



REPUBLIKA E KOSOVES
REPUBLIKA KOSOVO / REPUBLIC OF KOSOVO
KËSHILLI PROKURORIAL I KOSOVËS/ TUŽILAČKI SAVET KOSOVA/KOSOVO PROSECUTORIAL
COUNCIL

MONTHLY BULLETIN

Activities of the Kosovo Prosecutorial Council

March 2019



1. Activities of the Kosovo Prosecutorial Council



The 163-rd meeting of Kosovo Prosecutorial Council is held

Pristina, March 1, 2019 - The 163-rd meeting of the Kosovo Prosecutorial Council, chaired by its Chairman Bahri Hyseni, was focused on the review and discussion of a number of important issues for the well-functioning of the prosecutorial system.

Initially, after the presentation of the Report on Combating Economic Crime for the period October-December 2018 by the National Coordinator, the Prosecutor Shqipdon Fazliu, and after the discussions held, the Council decided to approve it without the part of the recommendations.

Also, following the meeting, members of the Council also approved the Report "Crime Geography 2013-2017", presented by the Director of the Secretariat of the Prosecutorial Council, Lavdim Krasniqi, but with the recommendation that this report be integrated into the report of the tracking mechanism in the future.

Following was approved the resignation of the prosecutor Blerim Isufaj from the position of a member of the Prosecutorial Council from the Special Prosecution Office of the Republic of Kosovo.

Meanwhile, KPC made the decision to announce the vacancy announcement for the Chief Prosecutor of the Special Prosecution of the Republic of Kosovo and for the



establishment of the Commission for the Selection of Chief Prosecutor of the Special Prosecution of the Republic of Kosovo.

In this context, it was also the decision to announce the election for a member of the Prosecutorial Council from the Special Prosecution of the Republic of Kosovo and for the establishment of the Commission for the selection of a new KPC member.



The drafting of the Regulation on Disciplinary Procedure for Prosecutors and Judges continues

Pristina, March 1, 2019 - Prosecutors and judges have been gathered in a two-day workshop on drafting policies for drafting the Regulation on the Implementation of the Law on Disciplinary Procedure for Prosecutors and Judges.

During this workshop will be reviewed the Law on Disciplinary Responsibility of Judges and Prosecutors and the main issues that will be elaborated in the Regulation on Judicial and Prosecutorial Disciplinary Responsibility.

Also during these two days of this workshop will be discussed about the appeal to the disciplinary decision, the anonymization and the publication of disciplinary decisions.

In addition to prosecutors and judges, support staff from the Prosecutorial Council and the Kosovo Judicial Council, as well as international partners, are participating in this workshop, which with their expertise are supporting the drafting of this regulation.



It is appealed for the implementation of the SMIL project without hesitation

Pristina, March 6, 2019 - The Kosovo Judicial Council and the Kosovo Prosecutorial Council have organized a ceremony to express their commitment to the functioning of the Case Management Information System (SMIL), which is funded financially by the Ministry of Foreign Affairs of Norway.

The purpose of this ceremony was to focus on the third stage of SMIL in order to discuss the progress achieved, the current steps, commitment and engagement to fully complete the case management in the Kosovo justice system.

At this ceremony were present: Chairperson of the Kosovo Prosecutorial Council, Bahri Hyseni, and Head of the Kosovo Judicial Council, Nehat Idrizi, and Head of the Assembly of the Republic of Kosovo, Kadri Veseli, Minister of Justice, Abelard Tahiri, Ambassador of the Kingdom of Norway to Kosovo, Per Strand Sjøstad, as well as chief prosecutors and court presidents.

On this occasion, participants and stakeholders had the opportunity to discuss common steps and actions based on their responsibilities and competencies in order to coordinate them for the successful realization of SMIL.



Following the meeting, it was assessed that the Case Management Information System as an important factor of reforms in the justice system needs to make the right decisions and without hesitation by the parties involved in the process of automating services, expressing new commitments in the process of its implementation.

In this regard, the co-ordination of two Councils - Kosovo Judicial Council and Kosovo Prosecutorial Council, as well as support from Kosovo Assembly, Ministry of Justice and donors will not be missing in the future in order to achieve the final goal of this the project, which, in fact, is a vital tool for the Kosovo justice system.

In this case, the parties involved pledged that they would take the necessary steps and make appropriate decisions to ensure full implementation of the project in all courts and prosecution offices of Kosovo, while highly valued contribution and great financial and professional support, which the Norwegian state has provided for the SMIL implementation.

Chairperson of the Kosovo Prosecutorial Council, Bahri Hyseni and the Chairperson of the Kosovo Judicial Council, Nehat Idrizi, emphasized that the SMIL project will be fully implemented regardless of the challenges that may arise, citing the positive changes that this project has already brought in the process of prosecutorial and judicial system work in Kosovo. According to them, SMIL's full functionality should be done and there is no alternative, and the following are the necessary normative changes for its application.

There will be ongoing oversight of all implementation phases and concrete legal measures will be taken against all those who may slow down and hinder the use of SMIL because the system itself will have a direct impact on increasing transparency, accountability, reliability, better planning, speed and greater efficiency at work.

This project has provided great support to the Head of the Assembly of Kosovo, Kadri Veseli and the Minister of Justice, Abelard Tahiri, who have said that under their institutional competences, will undertake all the necessary legal actions in order to achieve positive effects on the work of the justice system of Kosovo.

Meanwhile, the Norwegian Ambassador to Kosovo, His Excellency, Per Strand Sjastad, said that SMIL will be supported financially on the expertise and experience of Norwegian experts, pointing out that the Norwegian state will remain committed to the implementation of the Joint Co-operation Memorandum for the Project Consolidation Phase for the period 2019-2021, requesting representatives from Kosovo institutions to exercise their legal and institutional influence for its full implementation.

The SMIL project was initiated nationally and financed by the Government of Norway with financial resources of approximately 10 million euros to improve efficiency;



accountability and transparency in the justice system, while responsible for its implementation are the Prosecutorial Council and the Judicial Council of Kosovo



The integrity and professionalism of prosecutors, in the focus of trainings at the beginning of the year

Pristina, March 7, 2019 - In the framework of the initiatives for the implementation of the Code of Ethics and drafting of its Commentary, Kosovo Prosecutorial Council in cooperation with KDI, Levizjen FOL, and the Dutch organization CILC, as well as through the support of the Dutch Embassy in Kosovo at the beginning of this year has organized several training activities for the compilation and implementation of the Code of Ethics and Commentary, which are very important for the ethics and professional conduct of prosecutors.

Following the drafting and adoption of the new Code of Ethics and Professional Conduct of Prosecutors, it was estimated that this code should be accompanied for the first time with its Commentary, which will provide explanations to Kosovo prosecutors on various ethical dilemmas, which they may face during their career as prosecutors. Thus, in this regard, this project involved three trainings for prosecutors of all prosecutions in Kosovo, where presentations were held by Dutch experts, Kitty Nooy, manager of the National Integrity Program within the Netherlands Prosecutorial Public Service and Heleen Smit, Coordinator for Integrity in the Dutch Public Prosecution Service.

Among other things, the importance of the Commentary of the Code of Ethics for which these trainings were conducted is of particular importance to the prosecutorial system,



because through various hypothetical examples and dilemma questions, it describes various circumstances and situations, which prosecutors may face. These examples and responses to different situations will help prosecutors to act fairly and honestly.

It is also worth noting that the primary purpose of these trainings was to define and elaborate rules, principles and guidelines for the conduct of prosecutors to ensure the exercise of their functions independently, impartially, integrity, accountability, transparency and professionalism.

The Kosovo Prosecutorial Council remains committed to supporting the necessary training, the design and implementation of such acts, so that prosecutors gain practical skills, by which they will preserve their professional integrity, so that prosecutorial system have integrity, which is the base for ensuring respect for democracy and the rule of law.



The KPC Chairman met with the President of the Kosovo Chamber of Doctors

Pristina, March 8, 2019 - The chairman of Kosovo Prosecutorial Council, Bahri Hyseni, hosted in a meeting the head of the Kosovo Chamber of Doctors, Pleurat Sejdiu, discussing issues related to mutual cooperation as well as medical expertise which may appear as necessary during the various stages of criminal proceedings in the prosecutorial system.

Also in the meeting was discussed about the implementation of the Code of Ethics of Doctors, as a very important document for the realization of professional and human duties of doctors in the exercise of their duties.

At the end of the meeting, the interlocutors expressed their willingness to deepen the cooperation between Kosovo's prosecutorial system and Kosovo Chamber of Doctors in all fields within the respective competencies in order to provide the best services for the citizens.



The process of interviewing candidates for state prosecutors is concluded

Pristina, March 9, 2019 - The Kosovo Prosecutorial Council has completed the interviewing phase of fifty candidates in the process of recruiting ten prosecutors at the level of basic prosecutions, interviewing that began on 25 February 2019 and ended on March 8 2019.

The Commission for Recruitment of Prosecutors assessed that the interest of the candidates was at a high level, while during the implementation of the procedures the criteria set forth in the Regulation no. 07/2015 on recruiting, examining, appointing and renaming state prosecutors.

In this important process for the prosecutorial system, all legal deadlines for the development of recruitment procedures have been fulfilled during the Qualification Test, Written Test and, most recently, an oral Interview, in which the proper professional standards have been implemented, which comprise and result in a fair and transparent process of assessing the personal integrity and professional skills of each candidate.

Finally, it should be noted that this process was continuously monitored by UK representatives in Kosovo, who support the recruitment processes of new prosecutors under the agreement with the Council, as well as by BIRN representatives.



Chairman Hyseni: The EU project, great help for efficiency and accountability of prosecutorial system

Pristina, March 12, 2019 - KPC Chairman, Bahri Hyseni and KPC Deputy Chairman Arben Ismajli, hosted in the meeting the experts of the EU Twinning Project to increase the efficiency, accountability and transparency of the judicial and prosecutorial system in Kosovo, Gabriele Fiorentino, Mariarosaria Guglielmo and Gabriele Casalena.

On this occasion, the Chairman of the Council, Bahri Hyseni, highly praised this project managed and funded by the EU, saying it has influenced in the strengthening of the prosecutorial system and is implemented in full partnership by our justice institutions, creating concrete and real parameters of an effective, efficient and accountable system, which coincides with the preservation and preservation of our European values.

The purpose of the meeting was to discuss a number of important issues of co-operation within this project, such as the implementation of memorandums of cooperation between the KPC, the KJC, the Ministry of Justice and the Academy of Justice and the provision of support for the drafting of acts, new documents and memoranda, which are related to joint activities of Kosovo justice institutions.

It was also discussed about the closing meeting of this project, which will be held on 7 May 2019 and will be marked with various activities with the sign of completion of the



support mission to increase the efficiency, accountability and transparency in the prosecutorial system.

Meanwhile, at the end of the meeting, both sides agreed to organize in April a conference on facilitating the access of minorities to justice, to be held at the Italian Embassy in Kosovo in which international and local institutions and partners will participate.



A Memorandum of Multilateral Co-operation on the Database for the recording of Domestic Violence Cases is signed.

Pristina, March 14, 2019 - The chairman of the Kosovo Prosecutorial Council, Bahri Hyseni, has signed a multilateral memorandum between the Kosovo Prosecutorial Council, the Kosovo Judicial Council, the Ministry of Justice, the Ministry of Labor and Social Welfare and the Kosovo Police for the functionalization of database for the recording of cases of domestic violence.

The purpose of the signing of this memorandum is to provide general statistics from the database system for the identification of cases of domestic violence in all competent institutions, conducting annual analyzes on cases of domestic violence and taking ownership management and maintenance of the database system for the identification of cases of domestic violence.

On this occasion, the chairman of Kosovo Prosecutorial Council, Bahri Hyseni, emphasized that the functionalization of this database means for the prosecutorial system an additional step to increase efficiency in dealing with cases of domestic violence, while state prosecutors will be fully engaged to fulfill all the duties and obligations arising from this memorandum.



Regarding the rights and obligations of the Kosovo Prosecutorial Council as described in the memorandum, they relate to the access of prosecutors to the case in the online system, the recording of prosecution records in the case, by the prosecutor of the case, the registration of services, respectively, actions that provides for the case, providing the opportunity to see in the database official actions from other actors and issuing statistics on the services provided.

All signatories pledged to be committed to fighting this negative social phenomenon and will have increased commitment to advancing their respective rights, enhancing their full respect and respect, noting that this signed memorandum is of particular importance and will affect the actions needed to combat domestic violence and mark an important event for the rule of law.



The Mid-Term Expenditure Framework for the period 2020-2022 is reviewed

Pristina, March 14, 2019 - The Budget, Finance and Personnel Committee of the Kosovo Prosecutorial Council, chaired by its Chairperson, Desired Jusaj, held the next meeting, where he discussed the Mid-Term Expenditure Framework (MTEF) 2022 of the Kosovo Prosecutorial Council.

Following the presentation of the MTEF by the Director of the KPC Secretariat, the members of the Committee reviewed and discussed the most important issues included in the MTEF, focusing in particular on additional staff numbers and additional budget funds for the category of wages and salaries and goods and services.

The MTEF reflects the needs of the Kosovo Prosecutorial Council, based on the strategic objectives of the prosecutorial system and in this way; the Commission evaluated, supported and supported the MTEF 2020-2022 with several recommendations for amending and supplementing them mainly in the number of additional positions.



The Head of the Prosecutorial Council hosted in a meeting the Ambassador of the United Kingdom in Kosovo

Pristina, March 14, 2019 - The Chairman of the Kosovo Prosecutorial Council, Bahri Hyseni, hosted in a meeting the Ambassador of the United Kingdom in Kosovo, His Excellency, Ruairi O'Connell.

During the meeting, the Chairperson Hyseni thanked the Ambassador O'Connell for his visit and also for providing comprehensive assistance of the United Kingdom and continuous cooperation for capacity building of the Kosovo prosecutorial system.

On this occasion, the chairman of the Kosovo Prosecutorial Council, Bahri Hyseni, has expressed gratitude for the UK's great commitment to work hard with the prosecutorial system and strengthening its integrity, independence and efficiency. "We will always be committed to establishing and pushing forward a sincere cooperation with such partners, such as the United Kingdom Embassy in Kosovo and the United Kingdom, which have always given great examples of how should we provide the support needed to develop and strengthen the independence of our prosecutorial system," said the head of the Council, Bahri Hyseni.



Meanwhile, British senior diplomat in Kosovo, Ambassador Ruairi O'Connell, expressed his stance that the United Kingdom will continue to support reform in the justice system, further underlining that Kosovo's prosecutorial system should be guided by standards and high values professional and show concrete results in terms of accountability and institutional transparency. "In continuity, the British Embassy and I personally have followed the developments in the justice system in Kosovo. Lack of results, persistence, lack of response and lack of accountability remain key issues. Therefore, something must be done in this regard. We are ready to support you towards achieving concrete results," said Mr. Ruairi O'Connell.

On the other hand, special attention has been paid to the selection process of the new Chief Prosecutor of the Special Prosecution Office of the Republic of Kosovo and new prosecutors, whereby the UK experts are supporting the Council for a transparent, professional recruitment and merits of the chief prosecutors and prosecutors, as well as providing expertise to increase the transparency and efficiency of the prosecutorial system, as well as bringing good practices of the United Kingdom, within the framework of the "Strengthening Kosovo Judicial and Prosecutorial Systems" project.



Discuss about the load and Solution of the cases for 2018

Pristina, 15 March 2019- The Prosecutorial Administration Commission, chaired by its chairwoman, Radica Milic, held the next meeting, discussing a number of issues of relevance to the prosecutorial system.

At this meeting was discussed about the load and solving of cases in prosecutions in 2018, as well as the need for temporary transfers of prosecutors based on the findings, which will be presented after the necessary analysis.

It was also discussed about the process of implementing the Case Management System (SMIL) for the results deriving from oversight by the Prosecutorial Performance Review Unit for the implementation of this system.

At the end of this meeting it was said that the monitoring report will include an assessment of the SMIL usage rate by prosecutors and staff, the high accuracy of the data recorded in this system, physical records, and the report will contain the challenges and recommendations of the SMIL implementation process.



Memorandum of Understanding between KPC and the Academy of Justice is signed

Pristina, 20 March 2019 - The Chairman of the Kosovo Prosecutorial Council, Bahri Hyseni and the Director of Justice Academy, Valon Kurtaj, have signed a Memorandum of Understanding to support professional advancement and facilitate the development of training programs for the prosecutorial system.

The Chairman of the Council, Bahri Hyseni, said on this occasion that this memorandum will focus on exchange of mutual information on implementation of needs assessment activities, policy setting, program implementation and exchange of data on training, but also the assessment of their impact. "In this regard, Kosovo Prosecutorial Council will be proactively engaged in evaluating the training needs of prosecutors and administrative staff and for drafting training policies," said Hyseni.

On the other hand, Director of the Academy of Justice, Kurtaj, said that the institution he leads will be engaged to carry out trainings for members of the prosecutorial system in order to make the necessary capacity building of the prosecutorial system.

The Prosecutorial Council and the Academy of Justice will continuously exchange the basic data of prosecutors and administrative staff regarding data on participation in trainings and other programs.



Prosecutor Merita Bina - Rugova is elected as a KPC member from SPRK ranks

Pristina, 25 March 2019 - At the Special Prosecution of the Republic of Kosovo was realized the process for the election of a member of the Kosovo Prosecutorial Council (KPC) from the ranks of this prosecutorial institution.

Based on the legal competencies, from the SPRK, from 15 prosecutors as it has this prosecution, the right to run for KPC members was used by these state prosecutors: Drita Hajdari, Merita Bina - Rugova, Naim Abazi and Valdet Gashi.

All Prosecutors of this Prosecution participated in this election process and after the first round voting and counting process, it resulted that none of the candidates received enough votes to be elected for KPC member.

The voting process was repeated, based on the regulation for the election of KPC members, whereby the right to run won Merita Bina - Rugova and Naim Abazi, who in the first round took the most votes - 5 votes each.



After the second round voting and counting process, Prosecutor Merita Bina-Rugova was elected for Prosecutorial Council member from the ranks of SPRK with 8 votes, while her rival, Prosecutor Naim Abazi, received 7 votes.

The election process in the SPRK was conducted after the resignation of KPC member from this prosecution, Blerim Isufaj.

The elections held today in SPRK have been monitored by the US Embassy in Kosovo and the Kosovo Justice Institute.



164th KPC meeting is held

Pristina, March 27, 2019 - The 164th meeting of the Kosovo Prosecutorial Council, chaired by his chairman, Bahri Hyseni, was focused on the review and discussion of a number of important issues for the prosecutorial system.

Following the presentation of the report of the commission appointed by the KPC on the selection of the representative of the Special Prosecution of the Republic of Kosovo in the KPC, the oath of a new member of KPC, Prosecutor Merita Bina-Rugova was made, elected from the Special Prosecution of the Republic of Kosovo.

Following the meeting, the Strategic Plan of the Prosecutorial System 2019-2021 was adopted, which was presented by the Director of KPC Secretariat, Lavdim Krasniqi. This plan focuses on improving the efficiency, integrity, accountability and transparency of the prosecutorial system by undertaking specific measures that are detailed in specific objectives and action plan.

Also, the 2018 annual report of the Supervisory Committee on the Implementation of the Strategic Plan and the Action Plan on Combating Corruption and Economic Crimes, presented by the prosecutor at the State Prosecutor's Office, Laura Pula, has been approved.



The Regulation on administration and allocation of cases in the State Prosecutor has been approved with several recommendations of the members of the Council, which was presented by the Chairperson of the Committee on Normative Matters, the Prosecutor Zejnullah Gashi, this regulation, which sets out the legal way of allocating the cases, after the full implementation of the electronic course system - SMIL.

Also, in the course of this meeting, various requests regarding the evaluation of the performance of prosecutors have been addressed.

At the end of the meeting, KPC chairman, Bahri Hyseni, briefed the members of the Council for signing two memorandums of understanding - that with the Kosovo Judicial Council, the Ministry of Justice, the Ministry of Labor and Social Welfare and the Kosovo Police for functionalizing a database for the identification of cases of domestic violence and the Memorandum of Understanding with the Academy of Justice to support the professional advancement and facilitate the development of training programs for the prosecutorial system.



The Secretariat of the KPC

Within the administrative responsibilities and support for the Kosovo Prosecutorial Council, the Office of the Chief Prosecutor and all prosecutions, the Director of the Kosovo Prosecutorial Council Secretariat, Lavdim Krasniqi, has held various meetings with local and international partners in order to strengthen empowering and enhancing the administration of the prosecutorial system to increase efficiency and effectiveness at work.

The Legal Office has analyzed and provided legal opinions on all acts drafted by KPC Secretariat units and has supported the commissions and other bodies of the Council in drafting sub-legal acts and other documents.

The Public Communication Office has followed the activities of the Chairperson of the Council, the Director of the Secretariat, various committees and other units of the prosecutorial system, and has presented their work through public information media. Also, this office has met the demands of media and NGOs regarding their interest in getting acquainted with the work, activities and processes that have been developed, are being developed and are expected to be developed in the prosecutorial system.

The Internal Audit Unit in March completed regular audit at the Office for Protection and Assistance of Victims.

The Department for Budget, Finance and General Services has prepared and forwarded to the Ministry of Finance the Mid-Term Expenditure Framework for the period 2020-2022 of the Kosovo Prosecutorial Council.

The Department of Information Technology has continued the training of prosecution staff on the use of the Case Management Information System (SMIL).



Prosecution Performance Review Unit of the KPC

The Prosecution Performance Review Unit has compiled analytical reports on the case load at the Special Prosecution Office of the Republic of Kosovo, the Basic Prosecution of Mitrovica and the Basic Prosecution of Prizren.

Also, the PPRU has supported the Recruitment Commission in the process of recruitment of prosecutors, as well as receiving complaints about the process, the Commission for the implementation of the selection process of the SPRK Chief Prosecutor and the Performance Evaluation Commission in the performance evaluation of prosecutor's process.

It has prepared statistical data on the work of 11 prosecutors who have undergone the performance appraisal process, has calculated percentages (%) of the annual orientation rate for 181 prosecutors, has compiled reports on meeting the percentage (%) of the rate as well as has prepared nine (9) information and statistical data on different criminal offenses for different periods of time, according to media, NGO and academic world requirements.