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Zyra e Kryeprokurorit të Shtetit / Kancelarija Glavnog Državnog Tužioca / Office of the Chief State Prosecutor



WORK PLAN

2024

State Prosecutor

Work Plan 2024



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Executive Overview

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 2024.

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

The Work Plan for 2024 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 2024 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 more precisely 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.



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 and each state prosecutor, exercise their duties independently and impartially, ensuring that everyone is equally treated before the law, respecting fundamental human rights and freedoms as defined by the Constitution, applicable law and international covenants.

State Prosecutor is authorized to conduct criminal investigations, to file indictments, to conduct criminal prosecution or carry out other tasks and functions in line with applicable law.

State Prosecutor reflects the multiethnic composition of the Republic of Kosovo and respects principles of gender equality.



Responsibilities of the State Prosecutor

The main responsibilities of the State Prosecutor:

- 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 and defendants;
- 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.



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.

The Office for Victims Protection and Advocacy functions within the ranks of the Office of the Chief State Prosecutor as an independent office in providing services for crimes victims during legal proceedings, and representing their interests before the system of the criminal justice, and also Office for the Recovery of Assets that has been established on February, 2024.

Appellate Prosecution, as 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. The Appellate Prosecution is competent to consider appeals against rulings on dismissal of criminal reports and rulings on termination of investigations.

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, expanded 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.

Within the Basic Prosecution Office of Prishtina, the Unit against Economic Crimes and Corruption operates within the Department for Serious Crimes.



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.



Objectives of the State Prosecutor

a) Increasing efficiency in the treatment and combating of criminal offenses with special emphasis:

Fighting corruption and economic crimes;

Money laundering and organized crime including arms and narcotics;

Criminal offenses against constitutional order and security;

War crimes;

Criminal offenses against sexual integrity and domestic violence;

Fighting human trafficking;

Cyber-crimes;

Usury;

Environmental Protection;

Raising the level of sequestration in function of final confiscation;

b) Efficient management, supervision and continuous accountability of the work of chief prosecutors and prosecutors;

c) Reducing the number of criminal cases, especially from the PPP register;

d) Application of alternative procedures in the selection of criminal cases;

e) Increasing transparency, strengthening public trust and inter-institutional cooperation;

f) Inter-institutional cooperation and strengthening of cooperation with international partners

g) Raising the professional capacities of the administration and unifying practices.



Increasing efficiency in handling and combating criminal offenses, including those with special emphasis

The State Prosecutor remains committed that among the special and continuous priorities for 2024 will be the investigation and prosecution of perpetrators of criminal offenses related to corruption and economic crimes, money laundering and organized crime, weapons and narcotics, criminal offenses against constitutional order and security, war crimes, criminal offenses against sexual integrity and domestic violence, human trafficking, cyber-crimes, usury and environmental protection.

The State Prosecutor will commit to ensure that all cases related to the aforementioned criminal offenses are handled with high priority, professionalism and efficiency by all levels of prosecutions.



Increasing the number of prosecutors in the SPRK and basic prosecutions in dealing with these criminal offenses

Increasing efficiency in the treatment and combating of criminal offenses with special emphasis:
Fighting corruption and economic crimes;

Money laundering and organized crime including weapons and narcotics;

Criminal offenses against the constitutional order and security;

War crimes;

Criminal offenses against sexual integrity and domestic violence;

Specialization of prosecutors

In charge: KPC, OCSP, SPRK and BP

Reporting period

January-June

July-December

Advancing practices in strengthening Police-Prosecutor cooperation

In charge: Chief prosecutors of the prosecution offices, Coordinators in charge covering the assigned areas

Reporting period:

January - June

July - December

Specific Trainings

In charge: Academy of Justice, Training Office within the Performance Review Unit of the KPC, partners and international projects.

Reporting period:

January-June

July-December

Identifying the needs for increasing the number of prosecutors in the relevant departments and addressing the mechanisms of the KPC

In charge: Commission for the Administration of Prosecutions, OCSP, SPRK and BP

Reporting period:

January-June

July-December



Fighting human trafficking;

Cyber-crimes;

Usury;

Protection of the environment;

Strengthening the work in the departments of the SPRK, the Unit for Corruption and Economic Crime at the BP Prishtina and the departments of all prosecutions, which deal with criminal offenses against sexual integrity and domestic violence;

Continuous supervision by the commission for monitoring cases of corruption and economic crimes, as well as supervision of prosecutions by the responsible prosecutors of the OCSP and coordinators.

Continuous reporting on progress and challenges in dealing with criminal offences with special emphasis on the part of the chief prosecutors and relevant coordinators

In charge: KPSH, PA, SPRK, BP and coordinators
Reporting period:
January-June
July-December

Collegium meetings

In charge: KPSH, PA, SPRK and BP
Reporting period – every month

Coordination of activities with actors of the rule of law

In charge: OCSP, AP, SPRK and BP
Reporting period
January-June
July – December

Regular reports, visits to all levels of prosecutor's offices, work supervision and reporting on criminal offenses with special emphasis

In charge: the Commission for monitoring cases of corruption and economic crimes, responsible coordinators, chief prosecutors
Reporting period:
January-June
July-December

Increasing the level of sequestration in the function of final confiscation

Pertinent to this objective on sequestration of assets acquired through criminal offenses, the State Prosecutor during 2024 will continue to aim and work towards increasing the quality of prosecutors' acts where the sequestration of assets acquired through criminal offenses is proposed, in order to generate results even in the final confiscation as ruled by Courts.

Based on the legal modifications, systematic control of cases of economic crimes, corruption, money laundering, terrorism, organized crime will be required, which will efficiently result in the freezing, sequestration and final confiscation of unlawfully acquired assets.

In addition, the Chief State Prosecutor will continue to request the increased application of the Law on the extended powers for the confiscation of assets acquired through criminal offenses and the Simplified Guide for Confiscation in Kosovo.

The State Prosecutor will have close cooperation with other law enforcement institutions for the coordination of activities to have results in the seizure and confiscation of unlawfully acquired assets.

Special attention will be paid to sequestration of assets in cases of criminal offenses involving high-profile perpetrators.

The Office of the Chief State Prosecutor together with the Kosovo Prosecutorial Council and supported by Basel Institute during 2024 will establish the Office for the Recovery of Assets Acquired by Criminal Offenses.



Increase in sequestration of assets;

Continuous tracking of cases with temporary sequestration;

Strengthening multidisciplinary cooperation for financial investigation, asset confiscation, assets recovery;

Increased efficiency in the implementation of the law on extended powers;

Specializing prosecutors and support provided by coordinators for seizure and confiscation;

Establishing a mechanism for the Recovery of Assets.

Regular monitoring and reporting
In charge: Chief Prosecutors, National Coordinator, case coordinators and prosecutors, appointed Prosecutor to lead the asset recovery office
Reporting period:
January-June
July-December

Implementation of instructions in the doamin of sequestration and confiscation
In charge: Prosecutors of SPRK and BP
Reporting period
January-June
July-December

Holding regular meetings between chief prosecutors and case prosecutor
Responsible: Chief Prosecutor of the respective prosecution, coordinators and prosecutors of the cases:
Reporting period
January-June
July-December

Monitoring the work of the prosecutor's offices in the implementation of the Law on extended powers
In charge: Chief Prosecutors, National Coordinator and coordinators of prosecution offices
Reporting period
January-June
July-December

Supervision of actions of prosecutors for submission of requests for sequestration and confiscation
In charge: Chief Prosecutors, National Coordinator and coordinators of prosecutions
Reporting period
January-June
July-December

Increasing the number of freezing and sequestration decisions
In charge: Chief prosecutors, case prosecutors and the national coordinator
Reporting period:
January-June
July-December

Establishment and operationalization of the Asset Recovery Office
In charge: KPC and OCSF
Reporting period
January to December



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 2024, the focus of the State Prosecutor will be on solving pending incoming cases that remained from previous years, including taking all necessary actions to discover offenders of criminal offenses, and identification of cases subject to statute of limitation.

The Office of the Chief State Prosecutor will ask the Basic Prosecution Offices and the SPRK to draft specific action plans for access to resolving pending incoming 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.





Application of alternative procedures in the resolving criminal cases

The State Prosecutor has always aimed to apply alternative procedures as a special procedure in a faster and a more effective resolution of criminal cases. New legal modifications have advanced pertinent to the application of alternative procedures, because they have expanded the range of criminal offenses that can be solved through mediation and other forms of alternative procedures.

The Chief State Prosecutor, in the work plan, has decided pay more attention and more efficient application of alternative methods in resolution of 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.

Resolution of cases with alternative procedures is considered a very important tool that a Prosecutor can use, whenever the conditions defined 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 extended litigation.



Increasing efficiency in the implementation of alternative procedures;

Recruitment of staff for the mediation procedure;

Increased cooperation between prosecutors and mediators for the application of alternative procedures;

Reporting and monitoring of work.

Regular reporting to collegiums for the resolution rate of cases through the application of alternative procedures by prosecutors
In charge: Chief Prosecutors and Prosecutors of BP
Reporting period
January-June
July-December

The need for recruitment of officials for mediation for Basic Prosecution Offices
In charge: Secretariat of KPC and BP
Reporting period:
January-June
July-December

Coordination of actions between prosecutors and officials for mediation
In charge: Case prosecutors and mediation officers
Reporting period:
January-June
July-December

The application of alternative procedures as indicators in the evaluation of the individual performance of a prosecutor
In charge: Chief Prosecutors and the Performance Evaluation Commission of the KPC
Reporting period:
January-June
July-December

Regular reporting and monitoring for the resolution of cases with an alternative procedure
In charge: OCSP and BP
Reporting period
January-June
July-December



Increasing transparency, strengthening trust of public and inter-institutional cooperation

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 of Prosecution Offices and the implementation 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.

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 2024, 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.

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.





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 with local institutions and international partners, and support from partners and donors is an important backbone 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 of 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 strengthened inter-institutional coordination in the fulfilling of the constitutional and legal mandate, with special focus on combating illegal phenomena.



Cooperation with law enforcement institutions;

Coordination and coordination for International Legal Assistance.

Coordination with institutions of the rule of law for the establishment of inter-institutional cooperation

In charge: OCSP, AP, SPRK and BP

Reporting period:

January-June

July-December

Advancement of cooperation with the prosecution offices of other countries in the fight against crime

In charge: OCSP, AP, SPRK and BP

Reporting period:

January-June

July-December

Internal coordination and coordination related to international legal assistance

In charge: OCSP, AP, SPRK and BP and designated prosecutors

Reporting period:

January-June

July-December

Cooperation with international partners

In charge: OCSP, AP, SPRK and BP

Reporting period:

January-June

July-December

Coordination with donors in the field of rule of law

In charge: OCSP, AP, SPRK and BP

Reporting period:

January-June

July-December

Regular reporting and monitoring for the resolution of cases with international legal assistance

In charge: KPSH, PA, PSRK and PTH

Reporting period:

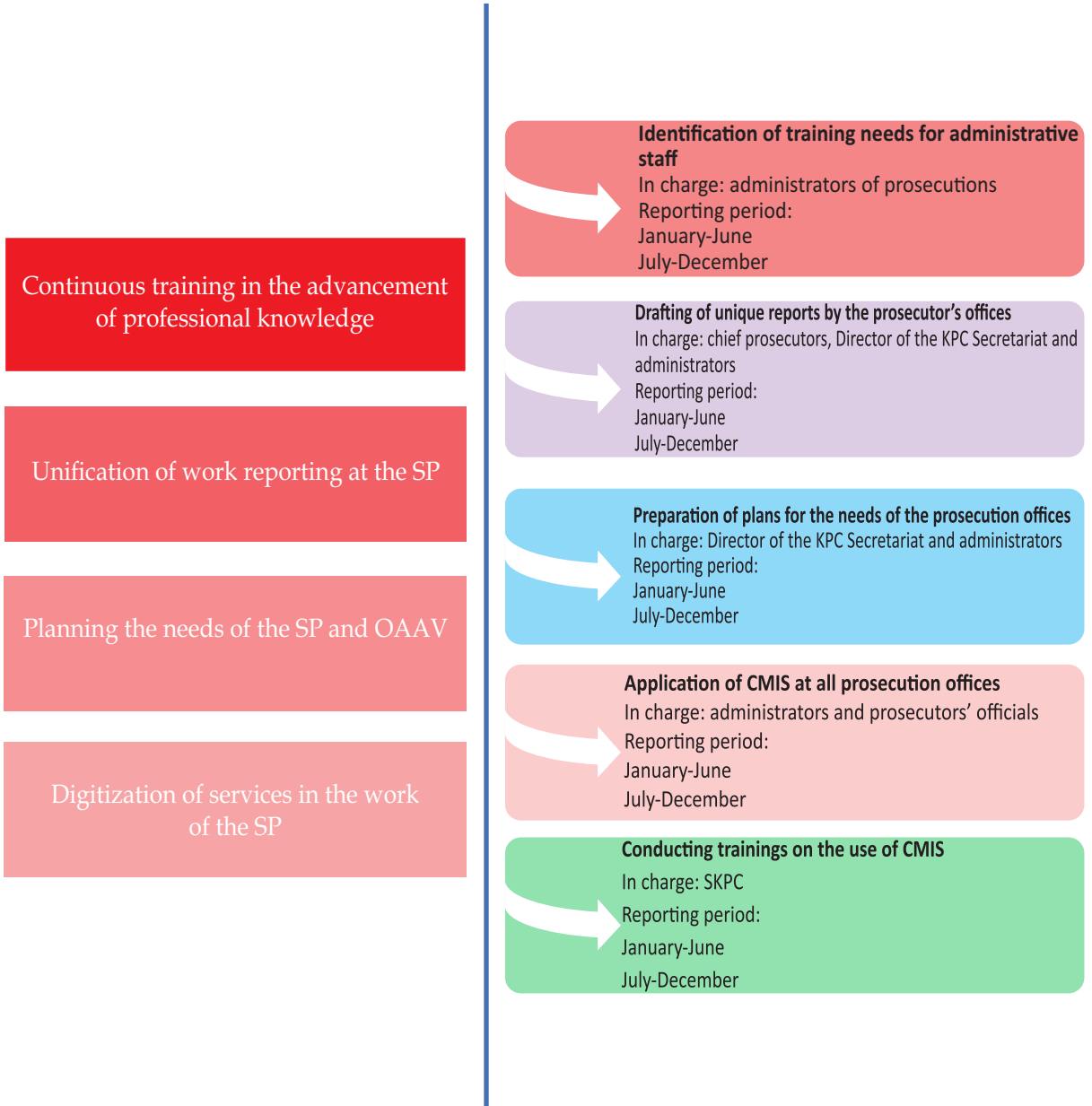
January-June

July-December



Raising professional capacities of the administration and unifying practices

Strengthening and raising the professional capacities of the State Prosecutor's administration is one of the main objectives of the Work Plan for 2024. Through this objective, the State Prosecutor, supported by the Secretariat of the Prosecutorial Council, aims to advance the professional knowledge of staff that support the work of the State Prosecutor. Also, the purpose of this objective is to improve services in the administration through digitalization of services which will affect the advancement, efficiency and productivity of the work within the Prosecution System of Kosovo.





Implementation and supervision of the work plan

The work plan is based on the legal mandate and the vision of the Chief State Prosecutor for the leading of this institution. The realization of this plan will be done through the implementation of 26 objectives, which are measurable and achievable and will be realized with concrete activities and measures according to the specified deadlines.

The plan envisages the continuation of some activities and measures, which have started in previous years, and their implementation will continue this year as well.

Monitoring related to the implementation of the objectives and activities of the State Prosecutor's Work Plan for 2024 will be based on two reporting periods January-June and July- December 2024.

Regarding the actions taken by the responsible units that emerge from this Work Plan, the Action Plan will be drawn up that will follow the implementation of the objectives and activities foreseen as well as the eventual challenges encountered during the implementation of these activities.

