



Republika e Kosovës
Republika Kosovo/ Republic of Kosovo
Këshilli Prokurorial i Kosovës/ Tužilački Savet Kosova/Kosovo Prosecutorial Council

Kosovo Prosecutorial Council, based on Article 7 paragraph 1.31 of Law no. 06/L-056 on Kosovo Prosecutorial Council, in Law no. 08/L-197 on Public Officials, Article 2, paragraph 3, at the meeting held on June 18, 2024 approved:

**REGULATION NO. 03/2024 FOR THE PROCEDURE OF RECRUITMENT,
ACCEPTANCE, APPOINTMENT AND PROBATIONARY WORK FOR EMPLOYEES IN
THE ADMINISTRATION OF THE PROSECUTORIAL SYSTEM**

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose

The purpose of this Regulation is to define the criteria, rules, establishment of commissions, procedures for recruitment, evaluation, acceptance, appointment and evaluation of probationary work for employees in the prosecutorial system in accordance with the relevant legislation in force.

Article 2
Scope

1. The provisions of this Regulation shall apply to the prosecutorial system during the conduct of recruitment procedures for all categories in the civil service.
2. Except paragraph 1 of this Article, the provisions of this Regulation do not apply to the following positions: General Director of the KPC Secretariat, Director of the Prosecution Performance Review Unit and professional associates.

Article 3
Definitions

1. The expressions, terms and abbreviations used in this Regulation have the following meaning:
 - 1.1. **LZP** - Law no. 08/L-197 for Public Officials;

- 1.2. **Council** – Kosovo Prosecutorial Council, as defined by the Law on Kosovo Prosecutorial Council;
- 1.3. **Secretariat** – The Secretariat of the Prosecutorial Council, as defined by the Law on the Kosovo Prosecutorial Council;
- 1.4. **General Director** - General Director of the Secretariat of the Prosecutorial Council, as defined in the Law on the Prosecutorial Council;
- 1.5. **HRMU** - Human Resource Management Unit, as defined by Law no. 08/L-197 for public officials;
- 1.6. **Admission Committee** – A committee established by a decision of the General Director for the professional evaluation of candidates in a recruitment procedure;
- 1.7. **Member of the Commission** - the member appointed by the Director General, who performs the duties and responsibilities in accordance with this Regulation;
- 1.8. **Substitute member of the Commission** – the member appointed by the General Director, who replaces the members of the commission in case of conflict of interest or other cases of possible obstacles during the exercise of duty as a member;
- 1.9. **Subjects carrying out the recruitment process** - members of the Admission Committee and officials of the HRMU and used only for the purposes of this Regulation;
- 1.10. **Preliminary verification** - the process during which the HRMU carries out the verification of whether the candidates meet the general and special criteria, according to the announcement of the competition;
- 1.11. **Professional Evaluation** - the process during which the Admission Committee makes the professional evaluation of candidates through written testing and oral interview.
- 1.12. **SIMBNJ** - Information system for the management of human resources;
- 1.13. **KPCSHCK** - Independent Supervisory Council for the Civil Service of Kosovo.

2. The expressions used in the singular have the same meaning in the plural. Words used in one gender include the other gender.

Article 4

Principles

The admission of employees in the administration of the prosecutorial system is based on an open and competitive procedure, ensuring professionalism, integrity, non-discrimination, transparency, independence, impartiality, meritocracy and reflects the multi-ethnic nature and principles of gender equality as guaranteed in the Constitution of the Republic of Kosovo, international agreements and instruments of human rights and freedoms, as well as in applicable laws in the Republic of Kosovo.

CHAPTER II

COMMISSIONS

Article 5

Commissions of Acceptance

1. The professional evaluation of the candidates for admission to the administration of the prosecutorial system is done by the Ad hoc Admission Committee.

2. The Admission Committee is composed of five (5) regular members and one alternate member is appointed for each category of committee members.
3. The Admission Committee is ad hoc for each category of positions announced and the same is established by a decision of the General Director.
4. The substitute member shall exercise his/her duty in case of temporary impossibility of the regular member.
5. In the recruitment procedure for each category of positions in the capacity of observers, representatives from civil society and trade unions may participate.

Article 6

Admission Committee for the lower and middle management category

1. The professional evaluation of candidates for appointment to a position of lower and middle management category in the administration of the prosecutorial system is done by the Admission Commission.
2. The Admission Committee for positions of lower and middle management category consists of five (5) regular members and for each category of committee members one alternate member is appointed in this composition:
 - 2.1. three (3) existing employees of the same or higher category where one of them be appointed Chairman of the Committee;
 - 2.2. One (1) representative from HRMU and
 - 2.3. One (1) employee with knowledge in the field of the vacant position.

Article 7

Admissions Committee for positions in the professional category

1. The professional evaluation of the candidates for appointment to a professional category position is done by the Admission Committee.
2. The Admission Committee for the professional category consists of five (5) regular members and for each category of members of the committee a substitute member is appointed, in this composition:
 - 2.1. three (3) mid-level or low-level managers specialized in the field according to the position for which the competition takes place where one of them is assigned as the Chairman of the Committee;
 - 2.2. One (1) representative from HRMU and
 - 2.3. One (1) employee with knowledge in the field of the vacant position.

Article 8

Admissions Committee for positions for the category of specialist/s

1. The professional evaluation of the candidates for appointment to a professional category position is done by the Admission Committee.
2. The Admission Committee for the professional category consists of five (5) regular members and for each category of members of the committee a substitute member is appointed, in this composition:
 - 2.1. three (3) civil servants of middle or lower management level specializing in the field relevant to the position or group of positions for which the competition is held;
 - 2.2. One (1) representative from HRMU and
 - 2.3. one (1) representative of the same field for the position for which the competition is held.

Article 9

Admission Committee for positions of technical and administrative staff category

1. The professional evaluation of candidates for appointment to a technical and administrative staff category position is done by the Admission Committee.
2. The Admission Committee for the professional category consists of five (5) regular members and for each category of members of the committee a substitute member is appointed, in this composition:
 - 2.1. three (3) in mid-level or senior management jobs depending on the position for which a competition is held where one of them is appointed Chairman of the Commission;
 - 2.2. One (1) representative from HRMU and
 - 2.3. One (1) in the work of the technical and administrative staff of the relevant field, according to the position for which the competition is held.

Article 10

Conflict of interest

1. A conflict of interest represents any circumstance that for the subjects of the recruitment process of employees in the administration of the prosecutorial system would be considered as a private interest that affects, may affect or appears to affect the impartial and objective performance of their duty, as defined by the Law on Prevention of Conflict of Interest in the Exercise of Public Function.
2. The subjects carrying out the recruitment process should make efforts to prevent and/or avoid any situation of conflict of interest in the exercise of their duties. The occurrence of any conflict of interest

will be as detrimental to the public's respect for the work carried out by the Council as the actual conflict of interest itself.

3. In the event that during the recruitment process, any entity carrying out the recruitment process believes that there may be a conflict of interest, he/she should immediately notify the chairman of the respective commission in writing about this issue, who after verifying the potential conflict of interest decides on his/her exclusion and replacement.

4. In case the conflict of interest regarding the recruitment process is presented by the chairpersons of the respective committees, they shall inform the General Director in writing, who, after verifying the potential conflict of interest, decides on his/her exclusion and replacement.

5. The subjects carrying out the recruitment process, upon the occurrence of a potential conflict of interest, are obliged to immediately suspend any further action until it is decided on his/her exclusion and replacement, as defined by paragraphs 3 and 4 of this Article.

6. In case the subjects carrying out the recruitment process, according to this Article, are in a situation of conflict of interest with any candidate and such a fact has been kept hidden from the subject carrying out the process, it attracts disciplinary responsibility.

CHAPTER III

CRITERIA, ANNOUNCEMENT OF THE COMPETITION AND ADMISSION PROCEDURE

Article 11

General criteria for admission

1. The general criteria that a candidate must meet in the recruitment procedure to be admitted to the administration of the prosecutorial system at any category or level provided for under this Regulation are:

- 1.1. Be a citizen of the Republic of Kosovo;
- 1.2. To have full capacity to act, according to the legislation in force;
- 1.3. Possess at least one of the official languages, in accordance with the Law on Languages;
- 1.4. Be able to perform the relevant task from a health point of view;
- 1.5. Not to be convicted of committing a criminal offense intentionally;
- 1.6. Not to have in force a disciplinary measure for a serious violation;
- 1.7. Have the education, professional work experience and/or skills required for the position, the relevant category, class or group and
- 1.8. Successfully pass the admission procedures set out in this Regulation.

Article 12

Content of the competition

1. The vacancy call shall contain at least the following data:
 - 1.1. The name of the place of work;
 - 1.2. The name of the position, group, class, coefficient/base salary;
 - 1.3. The institution in which she/he will work;
 - 1.4. The number of vacancies for each category;
 - 1.5. A general description of the job;
 - 1.6. The general criteria for admission to the post pursuant to Article 11 of this Regulation;
 - 1.7. Specific additional criteria, if any;
 - 1.8. The knowledge, skills and qualities required in the recruitment procedure;
 - 1.9. The documents to be submitted as part of the application and the manner of their submission;
 - 1.10. The manner of evaluating the candidates;
 - 1.11. The way of informing and communicating with the candidates;
 - 1.12. The way in which applications are presented and
 - 1.13. The deadline for the receipt of applications set by the correct date.
2. Announcements for the contest also contain the following entries:
 - 2.1. Non-majority communities and their members, persons with disabilities and the less represented gender have the right to fair and proportional representation in the administration of the prosecutorial system;
Applications submitted after the deadline, including those submitted by post are not accepted and incomplete applications are rejected.
3. The candidate, through the application, declares and bears responsibility for the authenticity of all documents submitted, as required by the announcement of the recruitment procedure.
4. False declaration under this Article is a reason for exclusion from the recruitment procedure.

Article 13

The Applications of the Candidates

1. Candidates fill in the application electronically/physically, which contains the following data:
 - 1.1. Reference to the announcement of the recruitment procedure;
 - 1.2. The candidate's personal data;
 - 1.3. The level of education, diplomas earned, educational institutions, graduation dates;
 - 1.4. A detailed description of your work experience, including information such as:
 - 1.4.1. The name of the employer;

- 1.4.2. Title, rank and/or similar;
 - 1.4.3. The duration of the employment relationship;
 - 1.4.4. Description of the main tasks of the job;
 - 1.4.5. The number and type of personnel under supervision, if any;
 - 1.4.6. The address and contact of the previous employer;
 - 1.4.7. The reasons for the termination of the previous employment relationship (s);
 - 1.5. Knowledge of the language;
 - 1.6. Information on specific trainings carried out or provided, vocational qualifications and specializations, special skills and publications if required in the competition;
 - 1.7. Knowledge of computers.
2. Along with the application for participation in the recruitment procedure, candidates must also attach the following documentation:
 - 2.1. a copy of the diploma required by competition and provided by educational institutions, a certificate of nostrification of the diploma obtained abroad or an act proving that the diploma obtained abroad is in the nostrification procedure, provided that the nostrification of the diploma is submitted by the moment of signing the act for appointment to the position;
 - 2.2. Copies of the proof of employment;
 - 2.3. Copies of the documents proving the fulfillment of the conditions for application, set out in the recruitment announcement and stated in the application.
 3. Exceptionally from paragraph 2 of this article, a copy of the proof that the candidate is fit from a health point of view and the proof that the candidate is not convicted of committing an intentional criminal offense shall be submitted during the verification phase prior to appointment.
 4. Candidates fill out the application in accordance with the relevant Law on the Use of Languages.
 5. The HRMU provides technical support during the competition procedure, upon the request of the candidates.

Article 14

Announcement of recruitment procedure

1. The recruitment procedure announcement contains at least the following data:
 - 1.1. The place of work;
 - 1.2. A general description of the job;
 - 1.3. The general criteria for admission to the office,
 - 1.4. Specific additional criteria, if any;
 - 1.5. The knowledge, skills and qualities required in the recruitment procedure;
 - 1.6. The manner in which the application is submitted;
 - 1.7. The deadline for the receipt of applications set by the exact date;
 - 1.8. The documents to be submitted as part of the application and the manner of their submission;
 - 1.9. The way in which the candidates are evaluated and
 - 1.10. The way of informing and communicating with the candidates;
2. All announcements also contain the following notes:

- 2.1. Non-majority communities and their members, persons with disabilities and the under-represented gender have the right to fair and proportional representation in the Kosovo civil service, as specified in the LZP;
- 2.2. Applications submitted after the stipulated deadline are not accepted and deficient applications are rejected.
3. The candidate, through the application, declares and bears responsibility for the authenticity of all documents submitted, as required by the announcement of the recruitment procedure.
4. False declaration under this Article is a reason for exclusion from the recruitment procedure.

Article 15

Admission procedure

1. Admission to the prosecutorial system, according to this Regulation, is carried out for all functional categories, through an open, public recruitment procedure, in accordance with the principles set out in the LZP.
2. Recruitment for the professional category is organized for positions or a group of positions of general administration and positions or a group of positions of special administration, according to the need of the institution and according to the planning of the personnel of the prosecutorial system.
3. Announcement of the recruitment procedure for positions or a group of positions of general and special administration is made by the HRMU in the SIMBNJ (when the same is functional), as well as by other appropriate means of information.
4. The receipt of applications by candidates for admission to the civil service shall be made within fifteen (15) days from the date of the announcement of the recruitment procedure.
5. The competition takes place in two (2) phases:
 - 5.1. Preliminary verification through which it is verified that the candidates meet the general and special criteria, according to the announcement of the competition and
 - 5.2. The professional evaluation shall include the evaluation of the professional knowledge and qualifications of the candidates.
6. The preliminary verification and professional evaluation is done by the Admission Commission that conducts the recruitment procedure.
7. Professional evaluation shall include written testing ensuring the anonymity of candidates and evaluation through interview.
8. In the preliminary verification procedure candidates are not evaluated with points, while in the professional evaluation up to one hundred (100) points can be evaluated.

9. The candidate successfully passes the stage of professional evaluation if he receives not less than seventy (70) points.

Article 16

Preliminary verification and professional assessment

1. Preliminary verification is the process of verifying whether candidates for admission to the civil service meet the general and special criteria, according to the announcement of the competition.
2. The preliminary verification is carried out by the Admission Commission, no later than ten (10) days after the deadline for receipt of applications, on the basis of documents submitted as part of the application.
3. The HRMU shall publish on the SIMBJ (when the same is functional) and the institution's website the list of candidates who meet the general and specific criteria.
4. The HRMU notifies candidates who do not meet the conditions for recruitment through the institution's website electronically or formal written notification, including all criteria and/or unmet evidence not later than three (3) calendar days from the date of publication of the results.
5. The professional evaluation phase consists of written test and interview and is conducted by the Admission Commission with the support of HRMU.

Article 17

The content and evaluation of the written test

1. Assessment through written testing is the first step of the professional evaluation process of candidates after the preliminary verification and should be carried out no later than 10 days after the publication of the list of candidates who have passed the preliminary verification.
2. In the written test, candidates are evaluated for the main necessary knowledge, skills and qualities required for the respective position or group of positions.
3. The maximum possible score for written testing is up to seventy (70) points.
4. The written test is passed only by candidates who receive at least fifty (50) points in the written test.
5. The Admission Commission in full is obliged on the day of the written test to select the questions of the written test of the multiple choice model with a correct answer, as well as a written essay, taking into account the areas of knowledge and skills defined in the recruitment announcement.
6. The written test contains a total of twenty-five (25) questions and one (1) short essay. Each correct answer is evaluated with two (2) points, while the essay can be evaluated with a maximum of twenty (20) points.
7. The duration of the written test is not more than ninety (90) minutes.
8. Depending on the spatial conditions and the number of candidates, the written test may be held in more than one hall.
9. The members of the Admission Committee shall evaluate the written test independently and impartially, at the latest within eight (8) days from the day of its completion.
10. Multiple-choice questions are evaluated by the Admission Commission or the system electronically, while the essay is evaluated by the Admission Commission.
11. The essay is evaluated by all the members of the Admission Commission, individually, based on the essays with standards set in advance by the Admission Commission, who sign the evaluation form

and enter the points in the relevant form or in the SIMBNJ (when the same is functional). The scoring of each member of the Commission shall average the Commission's final assessment of an essay for a particular candidate. The sum of the scores and the scores of the essay constitutes the final assessment of the written test.

12. After evaluating the written test, the HRMU, according to the recommendations of the Admission Commission, compiles the list of candidates who have passed the written test.

13. The list, according to paragraph 10 of this Article, is made public by the HRMU in the SIMBNJ (when the same is functional) and on the institution's website as well as by other appropriate means of information.

14. During the drafting of the written test, committee members, support officers and observers may not have access to telephone, internet or other means of electronic communication, except with the permission of the Chair of the Commission.

Article 18 **Assessment through the interview**

1. After the evaluation of the written test, the evaluation of the candidates continues with the interview, which is conducted verbally and must be completed at the latest ten (10) days after the publication of the list of candidates who have passed the written test.

2. Only candidates who have received at least fifty (50) points in the written test are eligible to participate in the interview.

3. The Admission Commission notifies the candidates who have successfully passed the written test regarding the day, time and place of the interview.

4. The interview assesses the required knowledge, skills and qualities that cannot be assessed through written testing.

5. The interview is conducted by the Admission Committee, which prepares or selects the same questions for all candidates for the interview. These questions should be prepared/selected on the day of the interview.

6. The interview for all categories contains five (5) questions, each rated with a maximum of four (4) points. In addition to the questions, the members of the Admission Committee may also pose sub-questions to the candidate, in order to more accurately assess the candidate regarding the main question.

7. Each of the members of the Admission Committee makes a detailed assessment of each question.

8. In the interview the candidate can receive a maximum of thirty (30) points, of which ten (10) points are for the life story (CV).

9. The maximum rating for the CV is as follows:

9.1. Up to three (3) points for education;

9.2. Up to four (4) points for relevant work experience and

9.3. up to three (3) points for relevant trainings.

10. The final assessment of an interview for a candidate is the arithmetic average of the ratings of all members.

Article 19

Announcement of the final result.

1. The final assessment of the candidate includes the amount of points earned in each assessment step.
2. Upon completion of the interview, the Admission Commission prepares the final list of candidates who have passed the 70% total points threshold that it transmits to the HRMU, the name and surname of the winning candidate, as well as the points achieved in the written test, the interview and the overall points for each candidate.
3. The list is published in the SIMBNJ (when the same is functional), on the website of the institution and in other appropriate media for information.

Article 20

Special Provisions for Candidates with Equal Points

1. Candidates with equal points are ranked and selected according to this order:
 - 1.1. Firstly, if one of the candidates falls into the category of persons with disabilities, then he is selected first in relation to the other candidate, if the representation is less than the reserved quotas;
 - 1.2. Secondly, if one of the candidates is from the ranks of a non-majority community, then he is selected first in relation to the other candidate, if the representation is less than the reserved quotas;
 - 1.3. Thirdly, if the candidates are of different genders, then the first candidate belonging to the underrepresented gender in the respective unit is selected.
2. The gender less represented under paragraph 1, sub-paragraph 1.3 of this Article shall be determined by the HRMU on the basis of official statistics.
3. If none of the alternatives set out in paragraph 1 of this article can be applied, then the selection is made by lot.

Article 21
Reserved quotes and affirmative measures

1. The quota reserved for non-majority communities in the civil service of the prosecutorial system is at least ten percent (10%).
2. The Council, in order to fill the quota as in paragraph 1 of this Article, may open a recruitment procedure only for members of underrepresented communities.
3. The Council, in order to achieve equal gender representation in the prosecutorial system, may open a recruitment procedure only for members of the under-represented gender.
4. The state of implementation of reserved quotas is calculated for each category of civil service positions.

CHAPTER IV
APPOINTMENT PROCEDURE, COMPLAINT AND
PROBATIONARY WORK

Article 22
Verification before appointment

1. The HRMU, after selecting the winning candidate for a certain position, verifies before the completion of the application criteria by the candidate.
2. The final verification includes:
 - 2.1. verification of the documents submitted by the candidate and their authenticity;
 - 2.2. verification of the fulfilment of the criteria provided for in Article 11 (1), points 1.4 and 1.5 of this Regulation and
 - 2.3. Verification of the continuation of the fulfilment of the other criteria provided for in Article 11, paragraph 1, with the exception of points 1.3 and 1.7 of this Regulation.
3. For the final verification, the HRMU requires the candidate to present the documents that prove the fulfillment of the criteria, in the original or identical with the original.
4. If the verification is negative, the HRMU finds that the application criteria are not met and decides to expel the candidate and proceeds with the next candidate who has reached at least seventy (70) points.

Article 23
Appointment of employees in the administration of the prosecutorial system

1. The HRMU, after carrying out the verification, appoints the candidate according to the definitions in the LZP.

2. The Appointment Act, an integral part of this regulation, should be in accordance with the definitions of the LZP, the Law on Salaries in the Public Sector and the acts adopted by the Council.
3. Upon receipt of the Appointment Act, the winning candidate must appear at the institution where he is appointed, not later than fourteen (14) days from the date of receipt of the Appointment Act.
4. The term, according to paragraph 3 of this article, may be extended at the request of the candidate for reasonable reasons and with the agreement of the institution up to one (1) month, including the initial term.
5. In case of non-appearance under paragraph 3 or 4 of this Article, the HRMU shall follow the procedure for annulment of the Appointment Act and the candidate shall not be entitled to be appointed to a civil service position, except when subject to the new competition procedure.
6. In case the HRMU cancels the act of appointment under paragraph 5 of this article, it continues the procedure with the appointment of the next candidate who has reached at least seventy (70) points.
7. The employment relationship in the civil service is established on the basis of the Appointment Act and is an employment relationship under the condition of confirmation at the end of the probationary period.
8. In the case of appointment to the lower and middle management category, the candidate is appointed for a term of four (4) years, with the right to extend without competition for another one (1) term of the same duration according to the provisions of Article 46 of the LZP.

Article 24

Complaints in the admission process.

Candidates dissatisfied with the recruitment process, after the announcement of the final results, are entitled to appeal to the KPMCSHCK within thirty (30) days.

Article 25

Probationary work

1. The official, after being appointed to the administration of the prosecutorial system, is subject to a probationary period lasting six (6) months.
2. The probationary work is the theoretical and practical preparation of the employee for the successful performance of the duties of the position where he is appointed.
3. The probationary work is suspended for the current duration of maternity leave, paternity leave, parental leave, medical leave, military service, election campaign and/or other special circumstances. After the end of the interruption cause, the probation period is extended for the time the interruption was made.
4. The official, during the probationary period, has no right to participate in selection committees, disciplinary committees, and complaints committees or to be appointed as a substitute in any other position.

Article 26

Assessment during the probationary period

1. The HRMU, thirty (30) days before the end of the probationary period, requests in writing from direct supervisor of the employee to make the assessment of the probationary work.
2. The direct supervisor holds a meeting with the clerk, not less than fifteen (15) days before the end of the probationary work and together with him handles his performance.
3. Notification of the meeting regarding the evaluation of the probationary work of the civil servant is sent to civil servant at least three (3) days before the date of the meeting.
4. Based on the evaluation of the results of the civil servants work, the direct supervisor decides:
 - 4.1. Confirmation of the employment relationship of the employee;
 - 4.2. Extension of the probationary period once, up to a further six (6) months, if justified reasons it has been impossible to fully assess the employee;
 - 4.3. Non-confirmation of the employment relationship and termination of the employment relationship in the administration of the prosecutorial system.
5. The supervisor shall send the reasoned decision for confirmation or non-confirmation of the work of the official to the HRMU at least ten (10) days before the end of his probationary work.
6. In case of non-confirmation of the employment relationship by the direct supervisor, the decision to terminate the employment relationship is taken.

Article 27

Appendixes

1. Component parts of this regulation are the following appendixes:
 - 1.1. Appendix no. 1 – FORM: Employment application/application for employment;
 - 1.2. Appendix no. 2 – FORM: Preliminary verification of candidates;
 - 1.3. Appendix no. 3 – FORM: Assessment of the written test for the candidate by the Admission Committee;
 - 1.4. Appendix 4 – FORM: Individual assessment of the member of the Commission for the candidate in the interview;
 - 1.5. Appendix no. 3 – FORM: Assessment of the written test for the candidate by the Admission Committee;
 - 1.6. Appendix no. 6 – FORM: Final list of written candidate evaluation and interview by the Admissions Committee.

Article 28
Repeal

With the entry into force of this Regulation, all acts contrary to this Regulation and other acts adopted by the Council shall be repealed.

Article 29
Entry into force

This Regulation shall enter into force on the day of its adoption by the Kosovo Prosecutorial Council.

Pristina on: 18/06/2024

Ardian Hajdaraj

Chairman of Kosovo Prosecutorial Council