

# Handling of Corruption Cases in the Last Decade in Kosovo: The Impact of Legislative Changes



# **Handling of Corruption Cases in the Last Decade in Kosovo: The Impact of Legislative Changes**

TITLE:

**Handling of Corruption Cases in the Last Decade in Kosovo:  
The Impact of Legislative Changes**

AUTHOR:

Lëvizja FOL

YEAR OF PUBLICATION:

2025

WEBSITE:

[www.levizjafol.org](http://www.levizjafol.org)

ADDRESS:

Tringë Smajli, H6/5, Prishtina 10000, Republic of Kosovo

This report was produced by Lëvizja FOL and the Pristina Institute for Political Studies (PIPS), with the support of the MATRA program of the Embassy of the Kingdom of the Netherlands in Kosovo. The views and interpretations expressed in this report are those of the authors and do not necessarily reflect the official policy or position of the Embassy of the Kingdom of the Netherlands in Kosovo.

**Copyright © 2023. Lëvizja FOL. All rights reserved.** No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means—electronic, mechanical, photocopying, recording, or otherwise—without prior written permission from the publisher.

# Content

Executive summary .....	7
Part 1: 2015 – 2019 period.....	9
Organizational framework .....	10
Legal framework.....	12
Criminal Code No. 04/L-082 and Criminal Procedure Code 04/L-123.....	12
Trainings for strengthening capacities in the fight against corruption .....	15
Performance of the prosecutorial system .....	18
Performance of judicial system .....	21
Conclusion of the 2015 – 2019 period .....	25
Part 2: 2020 – 2024 period .....	27
Organizational framework .....	28
Legal framework.....	30
Criminal Code No. 06/L-074 and Criminal Procedure Code No. 08/L-032 .....	30
Supreme Court Special instruction: official corruption and criminal offenses against official duties.....	33
Capacity building trainings in the fight against corruption.....	36
Performance of the prosecutorial system .....	38
Performance of judicial system .....	40
Conclusions .....	30
Recommendations .....	31



# Executive summary

Kosovo still remains vulnerable to corruption, even though for more than two decades it has received extensive support from international partners to strengthen the justice system and increase public accountability.

Through this analysis, Levizja FOL has assessed the legislative changes and the organizational (institutional) structure in relation to the effectiveness and impact of these initiatives in the fight against corruption, assessing whether the changes in the legal framework and other activities of the justice bodies, including training activities, have contributed positively to reducing corruption in Kosovo.

This report analyzes the last ten years, namely from 2015 to 2024, in two time blocks - 2015-2019 and 2020-2024, attempting to identify how much legal reform, institutional investments and training programs have influenced the reduction of corruption, respectively whether or not they have had a positive effect on handling of corruption cases.

In the first five-year period, unclear competencies between the SPRK and the basic prosecutorial offices created overlapping investigations, while the courts, without a dedicated department, closed less than 40% of cases per year. Training was extensive but did not bring a measurable increase in the quality of investigations. From 2020, a more structured approach began: the Special Department was established in the Basic Court of Prishtina, the new Criminal Code was adopted with harsher penalties and, very importantly, the Supreme Court adopted the Specific Instruction for Corruption Cases that aims to unify the punitive policy. The SPRK maintained high efficiency, especially in 2024, but basic prosecutorial offices, especially the one in Prishtina, continue to face a heavy workload and variability in final results. On the judicial side, the new department has paved the way for more focused handling of complex cases, although statistical reporting for 2022-2024 remains ununified which prevents a clear assessment of real progress.

## As a result, the Report is divided into two main parts:

- **PART 1** describes the legal framework and performance of the judicial system in Kosovo for the period 2015-2019, when the Criminal Code No. 04/L-082 and other relevant legislation were in force, and analyzes statistical data on the prosecutorial and judicial system, while
- **PART 2** covers the period from 2020 to 2024, one year after the new Criminal Code No. 06/L-074 entered into force.

The reason for choosing 2020 is that the judiciary needs at least a year of implementing the new legislation to see any positive effects of these changes. The report concludes with key findings and recommendations.

Levizja FOL would like to express special gratitude to the Judicial Council, the Prosecutorial Council and the Academy of Justice, who without any hesitation and without delay have forwarded all the data required for the production of this report. However, we would like to highlight a small observation regarding the data from the Judicial Council, as it has been very difficult to analyze and compare the data for the years 2022 and 2023 since they did not include information about the imposed sentences.

---



A vertical red line runs down the left side of the page, featuring five red circular dots of varying sizes. The largest dot is at the top, followed by three smaller dots, and a medium-sized dot at the bottom. A horizontal red line segment connects the bottom dot to the left edge of the page.

# 2015

**PART 1:**  
**2015 – 2019**  
**Period**

# 2019

## Organizational framework

During this period, the prosecutorial system has been organized in accordance with the Law on State Prosecution<sup>1</sup> and the Law on the Special Prosecution of the Republic of Kosovo,<sup>2</sup> which has provided for seven (7) Basic Prosecutors in Kosovo with territorial competence at the regional level for corruption issues, as well as the Special Prosecution (SPRK) that has territorial competence for the entire Republic of Kosovo in corruption issues as a supplementary competence.

However, due to the lack of a clear legal boundary between these institutions (SPRK and other basic prosecutorial offices), there have been repeated overlaps in case management, despite the fact that in November 2013, the former Chief State Prosecutor, Mr. Ismet Kabashi, the former EULEX Chief Prosecutor Jaroslava Novotna and the former SPRK Chief Prosecutor, Mr. Jonathan Ratel, signed the Instruction for High-Profile Corruption Cases to eliminate these overlaps between different prosecutorial offices.

Regarding the judicial system, according to the Law on Courts,<sup>3</sup> courts were organized into seven (7) Basic Courts and 20 judicial branches. Corruption cases were handled only by the Basic Courts, as the branches did not have departments for serious crimes. This is because corruption cases were handled by the departments for serious crimes in the basic prosecutorial offices and basic courts, as the Criminal Procedure Code provided that corruption cases be treated as serious crimes, without any further escalation in relation to the damage or level of guilt.

What is characteristic of this period is that there was no special judicial instance in the courts that would have exclusive jurisdiction over SPRK cases.

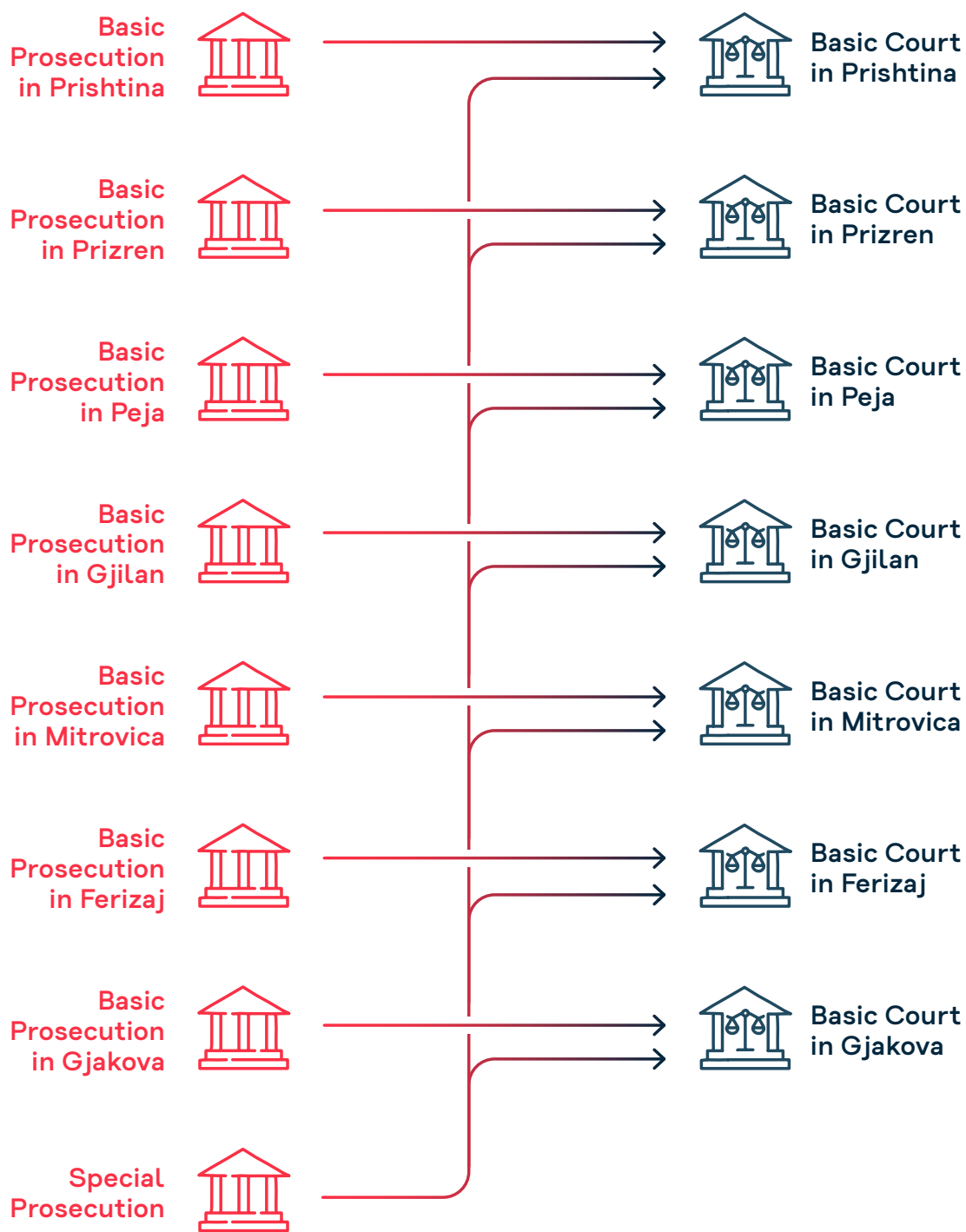
---

1 [Ligji Nr. 03/L-225 për Prokurorin E Shtetit](#) , abolished

2 [Ligji Nr. 03/L-052 për Prokurorinë Speciale të Republikës Së Kosovës](#), abolished

3 [Ligji Nr. 03/L-199 për Gjykatat](#), abolished

## The organizational structure of the prosecutorial and judicial system



# Legal framework

## Criminal Code No. 04/L-082 and Criminal Procedure Code 04/L-123

Articles 422 to 437 of the Criminal Code of Kosovo<sup>4</sup> constitute the main criminal pillar on the basis of which criminal prosecutions and trials of persons accused of corruption are undertaken. These articles address a wide range of offences related to official misconduct, classical corruption, and failure to report wealth and falsification of official documents and other offences of a corrupt nature.

Penalties range from a fine for the most minor cases, to twelve (12) years of imprisonment for the most serious cases, such as those with major consequences or with great material benefit.

The most commonly used article in judicial practice is the one for abuse of official position or authority. This article covers situations when a public official intentionally violates the law to obtain a benefit for himself or for other persons, or to cause harm to others. Penalties for this offense range from 6 months to 5 years of imprisonment. This article has been used by prosecutors as the "basis" for a large number of criminal cases, especially in the public procurement or administration sector.

One of the most classic articles of corruption remains that of taking a bribe. In the basic case, a fine or imprisonment of 6 months to 5 years is foreseen, while if the bribe is taken to act in violation of official duties, the punishment reaches up to 12 years. Bribery is also foreseen in a similar way, and these two articles together constitute the axis of investigations into pure official corruption.

Also, embezzlement in office is a special article that sanctions an official who embezzles property entrusted to him in his official function. The penalty is a fine and imprisonment from 6 months to 5 years, while for embezzlement over 5,000 euros or when the consequences are severe, the penalty increases up to 8 years. For large values or particularly serious consequences (over 50,000 euros), up to 12 years of imprisonment is foreseen. In practice, these offenses have been encountered especially in the administration of the assets of public enterprises or other state institutions.

Conflict of interest constitutes one of the most challenging criminal offenses for practical implementation. It sanctions cases when an official participates in decision-making or official actions where he has a personal interest or family connection. The penalty is a fine or imprisonment of up to 3 years, but in practice, due to the difficulty of proving the concrete connection of the interest with the decision-making, few cases end with an effective penalty.

---

4 [Kodi Nr. 04/L-082 Kodi Penal i Republikës Së Kosovës](#), abolished,

Finally, Article 437, which deals with the non-reporting or false reporting of wealth, income, gifts, other material benefit or financial liabilities, has taken on special importance in recent years. This article is essential for transparency in the declaration of wealth by public officials. The penalty is a fine or imprisonment of up to 5 years, reflecting the seriousness of the violation of liabilities for accurate declaration of wealth.

The table below provides in more detail the scope of penalties for each criminal offense from Chapter XXXIV – official corruption and criminal offenses against official duty:

Article	Full name	Penalty under par. 1	Penalty under par. 2	Penalty under par. 3	Penalty under par. 4	Penalty under par. 5
422	<b>Abusing official position or authority</b>	Imprisonment of six (6) months to five (5) years.				
423	<b>Misuse of official information</b>	Fine or imprisonment of six (6) months to five (5) years.	Fine and imprisonment of two (2) to eight (8) years.	Fine and imprisonment of one (1) to eight (8) years.	Fine and imprisonment of three (3) to twelve (12) years.	
424	<b>Conflict of interest</b>	Fine or imprisonment from 6 months to 5 years	Imprisonment from 1 to 5 years			
425	<b>Misappropriation in office</b>	Fine and imprisonment from 6 months to 5 years	Fine and imprisonment of 1 to 8 years (profit/loss >5,000€)	Fine and imprisonment of 3 to 12 years (profit/loss >50,000€)		
426	<b>Fraud in office</b>	Fine and imprisonment from 6 months to 5 years	Fine and imprisonment of 1 to 8 years (profit >5,000€)	Fine and imprisonment of 3 to 12 years (profit >50,000€)		
427	<b>Unauthorized use of property</b>	Fine or imprisonment up to 3 years				
428	<b>Accepting bribes</b>	Fine and imprisonment from 6 months to 5 years (in accordance with his duties)	Fine and imprisonment of 3 to 12 years (in violation of his duties)	Fine and imprisonment of one (1) to eight (8) years (damage >15,000, para. 1)		

Article	Full name	Penalty under par. 1	Penalty under par. 2	Penalty under par. 3	Penalty under par. 4	Penalty under par. 5
429	<b>Giving bribes</b>	Fine or imprisonment for up to three (3) years.	Fine and imprisonment of three (3) months to three (3) years.	Fine and imprisonment of one (1) to eight (8) years. (profit >15,000€)		
430	<b>Giving bribes to foreign public official</b>	Fine and imprisonment up to 5 years	Fine and imprisonment of 1 to 5 years	Fine and imprisonment of one (1) to eight (8) years. (profit >15,000€)		
431	<b>Trading in influence</b>	Fine or imprisonment up to 8 years	Fine or imprisonment up to 5 years	-		
432	<b>Issuing unlawful judicial decisions</b>	Imprisonment six (6) months to five (5) years	.			
433	<b>Disclosing official secrets</b>	Fine or imprisonment up to 5 years	Fine and imprisonment of one (1) to ten (10) years	Fine or imprisonment up to three (3) years (negligence)		
434	<b>Falsifying official document</b>	Imprisonment from six (6) months to five (5) years.	Imprisonment from six (6) months to five (5) years.			
435	<b>Unlawful collection and disbursement</b>	Fine or imprisonment for up to one (1) year.	Imprisonment up to 3 years (profit >15,000€).			
436	<b>Unlawful appropriation of property during a search or execution of a court decision</b>	Imprisonment from six (6) months to five (5) years				
437	<b>Failure to report or falsely reporting wealth</b>	Fine and imprisonment of up to three (3) years	Fine and imprisonment of six (6) months to five (5) years.			

One of the problems that still appears in the trial of these criminal offenses is the difficulty in proving the intent to commit the criminal offense. Many cases have been dismissed because the prosecutor has had difficulty proving the existence of intent, as a subjective element, to commit the criminal offense by the defendant.

On the other hand, the Criminal Procedure Code,<sup>5</sup> On the other hand, the Criminal Procedure Code, in Article 22, has determined which criminal offenses are considered serious crimes for the purposes of this Code. This article also includes a number of acts of a corrupt nature, such as abuse of official position or authority, conflict of interest, fraud in office, accepting bribes, and other similar acts. This has led to the majority of the acts provided for in Chapter XXXIV – official corruption and criminal offenses against official duty – being treated as serious crimes and being tried by the Department for Serious Crimes.

However, the Criminal Procedure Code has not included the non-declaration or false declaration of wealth as one of the offenses treated as serious crimes. Consequently, these cases are not examined by the Department for Serious Crimes, but by the general departments of the basic prosecutor's offices and courts and are consequently treated by a single judge. For this reason, these cases do not enjoy the priority and special treatment that other corruption offenses that fall into the category of serious crimes have.

## Trainings for strengthening capacities in the fight against corruption

During the period 2015–2019, justice institutions in Kosovo, in cooperation with various international partners, through the Academy of Justice, have organized a series of trainings aimed at strengthening the capacities of judges and prosecutors in the fight against corruption and related crimes. The topics selected for these trainings have reflected the practical needs of the justice system, covering key aspects ranging from the investigation of financial crimes to public procurement, asset declaration, international standards in the fight against corruption, as well as the improvement of investigation techniques.

These trainings have been structured both in the form of specialized modules and as practical workshops, with the continuous participation of judges and prosecutors from all levels. The following list summarizes the main topics of the trainings held during this period, presenting a clear picture of the institutional focus on capacity building in the field of corruption prevention and prosecution.

---

5 [Kodi Nr. 04/L-123 i Procedures Penale](#), abolished

During this period, the Academy of Justice has organized the following training modules:

- Successful practices in combating corruption
- Financial crime investigation / Financial investigation / Financial investigations / Financial investigation program – 1st training
- Criminal offenses against official duty
- Public procurement and opportunities for combating corruption
- EU standards against organized crime and corruption
- Specialized Training Program for Public Procurement of Kosovo – Session I
- Specialized Training Program for Public Procurement of Kosovo – Session II
- Specialized Training Program for capacity building in the fight against corruption – Session I
- Organized crime and corruption.
- Specialized Training Program for capacity building in the fight against corruption – Session II
- Specialized Training Program for capacity building in the fight against corruption – Session III
- Failure to Declare Assets Investigation & Prosecution
- Corruption, investigation techniques
- Strengthening criminal investigation capacities against corruption, with criminal justice partners - with focus on the Mitrovica region
- Public Procurement Contracts
- Official Corruption and criminal offenses against official duty
- Procurement Procedures under the Law on Public Procurement of Kosovo in particular disputes with the PRB

During 2015, 11 training modules were organized, attended by a total of 122 participants, of whom 54 were judges and 68 were prosecutors. The main topics included combating corruption, investigating financial crimes, offences against official duty, EU standards against organized crime, as well as specialized programs on public procurement and anti-corruption capacity building.







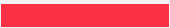
In 2016, 9 trainings were held, with a total participation of 190 participants, namely 92 judges and 98 prosecutors. The trainings focused on capacity building for the investigation and prosecution of assets, asset declaration, as well as the permanent topics of public procurement and the fight against corruption.

In 2017, 9 trainings were organized with a total of 121 participants, of whom 77 were judges and 44 were prosecutors. The topics covered mainly included capacity building in the fight against corruption, financial investigations, public procurement and advanced investigation techniques.

In 2018, 9 trainings were held, attended by 147 participants, of whom 95 were judges and 52 were prosecutors. The main focus was on financial investigations, strengthening criminal investigation capacities, topics related to public procurement, and specialized training on official corruption.



A total of 7 trainings were organized during 2019, attended by 85 participants, of whom 51 were judges and 34 were prosecutors. The trainings included topics of financial investigations, procurement procedures, advanced training on capacities in the fight against corruption and issues related to disputes in the PRB.

Year	Training			Total
		Judges	Prosecutors	
2015	11	54	68	 122
2016	9	92	98	 190
2017	9	77	44	 121
2018	9	95	52	 147
2019	7	51	34	 85

Although the number of judges and prosecutors trained during the period 2015–2019 has been significantly high (369 judges and 296 prosecutors), the results in increasing institutional performance in the fight against corruption have not been at the expected level. This indicates that widespread participation in training has not necessarily been accompanied by significant improvements in professional practice or efficiency in handling corruption cases.

Some of the possible reasons for this discrepancy may be related to:

- I. The lack of practical connection between training and the real daily work of judges and prosecutors.
- II. The fact that training has been treated more as a formal obligation, rather than as a process that requires reflection, continuous evaluation and monitoring of concrete results in practice.
- III. The lack of assessment of the individual needs of participants and adaptation of training modules to address real gaps in professional competencies.
- IV. Often the topics have been repeated every year, but without analysis of their impact on concrete judicial or prosecutorial work, which may have also led to fatigue or lack of motivation among participants.

In the end, this situation shows that investment in training should be accompanied by other supporting reforms, such as strengthening of internal supervision, continuous performance evaluation and improvement of accountability mechanisms in the justice system.

## Performance of the prosecutorial system

The assessment of the efficiency of prosecutions in handling corruption cases for the period 2015–2019 shows a complex situation where institutional capacities, the quality of criminal reports and investigative strategies directly affect the final results. The data collected from all Basic Prosecutions and the SPRK provide a clear comparative overview of the performance and results of each prosecution in this sensitive area of high public interest.

It is important to note that indictments filed in a given year are not always based on criminal reports filed that year, as investigations typically take more than a year. For example, many of the indictments filed in 2019 may be related to criminal reports filed in 2015 or 2016 and reflect the time required to investigate and decide on the charges.

According to the Instruction on High-Profile Corruption Acts, adopted in 2013, all high-profile corruption cases are the competence of the SPRK, which is responsible for handling cases involving senior public officials, central and local level officials, or cases with major financial and institutional impact. Consequently, all cases of this prosecution are considered high-profile cases, and constitute a separate segment of the fight against corruption in the country.

The SPRK has shown a variable dynamic during this period. In some years, the number of indictments filed by this prosecutor's office has significantly exceeded the number of reports received, which suggests handling of cases left over from previous years or a focus on long-term, focused investigations. However, this approach has not always been sustainable – i.e. in 2019, despite an increase in the number of reports, the number of indictments by the SPRK decreased. This may be related to structural difficulties in investigating high-level corruption, but also to the lack of sufficient resources.

On the other hand, the Basic Prosecution Offices have carried the burden of reports received each year. The Basic Prosecution Office in Prishtina has consistently had the highest number of reports, which is consistent with the geographical layout and institutional density of this region. However, the level of efficiency, measured through the ratio of indictments to reports, has been significantly lower compared to the SPRK. In many cases, the percentage of reports dropped and investigations discontinued by the Basic Prosecution Offices has been high, reflecting challenges in securing sufficient evidence, limited investigative capacity, or reports that do not meet minimum legal standards.

Another noticeable trend is the annual fluctuation in the number of reports received and indictments filed. For example, significant decreases in indictments are observed over the years despite stability in the number of reports – which may suggest a high workload for prosecutors, a lack of effective cooperation with the investigative police, or procedural obstacles in completing investigations.

Despite these difficulties, some of the prosecutor's offices, such as the one in Prizren and Pejë, have shown a relatively stable performance in the ratio between reports and indictments, although with a smaller total number of cases. This may be an indication of more careful selection of cases for prosecution or better institutional cooperation at the local level.

Year	SPRK Reports (persons)	SPRK Indictments	% of indictments against reports	Basic Prosecutor's Offices: Reports  (persons)	Basic Prosecutions: Indictments  (persons)	% of indictments against reports
2015	52	71	136%	808	372	46%
2016	12	97	808%	426	329	77%
2017	4	18	450%	439	340	77%
2018	7	35	500%	378	216	57%
2019	20	10	50%	399	223	56%

In 2015, the highest number of criminal reports was registered in the five-year period analyzed (860 in total), of which the SPRK accepted 52 cases. Despite this, it filed 71 indictments – a number that significantly exceeds the received reports, suggesting that remaining cases from previous years have been finalized. Its efficiency (ratio of indictments to reports) was very high. Basic Prosecution Offices, in particular the Basic Prosecution Office in Prishtina, faced a high caseload with 351 reports, but the percentage of indictments remained below 35%. The high number of discontinued investigations and dismissed reports indicates challenges in case preparation or lack of evidence.

In 2016, there was a significant decrease in reports (438), but with a similar number of indictments (426). This is largely attributed to the Prishtina Prosecution Office, which in this year alone filed 291 reports and filed 158 indictments. The SPRK filed 97 indictments from only 12 reports, indicating that the majority of cases processed were carried forward. Its formal efficiency was very high, but it also evidenced a reliance on previous cases and a focus on complex cases.

The year 2017 represents a stabilization in the total number of reports (443), but with an increase in dismissed cases. The SPRK had only 4 new reports and filed 18 indictments – this suggests a focus on a very small number of new cases, while the majority of activities were of a concluding nature. The Basic Prosecution Office in Prishtina continues to be the busiest with 208 reports and 122 indictments. Despite this, there is an increase in the number of dismissed investigations, which indicates problems in collecting evidence or effectively following up on reports.

In 2018, all prosecution offices received fewer cases (385 in total), with a downward trend in indictments as well. The SPRK received only 7 reports and filed 35 indictments – again a very high percentage, indicating a focus on previous cases. Meanwhile, the Basic Prosecution Office in Prishtina faced a disproportionate number of dismissed investigations (164), which far exceeds the number of indictments. Other prosecution offices display a moderate level of efficiency, with a noticeable decline in the final handling of cases.

In 2019, the number of reports remained almost the same as the previous year (419), but the SPRK had a significant decrease in indictments (only 10). This suggests either a lack of cases ripe for criminal proceedings or a lack of progress in investigations. In contrast, the Basic Prosecution Office in Prizren and the Basic Prosecution Office in Peja showed a better ratio between reports and indictments, albeit with modest figures. The tendency for reports to be dropped and investigations to be discontinued remained worrying in some regions.

In this regard, it should be noted that the SPRK has handled fewer criminal reports, but the ratio of indictments to reports is often significantly higher, which means that the reports that reach it are more elaborate and well-founded. During 2016 and 2017, the SPRK has filed many more indictments than reports received, which may indicate that it has handled reports carried over from previous years or has focused on complex cases with prolonged investigations.

The reason why this comparison between the SPRK and other basic prosecution offices stems from the fact that, according to the Instruction on High-Profile Corruption Offences (2013), an additional competence of the SPRK is to handle high-profile corruption criminal offences and this report wants to emphasize how high-level corruption has been combated by the prosecution bodies.

The SPRK, although with a smaller caseload, shows higher efficiency in cases that are closed with indictments, strengthening its role as the lead prosecutor in complex corruption cases. During this five-year period, the SPRK has received 95 criminal reports and filed 231 indictments. This suggests that a portion of the cases have been transferred from the basic prosecution offices as the investigations have required specialized treatment.

Meanwhile, the basic prosecution offices have received a total of 2,450 criminal reports and filed 1,480 indictments. The most pronounced difference is observed in 2015, when the reports reached 808, indicating a decrease in criminal reports since in 2019 only 399 reports were reported to be filed with the prosecuting authorities.

The ratio of indictments to reports in the SPRK (231 indictments to 95 reports), much higher than that of the basic prosecution offices (1480 indictments to 2450 reports), suggests that the SPRK focuses mainly on cases with a stronger evidentiary base, while basic prosecution offices, especially those with a high caseload, are often faced with reports that do not reach the threshold for filing an indictment. For this reason, the way the SPRK selects and manages cases can serve as an example for basic prosecution offices.

## Performance of judicial system

During 2015-2019, the Kosovo judicial system faced the same challenges that characterized the prosecutorial system in handling corruption cases. The Serious Crimes Departments of the basic courts did not always have a sufficient number of judges who met the legal requirements to serve on panels of three judges with three years of experience, therefore, these vacancies were allowed to be filled by judges from the general departments despite not having the experience required by law. Although this solution was not accompanied by serious complaints from the parties, it remained a temporary measure that directly affected the pace of case review.

While a special judicial department for SPRK cases did not yet exist, SPRK indictments continued to be reviewed in the Serious Crimes Departments of the basic courts, depending on territorial jurisdiction. This increased the workload of the panels, which already had limited capacity and were handling a wide range of serious criminal offences, in addition to corruption.

Statistics show that in 2015 the courts had 944 corruption cases in their docket (cases transferred and those received during the year) and only completed 273, corresponding to an efficiency rate of 28.9%; as a result, 671 cases remained unresolved at the end of the year. In 2016, with a total of 929 cases, 358 were completed and the caseload decreased to 571 and the efficiency rate improved to 38.5%. The year 2017 began with 811 cases, but 289 were completed, leaving 539 unfinished and reducing the efficiency rate to 35.6%.

The situation was repeated in 2018, when out of 774 pending cases, 256 were closed, while the caseload reached 518 and the efficiency rate fell to 33.1%, demonstrating that the courts were facing increasing complexity and a lack of specialized resources. Finally, in 2019, the number of cases in progress fell significantly to 419, mainly due to a decrease in new reports, and 157 cases were closed, providing an efficiency rate of 37.5% and reducing the total caseload to 269. Although efficiency fluctuated from year to year, the courts never managed to close more than 40% of the corruption cases they had in their hands. In practice, this means that each year there were more cases in progress in the system than were resolved. At that time, there was a shortage of judges, and without the addition of specialized judges, it was difficult to expect the judiciary to achieve a level of efficiency that would reverse the trend of backlogged corruption cases.

Year	Cases in progress*	Completed cases	Efficiency rate **	Remaining cases
2015	944	273	28,9 %	671
2016	929	358	38,5 %	571
2017	811	289	35,6 %	539
2018	774	256	33,1 %	518
2019	419	157	37,5 %	269

\* "Cases in progress" includes unfinished cases from the previous year plus all new reports of the year.

\*\* Efficiency rate = (Completed cases ÷ Cases in progress) × 100.

During 2015–2019, about half of the verdicts were convictions, but there was a significant decrease in sentences after 2016. The highest number of convictions was recorded that year, with 163, before this figure dropped to 161 in 2017 and 128 in 2018, and halved to 91 cases in 2019.

Although the majority of closed cases continued to end in convictions, prison sentences were significantly lower than fines or suspended sentences, which remained the most common option. This trend shows that, despite the severity expected for corruption offenses, courts were more inclined to impose lighter sentences.

On the other hand, acquittals and dismissals had the strongest fluctuation in 2016, when their number doubled compared to 2015. This increase suggests that many cases were submitted to court without sufficient evidence. After that year, both acquittals and dismissals fell, but remained above the initial level, which still signals weaknesses in case preparation.

The system appears to have made significant improvements in managing deadlines. Cases dismissed due to statute of limitations decreased from 20 in 2016 to none in 2019, which demonstrates better control over the procedural calendar.

In summary, the five-year period shows steps forward in procedural discipline, but also a need for more solid evidence and clearer sentencing policies. The decline in prison sentences, alongside the initial increase in releases, highlights the main challenge: building files that carry weight in the trial and determining sanctions that provide a deterrent effect for corruption.

Regarding sentences, the courts followed the trends presented in the table below.

Year	Conviction judgements	Acquittal judgements	Rejection judgments
2015	128	44	33
2016	163	84	49
2017	161	45	25
2018	128	62	23
2019	91	32	21
TOTAL	671	267	151

As for the convictions, the table below shows the types of convictions by year:

Year	Conviction judgement with imprisonment	Conviction Judgment With Fine	Suspended Sentence	Conviction Judgment Other
2015	34	40	53	1
2016	54	40	67	2
2017	33	58	70	0
2018	23	46	57	2
2019	30	32	27	2
TOTAL	174	216	274	7

The five-year trend points to a system where fines and suspended sentences have been the dominant measures throughout the period, indicating a tendency of the courts towards less repressive measures. This approach may be reasonable for corruption cases with limited harm, but may not provide the expected deterrent effect in cases with high public importance.

The increase in acquittals and dismissals in 2016 may be an indicator of shortcomings in the investigation and in the coordination between the prosecution and the police. Although the situation gradually improved, the higher figures than in 2015 indicate that the work on strengthening the evidence still remains an open issue.

On the procedural side, the courts have made significant progress. Statutes of limitations were reduced from twenty cases in 2016 to zero in 2019, while transfers of competence, which used to delay processes, almost disappeared. This improvement indicates greater discipline in the scheduling of hearings and in decision-making on jurisdiction.

However, the overall decline in convictions since 2016, despite still having a significant caseload, raises the question of whether the quality of cases being brought to court with indictments is being subjected to more rigorous quality control or whether fewer new cases are being brought forward for trial. In any case, the main challenge remains securing reliable evidence and a sentencing policy that combines justice with the deterrent effect of punishment.



## Conclusion of the 2015 – 2019 period

During the period 2015-2019, the institutional architecture of criminal justice in Kosovo was defined by a division of functions between eight prosecution offices, seven of which were basic and the SPRK and seven basic courts, but the lack of clear lines of competence and limited resources meant that the system often operated under pressure.

The 2011 High-Profile Case Instruction mitigated, but did not completely eliminate, the overlap between the SPRK and basic prosecution offices, especially with the one in Prishtina, while the courts remained short of a department dedicated exclusively to SPRK cases. These structural circumstances partly explain the high caseload and the fact that, even after five years, the judicial panels in the serious crimes departments failed to close more than 40% of the cases they had in hand.

Although attention to the statute of limitations of cases was raised to the extent that no statute of limitations was recorded in 2019, on the other hand the overall decline in convictions shows that the construction of evidence remains a weak point that directly affects the preventive effect of criminal justice.

Investment in training – approximately 700 participants (judges and prosecutors) involved in more than 40 modules – did not translate into a noticeable increase in institutional performance. The lack of connection between the content of the training and real needs, the repetition of topics without impact assessment and the treatment of participation as a formal obligation reduced the practical effect of this commitment. Only when trainings are supported by clear monitoring mechanisms, individual needs assessment and the reflection of results in the performance evaluation system, can they be transformed into tangible benefits for the fight against corruption.

Finally, despite some procedural improvements and a reduction in the overall caseload, the efficiency of the prosecution and the courts remains fragile and dependent on a number of factors: specialized human resources, the division of powers, the evidentiary power of the reports, and the courts' approach to punishing corruption.

Some of these shortcomings were attempted to be addressed through reform of the legal and institutional framework, which will be discussed in the following section.





# 2020

**PART 2:**  
**2020 – 2024**  
**Period**

# 2024

This period is characterized by several legal initiatives that aim to address the shortcomings and shortcomings identified over the years in the handling of corruption cases, but not only. As a result, a Special Department was established in the Basic Court to handle SPRK cases, the establishment of a separate unit exclusively for SPRK was envisaged, and the Instruction for Sentencing in Corruption Cases were issued with the aim of unifying judicial practice and ensuring a tougher policy towards corruption cases.

Furthermore, the Criminal Code and the Criminal Procedure Code were also revised, all of these in order to advance the justice system and improve the way corruption cases are handled. These changes aim not only to increase efficiency, but also to guarantee greater accountability and transparency in criminal proceedings.

## Organizational framework

The following period analyzed in this report includes the years 2020 to 2024, being used as a comparative period with the previous period 2015–2019. During these five years, the legal framework has undergone significant changes and, as a result, changes have also been made to the institutional organization of the justice sector.

With the entry into force of Law No. 06/L-054 on Courts,<sup>6</sup> the Special Department for Cases under the Competence of the SPRK was established within the Basic Court of Prishtina, with competence for the entire territory of the Republic of Kosovo. This innovation addressed the ongoing criticism regarding the way in which SPRK cases are handled, enabling these cases to be handled by a specialized department within the judicial system. In this way, the previous perception of preferential treatment of special prosecutors in relation to the judges handling these cases has also been reduced. The department has been operational since 2019, initially with six judges and then with nine.

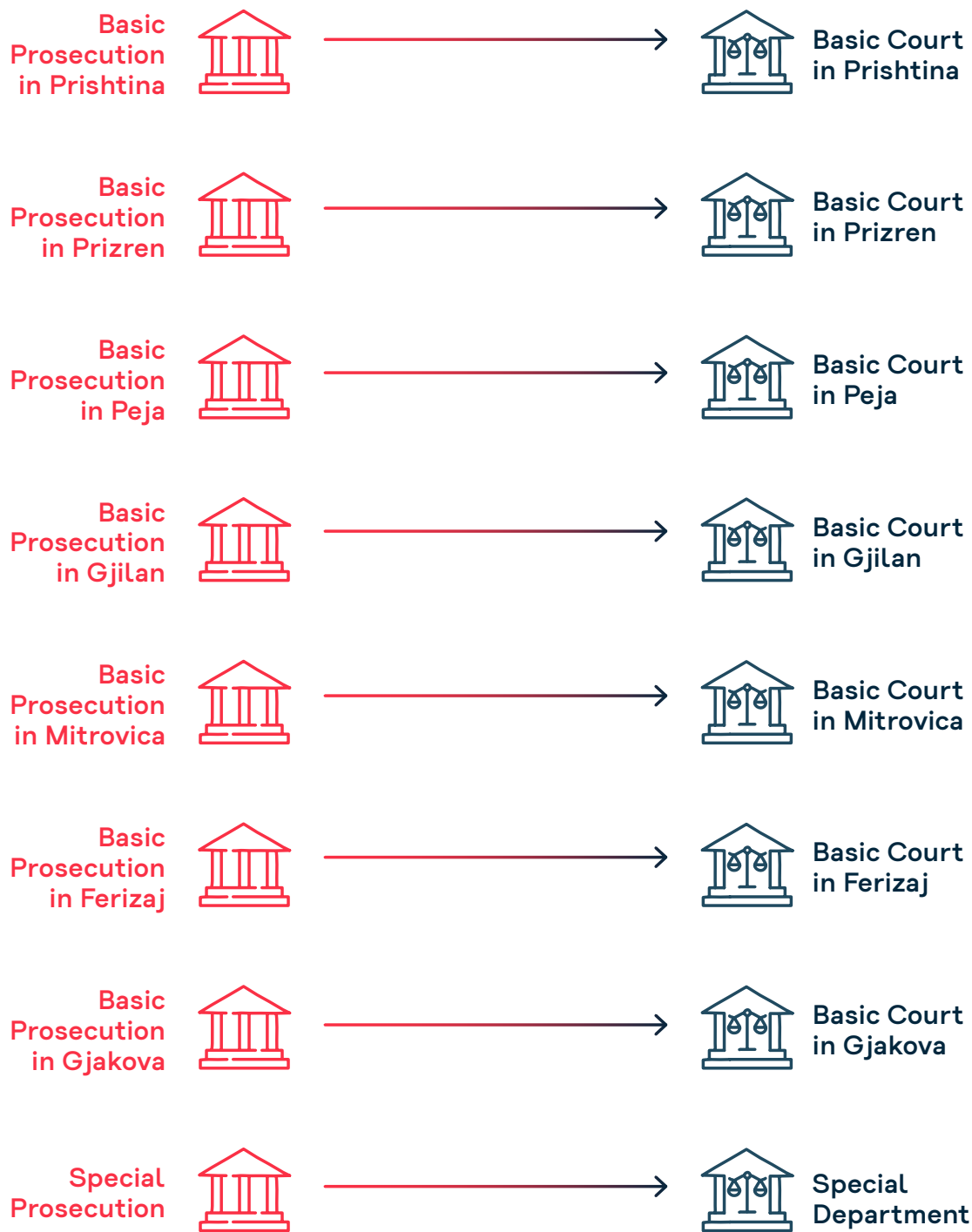
At the same time, although with a delay of four years due to various circumstances, the Law on the Special Prosecution Office,<sup>7</sup> has entered into force, bringing two main innovations, which have not yet produced the full expected effect:

---

<sup>6</sup> [Ligji Nr. 06/L-054 për Gjykatat](#)

<sup>7</sup> [Ligji Nr. 08/L-168 për Prokurorinë Speciale](#)

## The organizational structure of the prosecutorial and judicial system



1. Legal definition of high-level corruption, through a clear listing of entities considered as such, including:
  - The President of the Republic of Kosovo;
  - The Speaker or MPs of the Assembly of Kosovo;
  - The Prime Minister, Deputy Prime Ministers, Ministers or Deputy Ministers;
  - Mayors;
  - Judges;
  - Prosecutors;
  - Ombudsperson;
  - Governor of the Central Bank;
  - Director of the Kosovo Police;
  - Director of the Kosovo Intelligence Agency;
  - Auditor General;
  - General Directors of Customs and Tax Administration;
  - Chief administrative, financial and procurement officers in all public institutions;
  - Chief Executive Officers of public enterprises and independent agencies.
2. Establishment of the Special Investigation Unit within the Kosovo Police, in order to provide support to the SPRK for investigative actions related to cases of official corruption, criminal offenses against official duty and organized crime.

Unlike the 2013 Instruction on High-Profile Corruption Cases,<sup>8</sup> the new legislation has significantly expanded the list of public functions and positions that are treated as high-level corruption. Previously, some of these positions were included in this category only in cases where the economic damage was over 500,000 euros, while with the entry into force of the new law, this criterion is no longer necessary. Now, this category also includes key administrative, financial and procurement officials in all public institutions, for which the SPRK previously faced challenges in prosecuting some of these categories due to limitations in competence.

Also, the expansion of the competences of the SPRK to handle corruption cases, together with the expected assistance from the new Police Unit, requires that this unit have a sufficient number of police officers to cope with the expected increase in cases falling under its competence. In practice, the current capacities of the Kosovo Police do not meet these requirements, also reflecting the lack of full functionality of the Special Investigation Unit.

Although these reform initiatives have aimed to address the shortcomings identified earlier and have been undertaken with clear goals for improvement, the Special Investigation Unit in the Kosovo Police continues to be non-functional, remaining an irreplaceable link in the chain of the fight against criminal offenses of a corrupt nature.

---

8 Instruction to High Profile Cases of Corruption, 2013, [A.-190-2013-Udhezim-Veprat-E-Korrupsionit-Te-Nivelit-Te-Larte.Pdf](#)

## Legal framework

### Criminal Code No. 06/L-074 and Criminal Procedure Code No. 08/L-032

The new Criminal Code of Kosovo,<sup>9</sup> essentially maintains the basic structure of the provisions related to corruption and offences against official duty. All the main offences such as abuse of official position or authority, embezzlement in office, taking and giving bribes, conflict of interest, falsification of official documents and failure to report assets, continue to be foreseen and categorized as before. This ensures that the logic and order of the main offences remain familiar to legal practitioners, ensuring continuity in the approach to the fight against corruption.

This code precisely defines the nature of the criminal offense, the limits of punishments and the basic elements that must be proven for criminal liability. The provisions are structured in such a way as to reflect modern standards of criminal law and to ensure harmony with international principles and relevant EU directives.

An important innovation is the inclusion of the offense "Fraud in public procurement", which was not provided for in the old criminal code. This provision came in response to the need to more clearly address cases of misuse of public funds through procurement, an area where major challenges with corruption in the practice of public institutions have been identified. The inclusion of this offense demonstrates a more direct approach of the legislator to prevent abuses in the management of public contracts and to improve transparency in state budget expenditures.

Another innovation of the new Criminal Code is that the penalties for these offenses are harsher and vary according to their nature and consequences, from fines and short-term imprisonment for minor offenses, to long prison sentences for serious cases where there is significant material damage or significant benefits. For example, for abuse of official position, penalties start from six (6) months of imprisonment and go up to 10 (ten) years, depending on the consequences caused and the value of the material benefit. Special provisions are provided for cases where the criminal offense involves high values or special public damage.

Even further, in judicial practice, articles related to abuse of official position and bribery remain among the most used, especially in cases related to public procurement, state administration or management of public enterprises. Meanwhile, conflicts of interest and failure to declare assets continue to remain challenges both in terms of probity and in the interpretation of the provisions.

---

9 [Kodi Penal Nr. 06/L-074 i Republikës Së Kosovës](#)

**Table - Main penalties from Chapter XXXIV "Official corruption and criminal offenses against official duty"**

Article	Full name	Punishment under par. 1	Punishment under par. 2	Punishment under par. 3	Punishment under par. 4	Punishment under par. 5
<b>414</b>	<b>Abuse of official position or authority</b>	imprisonment from one (1) to eight (8) years	Fine and imprisonment of three (3) to ten (10) years (profit/damage >5,000€)			
<b>415</b>	<b>Abuse and fraud in public procurement</b>	fine and imprisonment of up to five (5) years.	fine and imprisonment of up to five (5) years.	Fine and imprisonment from 1 to 8 years. (profit/damage >5,000€)		
<b>416</b>	<b>Misuse of official information</b>	Fine or imprisonment of six (6) months to five (5) years.	Fine and imprisonment of two (2) to eight (8) years	Fine and imprisonment of one (1) to eight (8) years.	Fine and imprisonment of three (3) to twelve (12) years.	
<b>417</b>	<b>Conflict of interest</b>	fine and imprisonment for up to three (3) years	Imprisonment from one (1) to five (5) years (public procurement)			
<b>418</b>	<b>Acquisition in duty</b>	fine and imprisonment of six (6) months to five (5) years	fine and imprisonment 1 – 8 years (profit >5,000€)	fine and imprisonment 3 – 12 years (profit >50,000€)		
<b>419</b>	<b>Fraud on duty</b>	fine and imprisonment of six (6) months to five (5) years.	fine and imprisonment of one (1) to eight (8) years	fine and imprisonment 1 – 8 years (profit >5,000€)	fine and imprisonment 3 – 12 years (profit >50,000€)	
<b>420</b>	<b>Unauthorized use of property</b>	fine or imprisonment for up to three (3) years				
<b>421</b>	<b>Taking a bribe</b>	fine and imprisonment of one (1) to eight (8) years.	fine and imprisonment of three (3) to twelve (12) years.	fine and imprisonment of five (5) to fifteen (15) years (profit >15,000€)		



Article	Full name	Punishment under par. 1	Punishment under par. 2	Punishment under par. 3	Punishment under par. 4	Punishment under par. 5
422	<b>Giving a bribe</b>	fine and imprisonment for up to five (5) years	fine and imprisonment of six (6) months to five (5) years	fine and imprisonment 1 – 8 years (profit >15,000€)		
423	<b>Bribery of a foreign public official or foreign official persons</b>	fine and imprisonment of one (1) to eight (8) years	fine and imprisonment of three (3) to twelve (12) years	fine and imprisonment of three (3) to twelve (12) years (profit >15,000€)		
424	<b>Exercising influence</b>	fine and imprisonment of one (1) to eight (8) years	fine and imprisonment of six (6) months to eight (8) years			
425	<b>Unlawful issuing of court decisions</b>	imprisonment from six (6) months to five (5) years				
426	<b>Disclosure of official secret</b>	imprisonment of six (6) months to three (3) years.	fine and imprisonment of one (1) to ten (10) years	fine or imprisonment for up to three (3) years (negligence)		
427	<b>Falsification of official document</b>	imprisonment from six (6) months to five (5) years	imprisonment from six (6) months to five (5) years			
428	<b>Unlawful Collection and Payment</b>	fine and imprisonment for up to three (3) years	imprisonment up to three (3) years (profit >15,000€)			
429	<b>Unlawful appropriation of property during a search or execution of a court decision</b>	imprisonment from six (6) months to five (5) years				
430	<b>Failure to report or false reporting of assets, income, gifts, other material benefits or financial liabilities</b>	fine or imprisonment for up to three (3) years	fine and imprisonment of six (6) months to five (5) years			

Code No. 08/L-032 of Criminal Procedure<sup>10</sup> sets out the rules of criminal procedure applicable to the investigation, prosecution and trial of these offences. The relevant articles of this code determine which offences are considered serious crimes and must be dealt with by the Serious Crimes Department of the Basic Courts. Also in this code, a number of offences of a corrupt nature such as abuse of official position or authority, taking or giving bribes, fraud in office, etc., are categorized as serious crimes. As a result, these cases are dealt with by panels composed of three professional judges, reflecting their importance and sensitivity for public order and institutional integrity.

However, even with the new procedural code, the act of failure to declare or falsely declare assets is not included as an offense treated as a serious crime. As a result, these cases are handled by general departments and are usually tried by a single judge, without the priority or supervision of the department for serious crimes.

### **Supreme Court Special Instruction: Official Corruption and Criminal Offenses Against Official Duties**

The Special Instruction on Official Corruption and Criminal Offenses Against Official Duty<sup>11</sup> was issued by the Supreme Court of Kosovo in June 2021, with the aim of providing detailed and standardized instructions for judges and prosecutors regarding the handling of criminal offenses of corruption and violations of official duty.

The need for this Instruction has arisen from the difficulties encountered in practice during the investigation and trial of these offenses, especially due to the secret nature of corruption and the lack of clear victims. For this purpose, although the purpose of the Instruction was to unify the penal policy, through this instruction it is intended to clarify the main elements that must be proven for each criminal offense, as well as to provide criteria for the method of measuring penalties and the use of additional penalties. The document regulates issues related to the definition of an official person as well as intent and the method of testing these elements, as well as the factors taken into account in determining the penalty and related to criminal liability and damage, respectively the benefit. For an official person, it is emphasized that this status is determined not only by the formal position, but also by the actual exercise of public duties, while for its intent it is clarified that it must be present in most corruption offenses, often being proven through factual circumstances. In this way, the Instruction aims to bring about more uniform practice and increase the effectiveness in combating corruption.

The Instruction clarifies that the assessment of the level of culpability and the damage or benefit caused by the act are two main pillars that must be taken into account when determining the sentence for criminal offenses of corruption and against official duty.

Regarding the level of culpability, the court must look at how conscious and intentional the official acted. It is assessed whether the act was done with full intent, with knowledge of the circumstances and consequences, or whether it was influenced by mitigating circumstances

---

<sup>10</sup> Kodi Nr. 08/L-032 i Procedurës Penale

<sup>11</sup> Special Instruction on Official Corruption and Criminal Offenses Against Official Duty, 2021, [98248\\_Udhezuesi për Veprat e Korrupsionit-10 Qershor 2021.Pdf](#)

such as pressure from superiors, lack of experience or any other factor that may reduce the level of responsibility. For acts of corruption, intent and clear intent to benefit or cause harm to someone else are usually required.

For harm or benefit, the instruction requires a clear measurement of how much the public interest, person or institution has been harmed, or how much has been unfairly benefited by the perpetrator of the offense. The harm may be economic, reputational or a negative impact on the functioning of public institutions. On the other hand, the benefit (benefit) may include unlawful enrichment, unfair advantage or any other material or immaterial benefit.

According to the instruction, the higher the level of criminal intent and purpose, and the greater the harm or unlawful benefit, the more serious the offense should be considered and the higher the punishment is expected to be. Also, if the harm or benefit is small or the perpetrator has a smaller role, these circumstances may affect the reduction of the punishment.

Therefore, the court must always assess both elements – how the crime was committed (guilt/intent) and how much the person or other party has harmed or benefited from that crime, so that the punishment is fair and proportionate to the case.

As an illustration, the table from the Instruction was used regarding Article 414, paragraph 1 of the Criminal Code

– Abuse of official position or authority, which provides for a punishment of 1 to 8 years of imprisonment, regardless of the amount of damage caused or benefit gained through the criminal offense. This means that the law has set a broad framework for punishment, regardless of the specific value of the damage or benefit, while the Instruction helps determine the punishment more fairly and proportionately, based on the level of responsibility of the perpetrator and the extent of the damage or benefit caused in the specific case.

	RESPONSIBILITY		
DAMAGE:	HIGHT	MEDIUM	LOW
Up to 1000 EUR	3-5 years	2-3 years	1-2 years
1000 – 2500 EUR	5-7 years	3-5 years	2-3 years
2500 – 5000 EUR	7-8 years	5-7 years	3-5 years

In practice, this means that even for cases with minor damage, the punishment may be more severe if the official's responsibility is high, and conversely, the punishment may be lower if the official's role was smaller or the impact of the offense was limited, but always within the limits provided for by law. This approach aims to ensure more equal and predictable treatment of cases of abuse of official position.

While paragraph 2 of Article 414 provides that if the benefit or damage caused is over 5,000 euros, then the punishment becomes more severe and is determined from 3 to 10 years of imprisonment. This provision aims to punish cases where the damage or benefit is considerable more severely, reflecting the greater seriousness of the consequences of the criminal offense.

	RESPONSIBILITY		
DAMAGE:	HIGH	MEDIUM	LOW
Low	5-6 years	4-5 years	3-4 years
Medium	7-8 years	5-6 years	4-5 years
High	9-10 years	7-8 years	5-6 years

his means that if a simple official causes damage or benefits over 5,000 euros, he cannot be sentenced to less than 3 years in prison. However, in practice, this punitive policy is often not applied uniformly and there may be cases where the guideline is ignored or not taken into account sufficiently. Although legally this guideline is not binding, the fact that it was issued by the Supreme Court of Kosovo should have great weight and serve as a clear orientation for all judges, so that the sentences for these offenses are not arbitrary or inappropriate.

## Capacity building trainings in the fight against corruption

Even during the period 2020–2024, the Academy of Justice has continued to offer training and capacity building programs for judges and prosecutors with a focus on combating corruption and related crimes. These trainings have been organized on an ongoing basis, reflecting the current needs of the justice system and efforts to address practical challenges in preventing and prosecuting corruption. The high participation from all institutional levels demonstrates the commitment to the professional development of judicial and prosecutorial staff in accordance with the best local and international standards.



During 2020, a total of 8 training modules were organized, attended by 156 participants, of whom 94 judges and 62 prosecutors. Topics included organized crime and corruption, financial investigations, public procurement and advancing procedures for confiscation of illegal assets.

In 2021, 6 training modules were held, with a very high participation – a total of 260 participants, respectively 200 judges and 60 prosecutors. This year is characterized by an increased focus on criminal offenses against official duty, fraud and corruption in public procurement, as well as specialized sessions on organized crime and corruption. The increased participation especially by judges shows the continued interest and need for strengthening capacities in this area.

During 2022, a total of 10 training modules were organized with 164 participants – 100 judges and 64 prosecutors. The topics of the trainings were diverse, including the protection of judges/prosecutors involved in corruption cases, training on fraud and corruption in public procurement, financial investigation and asset recovery. An integration of regional elements and cross-border cooperation in the trainings is also noted, to address new challenges in the field of asset recovery.

In 2023, 11 training modules were held, with a total participation of 171 people, of whom 91 judges and 80 prosecutors. The trainings have covered a wide range of topics, including financial investigation and asset recovery, money laundering, criminal offences committed through public procurement, as well as classic topics of official corruption. Also, the involvement of prosecutors in the topics of financial investigations has increased, in addition to judges who dominate the more general topics of corruption and wealth.

During 2024, 8 training modules were implemented with a total of 113 participants, of whom 69 judges and 44 prosecutors. The focus on financial investigations, asset recovery, money laundering, official corruption and public procurement continues to prevail, reflecting the ongoing needs and challenges of the justice system in this area.

Year	Training Modules			Total
		Judges	Prosecutors	
2020	8	94	62	<div></div> 177
2021	6	200	60	<div></div> 260
2022	10	100	64	<div></div> 164
2023	11	91	80	<div></div> 171
2024	8	69	44	<div></div> 113

During the years 2020-2024, the Academy of Justice organized 43 training modules with a total participation of about 864 officials (554 judges and 310 prosecutors) – a significant increase compared to the period 2015-2019 (665 participants). This increase demonstrates institutional commitment to professional development, especially in the areas of financial investigations, asset recovery and corruption in public procurement.

However, the performance data on the prosecution and adjudication of corruption during the same period does not reflect a proportional improvement with the level of training, which is almost at the same levels as in previous years. This means that the challenges identified earlier continue to be present.

# Performance of the prosecutorial system

The years 2020–2024 represent a phase where the prosecutorial system has operated in various challenging contexts – including the COVID-19 pandemic, increased public pressure for concrete results in the fight against corruption, and legal changes that have affected the course of criminal investigations. Compared to the period 2015–2019, this phase is characterized by marked fluctuations in the number of criminal reports and indictments, with a tendency for case concentration in a few prosecutorial offices and a noticeable increase in the disparity of efficiency between prosecutorial units.

As in previous periods, the SPRK continues to handle high-profile corruption cases, based on the 2013 High-Profile Corruption Acts Instruction, which defines this prosecutorial office as the institution responsible for prosecuting cases involving senior officials, large financial damages or high institutional influence. Thus, all cases handled by this prosecutorial office in the analysis are considered high-profile cases.

Year	SPRK Reports (persons)	SPRK Indictment	% of indictments against reports	Basic Prosecution Offices: Reports (persons)	Basic Prosecutions: Indictment (persons)	% of indictments against reports
				322	194	60.25
2021	69	43	62.32	416	305	73.32
2022	57	54	94.74	503	209	41.55
2023	44	24	54.55	586	263	44.88
2024	92	91	98.91	483	203	42.03

In 2020, the SPRK received 57 reports and filed 51 indictments, showing a fairly high efficiency ratio (~89%). Compared to previous years, the SPRK had a balance between new and completed cases. The Basic Prosecution Office in Prishtina continued to face the highest number of reports (117), with a high level of indictments (95), which is a positive exception. The rest of the prosecution offices have modest figures, but with a good percentage of indictments in relation to reports.

In the following year 2021, the SPRK processed 69 reports and filed 43 indictments – a decrease in efficiency compared to the previous year. The Basic Prosecution Offices in Prishtina and Mitrovica show relatively high efficiency, with 139 and 50 reports and 106 and 33 indictments respectively. The Basic Prosecution Office in Ferizaj has an interesting exception – the number of indictments (47) is higher than the number of reports (42), which suggests the finalization of the transferred cases. In general, this year is characterized by a higher level of indictments compared to the number of reports for all prosecutions, making it one of the most productive years in terms of criminal prosecution.

In 2022, the SPRK maintains a very high efficiency (54 indictments out of 57 reports). However, the Basic Prosecution Offices in Prizren, Peja and Gjakova report very low figures of indictments compared to the number of reports – 3, 1 and 11, respectively, which suggests either a lack of investigative work, or poor quality of reports. The Basic Prosecution Offices in Mitrovica and Gjilan demonstrate acceptable efficiency. This year shows a large increase in the total number of reports (560), but with an uneven performance between prosecutions.

In 2023, the SPRK has a significant decline in efficiency – only 24 indictments out of 44 reports. The Basic Prosecution Office in Prishtina shows a very high caseload (288 reports), but only 88 indictments, reflecting a low percentage. Meanwhile, the Basic Prosecution Office in Gjakova has reported 29 reports and 43 indictments, which suggests the closure of transferred cases. Overall, the overall efficiency for the country is declining compared to the previous year, with isolated exceptions.

The SPRK has recorded its best performance in the last five years in 2024, with 92 reports and 91 indictments – almost 100% efficiency. This clearly shows that a portion of the accumulated cases have been finalized with indictments. The Basic Prosecution Office in Prishtina reported 192 reports and only 59 indictments, reinforcing the idea that high volume does not automatically translate into efficiency. While the Basic Prosecution Office in Mitrovica reported comparable figures between reports and indictments (43 to 39), which is a positive indicator of regional efficiency.

In conclusion, during this period, always according to statistical data, the SPRK has consistently maintained a high level of efficiency in handling corruption cases, especially in the years 2020 and 2024, where the percentage of indictments filed against received reports has been close to or above 90%. This indicates a continued focus on handling high-profile cases and a more consolidated approach to finalizing investigations with criminal proceedings.

Meanwhile, the Basic Prosecution Office in Prishtina faces the highest number of criminal reports in the country every year. However, this workload has not been followed up with the same level of efficiency, as the percentage of indictments in relation to reports remains significantly lower compared to the SPRK. This may be an indicator of structural challenges or insufficient resources to effectively handle all cases.

In some prosecution offices, such as Peja and Prizren, exceptionally low percentages of indictments have been observed in some years, despite the fact that the workload has not been among the highest. This indicates the need for a more in-depth analysis to understand the factors that influence their performance – be it human capacities, internal organization or approach to criminal prosecution.



## Performance of judicial system

The performance of the judicial system for this period will be analyzed in two parts: the years 2020 and 2021, and the years 2022, 2023 and 2024, as the data we have received from the KJC for the last three years - for the period 2022–2024 - present considerable difficulties in accurately determining the type of decisions or sentences imposed. In many cases, for cases that had only one defendant, more than one punitive measure was recorded, even though the charge was for only one criminal offense. This complicates the analysis and interpretation of the data. Furthermore, in cases where more than one punitive measure was recorded, data on the number of defendants is often missing, which creates uncertainty and significantly complicates the clarification of the structure of the relevant judicial decisions.

Furthermore, no data on the performance of the Special Department at the Basic Court of Prishtina has been received, which would allow for direct analysis alongside SPRK data.

In 2020, faced with limitations on courtroom work and the reorganization of hearings due to the pandemic, the courts had 394 corruption cases in their hands. Of these, only 112 were completed. This means that approximately three-quarters of that year’s work remained unfinished, bringing the backlog to 282.

The situation did not change significantly in 2021, where the number of corruption cases decreased slightly to 383, but the courts completed only two fewer cases than the previous year – 108 in total. The number of backlogs remained almost unchanged, with 275 cases being transferred to the following calendar year. In practice, the courts closed less than a third of the cases they had in hand in each of the two years.

Year	Cases in progress*	Completed cases	Efficiency rate**	Remaining cases
2020	394	112	28.4%	282
2021	383	108	28.2%	275

A slight change in the composition of the decisions is noted in imprisonment sentences. After a year in 2020 where 17 such sentences were imposed, 2021 brought an increase to 22 imprisonment sentences. Fines, meanwhile, remained the most frequent measure (33 in 2020, 31 in 2021), while suspended sentences fell from 13 to 6, which signals that the courts have started to reserve this form of sanction only for the truly mildest cases.

YEAR	IMPRISONMENT SENTENCES	WITH A FINE	SUSPENDED	PENALTIES IN TOTAL
2020	17	33	13	63
2021	22	31	6	59

Acquittals and rejections declined. Acquittals fell from 30 to 26, while rejections were halved from 9 to 4. This gives the impression that prosecutors are sending more substantive cases to the courts, or that the judiciary is filtering out procedural problems earlier. Even cases that were once closed due to statute of limitations were completely eliminated, with no such cases recorded in either year.

However, the ratio between completed cases and those that remain unfinished leaves no room for complacency. More than seven out of ten corruption cases are still awaiting a decision. Unless specialized judges are added and procedures for less complex cases are simplified, the trajectory of the backlog will remain virtually unchanged.

In essence, 2020 and 2021 confirmed a double reality: on the one hand, the quality of judgments is improving, with more prison sentences and fewer unfounded acquittals; on the other hand, the pace of work remains below the threshold necessary to reduce the backlog of cases.

The judicial system reported mixed figures for the handling of corruption cases in 2022-2024. Official data show not only large fluctuations in the number of cases concluded, but also discrepancies between cases unresolved at the end of one year and those that appear as inherited in the following year. This makes it difficult to truly understand the workload and assess how effective the judiciary has been in closing corruption cases.

Year	Caseload (in progress)	Completed cases	Completion rate	Unresolved cases
2022	268	82	30,6 %	184
2023	128	47	36,7 %	72
2024	462	398	86,1 %	64

Because during the compilation of this report, these data did not seem accurate to us, we are also presenting the table of courts for the years 2022, 2023 and 2024.

The table below provides a more detailed overview.

	Inherited	Received	Cases in progress	resolved	Unsolved	
2022	Prishtina	74	36	110	33	77
	Gjilan	21	27	48	17	31
	Prizren	13	20	33	15	18
	Mitrovica	31	14	45	6	37
	Gjakova	5	3	8	3	5
	Peja	4	8	12	6	6
	Ferizaj	10	2	12	2	10
	TOTAL	158	110	268	82	184
2023	Prishtina	37	1	38	13	15
	Gjilan	12	6	18	7	11
	Prizren	6	5	11	4	7
	Mitrovica	27	6	33	11	22
	Gjakova	13	3	16	6	11
	Peja	5	3	8	3	5
	Ferizaj	4	0	4	3	1
	TOTAL	104	24	128	47	72
2024	Prishtina	117	8	125	109	16
	Gjilan	96	3	99	92	7
	Prizren	70	13	83	72	11
	Mitrovica	41	10	51	38	13
	Gjakova	17	3	20	19	1
	Peja	18	4	22	20	2
	Ferizaj	28	4	32	27	5
	Special Department, Prishtina	27	3	30	21	9
	TOTAL	414	48	462	398	64

In 2022, courts started with 268 corruption cases and managed to complete 82, leaving 184 unresolved; almost three-quarters of the caseload remained pending, mainly in Prishtina and Mitrovica. In 2023, the caseload declined to 128 cases, but only 47 were closed, so 72 were carried over to the following year – the completion rate improved slightly, but remained far from the target to reduce the caseload. The year 2024 turned out to be beyond expectations: 462 cases in progress and 398 completed are reported, increasing the completion rate to 86%. This unexpected increase raises doubts about the way cases are recorded; 342 cases are added to the “inherited” column without being reflected in the 2023 figures, and 390 “additional” cases appear within a year.

This gap means that the “unresolved” columns of one year and the “inherited” columns of the following year do not communicate properly. Without a clear numerical link, it becomes difficult to truly understand how many cases remain pending and how many are resolved in each calendar year.

The lack of a numerical link between unresolved cases and those seen as inherited cases the following year means a high risk of inaccurate resource planning, truncated transparency, and difficulties in truly measuring progress. Without a full verification of records and without the same reporting standards across all courts, it remains unclear whether 2024 represents a real success or simply a statistical cleanup.

The data for 2022-2024 show two sides of the coin: on the one hand, courts managed to close a record number of cases in 2024, while on the other hand, reporting on unresolved and inherited cases remains inconsistent.

Until this discrepancy is closed with a full audit of the records, we cannot know for sure whether this is a real improvement or simply a statistical cleanup. Only a clear and standardized overview will enable the judicial system to plan resources appropriately and gain public confidence that corruption cases are being resolved in a timely manner.

# Conclusions

When comparing the period 2015-2019 with 2020-2024, it is clear that legal interventions have given the system a more precise infrastructure, but the results on the ground are moving more slowly than the provisions on paper. In the first phase, the laws adopted in 2013 were implemented without specialized mechanisms and without clear boundaries of competences, so the basic prosecutor's offices carried the majority of the reports but achieved a limited indictment rate. Meanwhile, the judiciary, operated with departments of serious crimes distributed across the seven basic courts, without an exclusive body for SPRK cases and without a sufficient number of judges with specific experience. This fragmented structure and the lack of common standards in punishment contributed to the high caseload of unsolved cases and lenient sentences, mainly fines or suspended sentences.

In the second period, the legislator laid down the foundations for a more centralized handling of high-level corruption: the Prishtina Special Department gained territorial jurisdiction over SPRK cases, the new Criminal Code strengthened the punitive framework, and the new Law on SPRK expanded the list of officials who are automatically treated as subjects of high corruption. The Supreme Court, with the 2021 Instruction, provided guidelines for measuring culpability and damage, aiming to make punitive policy comparable from case to case. The SPRK has used this configuration and in 2020 and 2024 filed indictments for almost all received reports. But the effects on basic prosecutions are more modest as the Basic Prosecution in Prishtina remains overburdened and often fails to advance reports into indictments to the desired extent, while Peja and Prizren continue to produce symbolic indictments despite the relatively small number of cases.

On the courts' side, the specialized department has increased procedural transparency in SPRK cases, but the figures reported for 2022-2024 do not organically relate to the caseload carried, casting doubt on the reported improvement in efficiency. Without a single reporting standard and without external auditing of statistics, it is difficult to measure how many cases are actually closed and how many are simply shuffled between the "inherited" and "unresolved" columns.

What remains unchanged during both periods is the difference between the sheer number of trainings and their impact on practice. Over eighty modules have been held over ten years, with more than 1,500 participants, but without a monitoring system linking individual performance to training participation. Until on-the-job mentoring and needs assessment become routine, investment in capacity building continues to produce more nominal than substantial results.

In essence, Kosovo has made an important step from a "formal legal framework" to a "specialized institutional infrastructure," but success will only be measured when the Special Investigation Unit becomes functional, when basic prosecution offices have balanced resources, and when courts report verified data that accurately reflects the progress of corruption cases. Only then will the Instruction of the Supreme Court, the reformed Codes, and the Special Department translate into a sustainable reduction in corruption and increased public trust in justice.

# Recommendations

The following recommendations aim to translate the main findings of the analysis into concrete, measurable and achievable actions by the responsible institutions. They focus on the most obvious gaps with the ultimate goal of a more credible justice system, with speedy trials, predictable sentences and real accountability for public officials.

## Full operationalization of the Special Investigation Unit

Without dedicated investigators, the SPRK is forced to rely on general police structures, which delays operational actions and consequently reduces the chances of collecting quality evidence. The Special Unit, with clear mandates, working protocols and a separate budget, will ensure faster response, stronger prosecutor-police cooperation and unification of investigative techniques in complex corruption cases.

## Standardization and annual audit of prosecutorial and judicial statistics

Today, reporting formats vary from one institution to another, making it impossible to correctly compare data and effectively plan resources. A unique methodology, audited annually by an independent body, increases transparency, provides public credibility, and allows for proactive management of case stock.

## Redistribution of workload in the Basic Prosecution Office in Prishtina and increase in support staff

The Basic Prosecution Office in Prishtina handles almost a third of the reports at the national level, which creates structural delays even when prosecutors are motivated. Increasing the number of prosecutors, accompanied by an increase in professional associates and forensic accountants in Prishtina, would bring the time to complete investigations within the legal deadlines.

## Mandatory implementation of the Supreme Court Instruction on sentencing

Court rulings on corruption still vary significantly for cases with similar circumstances, creating a perception of injustice. The issuance of a Law on Sentencing Policy will make it a binding reference for judges, limit excessive discretion, and increase the predictability of sanctions.

### **Categorization of non-declaration of assets as a serious crime**

When non-declaration is adjudicated in general departments, cases often fall behind the priority list. Adding this offense to the list of serious crimes automatically transfers it to three-judge panels and creates a stronger deterrent effect, as officials understand that the matter is treated with the same seriousness as bribery or abuse of office.

### **Post-training mentoring program, linked to performance evaluation**

Classic modules provide theoretical knowledge, but without practical support they lose their effect. A scheme where each participant works on a concrete case under the guidance of a mentor and then reports the results, ensures real knowledge transfer and makes the training count in the employee's annual evaluation.

### **High-profile cases with fixed deadlines**

Cases involving high-ranking officials damage public perception due to delays in the completion of these cases. Setting a calendar for block hearings keeps the case in the court's focus and reduces the litigants' tactics to drag out the process.

### **Five-year review of the legal framework with input from civil society**

The social and technological environment changes rapidly and provisions that seem relevant today may become irrelevant in a few years. A periodic mechanism, with open round tables for civil society organizations, lawyers, practitioners and academia, ensures that laws remain enforceable, in line with EU standards and focused on citizens' interests.

