

Corruption Monitor 2010

Annual Report on Monitoring Institutional Activities in the Fight
Against Corruption

*“... Fight against corruption and organized crime is a fundamental
precondition for Kosovo membership in the European Union...”*



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List of Acronyms/Abbreviations

AAK - Alliance for Future of Kosova
ACA - Anti-corruption Agency
AKR - Alliance New Kosova
PIA - Prishtina International Airport
DHKEK - Department of Economical Crimes and Corruption Investigations
EULEX - European Union Rule of Law Mission in Kosovo
ICO - International Civilian Office
IKS - Stability Kosovar Initiative
IPOL - Policy Balkan Institute
ISC - Institute for Sustainable Communities
KDI - Kosovo Democratic Institute
KEK - Kosovo Electrical Energy Corporation
KJC - Kosovo Judicial Council
CEC - Central Election Council
LDD - Democratic League of Dardania
LDK - Democratic League of Kosova
MEST - Ministry of Education, Science and Technology
MM - Memorandum of Understanding
MTPT - Ministry of Transport, Post and Telecommunication
NCAPF - National Committee on American Foreign Policies
PDK - Democratic Party of Kosovo
KP - Kosovo Police
PTK - Post Telecom of Kosova
PR - Progressive Report
AKI - Kosovo Intelligence Agency
UNMIK - United Nations Mission Interim in Kosovo
USAID - United States Agency for International Development
YIHR - Youth Initiative for Human Rights
ZPD - Disciplinary Prosecutors Office
TI - Transparency International

Executive Summary

The Government of Kosovo during 2010 has approved altogether 304 verdicts. Five of them were against corruption, two were on suspicion about corruption and 299 others were on different issues. A draft law on prohibition of money laundering and financing terrorism was approved, Anti - Corruption Task Force was established, the budget and staff number (17 assignments) of Management of confiscated property Agency are increased, endorsement of public contracts in medium and high value is regulated, Government Program and Action Plan on Prohibition of Informal economy for 2010 - 2012 is approved, deputy minister of MTPT was discharged, draft law on Public Financing is approved and anti - mafia law is initiated.

Kosovo Assembly in 2010 has held 31 plenary sessions. In these sessions it has approved the law on Declaration, Origin and Control of Assets and Presents of Higher Public Officials, the law on Financing Political Parties, the law on Prevention of Money Laundering and Financing Terrorism, the law on Kosovo Judicial Council, the law on Prosecutorial Council, the law on State Prosecutor, the law on Public Procurement and the law on Public Documents Access. During parliamentary questioning, there were 203 questions asked: 67 were about corruptive issues and 136 about other issues. During this time the most voiced parliamentarians were Driton Tali with 21 questions, Naim Rrustemi with 17 questions, Riza Smaka with 9 questions and Xhylnaze Sylja with 5 questions.

Kosovo Judicial Council has successfully finished the process of assignment and reassignment of judges and prosecutors. This process was accompanied with political interferences and KJC was incapable to provide independence and impartiality of judicial system. In the terms of unsolved cases at the beginning of reporting period KJC, had altogether 138 cases: 109 cases for abuse of authority, 20 for taking bribe, and 9 for giving bribe. At the category ongoing cases there are 65:43 are for abuse of authority, 15 for taking bribe, and 7 for giving bribe. At present there 203 cases ongoing: 152 for abuse of authority, 35 for taking bribe, and 16 for giving bribe. Whereas at the end reporting period there are 141 unsolved cases: 114 for abuse of authority, 18 for taking bribe and 9 for giving bribe.

State Prosecution for the first time is involved against corruption and organized crime. Task Force, which is established in February, this year and which operates on behalf of Special Prosecution, has become effective by arresting the Governor of Kosovo Central Bank, Hashim Rexhepi. Prosecution during 2010 has solved 148 cases: 130 in Prishtina Prosecution, 2 in Gjilan, and 16 in Prizren. 248 cases are brought up from previous year: 231 in Prishtina Prosecution, 3 in Peja, 2 in Gjilan, and 12 in Mitrovica. Whereas in municipal level 93 cases are brought up from previous years, 256 cases are received only in 2010, 85 are solved in 2010 and 264 are ongoing. Special Prosecution has received altogether 20 cases in 2010 and they are still ongoing, none being solved.

Kosovo Police has investigated 228 officials for abuse of authority, 14 for embezzlement while on duty, 25 for taking bribe, and 3 for giving bribe. 98 cases were sent to

prosecution with identified suspects for abuse of authority, 11 for embezzlement while on duty, 16 for taking bribe, and 4 for giving bribe. 135 cases were sent to prosecution with N/N for abuse of authority, 14 for embezzlement while on duty, and only 7 for taking bribe. The total number of arrestees was 50. 47 of them with charges of abuse of authority and 1 for above mentioned criminal acts.

Anti - Corruption Agency has successfully closed the process of wealth declaration of higher officials. The number of officials who were obliged to declare their wealth was 1560, only 70 of them did not declare their wealth, 4 did not fill the application the way it was required, and 1 official demanded not to declare his wealth. During this year ACA has signed a Well Understanding Memorandum with Kosovo Police, State Prosecution, Kosovo Taxes Administration, and General Audit Office. During March ACA will present its report in Kosovo Assembly.

Kosovo Customs has made a significant progress fighting corruption. Professional Standards Department's statistics shows that in 2010 4 cases were brought up from 2008, 18 from 2009 and 24 are initiated in 2010. Total number of the cases closed by PSD in 2010 is 24. While as the disciplinary measures are concerned, Kosovo Customs have undertaken these actions: 7 verbal warnings, 8 written warnings, 1 final written warning, 1 termination, 2 downgrading, 1 forced transfer, 3 performance cancellations, 2 forced trainings, 9 promotion prohibition, 1 suspension (as an action of Disciplinary Board)

EULEX continued its work against corruption. According to their statistics, 5 cases are in preliminary hearing phase for corruption, 66 cases of economical crimes and organized crime are on wait to hearing. 18 cases with charges on corruption and 4 for organized crime in 2010 are in the final phase. The number of suspects in these cases is 175 with charges for corruption and 175 for organized crime. During 2009 - 2010 courts headed by EULEX judges have declared 14 trials for corruption and 2 for organized crime.

Seven international reports are published during 2010: National Committee on American Foreign Policy, Youth Initiative for Human Rights, Early Warning Report of UNDP, Nations in Transition of Freedom House, Corruption Perception Index, Global Barometer of Perception and Progressive Report.

Civil society has performed sever activities against corruption, has published several important reports on corruption and has organized different meetings discussing the rule of law in Kosovo.

Introduction

The high level of corruption¹ and its wide spread in higher and lower instances of institutions make the main hazard in the process of state foundation², economical development³, democratic transition⁴, and good governance⁵. This conclusion is widely accepted from local and international segments. There is a general admittance that corruption is harming not only Kosovo citizens' interests but also Kosovo's integration process to European Union⁶. The high level of corruption and organized crime has also alarmed the parliamentarians of German Bundestag. Some of them have claimed that 'German citizens' money is being invested in Kosovan Politicians villas'⁷. Similar to this statement are international reports as well. They have

shown a high level of corruption, organized crime and informal economy. Grounded on their findings Kosovo is listed among the most corrupted states and failed states. While the heads of institutions have promised that in 2010 they will fight corruption and organized crime, the opposition has criticized, has accused and has been skeptic. Thus, being very concerned about this endemic phenomenon, Movement FOL, supported by USAID through the Empowerment of Civil Society Program implemented by ISC is implementing its project Corruption Monitor since January 2010. Through this project FOL attempts to bring to light the inactivity of institutions fighting corruption, trying to make this issue on the agenda of all institutions of Republic of Kosovo⁸. FOL considers that the fight against corruption should be converted from rhetorical to concrete actions, should have a serious approach and show obvious results. This is the only way for Kosovo in order to improve its internal and international legitimacy, to establish democracy, the state of rights and be comparable to western countries and free societies.

TIME is NOW!

¹ Kosovo General Penal Code prevents 13 kinds of corruptive actions: abuse of authority, embezzlement while on duty, fraud on duty, unauthorized use of property, taking bribe, practice of influence, unlawful court verdicts, discovering official confidentiality, fraud of official documents, unlawful cashing and payments, unlawful release of detainee, unlawful embezzlement of property during harassment or execution of court verdicts.

² This thesis is a result of empiric observations, because the high level of corruption seriously impairs the internal and international legitimacy of Kosovo.

³ More on negative and harmful effects of corruption see: <http://www.oecd.org> and TI reports and website <http://www.transparency.org>.

⁴ James B. Jacobs: Corruption and Democracy, Kappa Phi Journal, Volume 84, 2004, p.21.

⁵ USAID – Fighting corruption: http://www.usaid.org/our-work/democracy_and_governance/technical_areas/anti-corruption/

⁶ Renzo DAVIDDI: Corruption is impairing Kosovo's integration process to European Union, Koha Ditore, 11 June, 2010, p.6

⁷ Florian HAHN, published in Koha Ditore: German Parliamentarians accuse Kosovo Government for crime and corruption, 11 June 2010, p.4

⁸ Hasan PRETENI - News show (19.30) RTK, 6 June 2010

Kosovo Government

Corruption has become one of the three major concerns of citizens⁹. While the citizens continue to see the government as corrupted¹⁰, the Prime Minister Thaçi and other institutions heads, promised a fierce and without remorse struggle against corruption. A similar concern was expressed also by international mechanisms, institutions and organizations. They mostly called to fight corruption, organized crime and informal economy.¹¹ More voiced were opposition parties (AAK, AKR, LDD) which criticized the government and considered as 'the head of corruption and organized crime'. While monitoring government's work in 2010, Movement FOL has noticed a limited progress in fighting corruption. From this monitoring it has come out that the struggle of government is mainly focused in rhetorical expression rather than in concrete actions and obvious results. During the whole 2010 404 verdicts have been approved: 5 against corruption, 2 verdicts about suspicions on corruption, and 299 for other issues.¹² During January there were taken 22 verdicts: 1 against corruption, and 21 about other issues. The approval of draft law for Money Laundry Prevention and Financing Terrorism were grounded on

this verdict.¹³ During February there have been approved 18 verdicts: 1 against corruption and 17 about other issues. Anti-corruption Task Force was established grounded on this verdict.¹⁴ This Task Force which operates within the Special Prosecution is consisted of 8 prosecutors: 5 are locals and 3 internationals. It was as responsibility of Kosovo Government to select 30 investigation officers of KP and 5 taxes experts and other spheres fighting these negative phenomenons. Prosecutors should have had a greater financial support and physical protection with this law. Prosecution statistics show that the Task Force is dealing with 20 cases. The results of these investigations are expected to be shown in 20121. In March there were taken 37 verdicts: 1 against corruption and, 1 on suspicion corruption and 35 about other issues. The government has increased the budget and the stuff (17 assignments) of Managing of Confiscated Property Agency grounded on this verdict.¹⁵ With this verdict there have been improvements and more favorable preconditions to increase the efficiency of this institution. On the other hand, the other verdict is a pure interest conflict. With this verdict the government has proposed the parliamentarian Naser Osmani (LDK) board member of Kosovar Agency of Privatization. The law on Interest

⁹ Early Warning Report, UNDO, Kosovo, 27 March 2010, p.3-5

¹⁰ Kosovo is listed in 110th position (Index Corruption Perception). 73% believe that corruption is increased during 2010. Global Corruption Barometer, Transparency International, 2010, p.42

¹¹ For further details see: <http://www.dardania.de/vb/upload/showthread.php?t=29828>, 14 June 2010

¹² For further details see: www.kryeministri-kos.org

¹³ Kosovo Government's Verdict, Nr. 06/106, 22.01.2010 - www.kryeministri-kos.org

¹⁴ As above, Nr. 20/110, 26/02.2010 - www.kryeministri-kos.org

¹⁵ As above, nr. 03/113, 08.03.2010 - www.kryeministri-kos.org with this verdict the MCPA will have another 17 assignments

Conflict Prevention¹⁶ does not permit parliamentarians to have such assignments. 34 verdicts have been approved in April, none of them was against corruption. In the same month EULEX has searched the Ministry of Transport and Telecommunication.¹⁷ In this occasion the opposition has called the government as 'corrupted and disgraced'.¹⁸ These searches, according to them show the powerlessness of government and the lack of will to deal with corruption.¹⁹ After these searches Prime Minister Thaçi accused International structures. According to him these searches aimed political lynching and not corruption and organized crime.²⁰ On the other hand, from EULEX viewpoint this search was not politically intended. According to them these investigations did not aim only higher officials or ministers of Kosovo Government. Such investigations have been conducted in order to fight corruption in government's institutions or private institutions.²¹ According to EULEX the number of the cases suspected about corruption is 100.²² Prime Minister's

¹⁶ Law on Interest Conflict Prevention, 02 November 2007, declared by UNMIK Regulation no. 2008/32 date 14.06.2008

¹⁷ For further details see: <http://www.kohaditore.com/index.php?cid=1.7.19706>, 28 April 2010

¹⁸ Besnik KRASNIQI – Haradinaj: Kosova is led by disgraced institutions, Koha Ditore, 03.05.2010, p.4

¹⁹ Blerim Shala – Impairing the state, Express 10 May 2010, p.3

²⁰ Interview with Prime Minister Thaçi about the case of Limaj, aired on RTK, 3 May 2010

²¹ For further details see: www.koha.net – EULEX determined to investigate corruption – 26 May 2010

²² Arben Ahmeti – EULEX warns 'Hot Summer', Koha Ditore, 30 May 2010, p.2

critics against internationals have become more relative during this month and his discourse is directed toward corruption and organized crime. He has stated that Kosovo Institutions have a good cooperation with ICO and EULEX fighting corruption.²³ The concession of Prishtina Airport was done in this month. After some accusation made by some small companies that the concession of PIA was manipulated, the internationals have taken care to protect this process. After ICO's chief Peter Faith, Hans Mohrman the head of counseling team of NACO was in defense of the process. He has stated that 'since the very first day this process has been managed with absolute transparency and professionalism, without any political interference'.²⁴ American Ambassador in Kosovo, Christopher Dell also said that the concession of PIA represent a change of paradigm about Kosovo... showing to the world that Kosovo is capable to act with responsibility, transparency and professionalism.²⁵ During this month the Kosovo Prime Minister had a joint meeting with Minister of Internal Affairs, Head Prosecutor of state and director of state police. In meeting they agreed that 'the government should strongly support all institutions to fight corruption, thus the tolerance to corruption continues to be zero'.²⁶ In May also the Prime Minister Thaçi has repeated the commitment of the government against corruption and

²³ Such a statement was given in a meeting with the chief of ICO. For further details see www.koha.net 31 May 2010

²⁴ Agon Sinanaj – Non Political Process, Express, 17 May 2010, p.10

²⁵ <http://albanian.pristina.usembassy.gov> 19 May 2010

²⁶ Ibid, 30 May 2010

organized crime. He pledged that he will investigate all corruption and criminal cases from June 1999 until now. According to him there are 111 cases where officials of Kosovo Institutions are being investigated.²⁷ Thus, the lack of results in these attempts has decreased the trust in Kosovo Government. Citizens (80%) blame the bad social and economical situation in the Kosovo Government and not as they used to blame it in UNMIK or EULEX.²⁸ Similar to this is the report of Freedom House, which shows that the struggle against corruption is not increased since 2008, but the unchangeable scale remains 5.75.²⁹ During May, there were 32 verdicts taken: 1 was against corruption. Grounded on this verdict was regulated the issue of medium and high value public contracts assignment.³⁰ On the other hand, opposition parties claimed that this verdict will not reduce the possibilities for corruption³¹ and is not helpful for this struggle against corruption.³² Differently from month, in June there was no verdict taken against corruption.³³ In July 1 verdict was taken

²⁷ Hashim Thaçi: Investigations for all crimes, Express, 6 June 2010, p.5

²⁸ Early Warning Report, UNDP, Kosovo, 27 March 2010, p.3-5

²⁹ Ilir Deda: Nations in Transition 2010 (Kosovo), Report of Freedom House, p.1. This evaluation with 5.75 is extremely low because the lowest mark is (in the lowest level of progress) 7.0.

³⁰ Kosovo Government Verdict no. 2/126, 26.05.2010 – www.kryeministri-ks.net

³¹ Ahmet ISUFI – Talking to Express: Skeptics for reforms, 31 May 2010, p.10

³² Ibid

³³ During this month 32 verdicts were approved

about a interest conflict.³⁴ Grounded in this verdict, Slobodan Petrovic³⁵ was proposed for member of Privatization Kosovar Agency. Despite he is a Kosovo Assembly Parliamentarian, he also works in PTK. In August, Kosovo Government was mainly focused on the Serbian draft - resolution on Kosovo and not at all on the struggle against corruption and organized crime. In this month an anti-corruption verdict was taken.³⁶ Even though with this verdict were approved Governmental Program and Action Plan for Prevention of Informal Economy in Kosovo for 2010 - 2012, it is very important to reduce the high scale of informal economy. After this month until December no verdict was taken to fight corruption, organized crime and informal economy.³⁷ The inactivity of Government is also explained by the fact the debate against corruption is weaken as a result of macro politics: sovereignty, territory integrity, north of Kosovo, international recognitions, “Sejdiu affair”, the strategy for privatization of PTK, and earlier elections. Kosovo Government, formed by a large coalition between PDK and LDK in 2008, was stricken down in October by retreat of LDK. This retreat was a result of Kosovo Constitutional Court trial, which found out that there were constitution violations by the former

³⁴ Kosovo Government Verdicts, no 03/134, 14.07.2010, During this month 22 other verdicts were approved, but they were not against corruption

³⁵ Serb Parliamentarian from SLS, for further details see: <http://www.assembly-kosova.org/?cid=2.102.623>

³⁶ Kosovo Government Verdict, no. 11/146, 29.09.2010. During this month 36 verdicts were approved on other issues.

³⁷ During these four months (September, October, November and December) 59 verdicts are approved.

President Sejdiu.³⁸ After the country was in a deep institutional and political crisis, assembly held a session to vote the mistrust motion. 66 parliamentarians voted pro motion of mistrust, 1 was against, and 2 were neutral.³⁹ In continuance of these activities was the termination of deputy minister of MTPT, Gjergj dedaj, approval of draft law on Public Financing and the proposal for Anti-mafia law. Mr. Dedaj was terminated two days after he was assigned deputy minister of MTPT,⁴⁰ thus, being a new record of the shortest lived high official assignment. His termination was immediately after media announcements that Mr. Dedaj had misused the public money while he was a deputy minister of Ministry of Labor and Social Welfare. In only 11 months Gjergj Dedaj had used 33 thousand euros from Government's credit cards and over 8 thousand euros without any cover.⁴¹ These were exactly the facts, according to higher governmental officials, to terminate him.⁴² This action, according to Government, is a result of uncompromised struggle against corruption, negative phenomenon, and it is in advantage of empowerment of good governance, transparent and in service of citizen's interests.⁴³ Nevertheless, "The

case Dedaj" proves once more that changes "reformatting the Government" were not made because terminated ministers and deputy ministers have abused the public authority and money, but they only were superficial changes. If Kosovo Government was aware about these violations, then Mr. Dedaj should not have been re-assigned deputy minister of MTPT. Even it is obvious that Mr. Dedaj had abused his authority; there are no proper criminal charges against him yet. His termination from governmental positions was not sufficient, but he also should be persecuted for corruptive charges, on the hand it will be a precedent for other officials involved in corruptive affairs. If Kosovo Government is determined and sincerely devoted to fight corruption and organized crime, then they should terminate other ministers who are involved in different corruptive and criminal affairs. The cleansing of government from these ministers would enable a reasonable and better use of public finances and would increase the trust of citizens toward Kosovo institutions. The high level of corruption and organized crime in the highest instances of government has alarmed even the former British Prime Minister Tony Blair. His call was that Kosovo institutions must fight against corruption and organized crime, because only this way Kosovo could embrace the democratic values, could economically develop and be integrated in Euro-Atlantic structures. Blair has stated that corruption hollows out people's support to state, mines the incapability and employment, thus no corruption is an essential precondition for European Union

³⁸ Kosovo Constitutional Court: case no. KO 80/10, 7 October 2010

³⁹ For further details see: www.koha.net 2 November 2010

⁴⁰ Petrit Collaku – Kosovo: The official terminated few days after his assignment, www.balkaninsight.com 16 July 2010

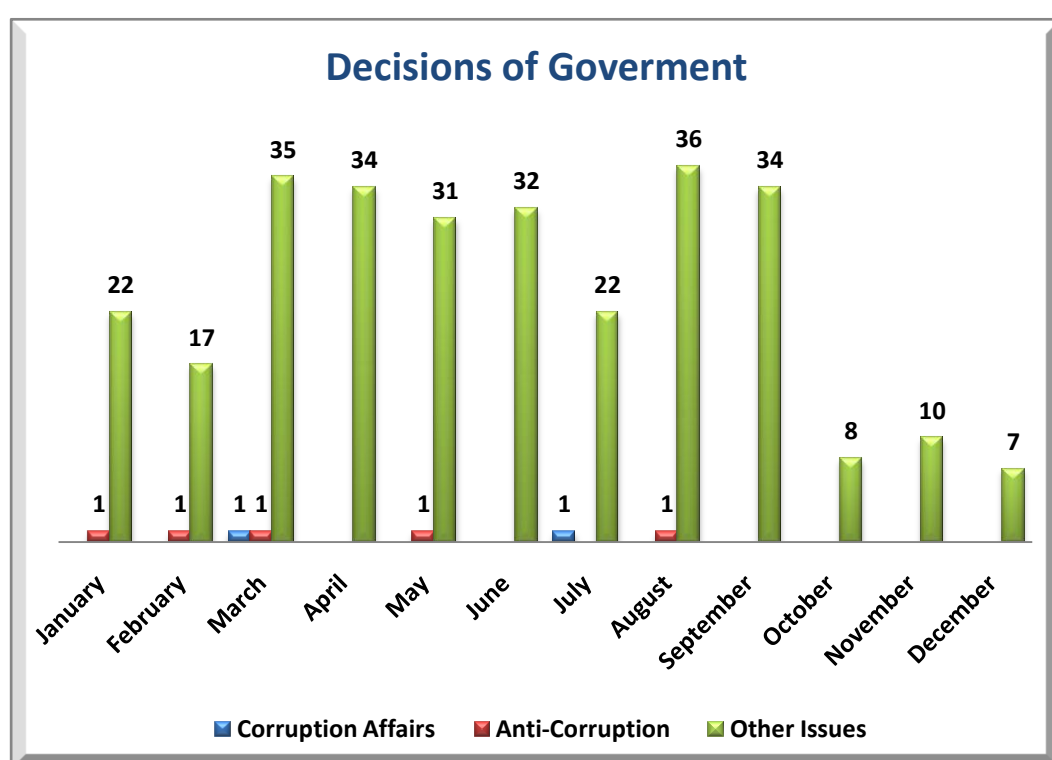
⁴¹ Arsim Rashiti: Gjergj Dedaj, thousands of euros without any cover, Zëri, 14 July 2010, p.1

⁴² Memli Krasniqi: Dedaj is terminated two days after assignment, Zëri, 16 July 2010, p.8

⁴³ Express: Thaç threatened, 16 July 2010, p.5

membership.⁴⁴ Parliamentarians of European Parliament also expressed concerns about the level and spread of corruption and organized crime within public institutions. The Resolution of European Parliament stresses that the year 2010 is essential for Kosovo Government and all levels of administration to make a progress in key reforms.⁴⁵ Also the President of European Union, Herman Rompuy, advised Kosovo political leadership to fight corruption and organized crime because this struggle means development of Kosovo, and incites its social and economical progress.⁴⁶ Prime Minister Thaçi in the meeting of 14 July 2010, stated that the procedure to make the Anti-mafia law has already begun. The goal of this law is to strike down all forms of criminality.⁴⁷ Such a law was recommended also by National Report on American Foreign Policy. It says that the legal ground is not sufficient to fight corruption - as a

consequence of legal deficiency for Kosovo does not have an Anti-mafia law or a law which would allow confiscating the inappropriate earned property.⁴⁸ If Thaçi means to fight corruption, then he should begin from the highest level by terminating ministers suspected to be involved in corruptive affairs. This was the conclusion which came out from the meeting of Kosovo foreign Policy Club.



Tab (1): Anti-Corruption Statistics - year 2010

⁴⁴ Tony Blair's statement on a speech in Kosovo Assembly. More details see: Transcript of Solemn Kosovo Assembly Meeting, 9 July 2010

⁴⁵ Valmir Klaiqi: Resolution of Recognition, Express, 9 July 2010, p.4

⁴⁶ Statement of President Herman Rompuy, in his speech when meeting Kosovo President fatmir Sejdiu, Zëri, 7 July 2010

⁴⁷ Statement of Prime Minister Thaçi in a regular meeting of the government, RTK, news show(19.30) 14 July 2010

⁴⁸ David L. Phillips - Realizing Kosovo's Independence, National Committee on American Foreign Policy, New York, 1 May 2010, p.7

Kosovo Assembly

Kosovo Assembly has held 31 plenary sessions in 2010.⁴⁹ During these sessions several laws were approved which are going to impact directly or indirectly corruption, organized crime and informal economy.

Approved laws:

- Law on declaration, origin and control of assets and official gifts of high public officials;⁵⁰
- Law on courts;⁵¹
- Law on political party financing;⁵²
- Law on money laundering and Terrorism Financing;⁵³
- Law on Kosovo Judicial Council;⁵⁴
- Law on Kosovo Prosecutorial Council;⁵⁵
- Law on State Prosecutor;⁵⁶
- Law on Public Procurement;⁵⁷
- Law on public documents Access;⁵⁸

⁴⁹ 6 of them were solemn sessions

⁵⁰ No. 03/L-151, 11 February 2010, Act no. DL-008-2010, date 02.03.2010

⁵¹ No. 03/L-199, 22 July 2010, Act no 047-2010, Date 09.08.2010

⁵² No. 03/L-1974, 16 September 2010, Act no. Approved in accordance with the article 80.5 of Kosovo Constitution, Date 06.10.2010

⁵³ No. 003/L-196, 30 September 2010. Act no. 005-2010, date 18.10.2010

⁵⁴ No. 03/L-223, 30 September 2010, Act no. 053-2010, date 18.01.2010

⁵⁵ No. 03/L-224, 30 September 2010, Act no. 051-2010, date 18.10.2010

⁵⁶ No. 03/L-255, 30 September 2010. Act no 049-2010, 18.10.2010

⁵⁷ No. 03/L-241, 30 September 2010. Act no. 057-2010, date 25.10.2010

⁵⁸ No. 03/L-215, 07 October 2010. Act no. 063-2010, date 01.11.2010

These laws will be reducing the possibility of abusing with public money and authority. More laws will be approved in 2011⁵⁹ all related to corruption. Leaving aside laws that are approved in 2010, there was no significant will of parliamentarians to discuss corruptive affairs. Movement Fol has monitored the parliamentary questions part. According to the article 26.1 of the Work Regulation of Assembly⁶⁰ This time is limited in 50 minutes. The absence of ministers made this article not function properly - which is a sufficient time for parliamentarians to ask questions to government. Because of this lots of parliamentarians gave up questioning or repeat them many times. If we analyze the chart no. 2 we notice that during parliamentary questions period, there were 203 questions asked: 67 about corruptive affairs and 136 about other issues. In January there were only 2 questions about corruption and 11 others about other issues. In February the assembly has discussed more on corruption: there were 5 questions about corruption and 20 other questions about other issues. In March, there were 4 questions about corruptive affairs and 9 about other issues. In April, there were 12 questions about reporting corruptive affairs and 19 about other issues. In May, there were 2 sessions held. During these sessions, there were only 6 questions about anti-corruption and 18 about other issues. There were concerns about

⁵⁹ Law Anti-mafia, Whistle Blowers, and Law on confiscating illegal property

⁶⁰ Article 26.1 of Work Regulation of Kosovo Assembly, approved 20 May 2005, updated 1 June 2006

disapproval of some certain laws about privatization process. If we compare the first session to the second one, it is obvious that in the second session there was more discussion about corruption and organized crime. Driton Tali reported the bid on supplying schools with information technology devices, which was bided 24 million more by MEST.⁶¹ Meanwhile when discussing the public enterprises, initiated with the motion of 11 parliamentarians of Kosovo Assembly, Kosovo Government did not bring the report on these enterprises with the excuse that there was no audit yet to these enterprises. Initiator of this motion, Driton Tali, stated that the Government since the beginning of its term did not do anything to change the situation of these enterprises. As far as KEK is concerned he stated that the bidding to incompetent and criminal companies goes on. According to him neither PTK is in a better situation.⁶² A similar concern was expressed also by 'Pa Consulting' company, consisted by a group of counselors of KEK and who are supported financially by USAID. This company has estimated that Kosovo Budget has been impaired for millions euros through bidding for importing electrical energy. According to counselors of this company, it was impossible to convince Thaçi's Cousin Nijazi Thaçi not to sign contracts with Serbian companies EFT and Rudnap, with 20% higher prize. Because of this contract Kosovo Budget

was impaired with 8 million euros.⁶³ In the second session, Naim Rrustemi talked about the bid of virtual operator Dardafone and Dardafone.net. According to him these two bidders were the same bidder, but by this it is attempted to fool the public opinion.⁶⁴ Also the other parliamentarian Driton Tali has repeated the same question from previous session. On the other hand Riza Smaka, criticized courts and juridical. He has mentioned that there are thousands of unsolved cases, including those charged with corruptive affairs. The debate got tensed about corruption and organized crime when AAK parliamentarian, Shkumbin Demaliaj, expressed his anger about disgrace of Kosovo Institutions when MTPT was searched. An immediate reaction was made by Thaçi who claimed that his government is the first government to fight corruption. Furthermore he claimed that struggle against corruption is not going to include only his governing term but the whole post-war period. In this case Thaçi stated that the government will carry out the burden of this struggle, while EULEX only will assist and will be a facilitator.⁶⁵ Kosovo Assembly has held four plenary sessions in June. 12 questions were about corruptive affairs. Several laws were approved and there were concerns about macro political issues: sovereignty, Territory integrity, celebration of Prizren Albanian League and negotiations with Serbia. If we make a comparison between

⁶¹ Transcrip of Plenary Session of Kosovo Assembly, held 13 and 17 May 2010, p/11

⁶² Vatra Qehaja - Opposition accuses Government for corruption in public enterprises, Koha Ditore, 14 May 2010, p.9

⁶³ Parim Ulluri - Prime Minister's Cousin impares the budget for millions euros, Koha Ditore, 13 May 2010, p.8

⁶⁴ Monitoring Kosovo Assembly by Movement Stuff, 27 May 2010

⁶⁵ Monitoring Kosovo Assembly by Movement FOL.

four sessions we find out that on the session of 10 June 2010 is discussed more about corruption and organized crime. Impartial parliamentarians⁶⁶ were more active reporting possible corruptive affairs, but also there a wider spectrum of parliamentarians expressing their concerns about abuse of public money by Kosovo Government. The parliamentarian Naim Rrustemi was concerned about the administrative directive⁶⁷ of Kosovo Government. According to him this directive is contrary to Public Financing Law.⁶⁸ Deputy Prime Minister Mr. Kuçi has justified this guide claiming it will increase the responsibility of institutions toward citizens. Driton Tali, an impartial parliamentarian, repeated his question about schools supply with information technology devices by MEST, which was bided 24 million euros more than it should have been. Driton Tali applied more questions to Prime Minister regarding reformatting government. A harder critical language was used by AAK parliamentarian, Adrian Gjini. Kosovo Government is deeply sunk into corruption and its inability to fight it, they lunched the propaganda that any politician is corrupted, thus there is no need for another party to come to power, because they are corrupted as well, or if they are not they will get corrupted. In July, five plenary sessions were held, three of them were solemn sessions: Tony

Blair's speech, Kosovo President's speech and support for Advisory Opinion of International Court of Justice. No questions about corruption were asked by parliamentarians. In August assembly was off duty, in September, four plenary sessions were held. In the sessions of 15 September 2010 held regarding privatization of PTK, parliamentarians were included in many discussions if PTK should be privatized or not. 16 parliamentary questions were asked about corruption and 17 about other issues. In October three plenary sessions were held. 10 questions were about corruption and 15 about other issues. In November only one session was held. In this session was voted the motion of mistrust of Kosovo Government. After this session the assembly was dismantled by the acting president of Kosovo, Jakup Krasniqi. This passivity to undertake actions and activities to control the government decreased the satisfaction of citizens toward government which decreased in 33%⁶⁹. This percentage shows a legitimate and credibility deep crisis in country legislative - the only institution selected directly by citizens.

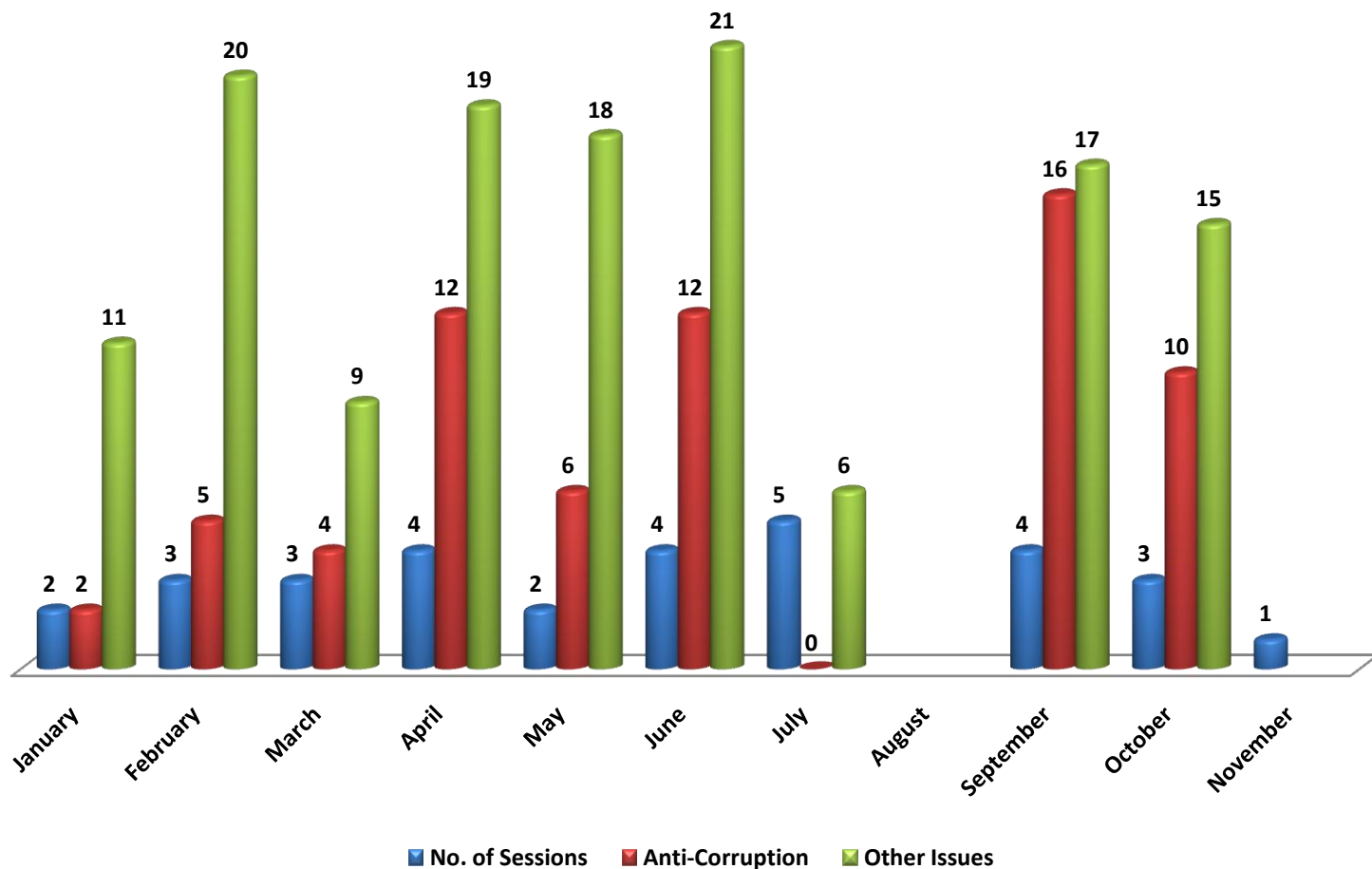
⁶⁶ During parliamentary questions more voiced continues to be Naim Rrustemi and Driton Tali, but also other parliamentarians of opposition parties (AAK, AKR and LDD)

⁶⁷ This guide regulates the way of signing biddings valuable over 98 thousand euro, it should be signed by three officials including minister himself

⁶⁸ Article 24, no. 03/L-241, 30 September 2010, Act no. 057-2010, date 25.10.2010

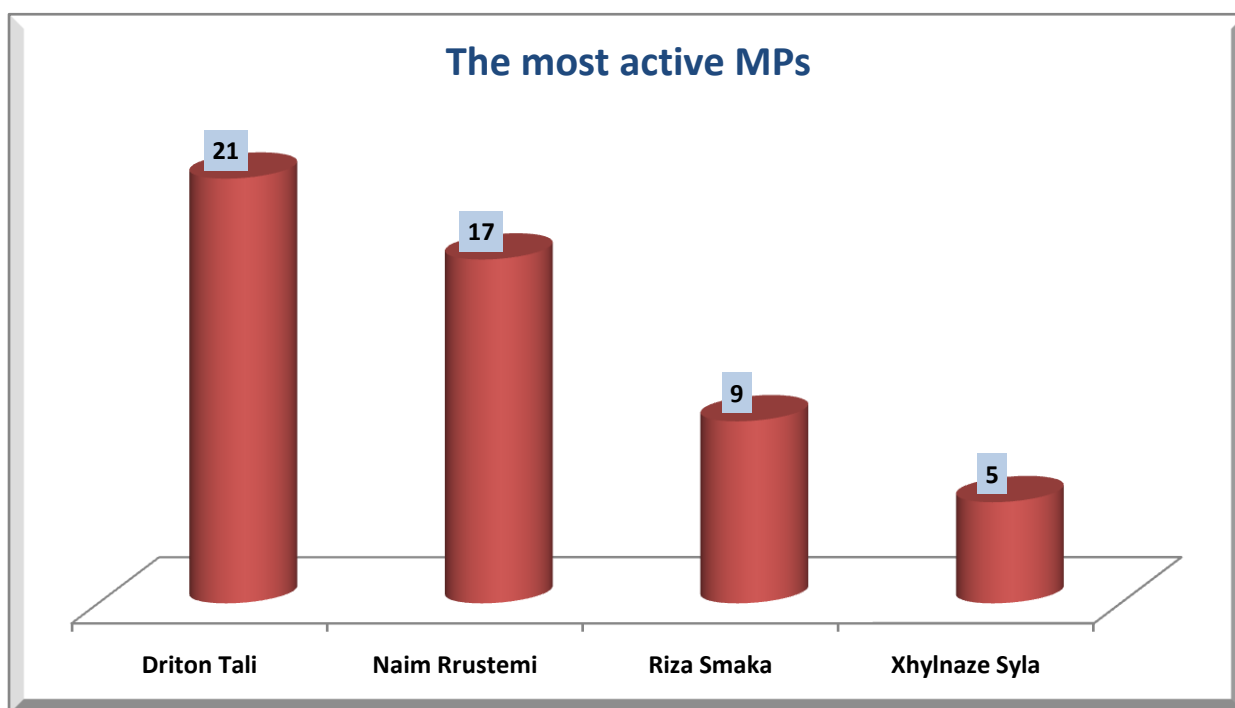
⁶⁹ Early Warning Report, UNDO Kosovo, 27 March 2010, p.1. according to this report satisfaction of citizens with government's work decreased in 13% since September 2009.

Statistics of Parliamentary Questions



Tab (2): Statistics during the time of parliamentary questions - 2010

The most active MPs - During parliamentary questions more voiced parliamentarians reporting corruptive affairs were impartial parliamentarians: Driton Tali and Naim Rrustemi. Driton Tali asked 21 questions about corruption, Naim rrustemi 17 questions, Riza Smaka 9 and Xhynaze Sylja 5 questions.



Tab (3): The most aktive MPs - 2010

Judicial System

One of the most important powers within any political system is the power of judicial. This power, if impartial, a priori prevents and limits any possibility of public money misuse or abuse of authority. One of the reasons why corruption and organized crime is wide spread in institutions is because the judicial itself is corrupted and this is because of pressures and political interferences. Such a conclusion is made also by last report of EULEX, which stresses that Kosovo Justice System still shows signs of weakness. Furthermore political interferences in different levels are identified.⁷⁰ Kosovo Judicial keeps remaining the institution that citizens are least satisfied of. Even the Early Warning Report has recorded a decrease of 10% which marks the lowest level ever recorded.⁷¹ While democracies cannot function without a judicial system because it controls and guarantees other powers, thus even Kosovo should undertake serious and immediate actions for its deep reformation.

Kosovo Judicial Council - which is consisted of 13 members, ensures that courts in Kosovo are independent, professional and impartial.⁷² Even though KJC has successfully finished the process of assignment and reassignment of judges and prosecutors, this process was accompanied with political interferences

and they were not capable to ensure independence, and impartiality of judicial system.⁷³ According to the head of KJC⁷⁴ there was never a direct interference into taking any decisions of judicial but economical and budget dependence is impacting judges' dependence.⁷⁵ According to statistics of this constitutional institution we realize that in 2010 several decisions and measures were undertaken fighting corruption. In the unsolved cases category at the beginning of reporting period KJC had had 138 cases: 109 cases for abuse of authority, 20 for taking bribe, and 9 for giving bribe. In the category ongoing cases there were 65 cases: 43 abusing the authority, 15 for taking bribe and 7 for giving bribe. At present there are 203 cases ongoing: 152 for abuse of authority, 35 for taking bribe and 16 for giving bribe. In 2010, 62 cases are solved: 38 for abuse of authority, 17 for taking bribe and 7 for giving bribe. Meanwhile at the end of reporting period, there were 141 unsolved cases: 114 for abuse of authority, 18 for taking bribe and only 9 for giving bribe.

⁷⁰ Program Report 2010, Joint Building of a Sustainable Change, EULEX, June 2010, p.9

⁷¹ Early Warning Report, UNDP Kosovo, 27 March 2010, p.2

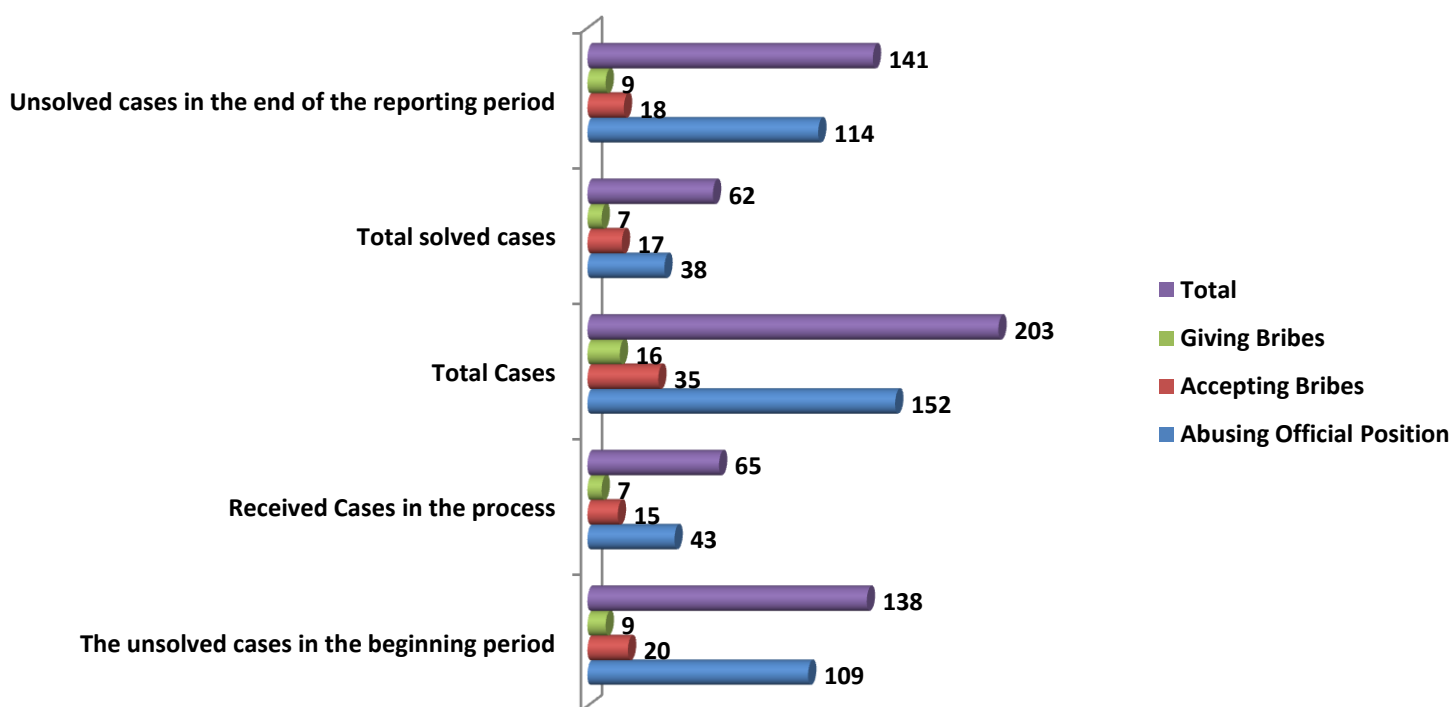
⁷² Kosovo Constitution, article 108, Kosovo Judicial Council, 15 June 2008, p.42

⁷³ European Commission, Progressive Report, 9 November 2010, p.10

⁷⁴ Enver Peci

⁷⁵ Enver PECEI, Delayed Reforms, rescue of judicial, Koha Ditore, 20 June 2010, p.1-2

KJC Anti-Corruption Statistics



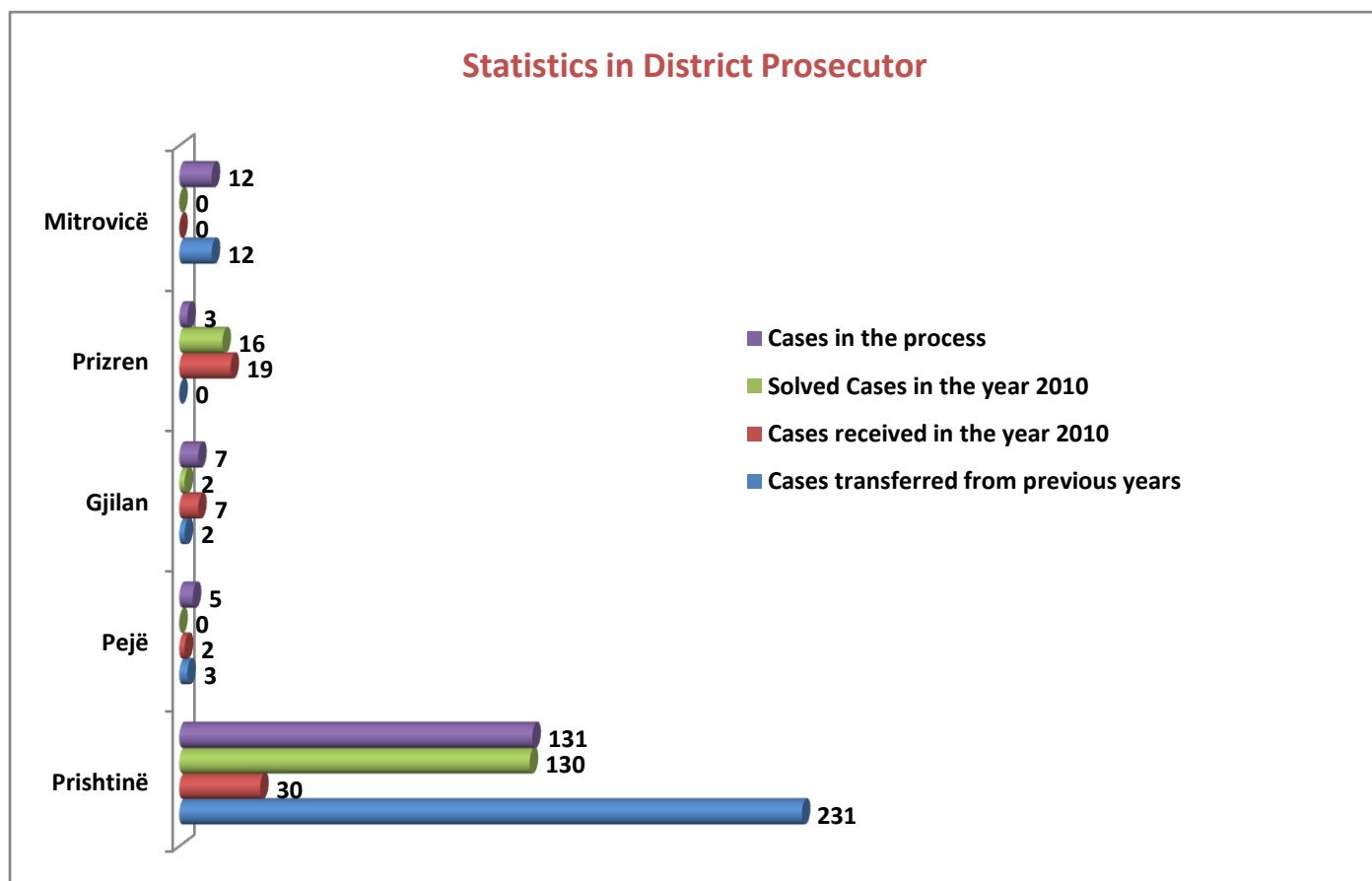
Tab (4): Statistikat e Anti-korrupsionit - për vitin 2010

Kosovo State Prosecution - for the first time is involved against corruption and organized crime. Task force, which was established in February of this year and which operates within Special Prosecution, became functional by taking into custody a higher official since the post-war period, the governor of Kosovo Central Bank, Hashim Rexhepi. Mentioned governor was charged with border policies misuse, corruption, taking bribe, avoiding taxes and money laundry.⁷⁶ In this action participated only local prosecutors and KP. This marked a shifting of struggle against corruption from international mechanisms into locals. This is an important and practical

step to bring to light a ten year period of misuse committed in banking and insurance system. Except searches at KCB, there were searches also in the house of Ibush Mazreku, who actually is director in the insurance company Dardania. Michel Svetchine, former governor of KCB tried to help governor Rexhepi regarding charges against him. The 6 charges upon him, according to Svetchine, are legally ungrounded and no way governor Rexhepi is involved in such affairs. This statement forced the president of Kosovo Assembly to declare that no one has the right to defend wrongdoers. Despite arrestment of this 'shark' other 'sharks should be arrested as well. During 2010 prosecution has finished 148 cases: 130 in Prishtina prosecution, 2 in Gjilan, and 16 in Prizren. The chart below shows that from previous years until 2009, 248 cases were

⁷⁶ Zekeria Shabani, A shark arrested, Express, 24 July 2010

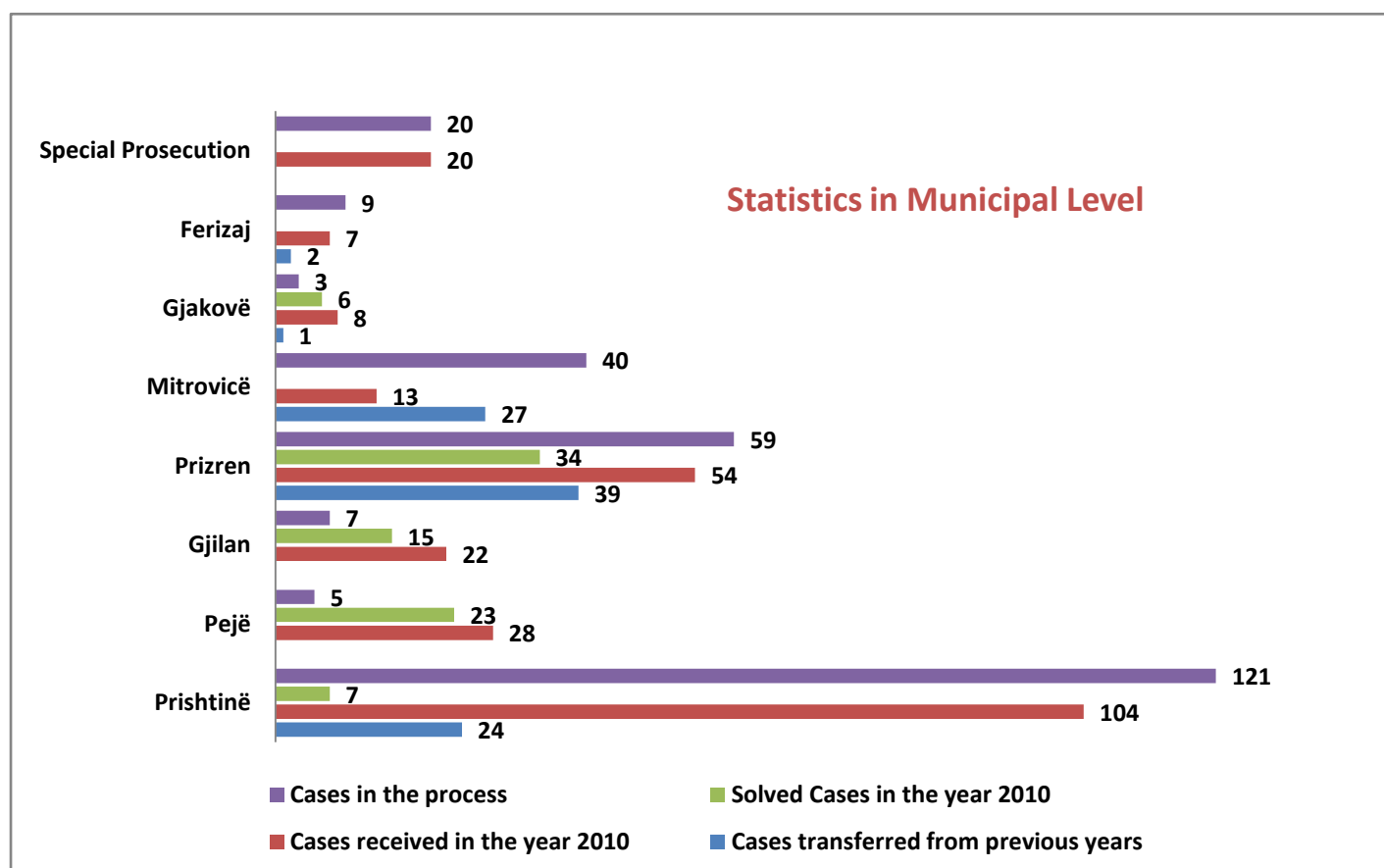
brought up: 231 in Prishtina prosecution, 3 in Peja, 2 in Gjilan and 12 in Mitrovica. Whereas in 2010, 58 cases have been received: 30 in Prishtina prosecution, 2 in Peja, 7 in Gjilan and 19 in Prizren. Nowadays, there are 158 cases in total: 131 in Prishtina prosecution, 5 in Peja, 7 in Gjilan, 3 in Prizren and 12 in Mitrovica.



Tab (5): Corruption Cases in the District Prosecutor - 2010

From anti-corruption statistics in municipal level we find out that 93 cases were brought up from previous years, 256 cases received only in 2010, 85 cases completed in 2010, and 264 are ongoing. From these cases in Special Prosecution, 20 cases have been received in 2010 and still are ongoing, not solving a single one.

District Court in Prishtina as a suspect charged with criminal charges. This group of eleven people, 2 Serbs and 9 Albanians are charged accused that they have impaired the Kosovo Budget in an amount of over 1 million euros by signing fictive contracts destined to built the houses of the returnees.⁷⁷



Tab (6): Corruption Cases in the Municipal Prosecutor - 2010

The important thing to mention is the corruptive affairs of Slavisa Petkovic and Branislav Grbic. They were charged in December by District Court in Prishtina, along with 9 other persons with the suspicion of misusing 1.1 million euros. Slavisa Petkovic is accused building a house in which he lives nowadays, in value of 95 thousand euros. Without any money of his own, he had renovated a restaurant called 'Tropikana' in Cagllavice. Petkovic was summoned by

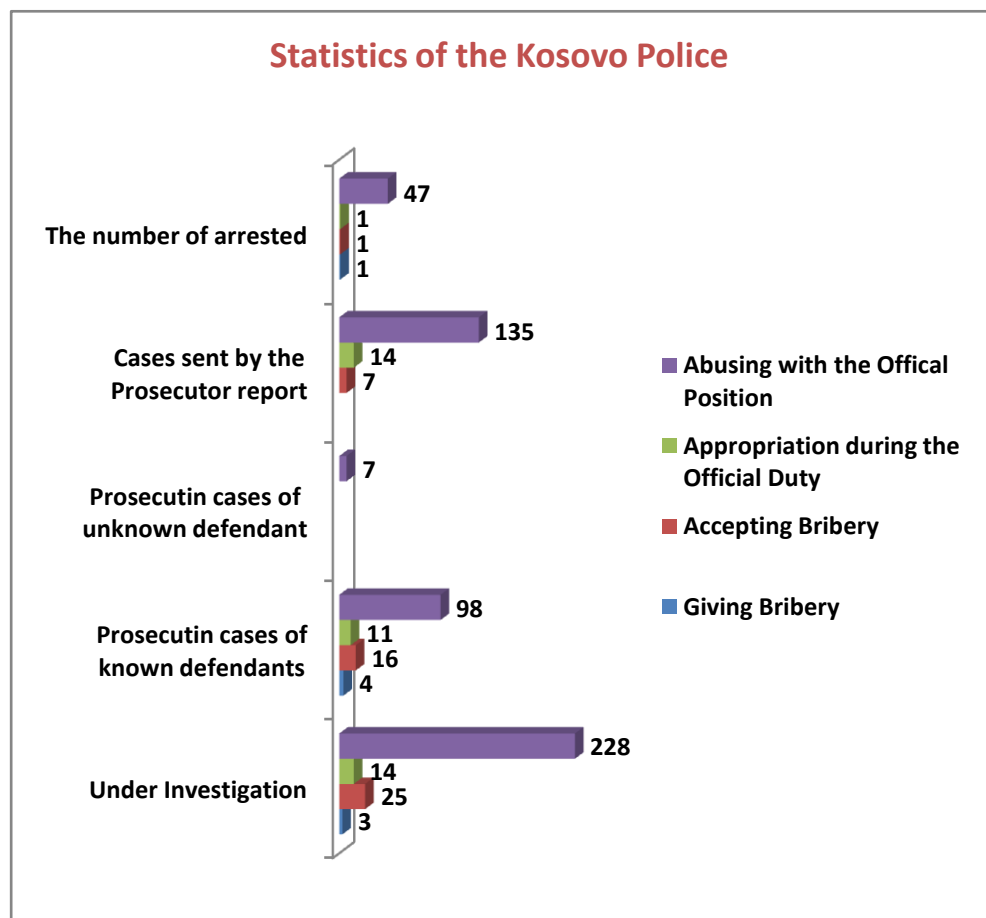
⁷⁷ For further details see: www.koha.net, 16 December 2010

Kosovo Police

Kosovo Police keeps remaining the most credible and least corrupted institution according to citizens' observations. Around 76% of citizens (differently from 72% in September 2009) interviewed have been satisfied with KP work and only a small percentage believe that corruption is evident in this institution as well. Even EULEX report has shown a progressive result of KP regarding the struggle against corruption and organized crime.⁷⁸

According to DHKEK during 2010, 228 people have been investigated with charges for abuse of authority, 14 for embezzlement while on duty, 25 for taking bribe, 3 for giving bribe. 98 cases have been sent to prosecution with identified suspects for abuse of authority, 11 for embezzlement on duty, 16 for taking bribe, and 4 for giving bribe.

135 cases have been sent to prosecution with N/N suspects for abuse of authority, 14 for embezzlement while on duty, and only 7 for taking bribe. The total number of arrestees has been 50, 47 of them with charges for abuse of authority and one for each above mentioned criminal charge.



Tab (7): Anti-Corruption Cases in the Kosovo Police - 2010

⁷⁸ Program Report 2010: Joint Building of a Sustainable Change, EULEX, June 2010, p. 13-23

Anti-corruption Agency

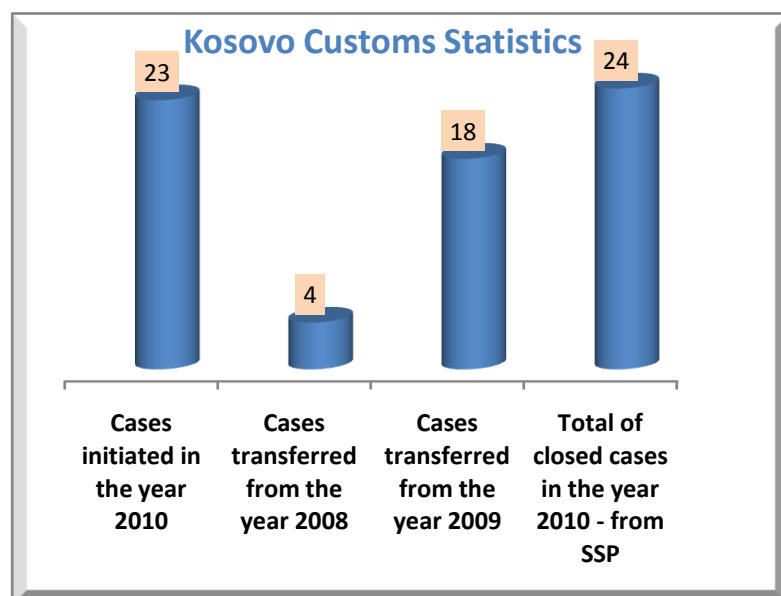
The main engagements of Anti-Corruption Agency were in many directions. At the beginning of June they closed successfully the process of wealth declaration of higher public officials. The number of officials who were obliged to declare their wealth was 1560, only 70 of them didn't do that, 4 of them did not fill in the required form and 1 official asked not to declare his wealth.⁷⁹ AAK is verifying the wealth of the officials whose wealth is supposed to be dishd and 20 of them are being verified.⁸⁰ AAK has been signing the memorandum with other institutions, which are going to help for joint actions against corruption. This year AAK has signed the Well Understanding Memorandum with Kosovo Police, State Prosecution, Kosovo Taxes Administration and General Audit Office. According to these memorandums constitutive parts will provide information to one another about issues mutual interest issues. There will be direct effects showing results from AAK and a larger inter institutional cooperation. According to AAK chief, Hasan Preteni, the number of reporting cases has increased obviously. This shows that there is an awareness of officials to bring to light corruptive affairs where officials are involved. But because of the discretionary nature of AAK engagement it was impossible to get any statistics. Those statistics will published after AAK reports in Kosovo Assembly in March.

⁷⁹ For further details about the process of wealth declaration of higher public officials see AAK website: <http://www.aak-ks.org>

⁸⁰ AAK chief Hasan Preteni claimed that in a meeting: Struggle against corruption, Interinstitutional Progress and Coordination, organized by Movement FOL, 24 June 2010

Kosovo Customs

There is a sufficient progress of Kosovo Customs against corruption. Statistics of Professional Standards Department show that 4 cases are brought up from 2008 in 2010, 18 cases from 2009, and 24 are initiated in 2010. The total number of solved closed cases by PSD in 2010 is 24. As disciplinary measures are concerned, Kosovo Customs has pronounced these measures: 7 verbal warnings, 8 written warnings, 1 last written warning, 1 termination, 2 downgrading, 1 forced transfer, 3 performance cancellations, 2 forced trainings, 9 promotion prohibition, 1 suspension (as a measure of disciplinary board). During this year internal audits of Kosovo Customs asked the head of customs Naim Huruglica to deal with losses of millions caused by importing tobacco companies. He handed the competencies over to EULEX instead.⁸¹ This concerned will be made clear in 2011.



Tab (8): Anti-Corruption Cases in the Kosovo Customs - 2010

⁸¹ Parim Olluri – EULEX investigates 2 suspicious million euros of Customs, Koha Ditore, 11 May 2010, p.8

General Audit Office

General Audit Office (GAO) has published its annual report about all ministries, municipalities, public ventures, and other agencies and institutions. According to these reports there is still needed to undertake actions in order to improve the management of public finances and institutional performance. Report shows numerous irregularities: partial evidence of financial incomings, unjustified salary payments, failure to record financial incomings in financial reports, wrong selections of bidders, mistakes in contract non - professional bidding. GAO has signed the Well Understanding Memorandum with AAK, which will enable information exchange regarding corruption.⁸²

International reports

All international reports and valuation show a high level of corruption and organized crime. Kosovo is listed among the most corrupted and failed states in the world - with an extraordinary misuse of public money and abuse of authority. They are known for direct critics toward local authorities. Thus our institutions and the society should seriously fight corruption and organized crime in order evaluations to come to be more positive.

⁸² For further details see General Audit's website: <http://www.ks-gov.net/oag>

National Council on American Foreign Policy Report⁸³

According to this report government's people are assigned in the main assignments of prosecution and judicial. Further, they stress that a close governmental clan controls financial contracts and earn the bids. Perceptions about corruption and abuse of authority, according to this report are the main indicators and prove the hesitation of government to undertake actions against violators of high profiles, including ministers, deputy ministers and political party nomenclature.⁸⁴ Among many critics toward Kosovo Government, this report stresses the fact that organized crime is present in system structures and within political parties. It is reported that KIS (Kosovo Intelligence Service), takes around 200 million dollars through bribes, robberies, racketing, and defensive services. This report also claims that Kosovo not only lack the will of justice to eradicate corruption and organized crime, but also the legal background is not sufficient - as a consequence of legal gaps, because Kosova still does not have Anti-mafia law, or a law that would permit confiscating the property earned

⁸³ It is a non-profit committee and an active organizing of most active well known American personalities, established in 1974. It deals with solving conflicts that could threaten American interests by identifying, articulating and advancing American foreign policies from a non - party position, within political realization terms. Even the establisher, Hans J. Morgenthau, considered as the establisher of political realization in International Relations. For further details regarding this publication you may visit their website <http://www.ncafp.org>

⁸⁴ David L. Philips - Realizing Kosova's Independence. National Committee on American Foreign Policy. New York. May 1, 2010, p.7

illegally.⁸⁵ According to NCAFP, the responsibility to fight corruption is upon Kosovo Government, and this fight should begin with the highest levels in the government. According to this Committee, the government can prove it by terminating or arresting ministers involved in corruptive affairs, should empower Anti-Corruption Agency and execute the National Plan and Strategy. EULEX should push Kosovo Government to be more active, and if it hesitates then they should themselves lead this process. Diplomats could ground corruptive actions.⁸⁶ In the last part of this report, especially at the recommendations, they appeal to Kosovo Institutions to be engaged seriously fighting this phenomenon which is vitiating Kosovo in a great scale and in all possible plans.

Youth Initiative for Human Rights⁸⁷

In spite of the NACFP report, in May was published another report regarding developments in Kosovo by YIHR. This report, as a matter of fact, is more focused in freedom of speech but it also deals with other issues as well, such as governance, or better saying misrule of our country. This report presents arguments regarding defective processes which are occurring in Kosovo. It applies criticisms to corruption and organized crime and especially addressed to KIS. This organization, according to YIHR, has risen funds illegally through institutions, even they are not within government,

⁸⁵ Ibid, pg. 8

⁸⁶ Ibid, pg. 11

⁸⁷ It is a regional NGO established in 2003. They act in Serbia, Kosovo, Montenegro, Bosnia and Hercegovina.

they have a big influence in the government.⁸⁸ This report applies critics to ruling parties (Kosovo Government) and corruptive practices which are impairing Kosovo. Furthermore, they mention that millions of euros are misused by financial practices.⁸⁹ According to YIHR, ruling parties are not the only ones responsible, because these practices are inherited from previous governments who did the same. Thus there are no proves that by changing ruling parties with the opposing ones there would be any improvement in governance, concluding that there is no political force that seem to be capable to win the elections and change the way of governance.⁹⁰

Early Warning Report

According to this report, we find out that the credibility of Kosovo Citizens toward Institutions is decreasing constantly. The level of citizens' satisfaction with governing institutions generally has decreased comparing to reporting period in September 2009. The decreasing scale with government's work is 20%, and with assembly is 13%.⁹¹ The presence of corruption is a high degree is in KEK, Courts, KTA and in Government. According to this report corruption remains one of the three most concerning issues of Kosovo citizens.⁹²

⁸⁸ YIHR – State of Constriction? Governance and free Expression in Kosov, published:24 May 2010, Prishtina, p.16

⁸⁹ Ibid, pg. 51

⁹⁰ Ibid, pg. 51

⁹¹ For further details see: Early Warning Report, UNDP Kosovo, 27 March 2010, p.1

⁹² Ibid, pg. 5

Nations in transition - Freedom House

The findings of this report prove that nothing is changed regarding corruption. Even there is a small progress comparing to previous years, Kosovo still is evaluated with grade 5.75.⁹³ The situation in judicial system is very bad because of political interferences and structural weaknesses. The Judicial is evaluated with 5.75 as well.

Transparency International Reports

Kosovo, for the first time is shown in TI evaluations. According to this index, regarding corruption Kosovo is listed in 110 position. This is the most negative evaluation done to any of western Balkan Countries. The grade given by TI is 2.8⁹⁴. The other Report of Global Corruption Barometer evidenced a large perception of corruption extension in Kosovo. According to this report 73% believes corruption increased, 8% decrease and 19% believes it is the same.⁹⁵ Grounded in this report corruption in political parties is evaluated with 4.2, in Kosovo Assembly with 3.9, in Police 2.4, in private sector 3.3, in media 2.3, political officials 3.2, in Judicial 4.1, in NGOs 1.8, in Religious

⁹³ Ilir Deda: Nations in Transition 2010 (Kosovo) Freedom House Report, p. 282. This evaluation with grade 5.75 is extremely low, for the lowest grade is (lowest progressive level) 7.0

⁹⁴ Corruption Perception Index, Transparency International, 2010, p. 42

⁹⁵ Global Corruption Barometer, Transparency International, 2010, p.42

institutions 1.5, in Security Force 1.3, in Educational system 2.4⁹⁶

EU Progress Report

This report has evidenced a limited progress in struggle against corruption. This progress is more obvious in legal framework scope, even though the framework itself is criticized. Furthermore the report mentions the lack of independence and impartiality of judicial fighting corruption and organized crime. The process of assignment and reassignment of judges and prosecutors, according to this report is closed successfully, even there were political interferences. Even it is a kind of progress in this aspect, the concerns raised are tremendous. Several approved laws, according to PR should be changed and modified in accordance with European Union laws.

Civil Society Reports

Civil society in Kosovo, which is received widely as essential to democratic processes in our country, has undertaken several activities against corruption and other corruptive issues. The goal of civil society activities, respectively NGOs, was to report corruptive and defective practices of misrule and institutions' activities against corruption. During this year, a group of civil society organizations has published the Progressive Report in Albanian. This report was more direct than the one of European Commission when criticizing government and other institutions for

⁹⁶ As above, p.45

lack of political will to fight corruption and organized crime.

FOL Movement

Movement Fol, throughout the year 2010 has been monitoring public institutions' activities fighting corruption. During this time it has published the names of seven officials who have occupied double positions in Kosovo Institutions. These officials, according to FOL were in pure interest conflicts, because all legal⁹⁷ provisions permit public officials to have double positions in institutions and public ventures. The names are: Xhevdet smakiqi - Legal Counselor of Fatmir Lmaj, Minister of Transport and at the same time legal officer in Post and Telecom of Kosovo; Gani Koci - parliamentarian and legal officer in KEK; Besa Gaxherri - parliamentarian and officer in PTK, branch in Peja; Slobodan Petrovic - parliamentarian and coordinator in Communities Office in PTK; Gani Buqinca - parliamentarian and editor in RTK; Nesrin Lushta - Chairman of CEC and judge of Kosovo Supreme Court; Florian Dushi - acting permanent secretary of Justice Ministry and at the same time member of CEC from LDK. Publication of these names by FOL had a positive impact and immediate effect. One of the mentioned names, respectively Nesrin Lushta, resigned from one position.⁹⁸ In May a meeting was organized: "Struggle against corruption: Inter institutional Progress and Coordination" A four months

summarized report was presented in this meeting. The actual inter institutional cooperation situation was discussed and the progress of struggle against corruption. This month was published Index of Kosovo Institutions' transparency as well. According to this index Kosovo Customs and Anti - Corruption agency are the most transparent institutions. During this time Fol has published "Bermuda Triangle" report. This report stressed the weakness of cooperation link between EULEX, Prosecution and Anticorruption Agency. According to this report the actual situation of inter institutional coordination is very concerning and it is recommended to all institutions which are responsible fighting corruption to coordinate their activities in order to reduce the level of corruption within Kosovo Institutions. FOL has published an analysis regarding the law on Interest Conflict Prevention. In this analysis are evidenced weaknesses of this law and legal gaps in it, gaps that make impossible fighting interest conflict and corruption entirely. In October, FOL has published its three months report on Institutions' activities against corruption. This report is presented in a meeting: "Corruption: Between Struggle and Rhetoric". In this meeting has participated the Anticorruption National Coordinator, Drita Hajdari. In this debate are identified actual problems that accompany struggle against corruption.

Organization "Çohu"

Organization for Democracy, Anticorruption and Dignity "Çohu" has presented the disadvantages and failures of legal framework against corruption,

⁹⁷ For further details see Law on Interest Conflict Prohibition (2007/02-L133) and Anti-Corruption Law (2004/34), both these laws permit public officials to have double positions in Institutions and public ventures

⁹⁸ <http://www.kospress.com>, 31 May 2010

interest conflict prevention, and declaration, origin and control of higher officials' wealth. Grounded in this report, new laws against corruption do not provide proper and effective grounds to prevent and fight corruption.⁹⁹ Despite this, legal framework against corruption, stresses preventive aspects of struggle against corruption, leaving aside punishment ones. In this publication, another concern expressed was that the framework puts Anticorruption Agency in an inferiority position compared to presence, types/forms, and extension of corruption. This is because the new laws permits Agency to fight the so called petty corruption while fighting grand corruption/political corruption has become impossible.¹⁰⁰ "Çohu" also has published several analyses regarding privatization of public ventures especially about PTK.

Kosovo Democratic Institute

KDI has published a report regarding Law on Declaration, origin, and control of higher officials' wealth. This research was at the same time a comparative analysis with other political systems: Albania, Macedonia and Croatia. According this publication Albania is more advanced in some aspects. Firstly Albania's law predicts some sanctions for those who do not obey the law, thus it prohibits having public assignments, while the law in Kosovo sanctions mentioned official only in monetary values. And secondly it regulates

property verification procedure, while the law in Kosovo does not does that. Except these activities, KDI has published a report in May regarding Kosovo Assembly. In this publication, it is evidenced activity and inactivity of assembly. The irresponsibility of parliamentarians to attend plenary sessions and parliamentary commissions was another finding in Kosovo Assembly. In July they have published the semiannual report (January - June) about activity and inactivity of Kosovo Assembly. KDI has organized a meeting about application of the Law on Declaration, Origin and Control of higher officials' wealth. The findings of the analysis published by KDI show that 68 officials have not declared their wealth in time, most of the forms are filled in improperly. According to this analysis, there are no sufficient resources for AAK to implement this law.¹⁰¹

Policy Balkan Institute

IPOL was mostly focused in EULEX activities. IPOL has published its report quarterly report regarding EULEX performance. EULEX according to this report has conducted searches as a necessary need to improve the image, but also heighten citizens' expectations as corruption is concerned. According to IPOL, EULEX should show concrete results fighting corruption, because only results matter.¹⁰² On international Day of Democracy, IPOL has organized a meeting

⁹⁹ Lorik Bajrami - Presenting legal framework against corruption, held May 28, 2010, Hotel Grand Prishtine

¹⁰⁰ See: <http://www.cohu.org>

¹⁰¹ Express: 68 officials delays wealth declaration, September 15, 2010, p.11

¹⁰² Uran Krasniqi: IPOL to EULEX: No ambitious declarations, if no results, p.2

“Struggle against corruption and Transparency”.¹⁰³ Recommendations of this meeting were to intensify and empower the struggle against corruption.

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About FOL Movement

Movement FOL is engaged to empower the civic impact on decision - making process, responsible and efficient governance. FOL is deeply devoted to work on improvement and attainment of a better civic representation in public life. FOL works for a good governance and grounded on democratic principles, for responsible, transparent and accountable institutions, and for application and compilation of laws with participation. Therefore, expenditure of public funds, conflict of interest, negligence and institutional responsibility and access to official information, are

the main components of FOL engagement. FOL attempts to fulfill these goals by fighting the citizens' apathy and indifference and make citizens more active and more voiced, in order to serve the community interests and always alert to oppose abuse, misuse, corruption and other malpractices of governance.

¹⁰³ This meeting was held 28 September 2010