on Notaries | 2022 | MoJ, NCK | New Code of Ethics for Notaries, adopted. | The Code of Ethics has been adapted by the International Union of Notaries, and the member Chambers of the International Union of Notaries must have the unified code. | | | |  |
| 35 | Draft the Code of Ethics on Bankruptcy Administrators | 2022 | MoJ, KCBA | Code of Ethics for Bankruptcy Administrators, approved. | This activity is planned to be implemented after the adoption of the new Law on Bankruptcy. The draft Law on Bankruptcy was adopted in the first reading by the Assembly on 19.10.2023 | | | |  |
| 36 | Revise the CPEA statute in order to better clarify the role of the CPEA bodies and the hierarchy of CPEA internal normative acts. | 2021 | MoJ, CPEA | Revised CPEA statute, approved. | The draft Statute has been prepared, but has not yet been approved, it is in the LD, and according to the discussion with the DL, they will be included in the decision, which will include some acts that must be changed. | | | |  |
| 37 | Revise the draft Code of Ethics of PEA through close coordination between CPEA and MoJ in order to better develop the basic rules of ethics and conduct of private enforcement agents. | 2021 | MoJ, CPEA | New Code of Ethics for Private Enforcement Agents, approved. | A draft of the Code has been prepared, but has not yet been adopted, it is in the LD, and according to the discussion with the DL, they will be included in the decision, which will include some acts that must be changed. | | | |  |
| 38 | Undertake analysis of respective competencies of the Division for Administrative Supervision of the Legality of the Activities of Free Professions and the Department of Free Professions (including two existing divisions) within the MoJ | 2021 | MoJ | Analysis of the respective competencies, conducted. | With the support of the EU Project 'EUKOJUST', an analysis of the competencies between the Department for Free Professions and the Division for Supervision has been developed and recommendations have been provided, which will be reviewed during the finalization of the new Regulation on the organization of the Ministry of Justice. | | | |  |
| 39 | Undertake measures to harmonize respective competencies of the Division for Administrative Supervision of the Legality of the Activities of FP and the Department of FP. | 2022 | MoJ | Measures for the harmonization of the operations, approved. | This activity is in process and has been addressed through the Draft Internal Regulation of the MoJ, which is in the phase of approval by the MIA. | | | |  |
| 40 | Establish detail instructions for performance, monitoring and control of notaries, mediators and bankruptcy administrators, in order to better monitor and control of free professions. | 2021 | MoJ, KNC, Chamber of Mediators, KPCEA | Guidelines on performance, monitoring and control of free professions, approved. | Apart from the instruction for the supervision of private enforcement agents that was approved before the entry into force of this Strategy, as for the other free professions, no specific supervision instructions have been issued. | | | |  |
| 41 | Close coordination between MoJ and the Ministry of Finance (MoF) to identify financial incentives for the staff of the Division for Administrative Supervision of the Legality of FLP activities | 2022 | MoJ, MoF | Financial incentives granted | There are no developments. | | | |  |
| 42 | Establish and functionalize the Professional Commission on Enforcement Assessment in order to provide an opportunity for independent review of the enforcement system, which allows for increased accountability and contributes to the identification of ways for its further improvement. | 2021 | MoJ | Professional Commission established and operational. | This issue is being analysed within the Concept Document for the Civil Procedure Code. | | | |  |
| 43 | Establish a training program for MoJ and respective chambers in implementation of monitoring and control guidelines for the free professions. | 2022 | MoJ, NCK, CPEA, KCBA, Chamber of Mediators | Training program, approved. | The Notary Chamber has approved the program for initial and continuous training. | | | |  |
| 44 | Organize training for MoJ and respective chambers in implementation of monitoring and control guidelines for the free professions. | 2023 | MoJ, NCK, CPEA, KCBA, Chamber of Mediators | 2 trainings, held. | During this reporting period, the NCK conducted 2 trainings for Notaries: 03 June 2023 The Notary Chamber in cooperation with the Kosovo Cadastral Agency (KCA) delivered the training for notaries and associates of notary offices, on the topic "Notes by notaries in SIKT-K", application developed by this agency for noting the LRP and REF in the remark column in the property certificate by notaries. The purpose of this training was to provide detailed information on the steps that notaries must follow in the Digital Services System of KCA, for the registration of note for the cadastral units that will be the subject of notarial acts. Held at Hotel Emerald, Pristina.  • February 25-26, 2023, the Notary Chamber in cooperation with GIZ and NJIF-K, conducted advanced training on the Prevention of Money Laundering and Combating the Financing of Terrorism, with Mr. Dritan Vakaj as the speaker. Group 1: Prizren, February 25, 2023, "Lakeside" Hotel. Group 2: Prishtina, February 26, 2023, "Sirius" Hotel.  During this period, the CPEA conducted 3 trainings: 1. Training on Administrative Instruction for Enforcement fees, on 27.01.2023.  2. Training on Enforcement Procedures - permission of enforcement, on 31.05.2023.  3. Training on COMMERCIAL COURT- COMPETENCIES, PROCEDURE, CASE LAW, on 02.06.2023 | | | | . |
| 45 | Create standards, including standard deadlines, during which measures should be taken by the enforcement agents towards completion of the enforcement case. | 2021 | MoJ, CPEA | Established standards, approved. | The training for enforcement procedures-permission of enforcement, on 31.05.2023, there were no other developments. | | | |  |
| 46 | Approve sub-legal act on control and supervision of bankruptcy administrators upon amendment to the Law on Bankruptcy and establishment of the Chamber of Bankruptcy Administrators | 2022 | MoJ, KCBA | Sub-legal act, approved. | This activity is planned to be implemented after the adoption of the new Law on Bankruptcy. The draft Law on Bankruptcy was adopted in the first reading by the Assembly on 19.10.2023. | | | |  |
| *Policy measure: Improving inter-professional cooperation* | | | | | | | | 50% *fully implemented* |  |
| 47 | Create and implement viable mechanism for close coordination between MoJ and respective FLP chambers. | 2021 | MoJ, NCK, CPEA, KCBA, Chamber of Mediators | Operational and flexible communication mechanism. | The coordinating mechanism for free professions has been created and the first meeting was held on June 29, 2022. In addition, with the support of the USAID Program 'Commercial Justice', a three-day workshop was held in February 2022, with experts from the USA on the power of partnership between the Ministry of Justice and the Chamber of Private Enforcement Agents, with the aim of creating long-term plans as well as the list of common goals between the Ministry and CPEA as well as addressing problems. | | | |  |
| 48 | Create a viable, functional and flexible communication mechanism between the free professions on one hand, and the KJC and KPC on the other, for better inter-institutional and inter-professional cooperation between free professions and other actors of justice. | 2021 | MoJ, NCK, CPEA, KCBA, Chamber of Mediators, KJC, KPC | Operational and flexible communication mechanism, established. | During this period, there were no meetings held, but we have continuous communications | | | |  |
| 49 | Prepare the Academy of Justice curriculum for training of judges and prosecutors on role of each legal profession, in order to better understand by each actor in the field of justice the specific needs of each free profession. | 2022 | KJC, KPC, AoJ | Training curriculum, approved. | As reported, the training program contains all the competencies outlined in the law pertaining to judges, prosecutors and other legal professions within each department and division of the court/prosecutor's office for which it has been assessed that there is a need to improve the case law. Therefore, each of these functions has had the opportunity to apply and participate in order to increase their professional capacities in matters that are of interest in their work.[[173]](#footnote-174) | | | |  |
| 50 | Organize trainings for judges and prosecutors on the role of each legal profession, in order to better understand by each actor in the field of justice the specific needs of each free profession. | 2023 | AoJ, KJC, KPC | 2 trainings for judges and prosecutors, held. | There are no developments. | | | |  |
| 51 | Involvement of representatives from free professions in working groups when laws and policies, which directly and indirectly affect their work, are drafted or discussed at the policy-making level. | 2021-2023 | MoJ, KJC, KPC | The free professions participate in all relevant policy and legal acts, drafted. | Representatives from the free professions participate in each relevant working group.  The working group for amending and supplementing the Law on Bankruptcy includes representatives of CBAK, also in the working group for amending and supplementing the Law on Notary, representatives of CNK are included. | | | |  |
| 52 | Approve amendments or sign Memoranda of Understanding to ensure access for PEAs and notaries to public registers in order to improve the quality of services provided by PEAs and notaries to citizens and businesses. | 2022 | MoJ, CPEA, CNK, MIA / Cadastral Agency, MTI / Pledge Register | PEAs and notaries have access to public registers | Notaries currently have access to the pledge, mortgage and cadastre register. With the new electronic enforcement system, private enforcement agents will have access to all public records. The access for enforcement agents in the Register of Bank Accounts still remains a problem, as well as the access for enforcement agents and notaries in the Cadastral Register is available only for a fee. | | | |  |

**Chapter 3.4 - Increasing cooperation and coordination with civil society**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | |
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| *Policy measure: Improving the legal and institutional framework to improve access to information* | | | | | | 44% *fully implemented* | |  |
| 1 | Approval of the Regulation on the classification of documents within the judicial system. | 2022 | KJC | Regulation on the classification of judicial documents adopted. | Initially, the KJC has drawn up two draft regulations, draft Regulation on the classification of documents within the judicial system and Draft Regulation on Access to Public Documents. During the finalization procedure, the KJC conducted an analysis of local instructions regarding the classification of local documents. After the analysis, the KJC did not consider it necessary to adopt a regulation for the classification of documents, and it merged the two drafts into one draft. On March 23, 2023, the KJC adopted the Regulation No. 02/2023 on access to Public Documents, which defines the procedure and manner of allowing access to public documents of the Kosovo Judicial Council and the courts of the Republic of Kosovo. | | |  |
| 2 | Approval of the Strategy for Public Communication in accordance with the Law on Access to Public Documents. | 2022 | MoJ | Strategy for Public Communication approved. | The MoJ has planned the working group and the drafting and approval of this Strategy is expected during 2023. | | |  |
| 3 | Approval of the Strategy for Public Communication in accordance with the Law on Access to Public Documents. | 2022 | MIA | Strategy for Public Communication approved. | The sectoral Strategy for Public Communication has been drafted and is awaiting approval. | | |  |
| 4 | Approval of the Strategy for Public Communication in accordance with the Law on Access to Public Documents. | 2022 | Kosovo Police | Strategy for Public Communication approved. | The sectoral Strategy for Public Communication has been drafted and is awaiting approval. | | |  |
| 5 | Drafting the Strategy for Public Communication in accordance with the Law on Access to Public Documents. | 2022 | KJC | Public Communication Strategy adopted | The Strategy for Public Communication 2022-2024 has been approved by the KJC.[[174]](#footnote-175) | | |  |
| 6 | Drafting the Strategy for Public Communication in accordance with the Law on Access to Public Documents. | 2021 | KPC | Public Communication Strategy adopted | KPC has approved the Strategy for Public Communication of the Prosecution System.[[175]](#footnote-176) | | |  |
| 7 | Creating more user-friendly websites that provide informative content to the public, including legal information. | 2022 | MJ | MoJ website accessible and up to date with substantial information for the public. | It is being implemented. MoJ has completed the report while GIZ is in the process of procurement to select the Company to design and create the new MoJ website. | | |  |
| 8 | Creating more user-friendly websites that provide informative content to the public, including legal information. | 2022 | MIA | MIA website accessible and up to date with substantial information for the public. | The MIA is constantly updating the website, with the aim of facilitating its use. | | |  |
| 9 | Creating more user-friendly websites that provide informative content to the public, including legal information. | 2022 | Kosovo Police | Kosovo Police website accessible and up to date with substantial information for the public. | The website of the Kosovo police has been redesigned with the support of the OSCE and this process was completed in 2021 with the aim of easier access to information for various stakeholders. For the DIPR that administers the website, this activity is complete. In order to provide information and facilitate access for all interested parties, the Kosovo Police has, in addition to the website, other platforms for communication with the public, such as: the official FB page, Twitter, YouTube channel. The Kosovo Police provides internal notification to all police officers regarding events, legal innovations and the publication of various documents through the Intranet, while communication with the external public is done through the Website. The redesigned KP website also offers access to :  • Information on the numbers of the Kosovo Police, including the number for anonymous and confidential calls.  • The function directly from the website where citizens can send their information and requests to the electronic address info@kosovopolice.com (address managed by the OCCC).  • Access to the application and Installation of the " Lajmëro Policinë " digital application for mobile phones.  • Link to E-Kosova Platform for checking Fines  THE ACTIVITIES THAT HAVE BEEN ACCOMPLISHED SO FAR DURING THE YEAR 2023 AND WHICH HAVE BEEN PUBLISHED ON KP'S INFORMATION PLATFORMS, INCLUDING THE WEBSITE:  1. PRESS RELEASES - During the year 2023, the Kosovo Police issued 2130 press releases, on all KP information platforms. Press releases issued by the Media and Public Relations Offices at the central and local level, are published on the intranet, website and social network of KP, in 3 languages and this year we have an increase of 11% more publications in the year 2023  24-HOUR REPORT - Throughout the year 2023, the 24-hour report has been published365 times, (i.e. for every day), containing the general statistics which are published on the KP website and Facebook on a daily basis.  3. ACCESS TO PUBLIC DOCUMENTS - The Directorate for Information is also tasked for managing and handling of requests for access to public documents, and within this year we have received 154 requests for access to public documents.  4. MEDIA CONFERENCE – During this year, the DIPR organized 14 media conferences, which are usually held on the occasion of extraordinary events to be more transparent to the general public.  5. PHOTONEWS – As part of the information presented in the form of press releases, we also publish quick and concise information in the form of photo news, and during 2023 we have published 30 such photo news.  6. VARIOUS VACANCIES – 31 posts for external vacancies on the website of the KP (posts covering all stages of the recruitment process for police employees.  7. A total of 2233 various police activities have been published on KP social networks on Facebook and Twitter, including press releases by the DIPR and the regions, publications on misdemeanours, video spots as well as other police activities related to visits of the director of KP etc.  8. Various publications on the web page and on the Intranet: a total of 203, which include (laws, strategic documents, reports, awareness campaigns, regulations, administrative instructions, various forms, SOP.  9.. PROTECTOR MAGAZINE - Additional engagements in the field of public relations as well as the publication of the police magazine "Protector", by the DIPR staff.  10. DESIGNS OF DIFFERENT PRODUCTS - 70 documents were designed such as: plans, awareness campaigns, posters, all designed in Albanian, Serbian and English.  In order to increase transparency, advance cooperation and prevent negative phenomena in various fields, the following activities were also carried out:  11. TELEVISION APPEARANCE - In order to raise transparency and advance cooperation with different media outlets, television appearances were made in programs and chronicles about general security or special topics, police activities and operations.  12. MEETINGS - Maintaining good cooperative relations with journalists, reporters, non-governmental organizations, film productions, etc.  13. AWARENESS CAMPAIGNS- Several awareness campaigns and television video spots were carried out, mainly with the assistance of KFOR and OSCE  Additional information:  Friendly platforms for easier access to information that is administered by the DIPR.  Below you will find the official links of KP,  Official website:  http://www.kosovopolice.com  The official page of KP on the Facebook social network:  http://www.facebook.com/KosovoPolice  The official website of the KP on the social network Twitter (X):  https://x.com/kosovo\_police?s=11&t=sO-rZxMD95UdIeVFYExr4A  KP's official website on the YouTube channel:  http://www.youtube.com/@kosovopolice6138 | | |  |
| *Policy measure: Improving communication and cooperation with Civil Society Organizations* | | | | | | | 100% *fully implemented* |  |
| 10 | Signing of a Memorandum of Understanding, which envisages using the experience and capacities of non-governmental organizations in promoting good practices for judges, prosecutors, and support staff in matters related to corruption, organized crime, access to justice, instruments, enforcement measures, improving standards and strengthening oversight of anti-corruption measures, and more. | 2022 | KJA, NGO | Memorandum of Cooperation signed. | The Memorandum of Cooperation was signed on May 31, 2022 for the creation of the "Friends of the Academy" group.[[176]](#footnote-177) | | |  |

**Chapter 3.5 - Strengthening the role of the Ministry of Justice**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | | | | |
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| *Policy measure: Increasing the capacity of the Kosovo judiciary for EU integration* | | | | | | 25% *fully implemented* | | | | |  |
| 1 | Appointment of the Attaché of Justice in the representation of Kosovo in Brussels. | 2023 | MoJ MFAD | Attaché of Justice based in Brussels. | It was not implemented. This issue has not been included in the Draft Internal Regulation of the MoJ | | | | | |  |
| 2 | Empowering the role of the MoJ in the JFS subcommittee by training the staff of the Department for European Integration and Policy Coordination on reporting capabilities, the EU acquis in the field of JFS, diplomatic communication, and analytical skills. | 2022-2023 | MoJ | 1 training conducted. | It was not implemented. This issue has not been included in the Draft Internal Regulation of the MoJ | | | | | |  |
| 3 | Empowering the role of the MIA in the JFS subcommittee by training the staff of the Department for European Integration and Policy Coordination on reporting capabilities, the EU acquis in the field of JFS, diplomatic communication, and analytical skills. | 2022-2023 | MIA | 1 training conducted. | During 2023, two officers of the MIA have attended two trainings related to European integration and EU acquis | | | | | |  |
| 4 | Organizing thematic workshops on various aspects of interaction with the EU, including proper reading of EU reports, communication, lobbying, and reporting to EU. | 2021 | MoJ | 1 workshop conducted. | There were no developments in this regard. | | | | | |  |
| *Policy measure: Strengthening the MoJ's capacity to lead the judicial reform* | | | | | | | 57% *fully implemented* | | | |  |
| 5 | Amendment of Regulation No. 31/2013 on the internal organization of the Ministry of Justice so as to provide for the establishment of the Department for Legislative Policies (Primary Legislation) of the Judiciary | 2022 | MoJ, Government of Kosovo | Regulation on internal organization of the MoJ amended and the department established. | Regulation No. 010/2023 on Internal Organization and Systematization of workplaces in the MoJ was adopted on 07.12.2023[[177]](#footnote-178) | | | | | |  |
| 6 | Regular meetings of the coordination mechanism consisting of all actors of justice, for the purpose of coordination on the implementation of the Strategy and other issues related to their competencies. | 2022 | MoJ, Government of Kosovo, KJC, KPC, AoJ | The coordination mechanism consisting of all justice actors is functional; 2 meetings of the mechanism are held within the year. | As part of the preparation of annual report, meetings were held with all reporting institutions, and the meeting of the Steering Committee will be held. | | | | | |  |
| 7 | Establishing of a donor coordination mechanism in the justice sector. | 2022 | MoJ, Government of Kosovo, KJC, KPC, AoJ | Coordination mechanism with all justice actors established. | A coordination mechanism for the coordination of donors in the justice sector between the MoJ and donors has been established and during 2022 it held meetings on 27.6.2022 and 2.11.2022. | | | | | |  |
| *Policy measure: "Strengthening the administrative capacities of the MoJ, in particular the EU department, as well as those departments that are responsible for the implementation of justice reforms"* | | | | | | | | 0% *fully implemented* | | |  |
| 8 | Recruitment of new officials with advanced English language skills in the Department for European Integration and Policy Coordination. | 2022 | MoJ | Four new officers recruited in the Department for European Integration and Policy Coordination. | There are no developments. | | | | | |  |
| 9 | Recruitment of new officials with advanced English language skills in the Legal Department. | 2022 | MoJ | Six new officers recruited in the Legal Department. | There are no concrete developments. This issue is being analysed in the Draft Regulation for the internal organization of the Ministry. In 2023, an officer with advanced knowledge of the English language was transferred from the OPM, but he resigned in February 2024. | | | | | |  |
| 10 | Training of new officials of the Department for European Integration and Policy Coordination related to EU accession criteria. | 2022 | MoJ | X trainings conducted. | There were no developments in this regard. | | | | | |  |
| 11 | Providing foreign language courses for officials of the Ministry of Justice. | 2022 | MoJ, MIA, PMO | Courses provided in English, French and German. | With the support of the EUKOJUST project, the staff of the legal department, the staff of the department for free professions, the staff of the department for international legal cooperation, have attended the English language course during 2023. | | | | | |  |
| *Policy measure: Strengthening the capacity of strategic planning in the justice sector* | | | | | | | | | 33% *fully implemented* | |  |
| 12 | Amending Regulation No. 31/2013 on the internal organization of the Ministry of Justice to foresee the establishment of a Division for Strategic Planning. | 2022 | MoJ | Regulation on internal organization of the MoJ amended and the strategic planning division established. | Regulation No. 010/2023 on Internal Organization and Systematization of workplaces in the MoJ was adopted on 07.12.2023[[178]](#footnote-179) | | | | | |  |
| 13 | Recruitment of four officials in the Strategic Planning Division. | 2022 | MoJ | 4 officials recruited in the Strategic Planning Division. | There were no developments in this regard. | | | | | |  |
| 14 | Training of officers of the Strategic Planning Division on strategic planning. | 2022 | MoJ | X trainings conducted. | There are no developments | | | | | |  |
| *Policy measure: Use of modern technologies in the justice sector* | | | | | | | | | | 60% *implemented* |  |
| 15 | Training of the IT Division, in order to involve them in certain issues in the implementation of IT systems in the judiciary, while respecting the independence of the judiciary and the prosecution. | 2022 | MoJ | 2 trainings conducted. | There are no developments. | | | | | |  |
| 16 | Amending Regulation No. 31/2013 on the internal organization of the Ministry of Justice to provide for the establishment of the Division of Analytics and Statistical Monitoring. | 2022 | MoJ, Government of Kosovo | Regulation on the internal organization of the MoJ amended and the division established. | Regulation No. 010/2023 on Internal Organization and Systematization of workplaces in the MoJ was adopted on 07.12.2023, establishing the Division on Statistics and Analysis[[179]](#footnote-180) | | | | | |  |
| 17 | Amending the Law on the KJC and draft the Law on Central Criminal Records in a way that ensures the full functioning of the Case Management Information System and guarantees open access to the MoJ / Division of Analytical and Statistical Monitoring. | 2022 | MoJ, KJC | Law on the KJC amended. Law on Central Criminal Records approved. | It’s implemented. Law No. 08/L-194 on the Central Criminal Records System of Kosovo 26.10.2023 [[180]](#footnote-181) | | | | | |  |
| 18 | Organizing a workshop on CEPJ indicators for officials of the MoJ, KJC, and KPC. | 2022 | KJA, MoJ, KJC, KPC | Workshop held |  | | | | | |  |
| 19 | Carrying out regular evaluation of the efficiency of the justice system in Kosovo based on the CEPEJ methodology | 2021-2023 | MoJ, KJC, KPC | Publication of evaluation analysis and analysed data | The activity is implemented. The Report was completed and published.[[181]](#footnote-182) | | | | | |  |

**Chapter 4.1 - Improving the institutional framework against corruption**

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|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | | | | | | |
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| *Policy measure: Transformation of the Anti-Corruption Agency into the Corruption Prevention Agency* | | | | | | | | | 100% *fully implemented* | | | |  |
| 1 | Drafting of the Law on Anti-Corruption Agency, in order to focus the Agency's mandate on preventing corruption. | 2021 | MoJ ACA | Law on the Agency adopted. | The Law on the Agency for Prevention of Corruption was adopted by the Assembly on 01.07.2022.[[182]](#footnote-183) | | | | | | | |  |
| 2 | Amending and supplementing the Regulation on the internal organization and systematization of jobs in the Agency in order to provide the establishment of a mechanism for anti-corruption evaluation of legislation. | 2022 | ACA | Amended regulation and mechanism for Anticorruption Assessment of Legislation established. | The regulation was adopted on 29.12.2023. The mechanism has been established[[183]](#footnote-184) | | | | | | | |  |
| 3 | Amending and supplementing the Regulation on the internal organization and systematization of jobs in the Agency in order to provide the establishment of a mechanism for risk assessment. | 2022 | ACA | Amended Regulation and Mechanism for risk assessment established. | The regulation was adopted on 29.12.2023. The mechanism has been established [[184]](#footnote-185) | | | | | | | |  |
| 3 | Amending and supplementing the Regulation on the internal organization and systematization of jobs in the Agency in order to provide the establishment of a mechanism for monitoring the implementation of integrity plans. | 2022 | ACA | Amended Regulation and mechanism for Monitoring the Implementation of Integrity Plans established. | The regulation was adopted on 29.12.2023. The mechanism has been established [[185]](#footnote-186) | | | | | | | |  |
| 4 | Capacity building of the Agency's staff regarding the tools introduced for the prevention of corruption. | 2022 | ACA | 6 trainings conducted. | The Thirteenth Meeting on the Implementation of the Anti-Corruption Network Law for Eastern Europe and Central Asia OECD, held in Kazakhstan on 04-09.09.2023  Meeting with the Office of the Coordinator of Economic and Environmental Activities of the OSCE and the Federal Anti-Corruption Bureau BAK, OSCE, held in Austria on 11-14.09.2023  Increased cooperation between Audit Institutions and anti-corruption bodies UNODC, held in Pristina on 12-14.09.2023  Union and Recovery in Europe on Transparency of Beneficial Ownership, IRI, held in Italy on 18-21.09.2023  Study visit to APK, Montenegro, on 20-22.09.2023  Promotion and Education of Youth in the field of anti-corruption UNOCD, held in Montenegro, 21-23.09.2023  The 22nd Monitoring Meeting of the Anti-Corruption Action Plan (IAP) in Istanbul,  and the 28th Meeting of the Steering Group of the OECD Anti-Corruption Network (ACN), held in France on 02-06.10.2023  Exchange of experiences in police reform, KCSS, held in Tirana on November 23-24, 2023.  The current situation regarding corruption in public procurement in the countries of the Western Balkans, Balkan Tender Watch, held in North Macedonia on 06-08.12.2023 | | | | | | | |  |
| *Political measure: Replacing the President's Anti-Corruption Council with a coordination mechanism at the level of the Government* | | | | | | | | | | | | 33% *implemented* |  |
| 5 | Dissolution of the National Council against Corruption. | 2021 | President | The National Anti-Corruption Council dissolved. | The National Anti-Corruption Council has been replaced by the Council for Democracy and Human Rights. This Council met on April 12, 2022 | | | | | | | |  |
| 6 | Appoint contact points for the implementation of the national anti-corruption policy. | 2021 | Government | Contact points appointed. | This activity is planned to be conducted after the drafting and approval of the Anti-Corruption Strategy. Decision no. 06/130 on Working Group for drafting the Strategy was received by the Government on February 22, 2023.[[186]](#footnote-187) | | | | | | | |  |
| 7 | Appoint contact points for the implementation of the national anti-corruption policy. | 2021 | Independent institutions | Contact points appointed. | This activity is planned to be conducted after the drafting and approval of the Anti-Corruption Strategy. Decision no. 06/130 on Working Group for drafting the Strategy was received by the Government on February 22, 2023.[[187]](#footnote-188) | | | | | | | |  |
| *Policy measure: Improving the work of the Special Investigation Unit of the Kosovo Police* | | | | | | | | | | | 80% *fully implemented* | |  |
| 8 | Amending the Law on SPRK in order to determine the legal basis for cooperation between the SPRK and the Special Investigation Unit | 2022 | MoJ KPC MIA | Adopted Law | Law No. 08/L-168 on Special Prosecutor's Office was adopted by the Assembly on 26.10.2023 and the issue of cooperation between the PSRK and the Special Investigations Unit within the Kosovo Police has been regulated[[188]](#footnote-189) | | | | | | | |  |
| 9 | Drafting a sub-legal act, based on the amended law on SPRK, which will define the procedure for joint work between the SPRK and the Special Investigation Unit. | 2023 | MIA KPC | Sub-legal act adopted | Following the entry into force of the Law on Special Prosecution, the drafting process of this sub-legal act will begin, which will be initiated and coordinated by the MIA | | | | | | | |  |
| 10 | Building the professional capacity of police officers of the Special Investigation Unit to conduct investigations into high-level corruption cases. | 2021-2023 | Kosovo Police KAPS | 2 specialized trainings conducted during the year. | Raising the professional capacities of police officers of the Special Investigations Unit for conducting the investigations in high-level corruption cases for the period July-December 2023, in cooperation and coordination with local and international partners have been carried out: one (1) conference, two (2) trainings and two (2) workshops such as;  1. Conference on the topic: "From transparency to trust: Solutions for fighting corruption and organized crime at the institutional level" organized by the consortium of organizations consisting of the Group for Legal and Political Studies (GLPS), the GAP Institute and the Institute for Development Policy (INDEP), with the support of the British Embassy in Kosovo, held at the Emerald Hotel in Pristina, (1 participant),  2. The two-day workshop organized by the "Initiative for the Rule of Law in the Western Balkans (WBROLI)" financed by the UK Government and the UK Embassy in Pristina, held at the Hotel ASTORIA Luxury & SPA, Gjilan, (10 participants),  3. Training with Prosecutor and Police from Montenegro and North Macedonia and RKS organized by WBROLI in Kosovo and Montenegro, held at Hotel Dukagjini Peja, (2 participants),  4. Training for access to the KRPP system, E-Procurement, (3 participants) and  5. Workshop on gender integration and anti-corruption", organized by AWKP with the support of OSCE in Pristina, (1 participant). | | | | | | | |  |
| *Policy measure: Improving the work of the Directorate for the Investigation of Economic Crimes and Corruption (DIECC) in the Kosovo Police* | | | | | | | | | | | 100% *fully implemented* | |  |
| 11 | Drafting a sub-legal act which (except for the general Standard Operating Procedures that apply to the entire Kosovo Police) specifically defines the mandate and functions of DIECC. | 2022 | MIA | sub-legal act adopted | On 28.12.2021, the Standard Operating Procedure for the Director of Economic Crimes and Corruption Investigations with reference number PK-DH/06-PSO-11 was drawn up.  On 18.02.2022, PSO - Financial Investigations with reference number PK-DH/06 - SOP was approved. 05. 05 | | | | | | | |  |
| 12 | Professional capacity building of police officers of DIECC for anti-corruption investigative techniques. | 2022-2023 | Kosovo Police | 2 specialized trainings conducted during the year. | To increase the professional capacities of DIECC police officers on anti-corruption investigative techniques, the following activities were conducted during the period July-December 2023, with the participation of DIECC officers: Abroad, 3 meetings of working groups and 1 workshop: and within the country 2 specialized programs, 3 advanced trainings, 3 workshops, 1 seminar and 1 conference:  1. The next meeting of the Anti-Piracy Task Force - organized by TAIEX in cooperation with MKRS and MTI and held in Hungary:  2. Meeting within the Technical Group for the Regional Roadmap against corruption and illegal finance in the countries of the Western Balkans - held in Dubrovnik;  3. Guide for confiscation and drafting of documents according to the CPC for cases of confiscation - held in Durres;  4. Workshop "Criminal use of cryptocurrencies-BB/EU threats and responses" - organized by the German GIZ and held in Montenegro.  1. Specialized Program for money laundering and financial investigations - German IRZ + Academy of Justice - SIRIUS;  2. Specialized training program Criminal offenses committed through public procurement-Session I-OPDATE-Garden;  3. Workshop: ad-hoc training for Kosovar institutions related to counterfeit money and coins - Europol+EULEX;  4. Workshop: Increasing cooperation between supreme audit institutions and other bodies aimed at fighting corruption in Kosovo-UNODC-Hotel GARDEN;  5. iPROCEEDS-2 Progress review workshop Kosovo-CoE-Swiss Diamond;  6. Advanced training in crime investigation - KAPS;  7. Advanced training on trademark counterfeiting-OSCE-Sirius;  8. Module III - Advanced training related to the financing of terrorism - OSCE - Hotel Dukagjini;  9. Seminar: Encrypted property values in criminal investigative work-Sirius;  10. Conference: Trafficking of cultural goods - National Museum. | | | | | | | |  |
| *Masa Policy Measure: Improving the work of the Kosovo Police Inspectorate (KPI)* | | | | | | | 100% *fully implemented* | | | | | |  |
| 13 | Functionalization of the Directorate for Combating Corruption and Organized Crime. | 2022 | MIA | Recruitment of officers in the Directorate for Combating Corruption and Organized Crime, based on an assessment for human resources needs. | During 2022, the Directorate for the Investigation of Organized Crime has recruited 3 officers, while the DIECC has recruited 24 new investigators since July 15, 2022, who have previously undergone all the competition procedures. | | | | | | | |  |
| *Policy measure: Improving the work of the Special Prosecution Office (SPRK)* | | | | | | | | *100% fully implemented* | | | | |  |
| 14 | Amending and supplementing the Law on SPRK in order to provide the SPRK with exclusive powers (instead of additional powers) to investigate and prosecute high-level corruption cases. | 2022 | MoJ SPRK | Law on amending and supplementing the Law on SPRK adopted. | Law No. 08/L-168 on Special Prosecutor's Office was adopted by the Assembly on 26.10.2023 and the issue of investigation and criminal prosecution of high-level corruption cases is regulated.[[189]](#footnote-190) | | | | | | | |  |
| 15 | Drafting a new definition of *'high level corruption’, which* will be included uniformly in the Law on SPRK, Criminal Code and other relevant laws. | 2023 | MJ | Definition of *'high level corruption'* drafted and the Criminal Code, the Law on SPRK and other relevant laws adopted. | The Law on supplementing and amending the Criminal Code was adopted in the Assembly, in which the term 'high-level corruption'[[190]](#footnote-191) was not harmonized, while the Law No. 08/L-168 on Special Prosecutor's Office was adopted in the Assembly and has defined the term 'high-level corruption'[[191]](#footnote-192) | | | | | | | |  |
| 16 | Capacity building for SPRK prosecutors regarding anti-corruption investigative techniques. | 2021 | AoJ | 1 training conducted. | During 2021, four training sessions were held within the framework of specialized organized crime and corruption programs.[[192]](#footnote-193) | | | | | | | |  |
| *Policy Measure: Strengthening capacities in the Special Department for cases under the SPRK competences, specifically for the high-level corruption cases* | | | | | | | | | | 100% *fully implemented* | | |  |
| 17 | Strengthening the technical capacities of the Special Department within the Basic Court in Prishtina. | 2021-2022 | KJC AoJ | 2 trainings conducted. | Specific trainings were organized during 2021, which were not defined only for the Special Department, but also for other judges and prosecutors, as well as specifically for the criminal offences that fall under this Department.  In 2022, other trainings were also carried out in this field.[[193]](#footnote-194) | | | | | | | |  |
| 18 | Increase the number of judges to trial high-level corruption cases. | 2022 | KJC | Assigning judges to adjudicate high-level corruption cases. | The KJC has filled all the positions of judges in the Special Department (12 judges in the Basic Court and 6 judges in the Court of Appeals). With this number, the KJC considers that all positions have been filled. | | | | | | | |  |
| 19 | Specialized anti-corruption trainings for all appointed judges. | 2021- 2023 | AoJ, KJC | 3 trainings conducted during the year. | In the second half of the year, a total of 10 trainings related to corruption were delivered: for criminal offenses committed through public procurement, for case law between judges and prosecutors in cases of corruption, organized crime, financial investigation and recovery of assets, money laundering and important aspects of seizure and confiscation in cases of corruption. For all these conducted activities, there are reports published in the bulletin of AoJ.[[194]](#footnote-195) | | | | | | | |  |
| *Policy Measure: Strengthening the cooperation with non-state actors included in the prevention and fight against corruption* | | | | | | 67% *fully implemented* | | | | | | |  |
| 20 | Advocating and raising anti-corruption awareness in order to educate the public and increase the number of supporters of anti-corruption reforms. | 2021-2023 | ACA Government | 1 awareness campaign, 1 television campaign, 1 brochure published. | On December 9, in marking the International Anti-Corruption Day, the APC published the video spots that were aired on public television.[[195]](#footnote-196) | | | | | | | |  |
| 21 | Strengthening the cooperation with civil society organizations, media and private sector in order to raise awareness and fight corruption more effectively. | 2021- 2023 | Government, ACA | Joint activities undertaken. | In January 2024, the KP held a discussion on the fight against corruption, organized by the NGO Aktiv. The main message was placed on the necessity of greater transparency and joint efforts to reduce corruption in the community[[196]](#footnote-197) | | | | | | | |  |
| 22 | Trainings and providing technical assistance to the private sector. | 2021- 2023 | ACA Government, Labour Inspectorate | 2 trainings and or round tables conducted on a yearly basis. | In February 2024, a roundtable was held with the support of the USAID KMI project (implemented by FOL)[[197]](#footnote-198) | | | | | | | |  |

**Chapter 4.2 - Improving the wealth declaration system and regulations for accepting gifts**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Action** | **Deadline** | **Leading supporting institution** | **Output** | **Implementation progress** | | | |
|  |
| Policy Measure: Strengthening the legal framework | | | | | | | 88% *fully implemented* | |  |
| 1 | Drafting of the Law on Declaration, origin and control of assets of senior public officials and on declaration, origin and control of gifts of all officials (Law on DP) in order to distinguish between different categories of public officials in accordance with their positions and the level of risk they pose in terms of their propensity for corruption. | 2021 | MoJ | The Law on declaration, origin and control of assets of senior public officials and on declaration, origin and control of gifts of all officials adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Articles 4 and 5 make the categorization between 'senior officials' and 'public officials', indicating the positions that declare assets. | | | |  |
| 2 | Drafting of the Law on AD in order to remove the reference 'official persons'. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  The term 'official person' is now used only for the part of declaration of gifts, and is not related to the declaration of assets because for that part the declaring entities have been categorized. | | | |  |
| 3 | Harmonization of the definition 'senior public officer' in the Law on AD and Law no. 06/L-011 on Prevention of Conflict of Interest in Discharge of a public function. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  The term is harmonized in Article 3.1.15 related to Article 4. | | | |  |
| 4 | Harmonization of the definition of 'family member' in the Law on AD, and in the Criminal Code, in order to include children and adoptive parents in the notion of 'family member'. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022. This term has not been harmonized. | | | |  |
| 5 | Develop the electronic platform for asset declaration | 2022 | ACA | Electronic platform functional | The electronic asset declaration platform has been implemented, and is in use since March 2023. The regular annual declaration and other declarations have all been carried out through the electronic platform. Since March[[198]](#footnote-199) | | | |  |
| 6 | Drafting new forms for asset declaration regarding the amendments to the Law on AD in order to distinguish between first declarations and repeated declarations. | 2022 | ACA | Asset declaration form amended. | They are implemented on the electronic platform. | | | |  |
| 7 | Drafting of the Law on AD in order to determine the criteria for the selection of declaring entities by scope of institutions, hierarchy, position and risk of corruption. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Articles 4 and 5 categorize 'senior officials' and 'public officials' who declare assets. This categorization is based on the criteria specified by this activity. | | | |  |
| 8 | Amendment of the asset declaration form in order to include information about the intangible assets owned by the declarant or his family members, including intellectual property objects that may have value in monetary terms. | 2022 | ACA | Asset declaration form amended. | They are implemented on the electronic platform. | | | |  |
| 9 | Amendment of the asset declaration form in order to include information about transactions made within the reporting period, on the basis of which the declarant acquires or terminates the right of ownership, possession or use, including joint ownership, of the immovable or movable property. | 2022 | ACA | Asset declaration form amended. | They are implemented on the electronic platform. | | | |  |
| 10 | Amendment of the asset declaration form in order to include information about the declarant's donations to a political party. | 2022 | ACA | Asset declaration form amended. | They are implemented on the electronic platform. | | | |  |
| 11 | Amendment of the asset declaration form in order to include information about digital property (crypto property). | 2022 | ACA | Asset declaration form amended. | They are implemented on the electronic platform. | | | |  |
| 12 | Drafting of the Law on AD in order to determine whether the annual income of declarants is reported as gross or net income. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 6(1.8) specifies that revenues are declared 'net'. | | | |  |
| 13 | Drafting of the Law on AD in order to introduce the obligation to declare beneficiary ownership in addition to legal property. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 6(1.7) specifies the obligation to declare 'beneficial ownership'. | | | |  |
| 14 | Drafting of the Law on AD in order to oblige high-level public officials to declare trusts or savings created for their family members. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 6(1.11) specifies the obligation to declare 'pension schemes/trusts and other savings'. | | | |  |
| 15 | Defining the definition of 'Gift' in the Law on AD, in order to harmonize with the Law on Prevention of Conflict of Interest in Exercising Public Function. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 3(1.3) and (1.4) define the definitions of 'protocol gift' and 'occasional gift'. The Law on Prevention of Conflict of Interest refers to the definition in the Law on Declaration, Origin and Control of Assets and Gifts (Article 3.11). | | | |  |
| 16 | Drafting detailed rules and instructions for gift declarations. | 2022 | ACA | Rules and guidelines for declaring gifts published on the ACA website and distributed to institutions. | Regulation No. 05\_2024 on Receiving and Registration of Gifts from the Officials was drafted during the 2023 reporting period, but was adopted on 13.02.2024.[[199]](#footnote-200) | | | |  |
| 17 | Organizing trainings for responsible persons and contact officials from these institutions regarding the drafting and implementation of the Register for handling gifts. | 2022-2023 | ACA | One training per year for each contact point. | The KP, with the support of KIPA, at the beginning of February 2024 has implemented the three-day program for updating the knowledge of responsible officials within public institutions and enterprises to facilitate the process of declaring assets. The informative sessions were followed up by question and answer sessions.[[200]](#footnote-201) | | | |  |
| 18 | Drafting of the Law on AD in order to equip the Agency with the competence to control the gift registers of public institutions. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 25(5) defines this competence for the Agency. | | | |  |
| 19 | Developing a methodology for assessing the market value of declared gifts, with particular attention to non-monetary gifts, through evidence-based indicators and expert's evaluations. | 2022 | ACA | Internal rules that determine how to assess the value of gifts placed. | Regulation No. 05\_2024 on Receiving and Registration of Gifts from the Officials was adopted on 13.02.2024[[201]](#footnote-202) | | | |  |
| 20 | Drafting of the Law on AD in order to define the procedures related to the acceptance of occasional (non-protocol) gifts by senior public officials, clear means of their control and verification. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 3(1.4) defines 'occasional gift'. Article 23 further regulates 'occasional gifts' together with other articles of Chapter V that define the rules for accepting, recording and controlling the register of gifts | | | |  |
| 21 | Drafting of the Law on AD in order to clarify whether the subjects of the declaration are allowed to receive gifts from family members without any restrictions on value and / or frequency of time. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 22 of the Law expressly prohibits requesting or accepting gifts or other favours related to the performance of official duties, and which affect or may have a perceived impact on the performance of official duties, other than protocol gifts or occasional gifts.   Further clarifications regarding gifts from family members will be provided in the guidance documents issued based on this Law. | | | |  |
| 22 | Drafting of the Law on Agency for Prevention of Corruption in order to equip the Agency with the competence to impose administrative and disciplinary sanctions for non-declaration of the gift. | 2021 | MoJ | Law on the Agency adopted. | The Law on the Anti-Corruption Agency was adopted by the Assembly on 01.07.2022,[[202]](#footnote-203) and this issue is specifically provided for in Article 23. | | | |  |
| 23 | Drafting of the Law on AD in order to provide credibility control to determine assets, income and gifts declared in sources and legal origin, presented by the public official. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Articles 18 and 19 set out the provisions for control. | | | |  |
| 24 | Drafting of the Law on AD in order to control statements against other sources of information, such as the internet, media reporting, etc. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 18(3) and 18(4) authorize the Agency to carry out checks from 'other' sources as well. | | | |  |
| 25 | Drafting of the Law on AD in order to determine the manner of verification of the real market values of the reported property. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 18(3) authorizes the Agency to verify the authenticity and accuracy of the declared data. This enables verification of the real market value of the declared property. This assessment will be further clarified through the guidelines that will be issued in the future based on this Law. | | | |  |
| 26 | Drafting of the Law on AD in order to determine the possibility of cooperation of the Agency with foreign state bodies, for purposes of the implementation of the Law on AD. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 17(2) authorizes the Agency to verify the data of the declaring entities even abroad. | | | |  |
| 27 | Drafting of the Law on AD in order to establish special and applicable procedures for filing and verifying property declarations of officials working secretly and / or in intelligence services and / or holding positions in military formations and state authorities that perform operational and detective activities. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  .  This matter is regulated by Article 12 of the Law, which states that 'declaring entities from the ranks of the Kosovo Intelligence Agency or the Security Forces or their family members who hold confidential positions shall be obliged to declare their assets under this Law, but their declarations shall not be publicly available. | | | |  |
| 28 | Drafting of the Law on Asset Declaration in order to determine the full, mandatory verification in the following cases: (a) all declarations submitted by senior public officials and (b) risk-based declarations of senior public officials holding anti-corruption positions that are determined through risk analysis. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 18(7) authorizes the Agency to perform the full control of the asset declarations of all senior officials as listed in sub-paragraphs 1.1 to 1.18 of Article 4 of the Law. And at least one third (1/3) of senior officials under paragraphs 1.19. up to 1.38. are subjected to full control each year. Also, up to five hundred (500) public officials shall be subjected to full control each year, who are selected by lot. | | | |  |
| 29 | Drafting a guideline for property declaration verification mechanisms which will include, inter alia, instructions regarding: compiling, reviewing and completing the list of declarants, methodology for categorizing declarants based on risk, standard procedures for checking the existence of property and presentation of false information, special procedures regarding officials in the intelligence services, determination of the monetary value of declared property, assessment of the quality of data in state databases, introduction of electronic management system cases and audits, etc. | 2022 | ACA | The guideline adopted. | Guideline on Asset Declaration was approved on April 2023 with the decision. List of positions of declaring entities.  On December 28, 2023, Regulation No. 03-2023 on Procedures for Administrative Investigations in the Agency for the Prevention of Corruption[[203]](#footnote-204) | | | |  |
| 30 | Defining the provisions, in agreement with the ACA and with the approval of the state intelligence, military and security agencies, regarding the public display of the declarations of the persons belonging to these agencies, with the purpose of strengthening the regulations provided in article 12 of the Law on Access to Public Documents, which sets the minimum standard for exceptions to the right of access to documents. | 2021 | ACA | Law on AD adopted. | The Law on Property Declaration was adopted on July 14, 2022 by the Assembly.[[204]](#footnote-205) This matter is regulated by Article 12 of the Law, which states that 'declaring entities from the ranks of the Kosovo Intelligence Agency or the Security Forces or their family members who hold confidential positions shall be obliged to declare their assets under this Law, but their declarations shall not be publicly available'. While the declarations of all other officials according to this Law are public. | | | |  |
| 31 | Drafting of the Law on AD in order to determine the competence of the ACA to impose administrative sanctions, establish administrative and/or disciplinary liability for non-submission of the declaration of property, as well as for delayed and/or incomplete submissions. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 28 foresees the imposition of punitive measures before filing the criminal report by the Agency. | | | |  |
| 32 | Drafting of the Law on AD in order to clearly define the internal property that must be exhausted, before qualifying non-declaration or false declaration of assets as a criminal offence. | 2021 | MoJ | Law on AD adopted. | The Law on Declaration, Origin and Control of Assets and Gifts was adopted by the Assembly on 14.07.2022.  Article 28 foresees the imposition of punitive measures before filing the criminal report by the Agency | | | |  |
| *Policy Measure: Training and capacity building* | | | | | | 13% *fully implemented* | | |  |
| 33 | Develop a capacity building program for public officials dealing with asset declarations. | 2022 | ACA, KIPA | The Program adopted. | The work program is compiled by the officials themselves. The APC, with the support of IKAP, at the beginning of February 2024 has implemented the three-day program for updating the knowledge of responsible officials within public institutions and enterprises to facilitate the process of declaring assets. The informative sessions were followed by question and answer sessions.[[205]](#footnote-206) | | | |  |
| 34 | Training of public officials who deal with property declarations. | 2022  - 2023 | ACA, KIPA | 2 trainings conducted | The KP, with the support of KIPA, at the beginning of February 2024 has implemented the three-day program for updating the knowledge of responsible officials within public institutions and enterprises to facilitate the process of declaring assets. The informative sessions were followed by question and answer sessions[[206]](#footnote-207). | | | |  |
| 35 | Develop a program to train contact officers about their roles and responsibilities. | 2022 | ACA, KIPA | The training program adopted. | The KP, with the support of KIPA, at the beginning of February 2024 has implemented the three-day program for updating the knowledge of responsible officials within public institutions and enterprises to facilitate the process of declaring assets. The informative sessions were followed by question and answer sessions[[207]](#footnote-208) | | | |  |
| 36 | Training of contact officers regarding their roles and responsibilities. | 2022  - 2023 | ACA, KIPA | 2 trainings conducted. | There are no other developments to report. At the beginning of 2023, it was planned to be held in September. | | | |  |
| 37 | Develop a training curriculum, in cooperation with prosecutors and courts, for the purpose of unified interpretation and application of article 430 of the Criminal Code (Failure to report or false reporting of property, income, gifts, other material benefits or financial obligations) and the Law on Declaration of assets. | 2022 | AoJ, KJC KPC | The training curriculum adopted. | The training curriculum has been designed and adopted. | | | |  |
| 38 | Training of judges and prosecutors for the purpose of equal interpretation and application of article 430 of the Criminal Code and the Law on Declaration of property, as well as the differentiation of false reporting with forgery of documents. | 2022  -  2023 | AoJ, KJC KPC | 2 trainings conducted. | On September 12, 2023, the training was conducted on the topic of Interpretation and implementation of Article 430 of the Criminal Code and the Law on Declaration of Assets, as well as the differentiation between false reporting and falsifying documents. The training was held jointly for judges and prosecutors, and judges and prosecutors were encouraged to participate:[[208]](#footnote-209) | | | |  |
| 39 | Development of a program for capacity building of ACA officials for drafting criminal charges | 2022 | ACA, OSP, KBA | The Program developed. | There are no other developments to report. At the beginning of 2023, it was planned to be held in September. | | | |  |
| 40 | Training of ACA officials for drafting criminal charges. | 2021  -  2023 | ACA, OSP, KBA | 2 trainings conducted. | There are no other developments to report. | | | |  |
| *Policy Measure: International Cooperation* | | | | | | | | *0% fully implemented* |  |
| 41 | Strengthen the participation of RKS in the negotiations for the approval of the Treaty on the Data Exchange for the Verification of the Assets Declaration. | 2022 | MFAD MoJ, ACA | Kosovo participates in RAI regional meetings. | There are no other developments to report, except for those we have already reported. | | | |  |

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7. Available at: <https://odp.gjyqesori-rks.org/> [↑](#footnote-ref-8)
8. [WJP Rule of Law Index | Kosovo Insights (worldjusticeproject.org)](https://worldjusticeproject.org/rule-of-law-index/country/2023/Kosovo/) [↑](#footnote-ref-9)
9. See Definition of (calculated) Disposition Time in the CEPEJ Glossary (available here in English: https://rm.coe.int/cepej-2019-5final-glossaire-en-version-10-decembre-as/1680993c4c: Number of pending cases at the end of a year divided by the number of resolved cases within that year, multiplied by 365 (days in a year): 𝐶𝑎𝑙𝑐𝑢𝑙𝑎𝑡𝑒𝑑 𝐷𝑖𝑠𝑝𝑜𝑠𝑖𝑡𝑖𝑜𝑛 𝑇𝑖𝑚𝑒 =(𝑁𝑢𝑚𝑏𝑒𝑟 𝑜𝑓 𝑝𝑒𝑛𝑑𝑖𝑛𝑔 𝑐𝑎𝑠𝑒𝑠 𝑎𝑡 𝑡ℎ𝑒 𝑒𝑛𝑑 𝑜𝑓 𝑡ℎ𝑒 𝑦𝑒𝑎𝑟 / 𝑁𝑢𝑚𝑏𝑒𝑟 𝑜𝑓 𝑟𝑒𝑠𝑜𝑙𝑣𝑒𝑑 𝑐𝑎𝑠𝑒𝑠 𝑤𝑖𝑡ℎ𝑖𝑛 𝑡ℎ𝑎𝑡 𝑦𝑒𝑎𝑟) × 365. This indicator estimates how many days should be required to resolve the pending cases based on the court’s current capacity to resolve cases. It is used as a forecast of the length of judicial proceedings. This indicator is not a calculation of the duration of the proceedings, but a theoretical estimate of the time needed to process pending cases. [↑](#footnote-ref-10)
10. See Definition of Clearance Rate in the CEPEJ Glossary: Ratio obtained by dividing the number of resolved cases by the number of incoming cases in a given period, expressed as a percentage: 𝐶𝑙𝑒𝑎𝑟𝑎𝑛𝑐𝑒 𝑅𝑎𝑡𝑒 (%) = (𝑅𝑒𝑠𝑜𝑙𝑣𝑒𝑑 𝑐𝑎𝑠𝑒𝑠 𝑖𝑛 𝑎 𝑝𝑒𝑟𝑖𝑜𝑑 / 𝐼𝑛𝑐𝑜𝑚𝑖𝑛𝑔 𝑐𝑎𝑠𝑒𝑠 𝑖𝑛 𝑎 𝑝𝑒𝑟𝑖𝑜𝑑) ×100. Clearance Rate equal to 100 % indicates the ability of the court or of a judicial system to resolve as many cases as the number of incoming cases within the given time period. A Clearance Rate above 100 % indicates the ability of the system to resolve more cases than those received. Finally, a Clearance Rate below 100 % appears when the number of incoming cases is higher than the number of resolved cases. In this case, the number of pending cases will increase. Essentially, the Clearance Rate shows how the court or judicial system is coping with the in-flow of cases. [↑](#footnote-ref-11)
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