



# **BULLETIN OF THE KOSOVO PROSECUTORIAL COUNCIL**

February 2022

# BULLETIN OF THE KOSOVO PROSECUTORIAL COUNCIL

February 2022

## ACTIVITIES OF THE KOSOVO PROSECUTORIAL COUNCIL

**(This edition of this bulletin reflects the activities for the month of February 2022)**

### The Chairman of the KPC received in the meeting the Ambassador of the United Kingdom

The Chairman of the Kosovo Prosecutorial Council received the Ambassador of the United Kingdom in Kosovo, where they discussed the activities that



are expected to be realized during 2022, in order to increase the efficiency, accountability, transparency and independence of the prosecutorial system.

### The next meeting of the Committee on Budget, Finance and Personnel is held

The Committee on Budget, Finance and Personnel of the KPC has



approved the Personnel Plan for the prosecutorial system for 2022 and the Financial Report for 2021, according to programs and economic categories.

### The 47th meeting of the CMIS User Working Group is held

In the meeting of the Working Group of Users of the CMIS Project was presented the Information Report on the Implementation of the ICT / CMIS Project for courts and prosecutors, where it was said that activities have been carried out in the implementation of automatic case distribution, CMIS liaison court-prosecutor, advancement



of statistical reports, development of electronic registers in CMIS and removal of manual registers from use and advanced statistical reports with CEPEJ indicators and dashboards were presented.

### The Chairman of the KPC received in a meeting the Rector of the University of Peja

The Chairman of the Kosovo Prosecutorial Council received in a meeting the Rector of the University of Peja "Haxhi Zeka" and the Dean of the Faculty of Law of this university, on which occasion he agreed to prepare a memorandum



of cooperation, through which, the students of the Faculty of Law would benefit from the opportunity of practical professional work and would create the opportunity of cooperation for the organization of joint professional seminars and symposia, as well as holding lectures as needed in this academic institution.

### Six candidates apply for Chief State Prosecutors

KPC announced that after the end of the 15-day deadline for prosecutors to apply for the position of

The Chief State Prosecutor, the right to apply was used by six (6) prosecutors, who submitted applications within the deadline set by the above competition.



The KPC has formally invited international partners and civil society organizations to follow the activities of the prosecutorial system to monitor the process, and on February 8, 2022, invited them to monitor the opening of all applications of prosecutors who have applied for this position.

### The Work Plan for 2022 of the Commission for the Administration of Prosecutions is approved

The Commission for the Administration of Prosecutions held the next meeting, in which it approved with amendments the Work Plan of the Commission for 2022 and the members were informed about the advancement of the liaison with the Police for the electronic exchange of data



for the electronic exchange of data, in which case the Report on the implementation of the electronic exchange and the next steps for the implementation of the Liaison Plan for the electronic exchange of data between the prosecutions and the Kosovo Police were presented.

### Six candidates for the position of Chief State Prosecutor are confirmed

The Chairman of the KPC, together with the Secretariat of the KPC, in accordance with the Regulation on the appointment of the Chief State Prosecutor and Chief

Prosecutors of the Prosecution Offices of the Republic of Kosovo, has opened applications and reviewed the materials received from six candidates, who have applied for the position of Chief State Prosecutor.

The process of viewing the materials of these six candidates was conducted in physical presence and through the Zoom platform of representatives of the US Embassy, the EU Office, EULEX, the Group for Legal and Political Studies, which is the implementer of the Project "Monitoring of Judicial and Prosecutorial System in Kosovo", funded by the British Embassy in Kosovo, Kosovo Institute for Justice, Lëvizja Fol, AVONET NGO Network and the Youth Initiative for Human Rights.



After reviewing the materials submitted by the candidates, the Chairman of the KPC, based on his mandate and the criteria provided by regulations, has confirmed that all candidates who have applied have met the criteria and are formally considered as candidates for the position of Chief State Prosecutor, who are:

1. Arben Ismajli, Prosecutor in the Appellate Prosecution;
2. Armend Hamiti, Prosecutor in the Basic Prosecution of Prishtina;
3. Blerim Isufaj, Chief Prosecutor in the Special Prosecution of the Republic of Kosovo;
4. Kujtim Munishi, Chief Prosecutor in the Basic Prosecution of Prishtina;
5. Lulzim Sulejmani, Prosecutor in the Office of the Chief State Prosecutor and
6. Shqipdon Fazliu, Prosecutor in the Office of the Chief State Prosecutor.

### The regional project of the British Embassy for the support of the prosecutorial system against organized crime is presented

The Deputy Chairman of the Kosovo Prosecutorial Council received in a meeting the Leader of the regional project for organized crime of the British Embassy in Pristina,



in which case they discussed the regular coordination and communication, in order to implement this project in the prosecutorial system.

### The Chairman of the KPC meets with the delegation of the Venice Commission

The Chairman of the KPC, the Chairman of the KJC and the Prosecutor in the Office of the Chief State Prosecutor, Bahri Hyseni, participated in the meeting with a delegation of rapporteurs of the Venice Commission on the vetting process in Kosovo.



Consequently, this delegation was informed in this meeting about the position of the prosecutorial system for the vetting process, in which case it was said that the KPC and the Kosovo prosecutorial system remain committed to work towards the full implementation of the Rule of Law Strategy, which preserves institutional independence and aims to advance the strengthening of the rule of law.

### Speech of the Chairman of the Prosecutorial Council at the Annual Conference of Prosecutors

*Honorable Chief State Prosecutor,*

*Distinguished leaders of local institutions,*

*Honorable ambassadors and representatives of various embassies operating in Kosovo,*

*Distinguished fellow members of the Council, Chief Prosecutors, Prosecutors and all of you who are part of the prosecutorial system,*

*Dear guests,*

*Dear media and civil society*



*It is a special pleasure for me as the Chairman of the Kosovo Prosecutorial Council to address you on the occasion of the Annual Conference of Prosecutors.*

*There is not much time from the end of the previous year, in which we have achieved results together, of which we can be proud, but even in the year we started, many challenges await us that need our attention. From this perspective, for us and the entire KPC, it is a new beginning, where many tasks await us in advancing the prosecutorial system, through the application of the highest standards in decision-making.*

*Together we will continue to raise the level of accountability, efficiency and quality of work in resolving cases. This goal will make it possible to have a prosecutorial system with integrity, transparency and that enjoys the trust of the public.*

*We will continue to work together, with all units of the Council, with the Secretariat, with the Prosecution Performance Unit and all our international and local partners, in order to achieve the planned objectives for the year we have started.*

*I assure you that part of these plans will be the continuous strengthening of the integrity of the prosecutorial system through a proper system of recruitment of prosecutors, based on merit, evaluation of the performance of prosecutors and proactive decision-making, which ensures accountability and transparent work, based on law and international standards.*

*The Council, in the past year, has issued nearly 200 decisions, which have been in the service of the prosecutorial system and with the support of international partners has drafted three regulations, relating to the personal file of prosecutors, transfer and promotion of prosecutors, electronic system management (CMIS) and has finalized the Strategic Plan and Action Plan of the prosecutorial system 2022-2024.*

*Through the Commission for the Evaluation of the Performance of Prosecutors, the Council, during 2021, has finalized the performance evaluation for 65 prosecutors, 53 of them with a permanent mandate and 12 with an initial mandate.*

*Undoubtedly, the focus will also be on handling disciplinary cases and I assure you that any incorrect and reprehensible behavior will be taken seriously and violators will be punished sparingly, not allowing public confidence to be eroded and at the same time preserving the image of prosecutorial system. In this regard, KPC, only in 2021 has addressed 14 requests for initiation of disciplinary proceedings against prosecutors, establishing investigative panels and based on their findings have been imposed disciplinary measures in accordance with the Law on Disciplinary Responsibility for Prosecutors and Judges.*

*We have continuously monitored and analyzed the work and needs of prosecutors, in which case, in order to increase efficiency and fill with professional capacity, we have promoted 19 (nineteen) state prosecutors, in the departments for serious crimes and departments for juveniles, in all basic prosecutions, Special Prosecution, The Appellate Prosecution and the Office of the Chief State Prosecutor, and we have simultaneously transferred prosecutors from one prosecution to another.*

*Among the priorities of the Council will be the advancement of the status of prosecutors and administrative staff, while it will be further promoted and applied unconditionally the electronic case management system and the digitalization of work processes everywhere in the prosecutorial system.*

*For all those who follow the flow in the prosecutorial system, there is no doubt that the support of our international partners should be highly appreciated, such as: the Embassy of the United States of America, the Embassy of the United Kingdom, the Embassy of Norway, the Embassy of the Netherlands, the Embassy of Switzerland, the German Embassy, the Italian Embassy and other embassies, then the EU Office in Pristina, EULEX, OSCE, UNDP and other United Nations agencies, the Council of Europe, the German Foundation for Cooperation International Law (IRZ), GIZ and other institutions and organizations.*

*The Council has also continued the policy of open and professional cooperation with local institutions, highlighting: the Kosovo Judicial Council, the Ministry of Justice, the Academy of Justice, the Assembly, the Government, the Ministry of Finance, the Ministry of Internal Affairs, the Chamber of Lawyers, the People's Advocate, the Kosovo Police and other law enforcement institutions.*

*KPC has advanced in terms of transparency, in which case it is worth noting the beginning of the publication of performance appraisals and disciplinary decisions of prosecutors. Also worth mentioning is the Memorandum*

of Understanding between the KPC, CIVIKOS and the PCK on capacity building and communication channels for reporting cases identified by the media and civil society to the prosecution.

Dear fellow prosecutors,

In order to have public confidence in our work, we must work tirelessly and create an environment in which everyone has easier access to justice. Therefore, I would like to briefly mention some of the Council's priorities for this year:

- Strengthening the legal framework and organizational structure;
- Strengthening the integrity of the prosecutorial system (prosecutors and staff);
- Increasing the level of accountability, transparency and permanent control of work;
- Further development of the career development system;
- Cooperation and coordination with local and international partners and many other priorities.

Finally, I call on you to support the prosecutorial system to function as an independent, professional, transparent, efficient, effective and accountable institution.

Highly appreciating the importance of this conference, I thank all those who worked around its organization and wish you success.

Thank you!

### The prosecutorial system continues voluntary blood donation

KPC and the institution of the State Prosecutor, in cooperation with the Kosovo National Center for Blood Transfusion organized an action in the framework of regular voluntary blood donation, in which case



a considerable number of prosecutors responded to the invitation to donate.

### The drafting of the Regulation on the internal organization and functioning of the State Prosecutor continues

The Committee on Normative Affairs has discussed relevant issues related to the structure, organization and functioning of the State Prosecutor, which are



summarized in the framework of the draft Regulation on the internal organization and functioning of the State Prosecutor.

### The list of six candidates for the position of Chief State Prosecutor is confirmed

KPC, in its 209th meeting, approved the Strategic Plan and Action Plan of the prosecutorial system 2022-2024-



and the Work Plan of the Kosovo Prosecutorial Council for 2022, as well as the Regulation on the Election and Termination of the Mandate of the General Director of the Secretariat of the Kosovo Prosecutorial Council and the Director of the Prosecution Performance Review Unit. Also, the KPC has confirmed the list of six candidates who have applied for the position of Chief State Prosecutor.

### The Work Plan for 2022 of the Committee on Normative Issues is approved

The Committee on Normative Issues approved the Work Report of the Committee for 2022, after giving recommendations and comments and amendments, as well as reviewed the Regulation on the activity, internal organization and systematization of the administration in the Prosecutorial Council of



Kosovo, which provides for the systematization and reorganization of this administration.

### A joint meeting of the KJC and the KPC is held

Kosovo Judicial Council and Kosovo Prosecutorial Council held a joint meeting in order to strengthen communication and coordination of activities of common interest.



At the end of the meeting, the representatives of the two Councils agreed on the signing of the Memorandum for the fourth phase of the ICT-CMIS Project and agreed on the drafting of a joint letter, which will be sent to the EUKOJUST Project on the location of the Recovery Center for Information Technology.

### US, British Embassy and EU Office meet with the Evaluation Panel for the scoring of candidates for the position of Chief State Prosecutor

The Evaluation Panel for the scoring of candidates for the position of Chief State Prosecutor held a joint

meeting with representatives of the US Embassy, the British Embassy and the EU Office in Kosovo, where they discussed the process of electing the Chief State Prosecutor.



The Chairman of the Kosovo Prosecutorial Council said that the KPC is very interested in having a transparent and credible process, therefore called on the above partners, in addition to monitoring, in this important process to help with their advice, opinions and experience.

### The Report "Comparative evaluation of data on the functioning of the Justice System in Kosovo (2014 - 2020) is launched"

The Deputy Chairman of the KPC participated in the launch of the report "Comparative evaluation of data on the functioning of the Justice System in Kosovo (2014 - 2020)", based on the methodology of the European Commission for the Efficiency of Justice (CEPEJ) for the evaluation of the judicial system, in which case he thanked the Council of Europe and the European Union Office in Kosovo for the continuous support they provide to the justice system in general and the prosecutorial system in particular.



He added that the experiences and expertise of these institutions are very valuable for the prosecutorial system and such a report helps to monitor the progress of indicators and take the necessary steps for

continuous strengthening in line with the best European and international standards.

### KPC and UBT College sign a memorandum of cooperation

The Kosovo Prosecutorial Council and UBT College have signed a memorandum of cooperation, the purpose of which is to establish cooperation between the Kosovo Prosecutorial Council (KPC) and UBT College for the possibility of conducting study visits for



students of Legal Management of UBT College in KPC and prosecutions of the Republic of Kosovo, as well as the commitment of experts - prosecutors to students of UBT College to present specific topics related to the field of law in general, generating case studies for teaching and thematic areas for research of common interest.

### Memorandum of Cooperation signed between KPC and KJC for the implementation of the fourth phase of the CMIS project

The Chairman of the Prosecutorial Council and the Chairman of the Judicial Council signed the Memorandum of Cooperation for the implementation of the transitional phase (fourth phase) of the Electronic Case Management System (CMIS) in the courts and prosecutor's offices of the country.



At the signing ceremony, it was said that this important inter-institutional act is being signed, given the complexity of the implementation and the achievements of CMIS so far and the necessity of further cooperation between the KPC and the KJC, in order to ensure a stable electronic system, which helps strengthen the rule of law in Kosovo in line with EU standards and values.

### The process of interviewing candidates for State Prosecutors is completed

KPC concluded the interview of eight candidates within the recruitment process at the level of basic prosecutions, a process which started in June 2020 and continued with its re-announcement in May 2021.



In this case, all legal deadlines for the development of recruitment procedures were respected and professional standards were applied, which constitutes a fair and transparent process of assessing the personal integrity and professional skills of each candidate.

### Memorandum of Cooperation signed between KPC and University "Haxhi Zeka" of Peja

Kosovo Prosecutorial Council and "Haxhi Zeka" University in Peja signed a memorandum of cooperation, the purpose of which is to establish cooperation for the possibility of study visits for students of the Faculty of Law in the Basic Prosecution of Peja and presentation of expert prosecutors to UHZ students for the presentation of specific topics related to the field of justice.



Also, this memorandum of cooperation envisages the organization of joint professional symposia and seminars and cooperation in exchange of scientific and professional literature for law students.

### The support of the EUKOJUST Project for the prosecutorial system is appreciated

The Chairman of the Prosecutorial Council received in a meeting the EUKOJUST Project Director from IRZ, where they discussed the activities developed so far and those that are expected to be realized within the EUKOJUST Project.



### Activities of the KPC Secretariat

The KPCS, during January 2022, held an important meeting with representatives of the British Regional Project on Combating Organized Crime and a meeting to address the comments of the US Embassy on the draft Strategic Plan for the Prosecutorial System 2022-2024.

Also held several other meetings, such as: that with the experts of the EukoJust Project for the preparation of the technical specification for the Recovery Center and the online meeting with OSCE representatives regarding the engagement of lawyers by the State Prosecutor, ex officio, then that with the representatives of the EukoJust Project, in which the technical specification of the project donation was discussed and the Summary

Report of the problems was sent to the Kosovo Police, problems which were identified during the electronic exchange of data between the prosecution and the police..

On the other hand, the KPSS also contributed to the drafting of the Work Plan for the Commission for Normative Issues for 2022, the Report for the Commission for Normative Issues for the second half of the year and finalized the Personnel Plan for 2022.

KPC Secretariat prepared the Annual Report of the Internal Audit Unit for the Kosovo Prosecutorial Council and the new Statute of the Internal Audit Unit, as well as in cooperation with the Tax Administration of Kosovo, finalized the Standard Operating Procedures for the electronic exchange of data between the prosecutions and TAK.

### Activities of the Prosecution Performance Review Unit

During February 2022, the PPRU focused on a number of tasks, such as the completion of the annual work report of the State Prosecutor for 2021 and the drafting of the work report of the RP, as part of the work report of the KPC.

Necessary information and reports were also provided for the Annual Conference of Prosecutors and the Report on the required number of prosecutors was drafted, based on the case load and the annual orientation rate.

Consequently, the PPRU prepared a list of information, issued by CMIS, to support the Commission for the Evaluation of Prosecutors' Performance, based on the criteria of the Regulation on the Evaluation of Prosecutors' Performance and drafted the Information Report for various cases to the State Prosecutor, according to the requests of the competent authorities, in the summary and processing of statistical data on the work of the State Prosecutor for the period 2015-2022.

In this context, it drafted the Report "Data on the functioning of the justice system (2014 - 2020): Finalization of the fourth report", of the project "Strengthening the quality and efficiency of justice (KoSEJ II Project).

Data were also collected from prosecutors and statements were compiled on their workload and efficiency in resolving cases from the registers: PP,

PPM, PPN, PPP and NJU for January 2022; collected data on the status of cases in prosecutors, according to the registers: PP, PPM, PPN, PPP and NJN and departments for the month of January, as well as from the application Norma generated statistical data from the Tracking Mechanism of characteristic offenses.