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# Monitoring Report on the Kosovo Judicial Council and the Kosovo Prosecutorial Council

JANUARY – DECEMBER 2024





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TITLE:

**Monitoring Report on the Kosovo Judicial Council and the Kosovo  
Prosecutorial Council (January - December 2024)**

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# 1. Introduction

Monitoring report of Kosovo Judicial Council (KJC) and the Kosovo Prosecutorial Council (KPC) meetings is the second report that has been compiled by Levizja FOL, in order to reflect the data collected from the monitoring of meetings of KJC and KPC during the monitoring period (January-December 2024). The purpose of this monitoring is to advocate for transparency and accountability in the decision-making processes of these institutions, which have an important role in the Kosovo Justice Administration.

Transparency is an essential element in building public trust in the justice system. It helps to ensure the stability and integrity of institutions, facilitating open communication between citizens and councils. In this context, monitoring the meetings and activities of KJC and KPC is an important step towards promoting a culture of accountability and transparency in the justice administration.

This monitoring report will help assess the efficiency of KJC and KPC meetings, compliance with legal deadlines for the publication of agendas, and the engagement of members of these councils in discussions. Through this process, Levizja FOL aims to identify challenges and opportunities for improvement, contributing to the strengthening of control and oversight mechanisms of these institutions.

In addition to the analysis of the collected data, this report will also include recommendations for improving the practices of the KJC and the KPC. These recommendations will be based on the findings during monitoring and will aim to address the identified challenges, as well as increase transparency and accountability in these institutions.

The following will present monitoring data for the KJC and the KPC, which will provide a clear picture of their performance during the monitoring period. This data will serve as an important source of information for the future policies and practices of these institutions, while also providing a basis for public dialogue on further reform and improvement of the Kosovo Justice Administration.

## 2. Methodology

In compiling this report, Levizja FOL used the method of continuous monitoring of all meetings held by the KJC and the KPC, based on the published agendas on the official websites of both councils.

By collecting data and analyzing them, FOL aims to identify challenges and opportunities for improvement in the functioning of these councils, contributing to strengthening public trust in the justice system. Consequently, the purpose of this monitoring is to assess the efficiency of meetings, respect for legal deadlines for the publication of agendas, and the level of engagement of members in discussions.

Levizja FOL monitored the meetings of the Kosovo Judicial Council in person, meetings which have also been broadcasted live on the Kosovo Judicial Council website, while the meetings of the Kosovo Prosecutorial Council have been monitored online as well as in person. The data collected from this monitoring process has been processed in the form of infographics and published every six months on Levizja FOL social networks.

Levizja FOL has created a summary of the data that emerge from KJC and the KPC meetings, which includes the following:

- *Number of meetings monitored*
- *Respecting legal deadlines for publishing meeting agendas*
- *Number of agendas published in both official languages*
- *The presence of members at council meetings*
- *Average meeting start delays*
- *Members who contributed the most during the meetings*

These items are addressed for both institutions in this report, with the aim of providing a clear overview of their performance and the engagement of members in decision-making processes.

### 3. Findings from the monitoring of the Kosovo Judicial Council meetings (January-December 2024)

The nature of meetings, quorum and decision-making at KJC meetings are regulated by the Law on the Kosovo Judicial Council, as well as Regulation No. 03/2020 on the Organization and Activities of the KJC.<sup>1</sup>

The Law on the KJC, namely Article 14 thereof, has determined that meetings of the council are open to public, and the agenda will be accessible to the public 48 hours before the meeting<sup>2</sup>. The same legal provision also stipulates the terms under which meetings may be closed to the public, as well as the obligation to publish the decisions adopted from the meetings held, which must be published on the council's website within five days.

Meanwhile, KJC Regulation 03/2020, in its Articles 26 - 42, also provides for the approval of the meeting calendar at the beginning of each year, which the KJC may deviate from whenever it deems necessary. This regulation also regulates the issue of discussion of agenda items and voting, quorum, and recording of meetings.

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1 [https://www.gjyqesori-rks.org/ep-content/uploads/lqsl/43176\\_Rregullore%20nr.%2003-2020%20mbi%20organizimin%20dhe%20veprimtarine%20e%20Koshillit%20Gjyqesor%20te%20Kosoves.pdf](https://www.gjyqesori-rks.org/ep-content/uploads/lqsl/43176_Rregullore%20nr.%2003-2020%20mbi%20organizimin%20dhe%20veprimtarine%20e%20Koshillit%20Gjyqesor%20te%20Kosoves.pdf)

2 Law No. 06/L-055 on the Kosovo Judicial Council



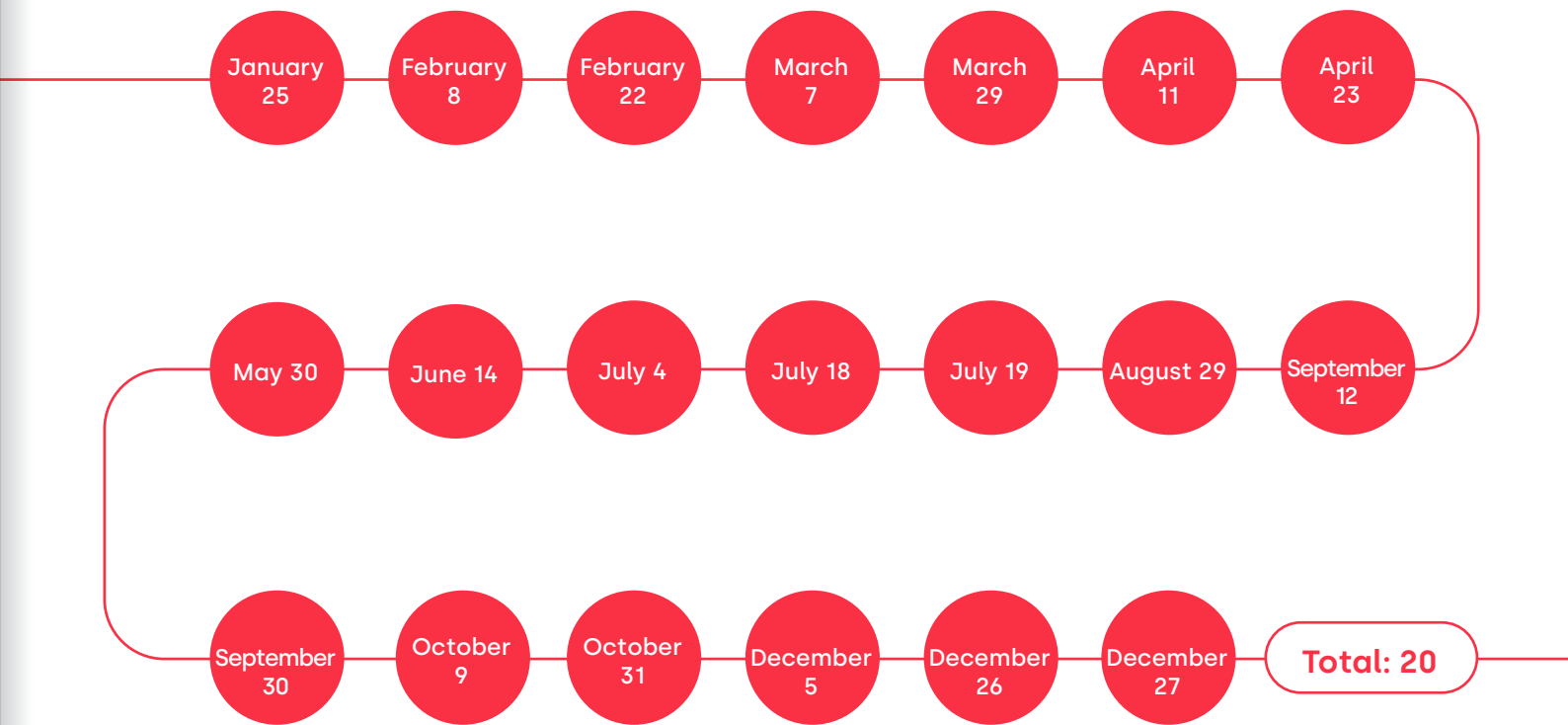
### 3.1 Total Number of Meetings Held

On December 27, 2023, KJC issued Decision No. 552/2023, through which the KJC meeting schedule for 2024 was approved. Through this decision, it was planned that during each month of this year, 2 meetings would be held, according to the dates provided for in this decision.<sup>3</sup>

During the period January-December 2024, the KJC held a total of 20 meetings, an average of 2 meetings per month, with some exceptions. In July and December, 3 meetings were held, while in February, March, April, June and October, 2 meetings were held. While in January, May and June, 1 meeting was held.

The table below shows the dates of the meetings held for the period January-December 2024.

#### Dates of KJC meetings during the period January-December 2024



**Graph 1.** Number and dates of KJC meetings for the period January-December 2024.

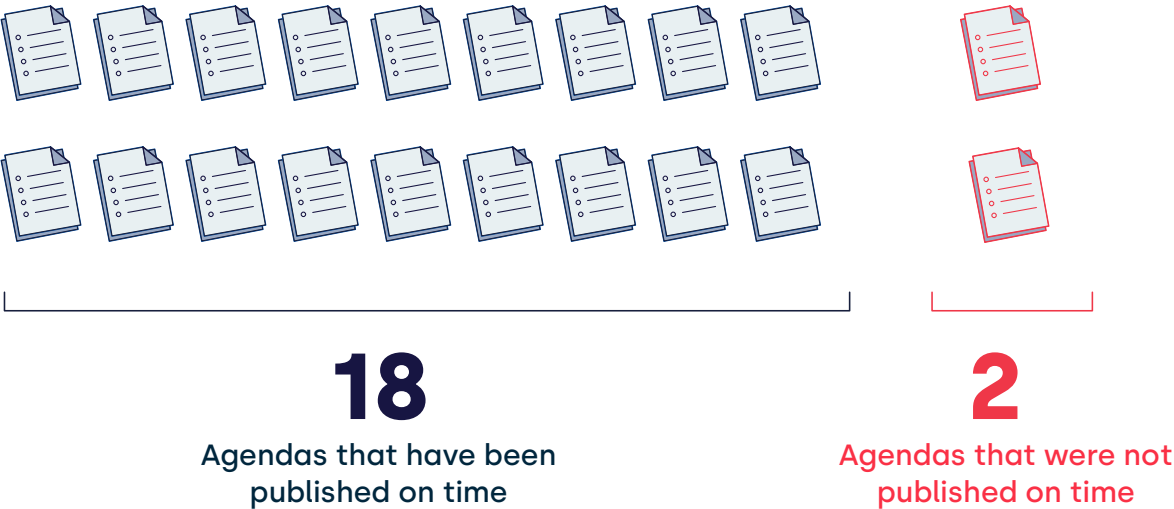
<sup>3</sup> Kosovo Judicial Council, KJC. No. 552/2023, 27 December 2023.

### 3.2 Publication of agendas

Paragraph 2 of Article 14 of the Law on the KJC stipulates the obligation of the KJC to publish the agenda/meeting agenda at least 48 hours before the meeting. However, from FOL's monitoring, out of 20 meetings held, 2 of the agendas were not published on time. Therefore, 18 agendas were published in accordance with the legal deadlines.

This finding shows that the KJC has managed to strictly implement the legal obligations for the publication of agendas, unlike last year, where the number of unpublished agendas was significantly higher. Consequently, it is important that the KJC respects the deadlines set by law for the publication of agendas, thus ensuring transparency and accountability in its decision-making processes.

The table below shows the number of agendas published within the foreseen period and those that failed to be published within this period.



**Graph 2.** Number of agendas published on time and those not published on time.

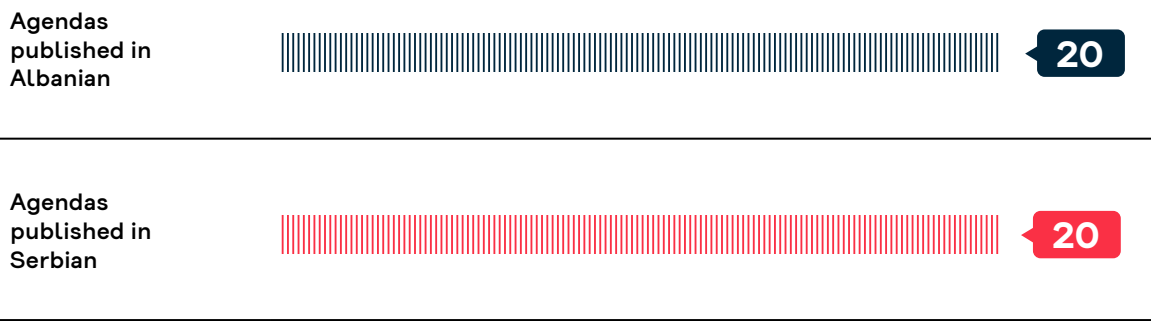
### 3.3 Respecting bilingualism in the publication of agendas

Respecting bilingualism in the publication of agendas is another legal obligation that also stems from the Constitution of the Republic of Kosovo, as the highest legal act. Article 5 paragraph 1 of the Constitution of the Republic of Kosovo provides that the official languages in our country are: Albanian and Serbian<sup>4</sup>. Consequently, from this constitutional provision also follows the obligation that state institutions must offer their services to citizens in two official languages.

The KJC, with its sub-legal act, namely Regulation 03/2020, has foreseen the obligation to publish meeting agendas in the two official languages of the country: Albanian and Serbian. This provision represents an important step in ensuring that decision-making processes are accessible and understandable also for the Serbian community, thus promoting transparency and equal inclusion in public information.

During the period January-December 2024, the KJC held a total of 20 meetings, while the agendas in both official languages for these meetings were published according to the legal deadline for all meetings.

Compared to the previous year, in 2024 the KJC managed to strictly comply with this legal obligation. In last year's FOL report, it was identified that in some cases agendas were not published in the Serbian language, therefore it was recommended that the KJC take care of implementing this legal requirement.<sup>5</sup>



**Graph 3.** Number of agendas published in Albanian and Serbian for KJC meetings.

4 Constitution of the Republic of Kosovo, Article 5, paragraph 1  
5 Monitoring report of Kosovo Judicial Council and the Kosovo Prosecutorial Council meetings (2023) p.23

### 3.4 Publication of adopted decisions

The Law on the KJC stipulates that decisions must be published on the official website of the Council within five days of their adoption. This provision is of particular importance in ensuring transparency and accountability in the work of the KJC, enabling the public and interested stakeholders to have full access to information about decisions and policies that directly affect the justice administration.

During the period January-December 2024, a significant portion of the decisions adopted by the KJC were not published. This is particularly evident in May, where out of 31 decisions adopted, only 17 were published. Consequently, the KJC needs to improve the process of publishing decisions to increase its accountability.

The table below shows the number of decisions adopted and the number of decisions published at each meeting held.

Meeting dates	Number of decisions adopted	Number of published decisions
January 25	29	18
February 22	23	18
February 8	14	6
March 7	11	8
March 29	12	12
April 11	15	15
April 23	12	12
May 30	31	17
June 14	11	8
July 4th	4	4
July 18	14	11
July 19	19	19
August 29	14	14
September 12	20	19
September 30	7	7
October 9	11	11
October 10	10	10
October 31	19	19
December 5	17	17
December 26	23	21
December 27	14	14
Total	330	280

**Table 1.** Level of publication of decisions adopted from meetings held during the period January-December 2024.

### 3.5 Participation of members in meetings

During the period January-December 2024, the participation of KJC members in the meetings held was monitored. Out of 20 meetings held, all members of the Council were mainly present, except for May, June, July and October where one member was absent.

In this section, it should be noted that during this monitoring year, the KJC had changed its composition. Consequently, it should be noted that until August, the KJC consisted of 12 members, but since August, 1 member from the Serbian community has resigned from this position. Since that date, the position of the same has not been filled.

The Constitution of the Republic of Kosovo has provided provisions for the selection of KJC members, specifically Article 108 paragraph 6, point (3) expressly stipulates that: two members shall be elected by the MP's of the Assembly of Kosovo, who shall hold the seats reserved or guaranteed for representatives of the Serbian community in Kosovo, and at least one of these two shall be a judge.<sup>6</sup>

In 2024, the Kosovo Judicial Council (KJC) operated with a total of 12 members. However, following the resignation of Adrijana Miletić, a member representing the Serbian community, on 7 August 2024, the number of active members decreased to 11.

Ms. Miletić resigned for professional reasons. After her departure, only one of the three seats guaranteed for the representation of non-majority communities remains filled.

Additionally, on 22 November 2023, the President of the KJC officially notified the President of the Assembly of the resignation of Mr. Nikola Kabašić, another member representing the Serbian community.

As a result of these resignations, the KJC currently has two vacant seats designated for representatives of the Serbian community, which have not yet been filled by the Assembly.

Consequently, the responsibility for initiating the recruitment process falls on the Assembly of the Republic of Kosovo. According to the Law on the Kosovo Judicial Council, the procedure should begin within thirty (30) days from the date the position becomes vacant.<sup>7</sup>

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<sup>6</sup> Constitution of the Republic of Kosovo, Article 108, paragraph 6, point 3

<sup>7</sup> Law on the Kosovo Judicial Council, Article 10, paragraph 2

In the table below, find the number of members who were absent during the meetings held.

<b>Meeting date</b>	<b>Present</b>	<b>absent</b>
January 25	12	0
January 22	12	0
February 8	12	0
March 7	12	0
March 29	12	0
April 11	11	1
April 23	12	0
May 30	11	1
June 14	11	1
July 4	11	1
July 18	11	1
July 19	11	1
August 29	11	0
September 12	11	0
September 30	11	0
October 9	10	1
October 10	11	0
October 31	11	0
December 5	11	0
December 26	11	0
December 27	11	0

**Table 2.** Presence of members at KJC meetings during the period January-December 2024.

### 3.6 Delays in the start of meetings

Despite the fact that the starting time of meetings is foreseen in the meeting agendas, the KJC has consistently experienced delays in the start of meetings. In 5 cases, meetings have started at the scheduled time, while the average delay in other meetings has reached up to 10 minutes. In March and December, delays have reached up to 15 minutes.

The table below shows the delay of meetings held at each KJC meeting.

Date of meetings	Delay in starting the meetings
January 25	5 minutes
January 22	10 minutes
February 8	5 minutes
March 7	10 minutes
March 29	15 minutes
April 11	10 minutes
April 23	10 minutes
May 30	5 minutes
June 14	10 minutes
July 4	It started on time.
July 18	It started on time.
July 19	5 minutes
August 29	5 minutes
September 12	It started on time.
September 30	It started on time.
October 9	It started on time.
October 10	5 minutes
October 31	5 minutes
December 5	5 minutes
December 26	5 minutes
December 27	15 minutes

**Table 3.** Delays in starting of KJC meetings during the period January-December 2024.

### 3.7 Most active members in meetings

During the monitoring period, discussions and contributions of KJC members were closely monitored, especially regarding the agenda. This monitoring aimed to encourage greater engagement by other members of the Council to actively contribute to institutional discussions.

FOL's monitoring results show that the three most active members of the KJC during this period were:



**Judge  
Drita Rexhaj**



**Judge  
Avni Mehmeti**



**Judge  
Fahret Vellija**



## 4. Findings from the monitoring of the Kosovo Prosecutorial Council meetings (January-December 2024)

The nature, quorum and decision-making of KPC meetings are regulated by the Law on the Kosovo Prosecutorial Council, as well as Regulation 02/2020 on the Organization and Activities of the KPC.<sup>8</sup>

Article 14 of the Law on the KPC sets out the rules for holding meetings for this institution. According to this provision, the agenda must be made public at least 24 hours before the meeting. This rule aims to guarantee transparency and public participation. This law also provides for specific conditions for closed meetings to the public, providing a balance between the need for transparency and the requirements for maintaining the confidentiality of certain matters.

Meanwhile, Regulation 02/2020, namely Articles 16-22 thereof, defines in more detail the course of meetings, starting from the public nature of meetings, quorum, publication of agendas and discussions. Unlike Regulation 03/2020 of the KJC, the KPC regulation does not define the approval of the meeting calendar for the following year.

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<sup>8</sup> [https://prokuroriaks.b-cdn.net/\\_p-content/uploads/2024/07/Rregullore-Nr.02.2020-per-Organizimin-dhe-Vepimetarin-e-Keshillit-Prosecutorial-te-Kosoves.pdf](https://prokuroriaks.b-cdn.net/_p-content/uploads/2024/07/Rregullore-Nr.02.2020-per-Organizimin-dhe-Vepimetarin-e-Keshillit-Prosecutorial-te-Kosoves.pdf)

### 4.1 Total Number of Meetings Held

During the monitoring period January-December 2024, the KPC held a total of 22 meetings. Apart from January and October, when 3 meetings were held each, in the other months 2 or 1 meeting was held.

The table below shows the dates on which the KPC meetings were held during the period January-December 2024.

### Dates of the KPC meetings during the period January-December 2024



**Graph 4.** Number and dates of KPC meetings held during the period January-December 2024.

## 4.2 Publication of agendas

Paragraph 2 of Article 14 of the Law on the KPC requires that agendas of KPC meetings must be published 24 hours before the meeting, thus ensuring transparency and accountability to the public and interested parties.

From the data assessment, it results that during the period January-December 2024, a total of 22 agendas for KPC meetings were published. However, not all agendas were published within the legally required deadline.

Of these 22 agendas, 17 were published 24 hours before the meetings. Meanwhile, 5 other agendas were published with delays, which represents a disregard for legal obligations for institutional transparency.

The chart below shows the number of agendas published on time and those that were not published on time.



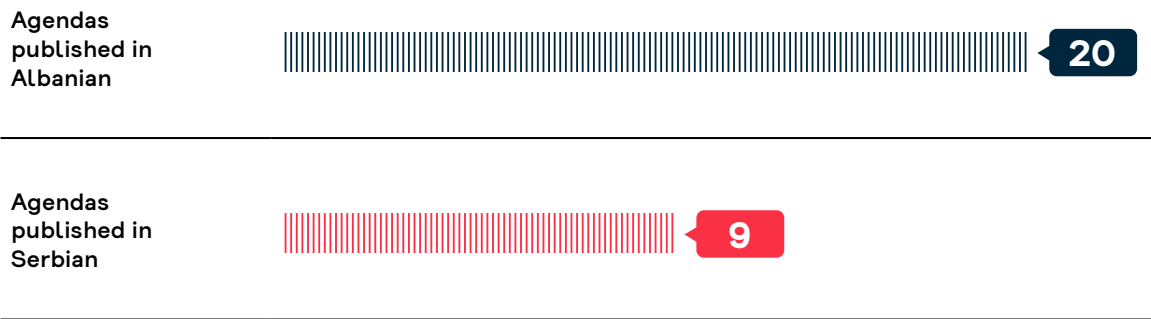
**Graph 5.** Number of agendas published on time and those not published on time.

### 4.3 Respecting bilingualism in the publication of agendas

Article 22 of Regulation No. 02/2020 of the KPC has provided that agendas, meeting materials, decisions of the council and its bodies must be published in both official languages.

During this period, the KPC published meeting agendas in both official languages. Out of a total of 22 meetings held, 20 agendas were published in Albanian, while only 9 agendas were published in Serbian, indicating a relatively high level of non-implementation of the regulation.

The chart below shows the number of KPC agendas published in Albanian and Serbian.



**Graph 6.** Number of KPC meeting agendas published in Albanian and Serbian.

## 4.4 Publication of adopted decisions

Although the Law on the Prosecutorial Council does not provide a specific legal provision for the publication of judicial decisions, the publication of decisions remains another important tool for ensuring transparency and public accountability.

During the monitoring period January - December 2024, the KPC in its meetings made several decisions, which were not published according to their approval. The decisions of February, March, and May were not published on the official KPC website.

The table below presents the publication data of the KPC decisions from the meetings held.

Meeting date	Approved decisions	Published decisions
January 15	15	6
January 25	6	The meeting failed to take place.
January 30	6	4
February 13	12	0
February 26	7	0
March 19	20	0
March 29	7	0
April 11	4	-
May 7	7	0
May 28	6	1
June 18	14	10
July 11	12	8
August 01	12	9
August 27	5	2
September 24	11	4
October 7	5	0
October 15	12	8
October 31	7	2
November 25	12	8
November 29	3	-
December 12	3	-
December 27	15	7
Total	498	69

**Table 5.** Number of decisions published by the KPC, for the period January-December 2024.

## 4.5 Participation of members in meetings

During the monitoring period, most of the members of the KPC were present at the meetings. From the monitoring data, it results that the absence of members was only recorded during the months of April and August, where 1 member was absent for each month.

Given the fact that during 2023, the KPC had changes in its composition, consequently the positions for non-prosecutor members were not filled, affecting the full representation of the council. During 2024, these positions were filled, in February 2024 the member from the ranks of law universities was sworn in as a non-prosecutor member, then in March the member from civil society was sworn in, and in June the member from the Kosovo Chamber of Advocates was sworn in, thus ensuring the full composition of the council. However, in September the member from the Kosovo Bar Association offered his resignation.

The table below shows the number of members present at the KPC meetings during the period January-December 2024.

Meeting date	Present	absent
January 15	9	0
January 22	9	0
January 30	9	0
February 13	9	0
February 26	10	0
March 19	10	0
March 29	11	0
April 11	9	2
May 7	11	0
May 28	11	0
June 18	12	0
July 11	12	0
August 1	12	0
August 27	11	1
September 24	12	0
October 7	11	0
October 15	11	0
October 31	11	0
November 25	11	0
November 29	11	0
December 12	11	0
December 27	11	0

**Table 6.** Presence of members at KPC meetings during the period January-December 2024.

### 4.6 Delays in the start of meetings

During the monitoring period, the KPC consistently experienced delays in the start of meetings, with an average of 15 minutes. The longest delay was observed in the meeting on 29 March and 11 April, where the meeting started 20 minutes with delay. This level of delay poses a serious challenge in terms of respecting official schedules and dedicating time for discussions. Repeated delays can affect not only the duration of meetings, but also the efficiency and productivity of the council's work.

The table below shows the average delays for each KPC meeting during the monitoring period.

Date of meetings	Delay in starting the meetings
January 15	15 minutes
January 25	5 minutes
January 30	10 minutes
February 13	10 minutes
February 26	10 minutes
March 19	5 minutes
March 29	20 minutes
April 11	20 minutes
May 7	5 minutes
May 28	10 minutes
May 18	10 minutes
July 11	10 minutes
August 01	15 minutes
September 27	15 minutes
September 24	5 minutes
October 7	10 minutes
October 15	5 minutes
October 31	10 minutes
November 25	5 minutes
November 29	5 minutes

**Table 7.** Delays in starting of KPC meetings during the period January-December 2024.

## 4.7 Most active members in meetings

During the monitoring period, KPC members have continuously provided comments, opinions and recommendations regarding the issues addressed, contributing significantly to the Council's decision-making processes.

This monitoring of activity and discussions is carried out with the aim of encouraging greater engagement from other members, so that they can actively contribute to the agenda.

The members who have been most active in these discussions during this period are:





## 5. Recommendations

In order to increase the efficiency and transparency in the activities of the KPC and the KJC, Levizja FOL has provided a series of recommendations, which aim to strengthen the accountability and responsibility of these institutions. These recommendations are as follows:

- **Ensure that meeting agendas are published in accordance with legal deadlines on the official websites of the KJC and KPC.**

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- **Respect the schedule for the start of meetings, as provided in the agenda.**

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- **Ensure that all decisions adopted at meetings of the Kosovo Judicial Council are published according to the legal deadline.**

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- **Kosovo Prosecutorial Council should commit to publishing all decisions, ensuring easy access for the public to the necessary information.**

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- **Kosovo Prosecutorial Council should engage in publishing agendas in the Serbian language to ensure easy and equal access for all citizens.**

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- **All council members should be more actively engaged in meetings through discussions, thus contributing to achieving the goal of creating these institutions.**

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- **Ensure that periodic reports on the activities of the KPC and KJC are published, including information on decisions taken, meetings held and recommendations given, to increase the transparency and credibility of the institutions.**

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