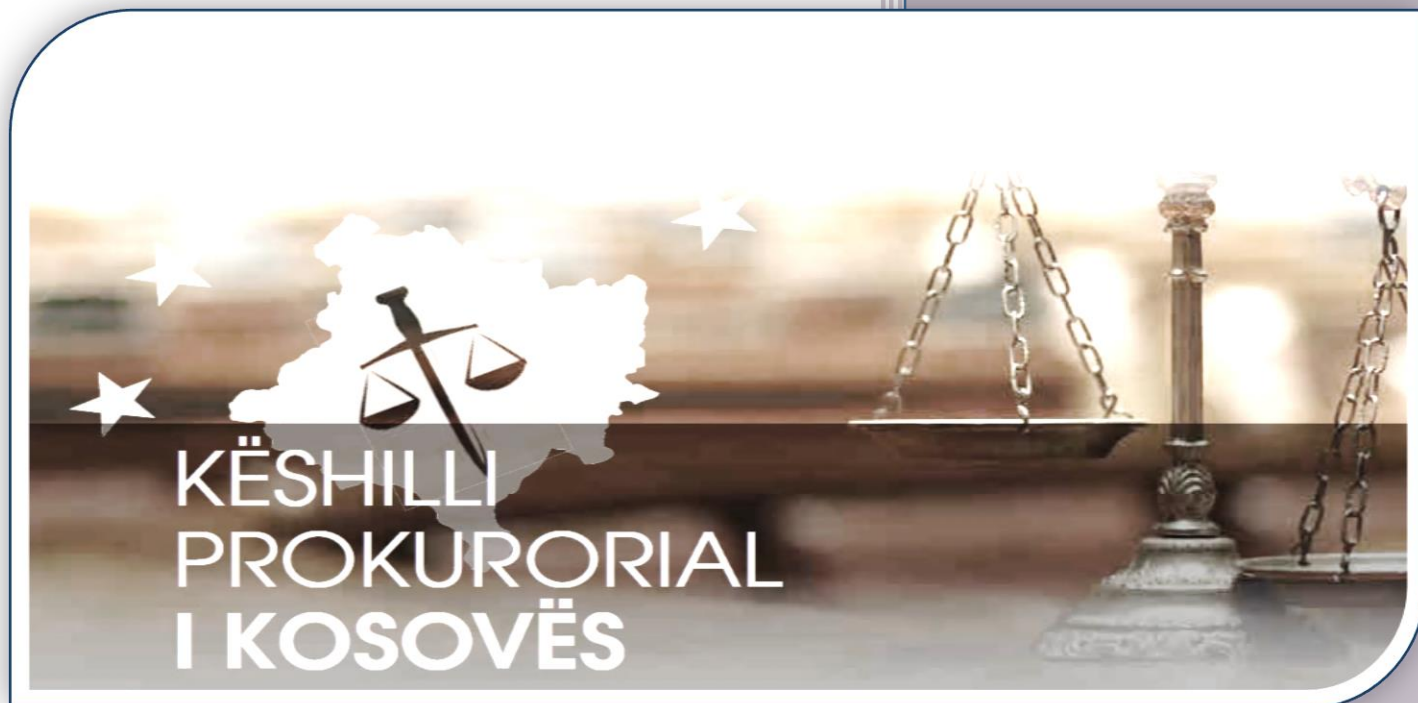


THE FINAL REPORT OF THE RECRUITMENT PROCESS



Pristina, October 2024

REPORT

ON THE PROCESS OF RECRUITMENT AND EXAM OF CANDIDATES FOR STATE PROSECUTORS

Content

INTRODUCTION	3
II. COMPETITION.....	4
III. LEGAL BASIS	4
IV. PRIOR ACTIONS AND DECISIONS.....	4
V. PRELIMINARY SELECTION.....	6
VI. STRUCTURE OF THE EXAM FOR PROSECUTORS	7
Aims and objectives of each part of the exam.....	7
Part 1, (Qualifying Test)	7
Part 2, (Written Test)	7
Part 3, (Interview)	7
VII. DESIGN OF THE QUALIFYING TEST	7
Confidentiality and security	8
VIII. PUBLICITY AND TRANSMISSION OF DATA TO CANDIDATES	9
IX. ORGANIZATION AND ADMINISTRATION OF THE QUALIFICATION TEST	9
X. EVALUATION OF QUALIFYING TEST	11
XI. ANNOUNCEMENT OF THE RESULTS OF THE QUALIFICATION TEST.....	11
XII. WRITTEN TEST	12
XIII. ASSESSMENT OF THE WRITTEN TEST.....	13
XIV. ANNOUNCEMENT OF THE RESULTS OF THE WRITTEN TEST.....	13
XV. THE PROCESS OF EVALUATING THE PERSONAL INTEGRITY AND PROFESSIONAL SKILLS OF THE CANDIDATES.....	14
XVI. INTERVIEW	14
XVII. PRELIMINARY RESULTS	15
XVIII. REVIEW COMMITTEE	15
XIX. PROPOSAL OF THE LIST OF CANDIDATES IN THE KOSOVO PROSECUTORIAL COUNCIL.....	16
XX. SPECIAL MEASURES TAKEN TO ACHIEVE INTERNATIONAL STANDARDS .	16
XXI. THANKS FOR SUPPORT	17
XXII. CONCLUSION	17

INTRODUCTION

Article 110 of the Constitution of the Republic of Kosovo defines Kosovo Prosecutorial Council (KPC) as an institution completely independent in the performance of its functions and with a mandate for the recruitment, proposal, advancement, transfer and discipline of prosecutors, in the manner regulated by law.

With Regulation no. 02/2022 for the Recruitment, Examination, Appointment and Reappointment of State Prosecutors, approved by the KPC on June 17, 2022, the criteria and procedures for the organization of the examination and the recruitment process of candidates for State Prosecutors are defined.

Based on the legal mandate, the KPC has organized the exam and developed the process of recruiting State Prosecutors.

The report reflects in detail the entire process of recruiting State Prosecutors, up to the publication of the final list of candidates who have passed the exam for prosecutors.

The main goals of this report are:

- Public and transparent presentation of the work of the Kosovo Prosecutorial Council, namely the Commission for Recruitment and the Review Commission, in the process of recruiting State Prosecutors;
- Explanation of the progress achieved during the process of organizing and administering the exam for candidates for State Prosecutors;
- The announcement with the brief history of the development of the exam for State prosecutors and the organizational challenges;
- Publication of the decisions/actions that preceded the implementation of the exam for State Prosecutors;
- The detailed presentation of all stages of the implementation of the exam for State Prosecutors and
- Presentation of the special measures that were taken by the Kosovo Prosecutorial Council, to reach international standards in the organization of this exam.

II. THE CONTEST

The Prosecutorial Council of Kosovo, on January 15, 2024, made a decision to announce twenty-eight (28) vacant positions for State prosecutors, of which four (4) positions are reserved for the Serbian community.

The contest opened on January 22, 2024 and continued until February 6, 2024. All interested parties have been notified that they can apply in physical form, through regular mail, electronic mail (e-mail) as well as online application (electronic application). Four hundred and twenty-eight (428) applicants applied, of them two hundred and two (202) female applicants and two hundred and twenty-six (226) male applicants, while four (4) of them are from the non-majority community.

All applications are registered in detail in the internal database of the Office for Prosecutorial Verification.

III. LEGAL BASIS

Based on Article 7, paragraph 1, point 1.7 of Law no. 06/L-056 for the Kosovo Prosecutorial Council, it is foreseen that the KPC decides on the organization of the exam for the candidates for prosecutors, according to the regulation approved by the Council.

The Kosovo Prosecutorial Council, on June 17, 2022, approved Regulation no. 02/2022 on the Recruitment, Examination, Appointment and Re-appointment of State Prosecutors, which defines the rules and procedures for the recruitment process of State Prosecutors.

IV. PRIOR ACTIONS AND DECISIONS

Based on Article 16 paragraph 2 of Law No. 06/L-056 for the Kosovo Prosecutorial Council, the Kosovo Prosecutorial Council can also establish other temporary or permanent commissions as needed.

In accordance with Regulation no. 02/2022 for the Recruitment, Examination, Appointment and Re-appointment of State Prosecutors, the Kosovo Prosecutorial Council, on January 15, 2024, approved the composition of the Recruitment Committee, the reserve members of this Committee and the composition of the Review Committee and reserve members as in following:

The Recruitment Committee had the following composition:

- Mr. Aleksandër Lumezi, Chairman of the Recruitment Committee;
- Mr. Ardian Hajdaraj, member;
- Mrs. Jehona Grantolli, member;
- Mr. Armend Zenelaj, member;
- Mr. Blerim Isufaj, member.

Reserve member:

- Mrs. Arijana Shajkovci, and
- Mr. Idain Smailji.

The Review Committee had the following composition:

- Mr. Arian Gashi, Chairman of the Commission;
- Mr. Bahri Hyseni, member and
- Mrs. Bedrie Alshiqi, member

Reserve members:

- Mrs. Merita Bina-Rugova and
- Mr. Arben Ismajli

Chairman of the Commission Mr. Aleksander Lumezi offered his resignation, which resignation was approved by the Council on 19.03.2024.

The Council has appointed the new member of the Recruitment Committee Mr. Zejnullah Gashi, while Mr. Blerim Isufaj has been appointed Chairman of the Commission.

Also, member Ms. Bedrije Sylva Alshiqi has withdrawn from the Review Commission.

V. PRELIMINARY SELECTION

After the end of the contest and the registration of applications by the Office for Prosecutorial Verification, the Recruitment Commission has also made a preliminary selection of applications that met the criteria defined in the competition.

Out of four hundred and twenty eight (428) applicants, only twenty (20) applicants failed to pass this stage.



The first meeting of the Recruitment Commission -Preliminary Selection

The Recruitment Commission decided that all applicants will be notified individually of the reason for the rejection of their applications as well as the right to object to the notification of the Recruitment Commission.

The Review Committee has received a total of fifteen (15) complaints, of which it has approved fourteen (14) of them and rejected only one (1) complaint.

After the end of the complaints phase, the Recruitment Commission published the final list according to which four hundred and twenty-two (422) candidates would undergo the Qualifying Test.



First meeting of the Review Commission of complaints against the preliminary selection

VI. STRUCTURE OF THE EXAM FOR PROSECUTORS

According to Regulation 02/2022, the exam for candidates for prosecutors is composed of three parts, as follows:

1. The first part included the Qualifying Test;
2. The second part included the Written Test and
3. The third part included the Interview.

Aims and objectives of each part of the exam

Part 1, (Qualifying Test)

This part of the exam was designed to assess the candidates' general skills in criminal fields, professional ethics and human rights and had a total of 60 multiple-choice questions. To qualify, candidates had to score at least 45 points, otherwise they would not qualify.

Part 2, (Written Test)

This part of the exam included a written task, which included a practical case from the criminal field (material and procedural).

The written exam had a total of 50 points and it was considered that the candidate to pass this stage must get at least 30 points.

Part 3, (Interview)

The interview contained questions that assess the candidate's personal and professional integrity, knowledge of legislation and communication skills.

VII. DESIGN OF THE QUALIFYING TEST

The Recruitment Commission, on the day of the Qualifying Test, in the building of the Kosovo Academy for Public Safety, has drafted a test with 60 questions with alternative answers.

Monitors from EULEX and OSCE were also present during the preparation of the Qualifying Test.

All media and civil society organizations were also invited to participate in this organization.

Before the test design began, the participants signed a Confidentiality Statement.



Commission during the drafting of the qualifying test

The translation into Serbian of the prepared test was done by the translators of the KPC and in the presence of the Recruitment Commission.

The computers where the Qualifying Test was worked on did not have an Internet connection, and telephone communication during the preparation of the exam was prohibited by all participants.

The photocopying process was carried out by the support staff in the building of the Kosovo Academy for Public Safety, in the presence of the Recruitment Commission and international monitors.



Allocation of tasks to hall supervisors

In order to support the entire success of the Qualifying Test, Chief Prosecutors, Deputy Chief Prosecutors, prosecutors from the Appellate Prosecutor's Office, the Special Prosecutor's Office, as well as the basic prosecutor's offices have been invited in the capacity of hall supervisors.

Confidentiality and security

Confidentiality regarding exam questions and answers is considered a high priority issue for the KPC and the Recruitment Commission. Strict rules and procedures have

been applied to ensure that no data related to exam questions or answers is disclosed to anyone, as defined by Regulation no. 02/2022 for the Recruitment, Examination, Appointment and Reappointment of State Prosecutors. This is done to ensure that no candidate has an advantage over other candidates.

Each participant, starting at the preliminary selection meeting and up to the preparation of the Qualifying Test, has signed the confidentiality agreement, pledging not to disclose any data related to the questions and answers of the exam and fully complying with the rules and security procedures.

VIII. PUBLICITY AND TRANSMISSION OF DATA TO CANDIDATES

Candidates who have met the conditions to undergo the Qualifying Test have been notified of the rules and the exam procedure, the place and date of the exam, as well as other details through the official websites of the KPC and the SP, as well as they have been notified individually with e-mail.

IX. ORGANIZATION AND ADMINISTRATION OF THE QUALIFICATION TEST

The Qualifying Test was held on May 19, 2024, at the Academy of Kosovo for Public Safety (AKPS), in Vushtrri.

From four hundred and seventy-two (422) candidates, which they had met the criteria to undergo the Qualifying Test, only three hundred and forty-eight (348) candidates participated.

Of this number of candidates, three (3) were from non-majority community (two Bosnian and one Turkish).

The registration of candidates to undergo the Qualifying Test was done by the administrative staff of the KPC in accordance with the Regulation. Due to the large number of candidates, 16 classrooms and three halls were used.



One of the halls holding the Qualifying Test

The candidates were divided into halls in alphabetical order. The only exception was for candidates who chose to be tested in the Serbian language, where they were instructed to go to the same hall regardless of alphabetical order.

In addition to the Commission and the authorized staff of the KPC, international monitors were also present in the hall.

Candidates have been informed in advance that they are obliged to take their identification document with them and they will not be allowed any other type of document, as defined by the Regulations.

The exam was held under the direction of the Recruitment Commission, as the decision-making final authority, in case of any violation or opposition to the rules, procedures or instructions of the test and the staff of the KPC.

Each candidate is seated at a single table and on the table was placed the Guide for the rules of the exam for the candidate.

In addition to the envelope in which the part of the exam was placed, the candidates were also given a small envelope, inside which was a blank and sealed piece of paper, where the candidates had to write their name, surname and signature.

In each envelope, at the end of the Qualifying Test, it was placed a code in accordance with the Regulation.

No candidate was expelled for non-compliance with the rules and none of them objected to the administration of the exam.



Recruitment Committee and support staff after the completion of the Qualifying Test

X. EVALUATION OF QUALIFYING TEST

The Recruitment Commission, on the day of the Qualifying Test, in special areas of the KPC and with access only to authorize persons, continuously and professionally, evaluated the Qualifying Test.

At the beginning, the Commission once again verified the questions and the correct answers, for which the "key" with the correct answers was compiled.

The support staff in front of the Commission only opened the large envelopes containing the candidates' tests. Then, the Commission evaluated the tests only according to the number placed on the envelope. When the envelopes were opened, each test inside was given the same number as the envelope.

Of the three hundred and forty-eight (348) candidates, who had undergone the Qualifying Test, only two hundred and ninety-five (295) of them passed, the other fifty-two (52) did not pass the test, while one (1) candidate was not evaluated at all, as disqualified in accordance with the Regulation.

After the evaluation of the Qualifying Test and the ranking of the points, the small envelopes were opened in order to rank and announce the list of candidates who had passed the Qualifying Test.

XI. ANNOUNCEMENT OF THE RESULTS OF THE QUALIFICATION TEST

In accordance with Regulation 02/2022, on May 20, 2024, the list of candidates who passed and the list of candidates who did not pass the Qualifying Test was published.

All candidates who took part in the Qualifying Test, in accordance with the Regulation, were notified that they had the right to review their tests and submit a complaint to the Review Committee until May 23, 2024.

Access to the Qualifying Test was used by seventy-three (73) candidates, while ninety (90) complaints were received within the indefinite legal deadline.

The Review Committee met on May 27, 2024 and reviewed ninety (90) complaints and decided that seventy-nine (79) complaints should be approved.

XII. WRITTEN TEST

The Written Test, under the supervision of the Recruitment Commission, was held on June 9, 2024, at the Kosovo Academy for Public Safety, in Vushtrri, where the international monitors were also present, who continued to monitor the progress of the test.



Designing the Written Test

The registration of candidates to take the Written Test is done by the administrative staff of the KPC, in accordance with the Regulation. Due to the large number of candidates, sixteen (16) classes were used.

Two hundred and eighty-one (281) candidates took the test, as fourteen (14) were withdrawn in the meantime. All candidates were provided with a summary of criminal laws (material and procedural).



Recruitment Committee during the supervision of the Written Test

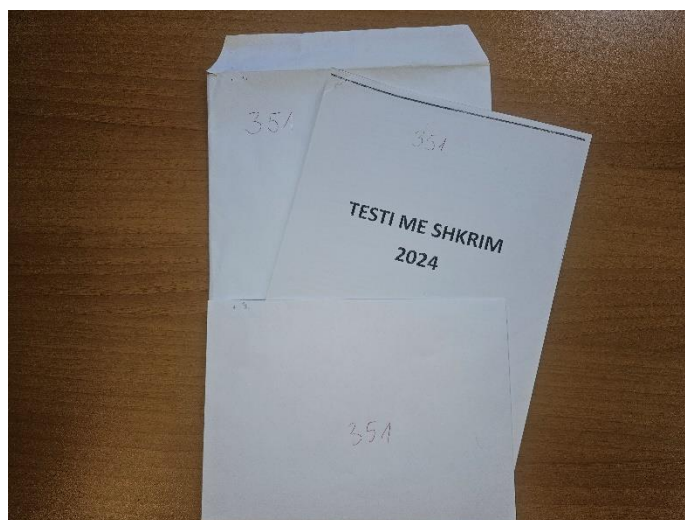
The entire procedure of registration, administration, monitoring, supervision and the entire process of the Written Test was the same as the Qualifying Test, held on May 19, 2024.

XIII. ASSESSMENT OF THE WRITTEN TEST

From June 10 to June 13, 2024, in the premises of the KPC, in special spaces with access only to authorized persons, the Recruitment Commission evaluated the Written Test.

EULEX monitors were also present during the opening of the exam package and during the evaluation.

The evaluation of the Written Test is done in accordance with Regulation 02/2022. The support staff, in front of the Commission, opened only the large envelopes in which the candidates' tests were found. Then, the Commission evaluated the tests only according to the number placed on the envelope. When the envelopes were opened, each test inside was given the same number as the envelope.



Opening the envelopes and placing the number inside the test

XIV. ANNOUNCEMENT OF THE RESULTS OF THE WRITTEN TEST

Of the two hundred and eighty-one (281) candidates who took the Written Test, seventy-two (72) of them passed this part of the exam.

After the evaluation of the Written Test and the ranking of the points, the small envelopes were opened in order to rank and announce the list of candidates who had passed the Written Test.

The announcement of the preliminary results was made on June 14, 2024. The candidates were individually informed that they have the right to submit a complaint to the KPC Review Commission, within the deadline set by the Regulation.

All the complainants, who had requested access to the Written Test, were granted this, and forty-two (42) of them exercised this right on June 18, 2024.

Altogether, fifty-five (55) complaints were received and after examining and evaluating them, the Review Committee decided to reject all the complaints of the complainants, and notified all the complainants individually.

XV. THE PROCESS OF EVALUATING THE PERSONAL INTEGRITY AND PROFESSIONAL SKILLS OF THE CANDIDATES

The procedure for assessing the personal integrity and professional skills of the candidates, as provided for in the Regulation, is done through the verification of the information provided by the candidate, as well as any other relevant information that the Recruitment Commission decides to request.

After the verification process, all candidates were notified of the date and time of the interview and with the right defined by Article 25.3 of the Regulation¹.

This right was realized by many of the candidates, who expressed interest in looking at their personal file and the documentation collected about their personal and professional past.

XVI. INTERVIEW

The interviews took place from September 9 to 13, 2024. Of the seventy-two (72) candidates who passed the Written Test, sixty-four (64) candidates were interviewed since eight (8) of them had withdrawn in the meantime. The candidates were interviewed by being asked the standard questions provided by Regulation 02/2022.

The interview, the evaluation of personal integrity and professional skills according to the Regulation, is evaluated at most 30 points, of which at most 10 points are provided for the evaluation of the code of professional ethics and personal integrity.

¹Article 25.3 of Regulation 02/2022-Candidates have the right to be notified and view the collected documents and draft documentation not earlier than ten (10) days and not later than five (5) days before the interview.



The Recruitment Commission during the interviews as well as the international monitors

After completing the interview for each candidate, the Commission members filled out the evaluation form, marking the points for the candidates individually and signed their evaluations.

The interviews were monitored by EULEX and OSCE representatives.

XVII. PRELIMINARY RESULTS

The Recruitment Commission, on the day of the end of the interviews, has prepared and announced the preliminary results.

The results of the Qualifying Test and the Written Test were added to the results of the Interview and from the total of these results, the ranking of the most successful candidates was made, according to Article 28 point 5 of the Regulation².

XVIII. REVIEW COMMITTEE

In accordance with Article 29 of the Regulation, candidates had the right to submit a complaint within three (3) days, from the day of publication of the preliminary results of the exam.

Within the deadline set by the Regulation, the Review Commission of the Kosovo Prosecutorial Council has received four (4) complaints which, after evaluation by the Review Commission, have been rejected.

²Article 28.5 of Regulation 02/2022 "The ranking of successful candidates in the list ends with the number of candidates determined by announcement (COMPETITION) by the Council"

XIX. PROPOSAL OF THE LIST OF CANDIDATES IN THE KOSOVO PROSECUTORIAL COUNCIL

In accordance with the Regulation on the Recruitment, Examination, Appointment and Re-appointment of State Prosecutors, the Chairman of the Recruitment Commission will prepare the list of candidates for State Prosecutors in the basic prosecutions of the Republic of Kosovo.

This list will be submitted to the Kosovo Prosecutorial Council.

XX. SPECIAL MEASURES TAKEN TO ACHIEVE INTERNATIONAL STANDARDS

In order to achieve the highest standards for the organization of the exam for prosecutors, the Prosecutorial Council of Kosovo has undertaken the following measures:

- ✓ The Qualifying Test and the Written Test were drafted, translated and photocopied on the day of the exam;
- ✓ The Qualifying Test was designed to assess the general skills of the candidates from the criminal (material and procedural), constitutional, professional ethics and human rights fields and had a total of sixty (60) questions with alternative answers. To qualify, candidates had to have at least forty-five (45) points, otherwise they would not qualify; the written test included a practical case from the criminal field (material and procedural). This test had a total of fifty (50) points and it was considered that the candidate must get at least 30 points to pass this stage. The interview contained questions that assess the candidate's personal and professional integrity, knowledge of legislation and communication skills;
- ✓ Photocopying of the tests was done by the KPC support staff;
- ✓ The translation of the tests was done on separate computers that were not connected to the network;
- ✓ After the candidates have completed the exam, a number was placed in each envelope, which neither the candidates nor the members of the Commission knew;

- ✓ The small sealed envelopes received the same number as the large envelopes with tests and inside them was marked the Name, Surname and Signature of the candidate;
- ✓ The tests were evaluated by the members of the Recruitment Committee, impartially and confidentially, without knowing the identity of the candidates;
- ✓ The Qualifying Test, Written Test and Interviews are overseen by international monitors;
- ✓ All the necessary materials for the exam were provided by the KPC and the candidates were not allowed to bring anything with them during the exams.

XXI. THANKS FOR SUPPORT

The Kosovo Prosecutorial Council expresses its gratitude for the support provided during the examination process by local institutions and organizations as follows:

- Kosovo Academy for Public Safety in Vushtrri (KAPS);
- Organization for Security and Cooperation in Europe (OSCE);
- EULEX;

XXII. CONCLUSION

The Commission for Recruitment of the Prosecutorial Council of Kosovo has successfully designed, administered and evaluated the exam for prosecutors for all candidates with professionalism, impartiality and transparency throughout the entire process.

The result of this process is the preparation of the final list addressed to the KPC, with the names of the successful candidates, who will be proposed to the Council for voting.