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**RESEARCH ON ANTI CORRUPTION
PRIORITIES IN KOSOVO**



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INTRODUCTION

Expectations that public authorities will guarantee equality for the entire population have developed along with beliefs about the rule of law and human and citizen rights. Today's Kosovan authorities must act competently and impartially in order to preserve peace and order, defend property rights, provide social protection and public health, maintain the education system, keep a clean environment, and handle macroeconomics, financial regulation, and monopolies, among all else. Money laundering and corruption are reliable signs of poor leadership, slow economic growth, and social inequality. They pose such serious risks to democracy, human rights, and the rule of law that Kosovo has included these as crimes in their respective criminal code.

Corrupt behaviour can, however, take many different shapes and is highly elastic. There is a widespread problem with corruption, which can take many different forms such as bribery, clientelism, and abuse of power. It is customary to appoint party or family members to the boards of publicly owned enterprises as well as family members or close associates to prominent government positions. Public awareness of this issue is of great importance, and it frequently comes in second on a list of Kosovo's difficulties, behind unemployment. As a result, public authorities must be unwavering in their commitment and persistent in their efforts if they are to successfully combat crimes. Human trafficking, cybercrime, and other types of financial and organized crime, as well as economic crime, such as corruption and money laundering continue to be major issues in Kosovo. As the justice and law enforcement systems continue to be reformed and there is political will to take the required steps to prevent and combat corruption, the level of such crimes has the potential to most likely decline in the future.

Only recently has the problem of preventing corruption in Kosovo been approached more thoroughly. With regard to judges, prosecutors, and the police, it appears from the in-depth analysis of the legal and institutional framework and from observations of actual practice that preventive measures are primarily taken through the mechanisms of conflict of interest and asset declaration, whereas disciplinary and ethical measures are still hardly applicable. The relevant provisions of laws and bylaws pertaining to the prevention of judge and prosecutor corrupted deals, as well as some operational processes, are generally comparable and, in some cases, even identical. However, there is still room for improved procedural safeguards of ethical conduct and misconduct prevention, including standards for approving additional activities, random case assignment, candidate vetting, handling of excessively drawn-out judicial and investigative procedures, etc., handling of the transparency of the work of the courts, etc., in addition to the necessary strengthening of the human and technical capacities of the relevant Judicial and Prosecutorial Councils.

Kosovo is still in the early stages of creating an effective legal system. Overall, the administration of justice is still sluggish, ineffective, and susceptible to improper political influence. The fight against corruption needs a lot of effort and changes made into the current system, for instance, as the Corruption and Financial Crime Department went into operation, the Special Prosecution Office was bolstered and



its overall manpower levels increased. Although the legal structures are in place, they are not always followed, and there are not many instances of caught-up corruption. In terms of judicial branch corruption on a global scale, Kosovo was placed 94th in the Rule of Law Index 2021¹. These results support the idea that widespread corruption has damaged Kosovo's justice system. While according to the Corruption Perception Index 2021 of Transparency International, ranked Kosovo on 87th place, out of 180 participating countries, an increase of 17 places compared to 2020.

Legal Framework in the field of corruption in Kosovo

One of the biggest issues facing Kosovar society in general and the state apparatus in particular remains the high level of corruption. Recent research and analyses on corruption in the country reveal that Kosovar society continues to hold a strong belief that corruption exists in public institutions. Based on these studies, it is necessary to use systematic and well-planned methods in the fight against corruption, as well as to align our national laws with those of the European Union and to benefit from ongoing expertise from institutions that are specifically responsible for the fight against corruption. In addition to being required for minimizing corruption as a bad phenomenon, fighting corruption represents the desire for the growth and effective operation of government institutions.

The Republic of Kosovo has created a comprehensive legal infrastructure in the ongoing fight against corruption. Consequently, in order to determine the status and responsibilities of the institutions responsible for fighting corruption - the Anti-Corruption Agency, in February 2010 the Assembly of the Republic of Kosovo approved the Law on the Anti-Corruption Agency. In the sense of this law, the term corruption is defined as: "...any abuse of power or any other behaviour of an official, a responsible person or another person with the aim of achieving an advantage or illegal gain for oneself or for another".

Meanwhile, intended to strengthen the mandate of the Anti-Corruption Agency, at the end of 2020, the Government of Kosovo, namely the Ministry of Justice, had initiated the amendment - the completion of this law, re-defining the powers of the Agency, especially in the field of administrative investigations regarding conflict-of-interest prevention, the asset and gift declaration process, and whistle-blowers related issues. Consequently, the Law on the Prevention of Corruption² entered into force in July 2022 and one of the changes that are foreseen in this law is that the mandate for drafting the State Anti-Corruption Strategy will be given to the government³, and not the Agency, as it was until the entry into force of this law.

Although in 2020, the Government of Kosovo approved the National Strategy Against Corruption 2021-2023, due to the dissolution of the Assembly of Kosovo in 2021, this strategy was not approved by the

¹ Rule of Law Index 2021 <https://worldjusticeproject.org/rule-of-law-index/global/2021/Kosovo/Absence%20of%20Corruption/>

² Law no. 08/L-017 on the Agency for Prevention of Corruption

³ Ibid., Article 24.



Assembly as required by the law that was in force. In this way, Kosovo continues not to have a strategy for fighting corruption until the beginning of an initiative by the government to create one.

With the aim to serve as the most efficient instrument in the fight against and prevention of corruption, in July 2022 the Assembly of Kosovo adopted the Law on the Declaration, Origin and Control of Assets and Gifts, which aims to more clearly define the declaration procedures of wealth, as well as the re-classification of the positions that must declare the wealth. The law, among other things, enables the declaration of assets electronically in order to avoid any potential errors. The entry into force of this law repeals the Law on the declaration, origin and control of the wealth of high public officials and the declaration, origin and control of gifts for all official persons, approved in September 2011.

The Judicial Council of Kosovo (KJC) had also approved the **Strategic Plan for the Efficient Solution of Corruption and Organized Crime 2022-2024**⁴, where the objectives and actions that the judiciary together with its bodies will undertake to improve efficiency in resolving corruption cases. According to this plan, corruption and organized crime cases have absolute priority. Meanwhile, in the Prosecutorial Council of Kosovo (PCK), the increase in efficiency in the fight against corruption is foreseen in the

Strategic Plan of the Prosecutorial System 2022-2024.⁵

The Assembly of Kosovo adopted the Law on the Protection of Whistle-blowers in December 2018 to enable anyone to report any irregularity that endangers the public interest in both the public and private sectors. This law includes provisions for the rights of whistle-blowers and their protection, as well as procedures and ways to report irregularities. The passing of this law is regarded as a crucial step in the effort to combat corruption and other undesirable traits in both public and private entities. In the meantime, on June 6, 2022, also known as World Signalling Day, FOL introduced the **"Sinjalizo"** (English: "Alert") **button** on the [Open Procurement portal](#)⁶ in an effort to combat corruption and other negative phenomena as effectively as possible while also being as accessible as possible to citizens and employees in the public and private sectors. This page contains information about reporting and whistle-blowers protection as well as the ability to report any actions that are harmful to the public interest.

Also, in the punitive policies of the institutions of the Republic of Kosovo, criminal acts of corruption have a special place. The Criminal Code of the Republic of Kosovo has foreseen the criminal acts of corruption in a separate chapter, defining the elements of the punishment of these acts. Criminal offenses of corruption are foreseen in Chapter XXXIII of **the Criminal Code of the Republic of Kosovo**⁷, namely in articles 414 - 430 of this code. Abuse of official position or authority; misuse and fraud in public procurement; misuse of official information, conflict of interest; acquisition in office; fraud in office;

⁴⁴ [The Strategic Plan for the Efficient Solution of Corruption and Organized Crime 2022-2024.](#)

⁵ [The Strategic Plan of Prosecution System 2022 – 2024.](#)

⁶ The Open Procurement Portal here: <https://www.prokurimihapur.org/reports/create>

⁷ [Code no. 06/l-074 Criminal Code of the Republic of Kosovo, articles 414 – 430.](#)



unauthorized use of property; taking a bribe; giving a bribe; giving a bribe to a foreign public official or foreign official persons; exercising influence; issuing illegal court decisions; disclosure of official secrets; falsification of an official document; illegal collection and payment; illegal acquisition of property in case of raid or execution of court decision; as well as non-reporting or false reporting of wealth, income, gifts, other material benefits or financial obligations are the criminal offenses of corruption defined in this code.

Prescription or statute of limitations

Prescription or statute of limitations refers to the circumstance in which the state or the institutions of the justice system forfeit the ability to investigate or adjudicate a particular person for an alleged criminal crime because of the passage of time since the alleged criminal crime was committed. The statute of limitations is applicable in situations where no action has been taken and an investigation cannot be initiated as well as situations when the investigation or trial is ongoing but frequently interrupted. The statute of limitations is also established according to the seriousness of the criminal offense. Therefore, the restriction time will be longer and vice versa if the criminal offense is more serious. No criminal offense is, in theory, disqualified from the prosecutor's office, The criminal offenses of war crimes, crimes against humanity, and, in the case of Kosovo, the criminal offense of aggravated murder⁸, are excluded from this rule. The statute of limitations covers both criminal punishments execution and criminal prosecution.⁹

For criminal prosecution, there are two (2) different types of statutes of limitations: *relative and absolute*. That we talk about relative prescription, we mean when the legal system takes too long to take procedural steps to prosecute a specific crime, which results in the crime becoming statute-barred. While by absolute prescription, I mean the criminal statute of limitations that applies regardless of the institution's conduct because of the length of time that has passed since the crime was committed. The absolute prescription term lasts longer than the relative prescription term. The absolute limitation period in Kosovo is twice as long as the relative one. The statute of limitations for all crimes has been extended with the implementation of the new Penal Code. Additionally, this code has tightened the penalties for crimes involving corruption and crimes against public obligations. The Court of Appeal frequently sends cases back for retrial due to non-compliance with the deadlines for scheduling the initial hearing, delays in judicial hearings, absences of the parties from the proceedings, and judges' failure to apply the Code of Criminal Procedure when assigning sanctions to parties who are not repeatedly absent from court appearances.

On the other hand, comparing the new Criminal Code with the old one, there are many substantial differences between the two. The statute of limitations for all criminal offenses has been extended as a result of the new Penal Code's implementation. The penalties for crimes involving corruption and crimes against official duties have also been strengthened as a result of this code. The relative statute of limitations for this crime was five (5) years, while the absolute one was ten (10) years, according to the previous

⁸ [Code no. 06/I-074 Criminal Code of the Republic of Kosovo, articles 104.](#)

⁹ *Ibid*, article 100.8

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Criminal Code. The absolute statute of limitations under the new Penal Code is 30 years, but the relative statute of limitations for this crime is 15. The new Penal Code states that the absolute limitation time for various other corrupt crimes is 40 years, while the relative limitation period is 20 years. The Ministry of Justice's legal strategy does not strike a balance between the need for criminal prosecution and corruption trials and citizen rights. This is so that if a citizen is suspected of committing a crime in 2022, his case might not be resolved in court until 2042, if not later.



Public Procurement

The method through which public institutions make purchases of goods and services is a significant component of the economy. Public procurement is also a fundamental component of transparent and accountable governance and prepares the foundation for a sound and authentic economy. Public institutions, such as ministries, municipalities, and other agencies of a state, provide goods and services through this process that have an impact on individuals' lives and are in the public interest, hence it is given significant priority.

The Assembly of the Republic of Kosovo enacted Law on Public Procurement No. 04/L-042 in 2011, and it was updated and supplemented by Law No. 04/L-237 in 2014, Law No. 05/L-068 in 2016, and Law No. 05/L-092 in 2017. The Public Procurement Regulatory Commission (PPRC), the Procurement Review Body (PRB), the Public Procurement Agency (APP), and the Contracting Authority are its four operating institutions (CA). Although they are connected, each of them has distinct duties and responsibilities.

To ensure the most judicious and transparent use of public funds, PPRC is in charge of creating, overseeing, and managing the implementation of Kosovo's public procurement law and the procurement system. This organization is skilled in promoting competitiveness and ensuring equality at the same time. The establishment and upkeep of a website that offers and permits unrestricted access to data on Kosovo's public procurement, also known as electronic procurement, is one of the primary tasks carried out by PPRC (E-procurement). E-procurement is an online purchasing system that provides a venue for the posting of bids. Its application is not required, and it is up to the contracting authorities to choose whether or not to do so.

The PRB, on the other hand, is the government agency in charge of handling complaints in accordance with the laws on public procurement that are now in effect as well as those that have been altered and augmented. Additionally, the Contracting Authorities, which are all public organizations that create requests for the acquisition of goods and services, are required to create comprehensive tender documents, comply with all legal criteria, and explain technical and economic requirements.

It is vital to identify and specify the tendering criteria, such as personal suitability, organization, financial status, and specific equipment or experience, in order to offer the required documentation. The eligibility requirements and minimum qualification requirements make up the two categories of the selection criterion. In the notice, the tender file, and eventually in the contract, all of these requirements must be spelled out as precisely as possible. One of two criteria—the lowest price offered or the most economically advantageous tender, where the tender is given to the business that best satisfies the criteria—is used to evaluate and choose the winning operator.

FOL has been working for more than 10 years in procurement and recently it has published a detailed report on the perceptions of the private sector on corruption as well as the Transparency Public



Procurement Rating (TPPR). FOL based on the past experience from working in procurement recommends:

- To raise awareness about the public procurement process in order to increase the participation of businesses in procurement. This would affect the increase in the quality of services provided by businesses.
- To ensure comprehensive participation of all interest groups in the drafting of strategic and legal documents about the public procurement process.
- Provide clarifying information on the use of the electronic procurement platform (e-procurement).
- To offer higher transparency and the most comprehensive information regarding the opening of calls for bidding and to notify all businesses through existing mechanisms (PPRC, economic chambers and similar.)
- Improve the internal capacity of public institutions for proper monitoring of the implementation of public contracts.
- Examine the possibility that in the future, the criterion of the lowest price will not be the main criterion for the selection of the offer in order to increase the quality of services.

The performance of the justice sector in the fight against corruption during 2021

One of the key issues that the state apparatus in general and Kosovar society in particular continue to face is the widespread perception of the high level of corruption that exists. There is still a strong perception of corruption in public institutions in Kosovar society, according to recent research on corruption in the country. Based on these studies, it is clear that methodical and well-planned approaches must be taken in the fight to reduce corruption, as well as the synchronization of our domestic laws with those of the European Union. In addition to being necessary, the need to combat corruption also represents the desire for the growth and effective operation of governmental institutions.

It is well known that the State Prosecutor, an autonomous institution with legal authority and responsibility for the prosecution of accused persons, is in charge of prosecuting those who commit criminal offenses. Given the extent of corruption's spread, the prosecution system's "tag" inevitably gets worse. This fact is also addressed in the conclusions provided in the European Commission's Progress Report for Kosovo for the year 2021. It claims that throughout the relevant year, modest progress was made, with high-level cases being investigated and prosecuted, assets being seized, and special departments being established to handle high-level corruption (and organized crime) matters in the courts. The systemic operation of the prosecution, based on the highest professional standards and in compliance with the standards established



by the major bodies of the European Union, is therefore the objective on which we will the entire prosecution system in the Republic of Kosovo had to work, according to the factual circumstances.

While the connection that disperses justice is the judicial system. Given the extent of corruption they are dealing with, Kosovo's courts at all levels must effectively handle cases of corruption. A true indication of the state's commitment to the fight against corruption is the successful outcome of the courts' work. Therefore, the decrease and severe prevention of criminal offenses involving corruption depend on the judiciary's ability to resolve corruption cases in a reasonable amount of time and in a professional manner. The measurement of quality, functionality, efficiency, transparency, the degree of compliance with organizational norms, etc., within the justice system, including the judicial and prosecutorial system, is another difficulty. According to the actual circumstances, the goal on which the entire prosecution system in the Republic of Kosovo had to focus was the systemic operation of the prosecution, based on the highest professional standards and in accordance with the standards established by the major bodies of the European Union.

In light of the aforementioned information, the only data that can be used to evaluate how well the courts and prosecutions are performing are the official statistical data that the courts and prosecutions themselves offer. The methodology of the European Commission for the Efficiency of Justice will be used to generate the data results on the performance of the quality and effectiveness of the courts and prosecutors of the Republic of Kosovo in this report (CEPEJ). We shall therefore be able to assess the performance of the courts and prosecutions specifically with regard to corruption cases by fusing the official data that the Kosovo Judicial Council and the Kosovo Prosecutorial Council received with CEPEJ's formulas. We will be able to consider the flow of cases faced by courts and prosecutors during a calendar year, the achieved rate of resolving cases, the assessment of the rate of the circulation of cases, the levelling trend of cases, the procedural duration of the treatment of cases, and the index of accumulated cases with this assessment, which is based on data on cases from corruption cases.

In order to analyse systemic and functional interactions and identify the specific causes of the structural and organizational functioning or dysfunction of the justice system, it is essential to measure the performance of the justice bodies. The results obtained while carrying out acts and tasks are referred to as the prosecutor's offices' and courts' performance. It goes without saying that evaluating quality performance does not just entail collecting statistics; rather, it aims to fairly assess the performance of the Republic of Kosovo's courts and prosecutor's offices. Every time they are being monitored, the justice system's effectiveness and quality must be put under a "magnifying glass." The only way to identify the flaws that eventually need to be fixed in the judicial system in this regard is through a technique of ongoing analysis and assessment.

In this part, we will discuss some of the key results of this research based on the data we have supplied and their design based on the methodology of the European Commission for the Efficiency of Justice (CEPEJ).

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- A total of 409 corruption cases—or 51% of all cases under investigation—have been resolved out of the 802 that have been pending at the seven basic and special prosecutor's offices (317 of which were carried over from the prior year and 485 new cases). A portion of the 393 cases were, in the interim, left open and were postponed until 2022. While the Republic of Kosovo's basic courts dealt with a total of 383 corruption cases in 2021—108 of which were new cases and 281 of which were carried over from the previous year—they were able to resolve 108 of them, or 28% of all the cases they handled.
- It is still difficult to carry the numerous subjects from year to year. The Republic of Kosovo's basic and special prosecutor's offices received 317 corruption cases in total from the previous year, or 40% of the cases at work. 281 cases from the prior year were moved to the Republic of Kosovo's basic courts in 2021, accounting for 73% of the cases that had been pending.
- In all prosecution offices in the Republic of Kosovo, the rate of resolution of corruption cases for the year 2021 came out to be 84%, meaning that fewer cases were resolved during this time than were reported as new cases throughout the year. While corruption cases in all basic courts were resolved at a rate of 106% in 2021, this indicates that more cases were settled during this time period (108 cases) than were filed for the year (102 cases).
- The number of cases resolved during this period was higher than the number of cases that remained unresolved, which resulted in a turnover rate of 1.04 for cases during this time. Since only 108 cases, or 28% of the total number of cases, were successfully settled by the judicial system in 2021, the turnover rate of cases in the Republic of Kosovo's basic courts reached 0.39, and the remaining 275 cases were postponed until 2022.
- The State Prosecutor's Office's index of accumulated cases for 2021 has reached 0.77, and it was created as a result of the fact that fewer corruption cases were carried over from the prior year and more cases were successfully settled this year. The number of cases inherited from the previous year was much larger than the number of cases settled during this year, which is why the index of accumulated cases in Kosovo's basic courts is significantly higher, at 2.60.
- The Pristina Basic Prosecutor's Office, which had 245 cases on its docket during this time, dealt with the greatest volume of corruption cases. The Basic Prosecutor's Office of Gjilan, which had a total of 54 corruption cases active during 2021, was the prosecutor's office with the lowest flow of corruption cases. With 197 cases currently pending, the Basic Court of Pristina handled the majority of the corruption cases in the Republic of Kosovo's basic courts, while the Basic Court of Gjakova handled the majority of the cases with only 15 subjects actively involved.
- The Basic Prosecutor's Office of Prizren, which during this period achieved the highest rate of resolving cases (120%), the highest turnover rate of cases (4.29%), as well as the quickest time needed to solve the cases that remained unresolved this year, is the prosecution that has achieved the best results in handling corruption cases during this period (85 days). In other words, this prosecutor has been successful in resolving 73, or 81%, of the 90 corruption cases it has handled. The Basic Court of Prizren, which during this period achieved the highest rate of case turnover (1.15), the lowest index of accumulated cases (1.13), as well as the quickest time needed to resolve

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the cases that remained unresolved this year, had the best results in the resolution of corruption cases during this period, according to data received by the Judicial Council of Kosovo (317 days). In other words, out of 43 corruption cases this court has handled, 23 cases—or 53% of all instances—have been successfully resolved.

- The Basic Prosecutor's Office of Mitrovica, which handled only 28 of the 133 cases it worked on this year, or 13% of all topics, was the prosecution with the worst performance in treating corruption cases during 2021 (the same as in 2020). This prosecutor's office had the lowest case turnover rate (0.26), the lowest case resolution rate (44%) and the largest index of accumulated cases throughout this time (2.96). The Basic Court of Pristina, which has received 197 cases and only been able to resolve 34 of them, or 17% of them, has had the worst outcomes in dealing with corruption cases in 2021. This court has accomplished the lowest rate of case turnover (0.20), the largest index of case accumulation (4.61), and the longest duration for resolving the cases that had gone unresolved this year throughout this time period.
- In 2021, 335 people were charged with criminal charges related to corruption, according to information that the Kosovo Prosecution Council obtained from the seven basic prosecutions and the Special Prosecution.
- In the meantime, 108 corruption cases were addressed by the first instance of the judiciary this year; of those, 59 guilty judgments, 26 acquittals, 4 rejection verdicts, and 19 cases were settled in another fashion, according to statistics received by the Judicial Council of Kosovo. Of the guilty judgments, more severe punishments were given in 31 cases, while 22 cases received prison terms and 6 cases received suspended sentences.

The findings of the assessment of the work output of the institutions of the justice system show their commitment, professionalism, seriousness, and readiness to carry out their statutory and legal obligations, as well as their ability to meet the objectives of their mission and the expectations of the people of the Republic of Kosovo. The measurement of the effectiveness and performance of the work of the institutions of the judicial and prosecutorial system in this report has only been done within the framework of evaluating the rates of work performed in quantitative terms, not including the analysis of the qualitative coordinates of professional work.

The State Prosecutor's Office has successfully handled half of the cases it had throughout 2021 in this regard. As a result, out of the 802 cases the State Prosecutor had in 2021, 409 cases—or 51%—of all the corruption cases they had at work this year—were successfully handled. In terms of numbers, the situation is the same even in 2020, when the State Prosecutor managed to process 329 cases, or 51%, of the 646 cases he had to handle that year.

Thus, it can be said that in 2021 a higher efficiency of treated cases was achieved than in the previous year, despite the fact that the rate of treated cases continues to remain the same, given the higher flow of cases that the State Prosecutor faced during the year, specifically the large number of cases carried over



from 2020 (as a result of the spread of the COVID-19 pandemic) as well as the number of large number of new cases created during the year.

The transfer of the numerous cases from year to year is one of the major issues that the justice system, and particularly the prosecution system, is experiencing. This problem does not appear to be getting any better. This is due to the fact that, compared to 2021, there would be a 24% rise in the number of transferred (inherited) cases by the seven basic and special prosecutor's offices for 2022. In other words, 317 subjects were carried over from 2020 to 2021, and 393 subjects were carried over to 2022.

The Prishtina Basic Prosecutor's Office had the most corruption cases during this time period (245), however it was able to address 128 of them, or 52% of them. The Basic Prosecutor's Office of Prizren handled 73 cases out of the 90 cases it had at work, which was the greatest level of case handling. The first level of the legal system has, in the meantime, only partially resolved corruption cases in 2021. Only 108 of the 383 total cases that they had, or 28% of all corruption cases, were successfully resolved by the seven fundamental courts in 2021.

Naturally, the enormous number of cases carried over from 2020, which have increased the judicial system's workload, continues to be the primary reason for this poor rate of case resolution. Other variables that could be cited as contributing to this low rate of case resolution, starting with a shortage of human resources and particularly the dearth of judges, should not be disregarded.

While the Basic Court of Prizren obtained the highest rate of case resolution in 2021, managing to resolve 23 out of 43 cases that had them at work, or 52% of them, the Basic Court of Prishtina inevitably had the largest docket of corruption cases, with a total of 245 cases in progress. In terms of how cases were settled and the sorts of penalties imposed, the first instance of the legal system resulted in 59 guilty verdicts, 26 acquittals, 4 convictions, and 19 cases that were resolved in other ways during 2021. Of the guilty verdicts, fines were imposed in 31 cases, while 22 cases received prison sentences, and 6 cases received conditional sentences.

Progress Report

This report states that while Kosovo has achieved some progress against organized crime and corruption, more work has to be done to ensure that final court rulings, confiscations of unlawful assets, and active investigations occur. Since the majority of the suggestions from last year have not been implemented, Kosovo should in particular: Adopting the Law on the Agency for the Prevention of Corruption, updating the Anti-Corruption Agency's authority, passing the new Law on the Declaration of Assets, and enhancing the Agency's capabilities to ensure the effective implementation of the laws falling under its purview;

1. Improve the sale process for seized and confiscated assets under the control of the Agency for Administration of Seized or Confiscated Property (AMSCA), which will increase the effectiveness



of the confiscation regime by encouraging the systematic use of extended and "regular" confiscation by the police and criminal prosecution;

2. Approves the updated Code of Criminal Procedure, which includes provisions for suspending public officials charged with crimes related to corruption;
3. Make ensuring that political parties' financial and campaign disclosure reports are consistently publicized, audited, and penalties for breaking the law are imposed. To achieve effective enforcement, accountability, and openness, the legal structure governing the financing of political parties and campaigns should be modified in accordance with the Venice Commission's recommendations.

Transparency International, a global observer, claims:

“Kosovo is now placed 87th out of 180 nations on IT's list, an improvement of 17 spots from the previous year.”

Public Pulse Survey:

On average, 25% of respondents claim that they perceive that large-scale corruption is present in public and international institutions in Kosovo.

1. **The Kosovo Police** is perceived as the least corrupt organization, with 14% of citizens believing that there is large-scale corruption within it.
2. **The Kosovo Privatization Agency (KPA)** is perceived as the most corrupt organization, with 39.3% of respondents perceiving the presence of large-scale corruption within it;
3. **KPA (39.3%), Customs (34.3%) and Courts (32.5%)** are the three main institutions with the highest perceived level of large-scale corruption

Kosovo's institutional framework in combating corruption

Office of the Prosecutor

The Council of Europe carried out the first and only Corruption Risk Assessment of Kosovo's Prosecution System in 2017¹⁰, focusing on the structure and operation of the system and its capacity to uphold and support integrity as well as to combat and prevent corruption. The assessment found various corruption vulnerabilities in the legal system, including a lack of accountability and openness.

The evaluation discovered that relying on paper files presented a number of risks:

- The likelihood of unreported transactions increased.

¹⁰ Corruption risk assessment of the prosecution system <https://rm.coe.int/peckii-4561-tp13-cra-prosecution/16808ade77>

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- Without any security measures, prosecutors were carrying files out of the workplace.
- Chief prosecutors were reluctant to leave a paper trail in order to keep a decision's origin secret.

These threats are reduced by adding these systems to a digitalized tool and making their use mandatory. Each piece of data is digitally recorded, sent, and updated, with updates being audited and logged. Another questionable practice was the ostensibly "random system" of case allocation, in which chief prosecutors used their discretion to give cases to particular prosecutors without using any objective standards. Again, digitalization is crucial in this situation since it distributes and assigns cases based on transparent, pre-established criteria. Another common concern is the practice of prolonging corruption investigations until the statute of limitations has run out.

[Kosovo Judicial Council & Kosovo Prosecutorial Council](#)

The Constitution, Law No. 06/L-055 on the Kosovo Judicial Council, and Law No. 06/L-056 on the Kosovo Prosecutorial Council, respectively, set forth the mandates for the Kosovo Judicial Council (KJC) and Kosovo Prosecutorial Council (KPC), which serve as the primary institutions in charge of judicial and prosecutorial operations. As opposed to this, the primary legal document that governs the procedure and sanctions for the discipline of judges and prosecutors is Law Nr. 06/L-057. The four basic principles that should guide judges' and prosecutors' work are impartiality, integrity, professionalism, and independence. When these values aren't being followed, these Councils have the authority to take action and punish judges and prosecutors.

However, there are still significant issues with Kosovo's justice system. By this point, Kosovo has developed a reputation for having political involvement in the area of the rule of law, judges and prosecutors who work poorly, who lack professionalism and competence, and who are themselves corrupt. It is well known that the lack of implementation contributes to the process' inefficiency when it comes to the application of the legislation regarding the disciplinary culpability of judges and prosecutors, the procedures, and the measures taken in accordance with the law. To achieve a more uniform and effective application of the legislation, processes, and disciplinary actions, additional efforts are still required.

[Anti-corruption agency](#)

The Kosovo Anti-corruption Agency (ACA) was established in July 17, 2007. ACA is an independent body, accountable to the Assembly and its responsibilities are regulated based on the provisions of the Law on Anti-Corruption Agency. Pursuant to the Article 5 of the above-mentioned Law, ACA has the responsibility to (1) initiate and develop procedures for investigation of corruption and proceed criminal charges, (2) collaborate with institutions and international missions in the fight against corruption, (3) cooperate with institutions in drafting plans, strategies and action plans against corruption, (4) monitor the implementation of strategic and action plans against corruption, (5) oversee the assets of senior public officials and other person required by special law, (6) monitor and prevent cases of conflict of interest, (7) cooperate with public institutions in designing harmonizing and implementing legislation against corruption, (8) participate and provide advice in drafting the code of ethics in public and private sector.



These are only a few of their responsibilities of the Agency as defined by the law however many of these are being reviewed with the new initiative coming from the Government of the Republic of Kosovo. The ACA according to the new Law on Anti-Corruption Agency pursuant to Article 25, is also responsible for the implementation of Integrity Plans in central public institutions, independent agencies as well as local authorities of the Republic of Kosovo. Given that FOL was involved in the process of drafting the Code of Ethics, the implementation of the Integrity Plan in all public institutions of Kosovo should be treated with a priority.

Even though with the new Law on Anti-Corruption Agency shifts the strategy of the agency more towards the prevention of corruption, momentarily the strategy of ACA is based on three main pillars: (1) Law Enforcement, (2) Prevention or Elimination of the causes of corruption and (3) Education of public administration and citizens.

FOL identifies three (3) possible cooperation with the Anti-Corruption Agency. (1) Monitoring the Declaration of Assets, (2) Monitor the implementation of Whistle-blowers in Public Institutions and (3) Monitor the implementation of the new law on the Anti-Corruption Agency regarding the capacity of the agency to overtake the new legal obligations as well as the restructuring of the agency.

Anti-Corruption Council

The third President of the Republic of Kosovo, Mrs. Atifete Jahjaga, has established the National Anti-Corruption Council (hereinafter the Council) on February 14, 2012. The Council in conformity with the Constitution of the Republic of Kosovo and the Laws in force aims the coordination of the works and activities of institutions and agencies, within their competencies and scope, to prevent and combat corruption.

The Functions of the Council:

- To coordinate activities in preventing and combating corruption.
- To identify and coordinate activities in support of the implementation of the national strategy in fighting corruption.
- To determine the priorities and policies for the implementation of the legislative agenda in increasing effectiveness in the fight against corruption.
- To coordinate the work and activities of the responsible institutions in strengthening existing mechanisms to fight corruption.
- To raise the awareness of the society for the prevention and fighting of corruption.

Academy of Justice

On 24 February 2017, Law No. 05/L-95 on the Academy of Justice entered into force. By this law the Kosovo Judicial Institute has been transformed into the Academy of Justice.

The Academy of Justice carries its functions in compliance with the Constitution of the Republic of Kosovo, and relevant laws and bylaws.



Academy of Justice as a successor of the Kosovo Judicial Institute is an independent public institution with the main function to provide training for judges and prosecutors of the Republic of Kosovo, to provide training for the administrative staff of courts and prosecution, and may organize trainings for free professions, as well as other matters in accordance with the law.

Among many functions, the Academy mainly works around (1) organizing training for judges and state prosecutors, (2) develop training needs assessment processes for KJC and KPC, (3) organize training for administrative staff of courts and prosecution, (4) organize continuous professional training for state lawyers, notaries, private bailiffs, mediators, insolvency administrators as well as other professions from competent institutions that fall within the framework of the Academy as defined by the applicable law, (5) conduct training in cooperation with KJC and KPC, (6) maintain training record programs and (7) establish and maintain cooperation with national and international institutions including professional practices and exchange programs. There are many other activities of the Academy, however it lacks cooperation and integration with national higher education. FOL identifies the opportunity to work with the Academy in creating the curricula and fostering cooperation with higher education institutions in Kosovo.

Legal provisions in regards to fighting corruption and other illicit financial activities.

Financing of Political Parties – The new Law

Increasing the transparency and responsibility of political entities in the management and use of public funds is one of the key goals of the proposed law on the funding of political parties, which was passed in the Assembly of Kosovo in March of 2022, during the first reading. Additionally, this law provides for the regulation of pertinent competent institutions with regard to political subjects, including the financing of such subjects as well as the auditors' auditing of financial reports.

There have been significant revisions to a number of articles in the bill on the amendment and completion of the Law on the Financing of Political Entities. The law requires the entities represented in the Assembly of Kosovo to have an official, functional website and reveal all monthly expenses for each activity from the prior month under Article 19. Every three months, or at least every two weeks in the case of a campaign, the subjects must update the list of contributions. The subjects are also required by this article to submit an expense summary report to the office 15 days after the conclusion of each three-month period and post it on the political party website. The yearly financial report must be kept public for at least three years under the terms of the law governing the financing of political entities. Even political entities that are not represented in the Kosovo Assembly will be required, according to the law's revision, to submit a report to the office outlining all donations and expenditures made during the reporting year.

Article 21 of this law includes the penal clauses. If a political figure is fined, the money collected from the payment of the penalty will go to the state's general fund. The law stipulates that "the office deposits



the money received from the fines into the Kosovo Budget." The proposed law also controls the severity of fines. Fines for political matters range from 4,000 to 40,000 euros per infraction.

If a political entity fails to provide the reports on contributions and expenditures related to the election campaign within the requisite timeframe and with the necessary details, they risk being fined. The Office for the Registration and Certification of Political Parties, which is a division of the Central Election Commission (CEC), will play a different role as a result of the new law on political party finance. CEC now has a designated office for the registration, certification, and financial management of political entities according to the new law. In addition to overseeing and controlling the political entities' finances, this office will be in charge of maintaining the registry of political entities, certifying all political entities that will be on the ballot, and enforcing this law's restrictions on campaign spending and financial disclosure.

According to the new law, the Office will be in charge of inquiring into legal infractions, reporting them to the appropriate authorities when necessary, and levying fines. This law grants the Office functional independence in carrying out the duties mandated by this law. The CEC chairman will be responsible for appointing the Director of the Office under the new law. Additionally, the Chairman of the CEC receives direct reports from the Office's Director.

According to the new proposed law, registered political entities must have their financial statements audited annually in compliance with any applicable laws. Auditors chosen by the Office through an open, public competition for applications will audit annual financial reports and campaign financial declaration reports submitted by political entities to the Office for Registration and Certification of Political Entities in accordance with the accounting standards applicable in Kosovo. The Office chooses licensed auditors, either as a natural person or a legal entity, through an open public competition. These auditors will examine the annual financial reports as well as the campaign financial declaration reports of the political subjects who carry out actions on the Office's behalf.

The political entity that is registered under this statute works closely with the auditors that the Office has chosen and gives them complete, unrestricted access to all of the entity's financial information. Political entities must complete the auditing of their yearly financial reports no later than June 15 of the following year. The office drafts the CEC's annual report, which the CEC then submits to the Assembly of the Republic of Kosovo for allocation and use of fund funds.

[Law No. 06/L –085 On the Protection of Whistleblowers](#)

Law No. 06/L –085 ON PROTECTION OF WHISTLEBLOWERS came into power in 2018 by the Assembly of the Republic of Kosovo. Based on the law, the Anti-Corruption Agency is responsible for the implementation of the Law on Protection of Whistleblowers in the Public Sector while the Labor Inspectorate is responsible for the implementation of the Law on Whistleblowers in the Private Sector. Despite advancement in the public sector in appointing the Responsible officers, their function and efficiency fairly poor. The Anti-corruption Agency has publicly asked for Civil Society to help in the implementation of this law. On the other hand, the Labor Inspectorate has not done much with regard to the implementation of the law in practice in the private sector.



The private sector is a crucial component of the overall national economy. Its function is crucial because it supports national tax collections and promotes the efficient flow of money and services. Those who control and run this industry do so with the intention of making money. The majority of the community's goods and services are provided by the private sector. Citizens therefore place a high value on the reliability and quality of these goods and services.

It is possible for this industry to engage in behaviours that endanger or violate the public interest. Employees in the private sector or other people with working relationships with this sector are frequently the first to learn about actions that harm the public interest, but for a variety of reasons, they typically remain silent or show no interest in these actions because it is believed that reporting procedures are ineffective or that whistleblowing can in some way cause issues at work. Reporting infractions in the private sector can be very important for safeguarding consumer health, ensuring the safety of food, and raising service standards. Therefore, it is crucial that someone reports these behaviours and does not keep quiet.

The field of whistleblowing and the protection of whistle-blowers is brand-new and unique. The law on whistle-blowers protection seeks to ensure and protect whistle-blowers by establishing clear legal procedures, outlining how these infractions are reported. Due to the interdependence of the public and private sectors' activities, the law has application in both. Practices demonstrate that collaboration between organizations (people) in the public and commercial sectors often results in an action or violation. The new Whistle-blower Protection Law seeks to encourage reporting wrongdoing while providing whistle-blowers with appropriate protection. The law does not affect the application of other laws, but its execution is linked to that of criminal law, labour law, anti-corruption and economic laws.

For the Law to be implemented effectively, state institutions, the corporate sector, employees, civic society, and the media must all be committed. In order to increase accountability, promote the rule of law, and safeguard whistle-blowers, civil society activism is crucial. The private sector is thought to be one of the major obstacles in the way of the law's implementation. Because of this, the legal requirements for this sector went into effect one year after those for the public sector.

With regards to implementing the Law on Whistle-blowers, FOL has identified that the below steps must be met.

- Citizens, official institutions, the commercial sector, the media, and civil society must all work together to implement the law effectively. It is crucial that with regard to its implementation in the private sector:
- Appointment of whistleblower handlers by the private sector;
- Development of internal policies through internal acts or regulations;
- Inform their employees who are the assigned response officer for handling the whistleblowing
- Organize training for all employees and accountable officials to improve understanding of the law and reporting practices;
- Organizations in charge of overseeing the law's implementation include the Labor Inspectorate and Regulatory Agencies;
- Undoubtedly, the media and civil society organizations must advocate for numerous violations of the public interest in order to increase public knowledge;



- The role of NGOs in enforcing the law will be strengthened through networking, the creation of cooperative platforms, and the integration of their experiences.

[Draft law N°08/L-121 on the State Bureau for Verification and Confiscation of Unjustified Assets](#)
Venice Commission was asked to draft an opinion on the Draft Law N°08/L121 on the State Bureau for Verification and Confiscation of Unjustified Assets. It was adopted by the Venice Commission at its 131st Plenary Session (Venice, 17-18 June 2022). This Opinion was prepared in reliance on the English translation of the draft law provided by the authorities of Kosovo. On 10-11 May 2022, a delegation of the Commission composed of Mr. James Hamilton and Mr. Dan Meridor, accompanied by Mr. Michael Janssen from the Secretariat of the Venice Commission held meetings in Pristina with the President of the Assembly of Kosovo and with representatives of the Legislation Committee of the Assembly, the Ministry of Justice, the Judiciary and the Prosecution Service, the Anti-Corruption Agency and Financial Intelligence Unit, civil society and international organisations represented in Pristina.

According to the request letter for an Opinion submitted by the Speaker of Parliament, Mr. Glauk Konjufca, the draft law is an initiative of the Ministry of Justice for strengthening the rule of law and enhancing the system of confiscation in Kosovo. The draft law is intended to strengthen the rule of law and enhance the system of confiscation in the country. The Venice Commission welcomes the authorities' assurances that its comments will be addressed in the finalisation of the draft law. That document draws attention to the small number of confiscations executed in Kosovo and notes that the "usual course of action", i.e. confiscation of assets based on a conviction for committing a criminal offence, is often not available to the state prosecutor's office, namely when the latter does not have enough evidence to link the assets of the convicted person to the criminal offence committed, or when the investigation is blocked and as a result the perpetrator manages to escape or distribute his or her assets.

The present Opinion takes into account the relevant provisions of the Constitution of Kosovo, the human rights guaranteed in the European Convention on Human Rights (ECHR) and its additional protocols, the rule of law standards developed by the Venice Commission as well as other relevant norms of international law (including those which are not technically binding on Kosovo) such as the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (ETS 198) and the UN Convention against Corruption (UNCAC). Previous Opinions issued by the Venice Commission are also referred to. Some of the provisions of the draft law raise doubts as to their compatibility with minimum standards of human rights and rule of law. There might be relevant data protection problems as well as problems with the administration of confiscated assets. These issues will not be commented upon in this draft Opinion.

The draft law applies to unjustifiably acquired assets of official persons, their family members, politically exposed persons, and third parties from 17 February 2008 until the date of Kosovo's declaration of independence. Draft law defines the organisation of the confiscation system with the Bureau and the

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Oversight Committee. It fixes the powers and responsibilities of the Bureau Director General and defines the cooperation obligations and the verification procedure. The last chapters of the draft law explain the relationship of the process to criminal procedures and establishes the rules for international legal cooperation. The Venice Commission notes that confiscation measures are linked to criminal procedures. The Commission draws attention to the fact that under the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime and on the Financing of Terror, "confiscation" means a measure, ordered by a court following proceedings in relation to a criminal offence. The draft law proposes a similar model of civil confiscation for Kosovo, like the one in Bulgaria: Without having to prove that the acquisition of specific assets is based on criminal activity, it is possible to confiscate them in case the owner is not able to prove their legal origins. In the draft law, confiscation is thus defined as "permanent acquisition of assets ordered by a final decision of the competent court in accordance with the applicable legislation." A link to a criminal procedure is not necessary; on the contrary, the introduction of a criminal procedure is a reason for suspension of the confiscation procedure under the draft law.

The European Court of Human Rights (ECtHR) approves confiscation in principle, including non-conviction-based confiscation where the general interest is strong enough. Confiscation is an interference with the right to peaceful enjoyment of possessions (Article 1, Protocol 1 to the ECHR). In the relevant cases, however, the confiscation was only available for alleged proceeds of criminal activity. The measure will be regarded as justified if it a) is provided by law; b) serves the general good and c) is proportionate to the aim pursued. In the case of Bulgaria, the Venice Commission has in principle accepted an approach that includes legislation referring to "illegal (i.e. not only criminal) activities", on the condition that the guarantees provided in the ECHR and in the national Constitution were carefully respected.

The Venice Commission stresses that such a confiscation will, as a rule, create the risk of an infringement of human rights comparable to the one inherent in a criminal trial potentially leading to a punishment. Civil confiscation procedures are as essential as those in a criminal procedure, according to the Venice Commission. Furthermore, the confiscation must be in compliance with human rights guarantees such as the right to property (Article 1, Protocol 1 to the ECHR), and with fair trial requirements guaranteed under Article 6§1 of the ECHR. It is furthermore questionable whether the establishment of a new body, the Bureau as foreseen in the draft law, would make the fight against corruption indeed more effective – or whether it would rather complicate the whole system which already involves a number of bodies such as the police, the prosecution service, the tax and customs authorities and the Anti-Corruption Agency.

During the meetings in Pristina, practically all the rapporteurs' interlocutors confirmed that corruption is a significant and systemic problem in Kosovo, that the fight against it needs to be enhanced and that the introduction of civil confiscation might be a useful tool for this. During the meetings in Pristina, practically all the rapporteurs' interlocutors confirmed that corruption is a significant and systemic problem in Kosovo. The introduction of civil confiscation might be a useful tool to fight against corruption. However, such a tool alone would not be sufficient to achieve significant progress. It is also



questionable whether the establishment of a new body, the Bureau as foreseen in the draft law, would make the fight against corruption more effective. The new verification and confiscation system of the Anti-Corruption Agency needs to be combined in some way with the already existing asset declaration system of senior public officials. There can be no justification for subjecting officials to two different procedures of verification of the same assets, especially in a state the size of Kosovo. It would be most logical to entrust these closely related tools to one single body.

Another general remark concerns the legislative technique. The draft law contains many details which are not specific to a confiscation procedure, but form part of general procedural law. If general procedural norms exist in Kosovo, the Venice Commission recommends referring to them and not repeating all the details in the present special law. It might be mentioned that the deadlines fixed in the draft law generally seem to be very short, both for the Bureau and the court, and especially for the person whose assets are proposed to be seized.

Conclusions from the Venice Commission:

The Venice Commission has been asked by the President of the Assembly of Kosovo to provide an Opinion on the Draft Law N°08/L-121 on the State Bureau for Verification and Confiscation of Unjustified Assets. The draft law is an initiative of the Ministry of Justice aimed at strengthening the rule of law and enhancing the system of confiscation in Kosovo. Venice Commission recalls that non-conviction based civil confiscation proceedings must be designed and implemented in compliance with the national Constitution, which includes the direct application of the European Convention on Human Rights. Several interlocutors of the rapporteurs argued that the low number of confiscations effected so far in Kosovo could mainly be explained with defective implementation of the current law, rather than deficiencies in the legislation itself.

It is furthermore doubtful whether the establishment of a new body would make the fight against corruption indeed more effective – or whether it would rather complicate the whole system which already involves a number of bodies such as the police, the prosecution service, the tax and customs authorities and the Anti-Corruption Agency. It is doubtful whether the establishment of a new body would make the fight against corruption indeed more effective – or whether it would rather complicate the whole system which already involves a number of bodies such as the police, the prosecution service and the tax and customs authorities. In any case, it seems obvious that the new verification and confiscation system needs to be combined in some way with the already existing asset declaration system of senior public officials which is in the hands of the Anti-Corruption Agency.

The draft law, in its current wording, presents a certain number of shortcomings and its implementation may result in infringements of fundamental rights guaranteed by the Constitution of Kosovo and the ECHR. The Venice Commission makes the following main recommendations:

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- Formulating the general and public interests, the aim and purpose of the new law in a precise and exhaustive manner;
- Reconsidering the need and usefulness of establishing a new body, the Bureau, and in case this approach is maintained a) providing for strong guarantees of the Bureau's independence and b) providing the Bureau with a sufficient number of specialised staff and with adequate powers;
- Defining precisely a) under what conditions and according to what criteria the Bureau should collect information ex officio before starting the formal verification procedure; b) under what conditions the verification procedure can and must be initiated; and c) priorities for the Bureau's work, ensuring that the Bureau will focus on high-profile cases;
- Making it clear that the burden of proof shifts to the party to the procedure only after the competent authority (under the current draft law, the Bureau) has presented a reasoned proposal and evidence showing that there is at least a probability of illegal acquisition of assets, on the basis of the civil standard proof of the balance of probabilities; and defining more precisely the civil standard of proof of the "balance of probabilities" which, under the current draft law, is also to be applied by the court;
- Introducing stronger guarantees of the party's and other persons' human rights, inter alia by a) specifying that the decision on initiating the verification procedure is at least communicated to the party to the procedure and subject to legal remedy; b) ensuring that the statements made and documents provided compulsorily by the party in civil proceedings cannot be used against him or her in a criminal proceeding; c) making it clear that the party's family members are targeted only as "third persons"; d) reviewing the - 19 -CDL-AD(2022)014 provision that natural and legal persons may be compelled by court to cooperate with the Bureau; e) regulating how "third parties who have a legal interest" are identified and what their rights are in the verification and confiscation procedure; f) ensuring that the persons concerned by confiscation are not deprived of all assets; and g) guaranteeing compensation of damages suffered by a party in case of an ultimately unsuccessful confiscation procedure; 6. introducing an adequate evidentiary threshold for interim security measures, and making it clear that such measures can be taken under the civil procedure even if criminal investigations have been initiated.

RECOMMENDATIONS

FOL has provided recommendations in most of the sections analysed above. Other than the recommendations provided consistently throughout the research, below are some of the main recommendations with regards to prioritization.



General recommendations

- In order to combat corruption as effectively as possible, the court system should establish a separate unit that handles corruption cases, similar to the Unit for Economic Crimes and Corruption in the Basic Prosecutor's Office in Prishtina;
- The justice system should give corruption cases, especially those that are publicized, top priority.
- Expand the judicial and prosecution systems' workforce of judges, prosecutors, and support personnel.
- To strengthen inter-institutional cooperation, which is a prerequisite for the justice system's efforts in the effective battle against corruption.
- To strengthen cross-border cooperation which when it comes to corruption and other illicit financial activities is of outmost importance.

FOL's proposal approach/ types of activities proposed

- 1. Monitor and advocate the effectiveness of institutions in fighting corruption and level of law implementation**
 - a. Increased transparency of the judicial and prosecutorial system in relation to providing access to public documents in accordance with the obligations arising from the law;
 - b. Analyse the Venetian committee recommendations and ensure their implementation in practice;
 - c. Monitor the implementation of the Law on Verification and Confiscation of Unjustified Assets and the Bureau for Verification and Confiscation of Unjustified Assets;
 - d. Assess the new proposed law for the Anti-corruption Agency;
 - e. Monitor the implementation of the new Anti-Corruption Strategy and Action Plan;
 - f. Regularly provide statistics reports on the handling of corruption cases and the number of cases that have been settled on the official websites of the judiciary and prosecution systems.
- 2. Contribute in working groups together with public institutions in drafting new legislation, action plans and strategies in the fight against corruptions;**
 - a. Contribute to the new Strategy on Anti-Corruption and ensure that anti-corruption efforts are prioritized based on their importance;
 - b. Contribute in drafting the Action Plan for the new Anti-Corruption Strategy.
- 3. Strengthen cross-institutional cooperation in the fight against corruption**
 - a. Multi-stakeholder discussion platforms/panels
 - b. Exchange initiatives (peer-to-peer) with regional institutions;
- 4. Increase capacities of public institutions in delivering effective anti-corruption initiatives**
 - a. Improve the curricula of the Justice Academy and foster cooperation with higher education institutions;
 - b. Support public institutions with international expertise;
 - c. Strengthen academia vis-a-vis justice sector needs;

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