



2023

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Executive summary

The State Prosecutor, in order to exercise the legal mandate, in the implementation of competencies and legal and constitutional responsibilities as well as the Strategic Plan of the Prosecutorial System, has drawn up Annual work plan 2023.

The purpose of the plan is to effectively function, increase, advance, and professionalize the work of the State Prosecutor.

The Work Plan for 2023 contains the introductory part, which describes the mandate, responsibilities and organizational structure of the State Prosecutor, including its vision and mission.

The second part sets out objectives of State Prosecutor for 2023 whereby it is aimed advancing of work system, oversight and accountability at the State Prosecutor.

In the third part of the plan, objectives have shown in table form through activities, indicators, activity carriers and time lines.

The implementation of this plan enables the fulfillment of the constitutional and legal powers and responsibilities of the State Prosecutor.

In drafting the Annual Plan, challenges and risks, which may appear as result of legal amendments, resources and human resources have been considered.

I. Mandate of the State Prosecutor

State Prosecutor is a constitutional, independent and impartial, having authority and being in charge of investigating and prosecuting committers of criminal offenses.

The State Prosecutor, as an institution, exercises its duties independently and impartially, ensuring that everyone is equally treated before the law, regardless of gender, race, national or social origin, associations or political affiliations, religious beliefs, health status or health disabilities, or even social status.

The State Prosecutor performs its duties and responsibilities, based on the highest national and international standards and fully respecting fundamental human rights and freedoms, as well as performing all investigative actions in a professional and objective way and in accordance with the criminal procedures.

II. Responsibilities of the State Prosecutor

The main responsibilities of the State Prosecutor include:

- ❖ To exercise prosecutorial functions in an independent, fair, objective and impartial manner and ensuring that all persons are treated equally before the law;
- ❖ To implement highest standards of care while performing official functions;
- ❖ To maintain honest and professional conduct in personal and professional life, based on applicable law and Code of Professional Ethics;
- ❖ To retain the honor and dignity of the State Prosecutor;
- ❖ To protect the legal rights of victims, witnesses, suspects, accused and convicted persons;
- ❖ To undertake the necessary legal actions for the detection of criminal offenses and perpetrators of crime, as well as the timely investigation and prosecution of criminal offenses;
- ❖ To make decisions on initiating, continuing or terminating criminal proceedings against persons suspected or accused of committing criminal offenses;
- ❖ To file indictments and representing them before the court;
- ❖ To exercise regular and extraordinary legal remedies against court decisions;
- ❖ To cooperate with the Police, courts and other institutions and
- ❖ To undertake all other actions as prescribed by law.

III. Organizational structure of State Prosecutor

Organizational Structure of State Prosecutor is as follows:

- The Office of the Chief State Prosecutor, the highest instance of the State Prosecutor, having the authority over the entire territory of the Republic of Kosovo; in addition to the supervision and monitoring work of state prosecutors, also undertakes legal actions to protect legality in all criminal, civil, administrative and commercial cases.
- Appellate Prosecution, the second instance and having the authority over the entire territory of the Republic of Kosovo; is legally authorized to act and represent cases before the Appellate Court as the second instance court, which rules out on ordinary legal remedies.

Appellate Prosecution is composed of following departments:

- ✓ General Department;
 - ✓ Department for Minors
 - ✓ Serious Crimes Department.
- Special Prosecution of the Republic of Kosovo, as the specialized prosecutorial body, has the jurisdiction over the entire territory of the Republic of Kosovo, competence and liability to investigate and prosecute crimes that are special and supplementary competence of SPRK.

Special Prosecution Office is composed of following departments:

- ✓ War crimes department;
 - ✓ Department against Terrorism;
 - ✓ Department against Organized Crime and Other Crimes and
 - ✓ Department against Corruption and Financial Crimes.
- The Basic Prosecution Offices, located in the territory of the seven regions of Kosovo, have the competencies to conduct investigations and criminal prosecutions, to file indictments and to represent before the basic courts as courts of first instance.

Basic Prosecutions are composed of the following:

- ✓ General Department;
- ✓ Department for Minors
- ✓ Serious Crimes Department.

IV. Values

The State Prosecutor as an independent institution is characterized by the following values:

- Professionalism, accountability, independence at work and transparency
- Integrity and high ethics
- Impartiality, commitment and objectivity in handling criminal cases based on the highest international standards
- Continuous quality improvement and rational use of resources
- Promotion of cooperation with other rule of law actors

V. Implementation of the work plan

The work plan is based on the mandate of the State Prosecutor and the vision of the Chief State Prosecutor to lead this institution. The realization of this plan will be done through specific objectives, measurable and achievable, which will be realized with concrete activities and measures and within certain deadlines.

The plan also envisages continuation of some activities and measures, which started in the previous year, the implementation of which will continue this year.

In defining the objectives of this plan, the State Prosecutor, in addition to the mandate, has taken into account the state priorities arising from adherence to international mechanisms, such as the Stabilization and Association Agreement (SAA) or regional and international initiatives to combat transnational crime.

The State Prosecutor has identified several criminal offenses, which will be dealt with as a matter of priority during the work in 2023. The prioritizing of these criminal offenses is related to the processes of strengthening the rule of law, consolidating statehood, securing foreign investment and advancing the processes of European integration.

Nature of crimes to be given high-priority will be corruption, economic crimes, cyber-crime, organized crime, fight against gender-based crimes, domestic violence and violence against children, sexual integrity, money laundering, terrorism, etc.

Also in focus will be cases targeted by the mechanism established by the Chief State Prosecutor few years ago.

To combat effectively these groups of criminal offenses, the State Prosecutor aims to strengthen existing structures and establishing other necessary mechanisms. In addition to these actions, the State Prosecutor will implement the priorities arising from the national strategic documents and the relevant documents of the institution of the State Prosecutor.

VI. Objectives of the State Prosecutor

a. Increase of efficiency in the fight against corruption, money laundering, economic crime, organized crime and terrorism

b. Priority to handle criminal offenses against sexual integrity and domestic violence

c. Increasing the sequestration rate in view of the final confiscation of assets acquired through criminal offenses

d. Efficient management, supervision and continuous accountability of the work of chief prosecutors and prosecutors

e. Reducing the number of criminal cases, especially those from the PPP register

f. Application of alternative procedures in resolving criminal cases

g. Increasing transparency and the trust of public

h. Inter-institutional cooperation and with international partners

a. Increase of efficiency in the fight against corruption, money laundering, economic crime, organized crime and terrorism

The State Prosecutor remains committed that among the special and ongoing priorities for 2023 be the investigation and prosecution of perpetrators of criminal offenses, related to official duty, namely corruption, money laundering, economic crimes, organized crime and terrorism.

The State Prosecutor shall take concrete actions to further advance and strengthen the Special Prosecution of the Republic of Kosovo and the Basic Prosecutions with specific emphasis on the Basic Prosecution of Prishtina, especially the Unit for Fighting Economic Crimes and Corruption so that all cases of this nature to be handled with high priority, professionalism and efficiency.

In addition, the fight against organized crime as one of the criminal offenses that seriously violates the order and law in our country, especially the safety and property of citizens, will be our priority and to continuously bring to justice the perpetrators of these crimes.

Priority in handling of these criminal offenses is a constant requirement of international mechanisms. Therefore, in order to increase the efficiency in dealing with these cases, we are continuously working so the prosecutors get specialized - to assign coordinators for some categories of criminal offenses, to train the prosecutors continuously, to raise the professionalism in the investigation of these specific offenses.

- Strengthen the SPRK and Basic Prosecutions in dealing with high-level corruption and economic crimes;

Prioritize handling of cases against organized crime, money laundering, trafficking in human beings, terrorism, drugs, weapons and cyber-crime

Handling of war crime cases

Strengthen the work of the Unit for Corruption and Economic Crime at the Basic Prosecution Office of Prishtina and request engagement in Basic Prosecution Office .

Specialization

- In charge: OCSP, SPRK and BP
- January- December

Specific trainings

- In charge: OCSP, SPRK and BP
- January- December

Study visits

- In charge: OCSP, SPRK and BP
- January- December

Collegiums with Chief Prosecutors and Prosecutors

- In charge: OCSP, PSRK and BP
- January- December

Promote cooperation with other rule of law actors

- In charge: OCSP, SPRK and BP
- January- December

Cooperation with internal and external partners in order to prevent and fight criminality

- In charge: OCSP, SPRK and BP
- January- December

Supervision of work of Prosecutions

- In charge: OCSP, SPRK and BP
- January- December

b.) Priority in handling of criminal offenses against sexual integrity and domestic violence

The State Prosecutor, taking into account the recent situation where criminal offenses against sexual integrity and domestic violence have increased drastically, during 2023, special objectives will be handling with priority of these criminal offenses, especially criminal offenses against sexual integrity, because in this category of criminal offenses there is involvement of minors as victims who require dedication and special treatment.

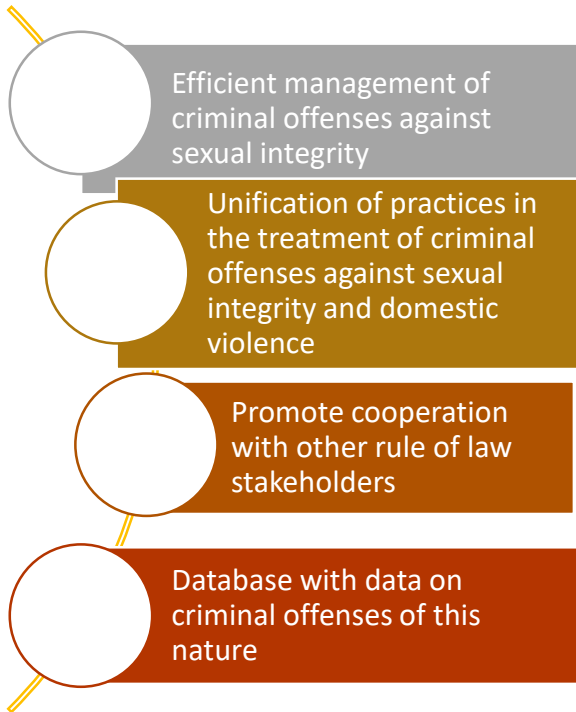
In this regard, the Chief State Prosecutor issued a decision appointing the Coordinator at the level of the Office of the Chief State Prosecutor and Basic Prosecution Offices in order to unify and handle these crimes as efficiently and professionally as possible from this chapter.

The appointed coordinator in cooperation with the other coordinators, have started cooperation with other actors of justice, such as the police, victims' defenders, centers for social work, psychologists, representatives of educational institutions for the purpose of sensitization and coordination between these institutions to successfully fight this category of criminal offenses.

As for the criminal acts of domestic violence, the coordinators assigned in the Prosecution Offices of Kosovo and the Coordinator at the level of the Chief State Prosecutor's Office are working continuously to advance the most professional and efficient treatment of this category.

During the year 2023, the objectives of the State Prosecutor will be the detection and increase of quality in drafting indictments for these categories of criminal offenses in the most professional manner, the unification of practices at the level of all Prosecution Offices, coordination with other law enforcement institutions, such as The police, centers for social work, educational institutions, etc., in order to prevent and bring to justice the perpetrators of these crimes.

In addition, the coordinators will make efforts to hold awareness lectures in various educational institutions.



Regular reports

- In charge: Coordinators in OCSP, BP and OAAV
- January- December

Evaluation of dismissals of criminal reports and termination of investigations

- In charge: Coordinators in OCSP, BP and OAAV
- January- December

Binding Instructions of the Chief State Prosecutor

- In charge: Coordinators in OCSP, BP and OAAV
- January- December

Meetings held with other stakeholders

In charge: Coordinators in OCSP, BP and OAAV

- January- December

OCSP Coordinations shall monitor the work of prosecutors in charge at the Prosecution office

- In charge: OCSP and BP
- January- December

C Efficient management, supervision and continuous accountability of the work of chief prosecutors and prosecutors

Accountability remained one of the most important elements of the work of the State Prosecutor. The State Prosecutor remains committed to advancing the system of oversight of the work Chief prosecutors and Prosecutors and accountability to raise continuously the level of quality, professionalism, conduct and efficiency in the handling of criminal cases.

The actions of the Chief State Prosecutor to realize this objective will be; the carrying out of visits, the appointment of supervising prosecutors by the OCSP for the respective prosecutions, the holding of collegiums with the chief prosecutors and regular meetings at all levels of the prosecutions, tables for discussing professional issues, supervision of the implementation of the Code of Ethics and violations in profession, as well as surveys to fair assessment of the performance of the Chief Prosecutors of the Prosecution Offices.

During the commitment to systematic accountability, the Chief State Prosecutor and Chief Prosecutors will request written reports on a regular basis to review the progress of criminal cases on hand, practices used, and results demonstrated.

The Chief State Prosecutor, in order to increase the efficiency and professionalism of the work of prosecutors, will continue to issue mandatory instructions that will help in the most unified and accurate implementation of certain legal provisions.

The Chief State Prosecutor will continue to oversee the implementation of these instructions and will take action when the need arises in order to increase the efficiency of the temporary transfer of prosecutors to certain Prosecution Offices.

In this direction, the Code of Ethics and professional conduct for prosecutors approved by the Prosecution Council of Kosovo will be the main objective to supervise the ethical and professional conduct of Chief Prosecutors and State Prosecutors.

Adherence to the Code of Ethics is a demonstration of the highest level of professionalism, based on values and principles such as independence, impartiality, integrity, accountability, transparency and professionalism of the State Prosecutor.

Efficient management and supervision of work

Implementation of the work plan

Empowering Accountability

Implementation of the Code of Ethics

Regular meetings and reports

- In charge: OCSP, SPRK and BP
- January- December

Reports and complaints about the dropping of criminal charges and suspension of investigations

- In charge: The Appellate Prosecution Office, OCSP, chief prosecutors
- January- December

Binding Instructions of the Chief State Prosecutor

- In charge: OCSP, AP, SPRK and BPs
- January- December

Collegiums with Chief Prosecutors and Prosecutors

- In charge: OCSP, SPRK and BP
- January- December

Monitoring of the work of the Prosecution Offices by the prosecutors of OCSP and Coordinators of the OCSP

January- December

Overseeing the implementation of the Code of Ethics by competent authority

- In charge: Chief State Prosecutor and Chief Prosecutors of Prosecution Offices
- January- December

b. Increasing the sequestration rate in view of the final confiscation of assets acquired through criminal offenses

Regarding the objective related to the seizure of assets acquired through criminal offenses, The State Prosecutor intends to work further during 2023 in order to increase the quality of acts drafted by prosecutor, in which the sequestration of assets obtained by criminal offense is ordered, to consequently have results in the final confiscation by the Courts.

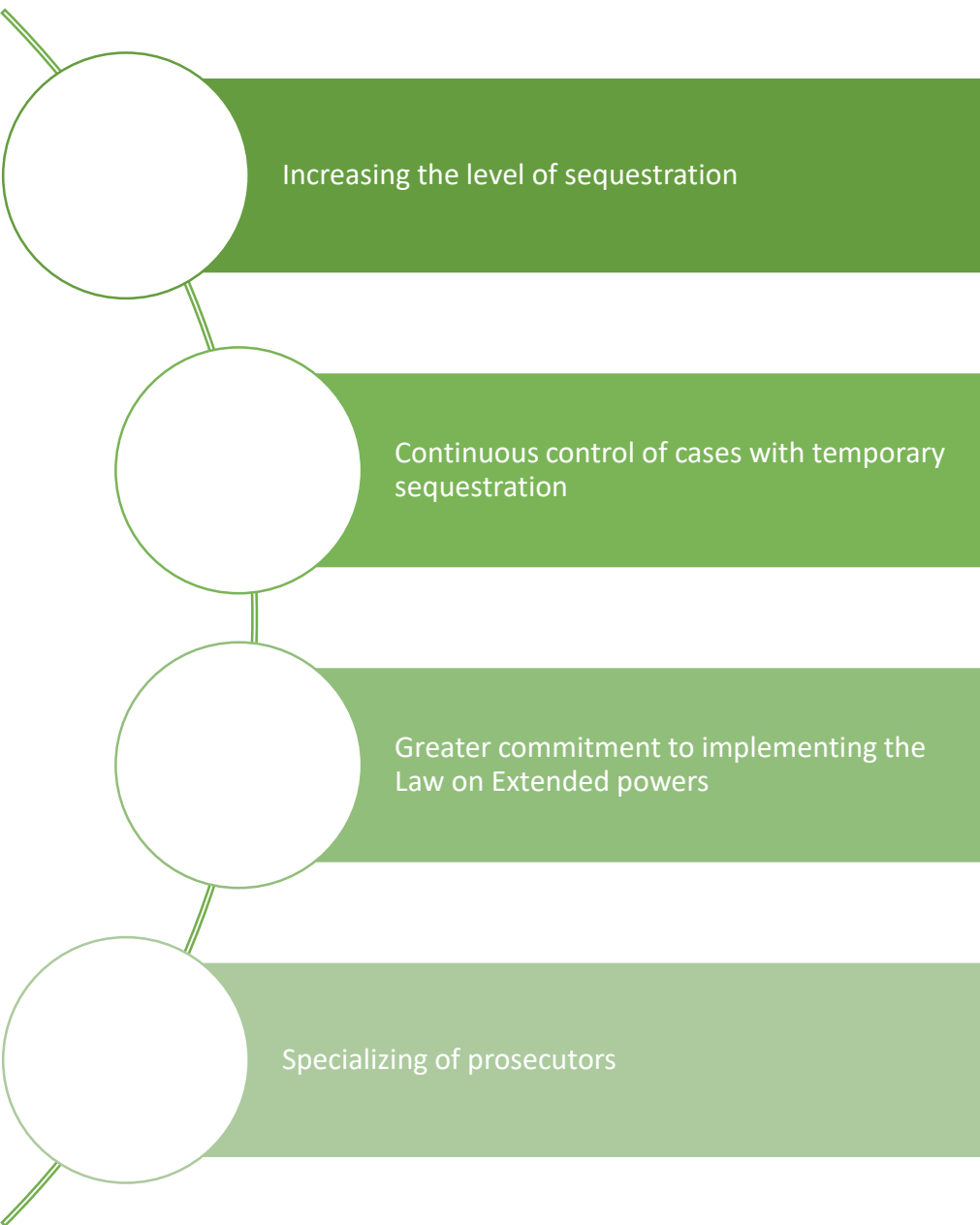
During the year 2023, after new legal amendments, systematic control of cases of economic crimes, corruption, money laundering, terrorism and organized crime will be required, resulting in seizure and confiscation.

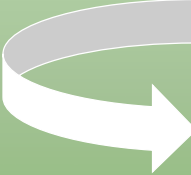
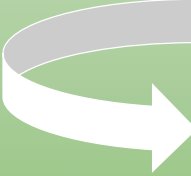
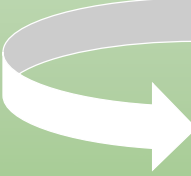
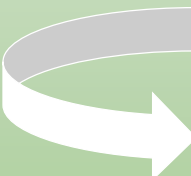
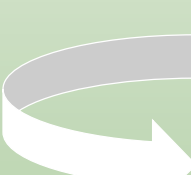

The increase in the rate of sequestration in function of the final confiscation of assets acquired by criminal offense will be fundamental objectives due to the fact that there are expected to be changes in the Law on the State Prosecutor and the Special Prosecution Office, where these laws are intended to give responsibility and additional powers to these institutions.

Furthermore, the Chief State Prosecutor will request the increased application of the Law on extended powers for confiscation of property acquired by criminal offense.

The State Prosecutor will have close cooperation with other law enforcement institutions to coordinate activities to have results in the sequestration and confiscation of illegally acquired assets.

Special attention will be paid to the seizure of property in cases of criminal offenses, in which high-profile perpetrators are involved.



- **Regular monitoring and reporting**
 - In charge: OCSP, PSRK, BP and the National Coordinator
 - January- December
- **Implementation of instructions**
 - In charge: Appeals Prosecution, PSRK and BP
 - January- December
- **Holding regular meetings between chief prosecutors and case prosecutors**
 - In charge: OCSP, SPRK and BP
 - January- December
- **Monitoring of prosecution offices for implementation of the Law on Extended Powers**
 - In charge: OCSP, PSRK, BP and the National Coordinator
 - January- December
- **Overseeing the actions of prosecutors in filing requests for sequestration and confiscation**
 - In charge: OCSP, PSRK, BP and the National Coordinator
 - January- December
- **Increasing the number of decisions for freezing and sequestration**
 - In charge: OCSP, SPRK and BP
 - January- December

c. Reducing the number of criminal cases, especially those from the PPP register

During the last years, the State Prosecutor has raised the level of treatment of criminal cases, significantly reducing the number of inherited cases. This is shown through the annual work reports, which present the high percentage of cases completed and court sentencing decisions. However, an ongoing problem is the high number of cases from the register with unknown perpetrators (PPP), piled up throughout years.

Statistically this number is negatively affecting the real reflection of good results of the work done. Therefore, the key objective of the State Prosecutor will be to reduce these cases. The State Prosecutor has significantly reduced the number of inherited cases, however from the register there is still a significant number of these cases, specific emphasis on the Basic Prosecution of Prishtina.

During 2023, the focus of the State Prosecutor will be on solving cases that remained from previous years, through the engagement of additional human resources (professional associates, legal officers) including here if there is a need depending on results of prosecutors, through temporary transfers.

The Chief State Prosecutor will ask the Basic Prosecution Offices and the SPRK to draft specific action plans for access to resolving inherited cases, in particular cases with unknown perpetrators and those with special reports.

The State Prosecutor will continue the inter-institutional cooperation and proactive increase of this cooperation with the Kosovo Police other relevant institutions to increase the efficiency in detecting and investigating unknown perpetrators of criminal offenses, as well as filing criminal reports in order to achieve the objectives set out in this plan.

Assessment of the situation with the nature of these criminal offenses

Plans of Prosecution Offices in dealing with these cases

Coordination in the unified solution of PPP cases

Reporting and monitoring cases completion

Preparation reports, evaluation and analyses of cases at every Prosecution Office with unknown committers (PPP)

- In charge: OCSP, SPRK and BP
- January- December

Drafting the guideline and recommendations for handling cases with unknown comitters (PPP).

- In charge: OCSP, SPRK and BP
- January - December

Handling cases with unknown committers (PPP) in coordination with Kosovo Police

- In charge: OCSP, SPRK and BP
- January- December

Mobilisation of all human resources in handling these cases

- In charge: OCSP, SPRK and BP
- January- December

Closing all cases that have reached the statute of limitation

- In charge: OCSP, SPRK and BP
- January- December

Continuous monitoring of the work by the Chief Prosecutors and Chief State Prosecutor

- In charge: OCSP, SPRK and BP
- January- December

d. Application of alternative procedures in the solving criminal cases

The State Prosecutor has always aimed to apply alternative procedures as a special procedure in the fastest and most effective solving of criminal cases.

New legal amendments have advanced the application of alternative procedures, because they have increased the range of criminal offenses that can be solved through mediation and other forms of alternative procedures.

The Chief State Prosecutor has decided pay more attention to the more efficient application of alternative methods in resolving criminal cases, focusing on negotiating a plea agreement and mediation.

The use of these methods enables efficiency and effectiveness of the procedure, easier access to justice, economization of procedure and reduction of the number of cases in the Judiciary.

Solving cases with alternative procedures is considered a very important tool that a Prosecutor can use whenever the conditions provided by law are met; our goal remains to increase the number of referrals of cases to alternative procedures.

The State Prosecutor, considering it as an ongoing objective, has appointed officials in charge of mediation at the level of Basic Prosecutions, but it is intended to recruit mediation officers and in terms of the most adequate application of these procedures is required to strengthen communication between the prosecution offices and mediators.

Increasing the resolution of cases by alternative procedure will save time other costs in the prosecutorial system, but above all the parties will receive justice in time and without the need for lengthy litigation.

The use of alternative procedures

Staff recruitment

Increasing cooperation between prosecutors and mediators for the application of alternative procedures

Reporting and monitoring of work

Increasing the percentage of cases forwarded with alternative procedures

- In charge: OCSP, SPRK and BP
- January- December

A request addressed to Secretariat for recruiting officials for mediation in basic prosecutions

- In charge: KPK dhe BP
- January- December

Strengthening of communication through prosecution office and mediators

- In charge: OCSP, SPRK and BP
- January- December

Use of alternative procedures as indicators for evaluating the individual performance of prosecutors

- In charge: The Chief State Prosecutor and the chief prosecutors of the SPRK and BP
- January- December

Systematic monitoring and regular Monitoring case resolution with alternative procedures

- In charge: OCSP, SPRK and BP
- January- December

e. Increasing transparency and the trust of public

Advancing transparency and informing the public remained a continuous commitment in order to keep the public and the general audience informed about issues of general interest from the scope of the State Prosecutor.

We aim at achieving this through the empowerment of human and professional capacities, increasing professionalism among public communication officers in Prosecution Offices and the drafting of bylaws which govern the field of communication with public as tangible indication of increased transparency, by providing easier access of citizens, media and civil society to the information of this constitutional body, and also regarding the decision making process.

In addition, the drafting of new communication policies needs to increase transparency, which means increasing trust of public in the Institution of the State Prosecutor.

We will continue to advance internal and external communication, we will commit to have proactive communication with the media and civil society as well as the coordination with other institutions of the justice system, intended to improve communication and increase transparency.

In 2023, the Chief State Prosecutor aims to advance the efficiency of internal mechanisms for dissemination of information in accordance with the Regulation on the Public Communication Service in the prosecutorial system and the Communication Strategy (2021-2023).

Of course, the State Prosecutor must assure that when communicating with the public ensures a balance between maintaining an investigation into the cases it is prosecuting and the general interest in informing the public.

Publication of the activities of the State Prosecutor at all levels

Organization of meetings, tables and conferences

Change and advancement of the web portal of the State Prosecutor

Reporting and monitoring of work

Publication of timed activities

- In charge: Public Communication Officers at OCSP, PA, PSRK and BP
- January- December

Publication of brochures and buletins for public information on work of the State Prosecutor

- In charge: OCSP, SPRK and BP
- January- December

Appearance of prosecutors or officials in media when is needed

- In charge: OCSP, SPRK and BP
- January- December

Organization of conferences for media for the cases of high interest for the public

- In charge: OCSP, PA, PSRK, BP and Office for Public Communication
- January- December

Reaction on time

- In charge: OCSP, PA, PSRK, BP and Office for Public Communication
- January- December

Monitoring the implementation of the Strategy for public communication and training of prosecutors

- In charge: OCSP, PSRK, BP and Office for Public Communication
- January- December

f. Inter-institutional cooperation and empowerment of cooperation with international partners

The State Prosecutor aims to advance cooperation with all law enforcement institutions in Kosovo in order to execute its legal mandate. The cooperation and support from partners and donors is an important pillar in strengthening our professional and independent work.

The State Prosecutor shall also strengthen international cooperation in terms of international legal assistance participation in conferences, trainings and other forms development organized by various international forums.

The State Prosecutor aims at realizing this cooperation through the forms of mutual exchange, study visits, signing of cooperation agreements and exchange experiences and information.

During the previous years, we have implemented policies of professional and proactive cooperation with local and international institutions.

In this regard, the State Prosecutor has concluded cooperation agreements and has benefited from various projects in the course of inter-institutional cooperation, through which he has strengthened inter-institutional coordination in the fulfilling of the constitutional and legal mandate, with special focus on combating illegal phenomena.

The State Prosecutor, for the most efficient fulfillment of international cooperation, will coordinate the actions with the prosecutors assigned to the Prosecution Offices of all levels, including the OCSP.

Cooperation with rule of law institutions

Coordination and coordination for International Legal Assistance

Local and international partners

Reporting and monitoring of work

- Coordination with rule of law institutions to strengthen the inter-institutional cooperation;

In charge: OCSP,, SPRK and BP

• January- December

Advancing cooperation with Prosecution Offices outside Kosovo for mutual benefit to combat crime

• In charge: OCSP,, SPRK, AP and BP

• January- December

Advancing of internal system regarding the international legal assistance

• In charge: OCSP, PA, PSRK,BP and designated prosecutors

• January- December

Cooperation with partners

• In charge: OCSP,, SPRK and BP

• January- December

Coordination with donors in the field of the rule of law and enforcement

• In charge: OCSP, AP, SPRK and BP

• January- December

Systematic monitoring and regular Monitoring case resolution with International Legal Assistance

• In charge: OCSP, AP, SPRK and BP

• January- December

During the implementation of the Work Plan in 2023, the State Prosecutor has also anticipated challenges that may affect the implementation of this plan through the activities and actions that will be undertaken within exerting of constitutional and legal responsibilities and competences.

Some of the challenges that may affect the work of the State Prosecutor throughout 2023 are, as follows;

- Legal amendments in basic laws;
- Amendment of the Code of Criminal Procedure;
- Short Budget
- Mobility of prosecutors through transfer and promotion within the system;
- Insufficient number of prosecutors in some Basic Prosecution Offices;
- The situation created with the prosecutors from the Serbian community in the Basic Prosecution Office of Mitrovica.