



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

Ministria e Drejtësisë - Ministarstvo Pravde - Ministry of Justice

ADMINISTRATIVE INSTRUCTION MoJ - No. 20/2023¹
ON FUNCTIONING OF THE UNIT FOR EVALUATION AND
CLASSIFICATION OF PRISONERS

¹ Administrative Instruction MoJ-No.20/2023 on functioning of the unit for evaluation and classification of prisoners, signed by the minister of justice on 26.12.2023

Minister of the Ministry of Justice,

Pursuant to Article 17 paragraph 9 of Law No. 08/L-131 on Kosovo Correctional Service, based on Article 11 paragraph 1.5 of the Law No. 08/L-117 for the Government of the Republic of Kosovo, in accordance with Annex 1 (item 3) of the Regulation (GRK) - No. 14/2023 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, as well as Article 38 paragraph 6 of the Rules and Procedure of the Government of the Republic of Kosovo No. 09/2011

Issue:

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OF PRISONERS**

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

The purpose of this Administrative Instruction is to determine the operation of the unit for the evaluation and classification of prisoners (hereafter UECP) and minors, including the assessment of risk and needs for the design of the individual punishment plan.

**Article 2
Scope**

This Administrative Instruction will be implemented by UECP and all correctional institutions and other units within the Kosovo Correctional Service.

**CHAPTER II
FUNCTIONING OF UNIT FOR EVALUATION AND CLASSIFICATION OF
PRISONERS**

**Article 3
Powers of the Unit for Evaluation and Classification of Prisoners**

1. Unit for Evaluation and Classification of Prisoners conducts an individual assessment of the risk and needs of all convicts after admission to the Correctional Institution for serving sentence.
2. Evaluation from paragraph 1 of this article is carried out in the correctional institution

where the UECP is located.

3. Unit for Evaluation and Classification of Prisoners after the final judgment for the convicts who have been admitted to the Correctional Institution made the individual assessment of risk and needs through its mechanisms.

4. After the evaluation process, the assessment officer draws up the individual plan for educational and professional development and training while serving the sentence according to the specifics of each convict.

5. The Correctional Institution where the convict is located can ask the Evaluation and Classification Unit to re-evaluate the individual plan due to the needs of the convict and other new circumstances created, after the re-evaluation if the convict should be transferred to an other Institution , the Evaluation and Classification Unit recommends the General Director to decide on the transfer.

6. Evaluation and classification of prisoners is done by trained evaluation officers.

Article 4 Evaluation Procedure

1. Convicted with a final judgment will be admitted to the correctional institution where the Prisoner Evaluation and Classification Unit is located.

2. After accepting the convicts, the Correctional Institution sends to the UECP the register with the data of the convicts with the final judgement.

3. Evaluation officer, after receiving the case, assess the risk and needs as well as plan the execution of the sentence as soon as possible, but not later than thirty (30) days from the day of admission of the convict to the Correctional Institution.

4. Except in exceptional cases, the head of the UECP can extend the evaluation period until the termination of these circumstances created for the extension of the period.

5. Evaluation officer, after completing the evaluation and individual plan of the execution of the sentence, presents the case to the head of the UECP.

6. Head of the UECP recommends to the general director of the KCS for the placement of the convict in the relevant Correctional Institution.

7. PECU recommends to the General Director the placement of the convict in the relevant CI.

8. The General Director of KCS or his authorized representative decides on the recommendation for placement.

Article 5
Role of the Unit for Evaluation and Classification of Prisoner

The role of the UECP is to make the risk assessment, identify the needs and determine the actions so that the convicts are included in the individual treatment programs with the aim of achieving re-education, re-socialization and re-integration into society.

Article 6
Factors for risk and needs assesment

1. The risk assessment for recidivism is based on these factors:
 - 1.1. criminal history;
 - 1.2. antisocial personality model;
 - 1.3. pro-criminal attitudes;
 - 1.4. pro-criminal society;
 - 1.5. family, family circumstances;
 - 1.6. schooling;
 - 1.7. free time;
 - 1.8. substance abuse and addiction degree.

2. The analysis of the factors defined in the paragraph 1 of this article is carried out basen on the sources of information received from the relevant institutions, interviews with prisoners as well as other evaluation instruments.

Article 7
Sentence Execution Planning

1. UECP conducts the sentencing planning based on the following factors and needs:
 - 1.1. crime and length of sentence;
 - 1.2. protective factors;
 - 1.3. risk factors;
 - 1.4. security of the convict;
 - 1.5. the needs of the convict;
 - 1.6. purpose of the sentencing plan;

- 1.7. Actions based on the planned programs that must be done for the convict during the process of serving the sentence.
2. Sentence execution planning is done by the official who did the assessment and classification of the prisoner based on the needs of the convict as well as the appropriate rehabilitation programs and activities offered by the Kosovo Correctional Service. The sentencing schedule is also signed by the convicted person.
3. Sentence execution planning prepared by the evaluation and classification official is also signed by the convict.
4. Sentence execution is planned for all convicted persons.
5. Exceptionally, the planning of the execution of the sentence is also done for persons sentenced to less than six (6) months of imprisonment, who are recidivists, have a criminal past or other risk factors.
6. Sentence execution planning is implemented by the respective official and monitored by the case manager who is appointed by the correctional institution where the convict is sent.
7. Case manager, during the monitoring, keeps notes on the progress or the delay in the implementation of the punishment plan and for this notifies in writing the Head of Programs and Regimes of the Correctional Center where the convict is placed.
8. UECP uses two forms of evaluation for the evaluation of convicts, such as the long evaluation and the short evaluation.
9. The evaluation officer, depending on the risk factors and needs, decides on the form of the evaluation.
10. The evaluation officer, after completing the evaluation and the sentence execution plan, sends the evaluation file to the head of the UECP.
11. Head of the UECP, after reviewing the evaluation file, recommends to the general director of the KCS for the placement of the convict in a correctional institution.
12. The decision of the general director of the KCS in the Correctional Institution is final.

Article 8 Database

UECP prepares reports on the assessment and planning of the execution of the sentence using KCS the database.

Article 9 Archiving of convict files

1. After the completion of the process of evaluation, classification and planning of the sentence execution, a physical copy of the convicts' file is completed, recorded and recorded

with the internal protocol of the UECP and placed in the space designated for the archive.

2. Only officials from UECP and auditors can access the archive.

Article 10
Repeal

Upon the entry into force of this Administrative Instruction, the Administrative Instruction (MOJ) No. 13/2023 on Functioning of the Unit for Evaluation and Classification of Prisoners is repealed.

Article 11
Entry into force

This Administrative Instruction enters into force seven (7) days after its publication in the Official List.

Albulena Haxhiu

Minister of Justice

26/12/2023