



BULLETIN OF THE KOSOVO PROSECUTORIAL COUNCIL

June 2021

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ACTIVITIES OF THE KOSOVO PROSECUTORIAL COUNCIL

(The next edition reflects the activities for the month of June 2021)

Reforming the administration of the prosecutorial system, focus of the meeting of the Committee on Normative Issues

The Commission for Normative Issues of the Kosovo Prosecutorial Council, chaired by Prosecutor Armend Zenelaj, held its next meeting.

The main item on the agenda of this Committee was the initiative for drafting the Concept Paper for the reform of the administration of the prosecutorial system.



The administration of the prosecutorial system so far has been regulated on the basis of four regulations, while the purpose of this reform is to unify the regulation of the administration, a reform that will be done based on the Judgment of the Constitutional Court of the Republic of Kosovo.

Also, another goal of the administration reform is the strengthening of professional capacities, with the aim of increasing efficiency and effectiveness in the implementation of tasks and responsibilities that belong to the administration.

Budget changes for 2021 are discussed

The Committee on Budget, Finance and Personnel of the KPC, under the chairmanship of Ariana Shajkovi, chaired the next meeting, in which the two items on the agenda were discussed.

Members of the Committee on Budget, Finance and Personnel reviewed and approved the budget changes for 2021.



Also, during this meeting were discussed the identified needs for the budget request 2022-2024, with special focus on the requirements for additional staff and capital projects for this period.

Replacement of manual registers with electronics, topic of discussion of the Deputy Chairman of the KPC with the Chief Prosecutor of Ferizaj

The Deputy Chairman of the Kosovo Prosecutorial Council, at the same time the Chairman of the Committee for Prosecution Administration, Veton Shabani, accompanied by the Deputy Manager of the ICT-SMIL Project, Nexhat Haziri, held the second meeting with the Chief Prosecutor of the Basic Prosecution in Ferizaj, Shukri Jasha with the removal of manual registers in the framework of the digitalization of the work process, in which case the pilot phase of this project has started to be implemented in the Basic Prosecution in Ferizaj.



Meetings were also held with officials responsible for case registration and use of CMIS where they discussed the progress in removing manual registers and replacing them with electronic ones for the first

phase of this pilot project that started with PPN registers.

The annual meeting of the EC Subcommittee on Justice, Freedom and Security begins

Deputy Chairman of the Kosovo Prosecutorial Council, Veton Shabani, Chief Prosecutor of the Special Prosecution of the Republic of Kosovo, Blerim Isufaj, prosecutors of the country's prosecution offices, Acting Director of the KPCS, Valdrin Krasniqi, and other representatives of the KPC, participated through videoconference in the annual meeting of the Subcommittee on Justice, Freedom and Security of the European Commission, which is supported by the Office of the Prime Minister of Kosovo.

In this meeting, which lasted two days in a row, was discussed the Strategy of the rule of law sector, the functioning of the Prosecutorial Council and its accountability mechanisms, the electronic case management system and data registers, the progress in the implementation of recommendations for the fight against corruption and organized crime, as well as the final report on the implementation of the conclusions of last year's meeting of this subcommittee, which is related to the prosecutorial system.



Also, today's meeting was attended by representatives of rule of law institutions in Kosovo, officials of the European Commission and officials of the EU Office in Kosovo.

Meanwhile, after the completion of all meetings, the European Commission will draft new conclusions, which emerge as a result of the meetings held and those that are expected to be fulfilled and presented at the next meeting.

Chairman Maloku visited the Appellate and Basic Prosecution of Prishtina

The Chairman of the Kosovo Prosecutorial Council, Jetish Maloku, visited the Appellate Prosecution and the Basic Prosecution of Prishtina, where he met the

two Chief Prosecutors of these Prosecution Offices, Xhevdet Bislimi and Kujtim Munishi.

During these visits, Chairman Maloku was informed by the two Chief Prosecutors about the organization, work, commitments and challenges faced by these prosecution offices.

The Chief Prosecutor of the Appellate Prosecution has said that his priority is to increase the number of prosecutors and administrative staff in this prosecution office.



Meanwhile, the Chief Prosecutor of the Basic Prosecution of Prishtina, Kujtim Munishi, stressed that in this prosecution is being done a lot of work by all prosecutors and administrative staff, and noted that his priority is to strengthen the Anti-Corruption Unit for Serious Crimes of this prosecution with additional prosecutors, where he requested from the Chairman Maloku, that his request find support within the Prosecutorial Council.

Also, Munishi, emphasized that since his arrival at the head of this prosecution he has taken the initiative to appoint additional coordinators for dealing with cases of domestic violence, confiscation and sequestration, drug cases, cybercrime, in order to better treat and increase efficiency in treating these cases.

Also, Munishi, stated that from 2020, within the Basic Prosecution of Prishtina has created the Office for Mediation, which has resulted as efficient.

Meanwhile, Chairman Maloku, said that he will be in full service to provide the necessary support to Chief Prosecutors and each prosecutor, in order to create the best possible conditions for the exercise of duties and responsibilities, and praised the work and their commitment.

Also, Chairman Maloku offered his and the Prosecutorial Council support to the two Chief Prosecutors, in order for these Prosecution offices to

achieve their objectives, as well as to be more efficient in performing cases, tasks and obligations which they have.

The Prosecutorial Council and the State Prosecutor Office donate blood

The Kosovo Prosecutorial Council and the State Prosecutor in cooperation with the Kosovo National Center for Blood Transfusion organized a voluntary action for blood donation.



18 employees of the Kosovo Prosecutorial Council and the State Prosecutor's office responded to this initiative for blood donation.

On this occasion, the representatives of the Kosovo National Center for Blood Transfusion, expressed gratitude to all voluntary blood donors of the prosecutorial system.

Blood donation by employees of the prosecutorial system has continued for years, as a necessary humanitarian act to save the lives of people in our country.

The drafting of the Regulation on the Transfer and Promotion of State Prosecutors begins

The Committee for Normative Issues of the Kosovo Prosecutorial Council, chaired by the Chairman Armend Zenelaj, held a meeting, which was attended by members of the committee and representatives of the KPC Secretariat.



The item on the agenda was the drafting of the Regulation on the Transfer and Promotion of State Prosecutors, the purpose of which is to determine the criteria and procedures for the transfer and promotion of state prosecutors, following the legal changes.

Among other things, the Committee on Normative Affairs requested the fulfillment of some provisions of this act, in order to harmonize with the transfer and promotion criteria based on the legislation in force, as well as to set another day for the review of this act.

The first objective of the EUKOJUST Project is discussed

The Deputy Chairman of the Kosovo Prosecutorial Council, Veton Shabani and the Chairman of the Committee for Normative Issues, Armend Zenelaj, held a meeting with the EUKOJUST project expert, Kristian Turkalj.

The purpose of this meeting was to discuss the activities within the first objective of this project that has to do with capacity building and inter-institutional coordination in the justice sector.



In this meeting was discussed the role and contribution that the prosecutorial system will have in this objective and the interaction with other relevant institutions, in order to benefit as much as possible and to better fulfill the project.

Deputy Chairman Shabani said that the Prosecutorial Council is ready to cooperate and offer its capacities in order to achieve common objectives and benefits of the prosecutorial system from this project.

On the other hand, the expert Turkalj, expressed his professional readiness for the identification of areas and the development of activities that are expected to be realized within this objective.

The interlocutors agreed to coordinate the work with other experts who will be involved in the objective of capacity building and inter-institutional coordination in the justice sector of the EUKOJUST project.

The budget request for 2022 is discussed

The Committee on Budget, Finance and Personnel of the KPC, chaired by Ariana Shajkovci, chairperson, held the next meeting, in which was discussed the budget request of the prosecutorial system for 2022 and early evaluations 2023-2024.



In the meeting was discussed the requests of prosecutors and budget programs, in particular, requests to increase the number of prosecutors and civil servants, increase the budget in the category of salaries, wages and goods and services..

The Committee proposed some changes to the request for the increase in positions.

Statement of the Kosovo Prosecutorial Council

The Kosovo Prosecutorial Council, through this statement, assures the public opinion that the Chief State Prosecutor, Aleksandër Lumezi, has the full support of all members of the Council in exercising his constitutional and legal mandate.

The Chief State Prosecutor, Aleksandër Lumezi, has been continuously praised for his work according to

the highest standards by the Kosovo Prosecutorial Council.

Therefore, any tendency for possible stagings aimed at institutional destabilization, violation of the integrity, mandate and prestige of the Chief State Prosecutor will fail.



The Kosovo Prosecutorial Council, as an independent and impartial Constitutional body, will not allow any interference or any interest from outside, including the wishes of political parties, certain individuals and interest groups to influence the work and mandate of the holders of the prosecutorial system, namely the Chief State Prosecutor.

A coordination meeting is held with partners and donors of the prosecutorial system

Kosovo Prosecutorial Council), led by Jetish Maloku, held a coordination meeting with representatives of embassies of various countries in Kosovo, representatives of the European Union, representatives of local institutions, representatives of various organizations and projects that support the prosecutorial system in Kosovo.



Consequently, during the meeting were presented the main project proposals, identified in the work process, which require the support of partners and donors of the prosecutorial system.

Also, the possibilities of supporting the objectives for the strengthening and advancement of this system were discussed, in which case, Chairman Maloku, initially thanked for the great contribution of donors in

the past, and informed the participants in summary form about key developments in the prosecutorial system, focusing mainly on important strategic objectives, emphasizing the great need for further support from donors, as has been done so far. "The cooperation and support we have received from you has been and is a very strong indicator of the results achieved in the prosecutorial system. "Benefiting from your experiences and expertise is irreplaceable", said Maloku.

Following the meeting, the Acting Director of the KPC Secretariat, Valdrin Krasniqi, presented the key points of the needs of the prosecutorial system, which will focus on joint cooperation in the future, these points, which have been prepared in the form of project proposals, which clearly define the specific objectives, expected results, activities to be undertaken and the benefits that the prosecutorial system will have.

Donor representatives said that this KPC donor coordination meeting is extremely timely, expressing their readiness to continue their support, as well as to create preconditions for the rule of law in Kosovo.

As in the past, the Kosovo Prosecutorial Council and the State Prosecutor aim to strengthen the highest criteria, values and standards of work through the implementation of donor support, while the proposed support projects are related to the digitalization system of the work process, infrastructure, building public confidence in the prosecutorial system, capacity building of the Council and staff committees, advancing the physical infrastructure, security system and information technology.

Workshop on drafting the Regulation on CMIS is held

The Kosovo Prosecutorial Council (KPC), supported by the EU Project, EUKOJUST, organized a two-day workshop on drafting the Regulation on the management of the work process through the electronic system, CMIS, in the prosecutorial system.

In the introductory speech of this workshop, the Chairman of KPC, Jetish Maloku, said that the Kosovo Prosecutorial Council has a high priority of CMIS, which has set as a special objective in the Strategic Plan of the Council and other documents relevant to the prosecutorial system.

Chairman Maloku, further, said that with the drafting and approval of this regulation, in addition to planning to determine the way of managing the work process, at the same time, this act will affect the

unification of all procedures and increase efficiency of work. On this occasion, he expressed his gratitude to the EUKOJUST Project regarding the financial support for the organization of this workshop and other activities in the field of information technology.



Whereas, the Chairman of the Committee for Normative Issues of KPC, prosecutor Armend Zenelaj, said that this workshop will result in a good draft of this regulation.

This workshop was also welcomed by the representative of the EUKOJUST Project, Arben Isufi.

This workshop was attended by the Chairman of the KPC, members of the standing committees of the KPC, chief prosecutors, prosecutors, representatives of international organizations.

USAID Justice Project activities are discussed

The Chairman of the Kosovo Prosecutorial Council, Jetish Maloku, received in a meeting the leader of the USAID Kosovo Justice Project, GERALYN BUSNARDO.



During this meeting, the Project Leader, Mrs. Busnardo, presented to Chairman Maloku the activities that are being undertaken in the framework of achieving the objectives of the Justice Project. This project aims to apply people-centered access to justice to improve the institutional capacity to provide people with access to quality services and multiple tools to address their justice needs and day-to-day legal problems and to generate more trust of the public in the justice system and rule of law.

On the other hand, Chairman Maloku, expressed his readiness for this project to continue its activities in the prosecutor's offices of the Republic of Kosovo, with the main goal of increasing transparency and providing the public with easier access to prosecutorial services.

The interlocutors agreed that the meetings related to this project continue in terms of planning for the next activities.

Memorandum of Understanding signed between KPC, civil society representative organizations and the community of journalists

In the framework of the implementation of activities and strategic objectives for building credibility and strengthening communication and cooperation with civil society and the media, the Chairman of the Kosovo Prosecutorial Council, Jetish Maloku, has signed a memorandum of understanding between the KPC and representative organizations of civil society and the community of journalists, CIVIKOS and PCK.



The purpose of signing this memorandum is to build communication standards between the KPC and the State Prosecutor with civil society and the media, respecting the criminal legislation, the Law on Protection of Journalists' Resources, the Law on whistleblowers and other laws.

The Chairman of the Prosecutorial Council, Maloku, during the ceremony organized on this occasion, said that this memorandum aims to build capacity and communication channels for reporting criminal cases to the State Prosecutor's Institution, identified by civil society and the media, in order to improve the quality of reports and information sent to the State Prosecutor's Office, thus helping the mutual benefit of the signatories of the agreement.

Meanwhile, representatives of civil society organizations and the community of journalists, expressed satisfaction with the signing of this memorandum, emphasizing that they expect the intensification of joint cooperation interactions, avoiding possible intercommunication difficulties. They said that this act paves the way for structured dialogue and increase public confidence in the work of the prosecutorial system, through the presentation and transparent publication of this work by civil society and journalists.

Also, this memorandum was especially supported by USAID representatives, as one of the main supporters of the justice system in Kosovo, who stressed that they will support joint initiatives between the prosecutorial system, organizations of civil society and the community of journalists.

In the framework of the signing of this memorandum, a basic form has been drafted for the manner of reporting cases to the prosecutor's office, which shows how to name the cases presented by the media and civil society.

Congratulatory telegram of the Chairman of the Kosovo Prosecutorial Council to the President of the Constitutional Court on the occasion of taking office

In this congratulatory telegram it is said:

Dear Mrs. Caka-Nimani,

On behalf of the Kosovo Prosecutorial Council and on my own behalf, I wish to express my most sincere congratulations on the occasion of taking your office - President of the Constitutional Court.

On this occasion, I express my full confidence that with great dedication and devotion you will be able to send further the achievements of this high state institution, contributing to the protection of the most sublime values of justice in our country.

The Kosovo Prosecutorial Council welcomes mutual institutional cooperation for further strengthening the rule of law and protection of constitutionality in the Republic of Kosovo.

Honorable President, together with my congratulations and those of the Kosovo Prosecutorial Council for success in your new task, I also express my highest consideration to you.

Sincerely,

Jetish Maloku,

Chairman of the Kosovo Prosecutorial Council

The 200th meeting of the Kosovo Prosecutorial Council is held

Kosovo Prosecutorial Council (KPC), chaired by Jetish Maloku, held its 200th meeting in a row.

At the beginning of this meeting, the Council established the Investigative Panel for the case of a prosecutor of the Basic Prosecution in Peja, composed of: Kujtim Munishi, chairman and Nijazi Rexha and Bogdan Spadijer, members, while prosecutors Drita Hajdari and Natasha Tanic were elected reserve members.



During this meeting, the Council discussed the request of the Kosovo Chamber of Advocates to change the fees for compensation of lawyers, in which case it has authorized the standing committees to review the requests and come up with recommendations for finding a solution.

In the same meeting, KPC members approved the request of the Acting General Director of the Secretariat, Valdrin Krasniqi, to harmonize the practices of the recruitment process with the Secretariat of the Kosovo Judicial Council.

Another point discussed in this meeting was the Report of the Commission for Transfer and Advancement in the process of advancing a position in the Basic Prosecution of Prishtina. On this occasion, the Council approved the Report of the above-mentioned Commission with the recommendation that the prosecutor Zejnullah Gashi be promoted to the Serious Crimes Department of the Basic Prosecution of Prishtina.

Following was held a hearing on a disciplinary case against a prosecutor of the Basic Prosecution of Gjakova.

Also, the Prosecutorial Council during this meeting has addressed several other points related to its scope.

Activities of the KPC Secretariat

In June 2021, the Committee on Budget, Labor and Transfer of the Assembly of the Republic of Kosovo reviewed the financial report of the Kosovo Prosecutorial Council for 2020. This report of the KPC was presented by a member of the Committee on Budget, Finance and Personnel, Prosecutor Haki Gecaj and Acting Director General of the Council Secretariat, Valdrin Krasniqi.

Regarding this report, but also the Report of the National Auditor, which has no findings for the KPC, MPs members of the Committee on Budget, Labor and Transfers have expressed their appreciation, while the chairman of this Committee, Armend Muja, Congratulating the work of the KPC regarding the above two reports has requested with understanding that the report of the KPC be taken as an example and presented to other independent institutions.

In June, a visit was made to the Basic Prosecution of Prishtina and the Prosecution of Appeals, as well as to the ZMNV within the process of monitoring the implementation of audit recommendations, and information was prepared for presentation to the Subcommittee on Justice, Freedom and Security providing comments on the conclusions of the meetings of this mechanism.

In the following, also, in the framework of professional and administrative capacity building, several workshops and trainings were conducted, including: Workshop with OPDAT representatives from the US Embassy for the evaluation of the performance of prosecutors by the Commission and superiors, professional training in the field of IT security by the staff of the Infrastructure Division; two trainings in the field of communication: the first, entitled: "Change Management" and, the second, "Media Protocol", as well as the training "Processing and protection of personal data".

In co-financing with the EukoJust Project, a workshop was held on drafting the Regulation on the management of the work process through the Case Management Information System (CMIS) in the Kosovo prosecutorial system.

A working meeting was also held with the representatives of the OSCE regarding the possibilities of providing support of this international institution to the Commission for the Evaluation of the Performance of Prosecutors and with the representatives of the Academy of Justice for establishing a mechanism for conducting mandatory training of prosecutors. , as a result of the "insufficient" assessment by the CPC, approved by the KPC.

On the other hand, the request for budget review for 2021 has been prepared and sent and the preparation of the budget request for 2022-2024 is in progress and the Report on the implementation of the recommendations of the External Auditor for the Case Information Management System has been prepared (CMIS) and the first draft of the Standard Operating Procedure for the provision of services using electronic systems in the prosecutorial system has been prepared.

Based on the assessments, a request was prepared for the Norwegian Ministry of Foreign Affairs for financial support for the maintenance and promotion of CMIS for the prosecution and the court, and a report was prepared for the User Working Group, which presents the challenges during the implementation of CMIS in the prosecutor and the court.

The comments of the European Commission on the Action Plan of the European Reform Agenda - ERA 2 were addressed and a meeting was held at the Ministry of Justice regarding the preparation of evaluation reports of the justice system based on the CEPEJ methodology of the Council of Europe.

Meanwhile, support was provided in the preparation of the comments of the prosecutorial system in the draft concept document for vetting and the changes made in the Draft Law on amending the Budget Law 2021 were identified and a draft letter was prepared for the Assembly.

Another important activity is the transfer of all electronic files of prosecutors from the old system to the new electronic system and the functioning of the discipline module, as well as the preparation of the Internal Control Questionnaire for budget and finance.

In the framework of cooperation with external support mechanisms, project proposals have been prepared for presentation at the coordination meeting with donors and partners of the prosecutorial system.

Activities of the Prosecution Performance Review Unit

In the framework of the activities carried out in June by the Prosecution Performance Review Unit, we highlight:

The activities of the Office for Supervision, Analytics and Prosecutorial Verification have been focused on drafting the Analytical Report on cases of domestic violence for the period 2019-2020 and TM-1 of 2021, drafting the Report on cases transferred (inherited) for the period 2018-2020, collection and processing of statistical data for the drafting of the Report on the fulfillment of the orientation norm of prosecutors and prosecutors for the period January-June 2021, support of the process of recruitment, transfers and promotions of prosecutors through the official appointed for the implementation of these processes, control notes regarding the transfer process from the current version to the new version of the SEMDP database, in the continuous updating of the data in the files of the prosecutors, the participation in the meetings of the Working Group for the reform in the administration of the prosecutorial system, the preparation of the information in the competence of ZMAVP for the internal mechanisms of the prosecutorial system, as well as other commitments to fulfill legal obligations within the ECAO.

Meanwhile, the activities of the Office for Statistics (ZS) have continued through the collection of statistical data and the compilation of statements on the workload and efficiency of prosecutors in resolving cases from the registers: PP, PPM, PPN, PPP and NJU, for each prosecutor Separately; collection of statistical data and the situation of cases in the prosecution by departments and types of registers: PP, PPM, PPN, PPP and NJU; collection of statistical data and the situation of cases in the prosecutor's office for characteristic cases by the Tracking Mechanism for harmonization of statistical data by groups of criminal offenses: weapons, narcotics, organized crime, corruption, trafficking in human beings, smuggling of migrants, money laundering, economic crimes and incitement and hatred under Article 147 of the CCK, according to and types of registers: PP and PPN; preparation for data collection and processing for statistical reports for TM-II and

Semi-Annual Report for 2021 for criminal cases with: adult perpetrators (PP), juvenile perpetrators (PPPs), unknown perpetrators (PPPs) and information or various criminal cases with which criminal offenses (PPN), international legal aid (ICU), which alternative procedures are applied, the cases of the Appellate Prosecution, the cases of the Office of the Chief State Prosecutor, statistical reports on cases related to European integration reports and statistical reports on the SAA. This office has also prepared new forms for the collection of specific statistical data, at the request of the US Embassy for DASH. This data will be collected regularly in the future and will be part of regular periodic reports. Data collection forms have also been prepared for 12 prosecutors, who are subject to the evaluation process, to whom the forms have been sent and the deadline for reporting the required data has been set, and has prepared various statistical information and reports at the request of the Office of Public Communication in KPC and the academic community - candidates for Bachelor and Master.