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# Monitoring Report on Disciplinary Complaints Against Judges and Prosecutors

JANUARY - DECEMBER 2024





# **Monitoring Report on Disciplinary Complaints Against Judges and Prosecutors**

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

ADDRESS:

Tringë Smajli 5/4, 10000, Prishtina, Kosovo.

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# Abbreviations

<b>KKJC</b>	Kosovo Judicial Council
<b>KPC</b>	Kosovo Prosecutorial Council
<b>ODP</b>	Office of The Disciplinary Prosecutor
<b>AIP</b>	Agency For Information And Privacy
<b>LDL</b>	Law on Disciplinary Liability of Judges And Prosecutors
<b>LC</b>	Law on The Courts of Kosovo
<b>LKJC</b>	Law on The Kosovo Judicial Council
<b>LKPC</b>	Law on The Kosovo Prosecutorial Council
<b>LSP</b>	Law on The State Prosecutor
<b>LCC</b>	Law on The Commercial Court
<b>CPC</b>	Criminal Procedure Code

# 1. Introduction and main findings

The establishment of independent, impartial and unbiased judicial institutions is essential for the functioning of a democratic state. These principles are particularly important in relation to judges and prosecutors, as they constitute the foundation on which a functional and credible system is built.

Respect for integrity and professional ethics by judicial officials is essential for maintaining citizens' trust in justice. However, in certain cases, inappropriate behavior by judges and prosecutors can put this integrity at risk. For this reason, the establishment of a stable and systematic mechanism for handling disciplinary complaints becomes necessary, including the investigation and punishment of any violations that threatens the professional and legal standards of judicial officials.

The justice system in Kosovo has been facing challenges and difficulties for many years now. These challenges include the high caseload in the system compared to the limited number of judges and prosecutors. This leads to numerous problems, ranging from prolonged court proceedings, violation of procedural deadlines, large number of statute-barred cases, etc. As a result, this weakens citizens' trust in the justice system. Consequently, it is important to invest in increasing citizen awareness regarding the possibility and procedure for filing disciplinary complaints, in order to also address the issue of our citizens' low trust in the justice system.

To analyze the issue of the efficiency of the Kosovo judicial and prosecutorial system in handling disciplinary complaints against judges and prosecutors during a certain period of time, namely during the period January-December 2024, Levizja FOL has drafted this report, in order to provide key recommendations towards increasing the efficiency of the justice system in handling these complaints.

This report represents the continuation of FOL's monitoring of disciplinary practice in the judicial and prosecutorial system of Kosovo, being the second in a row after the publication of the first report for 2023.<sup>1</sup>

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1 For more information, see: [Report on disciplinary complaints filed during 2023](#)

## The following section of this chapter presents a summary of the main findings of this report.

→ During 2024, KJC has demonstrated a consolidated practice of transparency by publishing all decisions on the rejection or dismissal of disciplinary complaints by the Competent Authorities, in the relevant sections of the courts on the official KJC website.

On the contrary, KPC has not followed the same standard, continuing the practice of not publishing most of the decisions of the Competent Authorities.

Out of a total of 51 disciplinary decisions rejecting or dismissing complaints against prosecutors, only 14 (27.5%) were published, while 37 decisions (72.5%) were not made publicly available on the official website of the KPC. This constitutes a serious deficiency in terms of transparency, limiting accountability and public access to information related to the functioning of the disciplinary system in the prosecutorial system.

A similar situation was observed during 2023, where, although decisions on the rejection or dismissal of disciplinary complaints by court presidents were regularly published on the KJC website, the relevant decisions of the chief prosecutors of the prosecution offices were treated as confidential data and were not published on the KPC website.

Furthermore, following FOL's appeal, with decision No. AP-397/2024 dated June 24, 2024, the AIP obliged the KPC to grant access to the documents requested by FOL, ascertaining that the denial of access was unjustified and constituted a violation of the right to access public documents.<sup>2</sup>

→ During the period January-December 2024, citizens (natural and legal persons) filed a total of 124 disciplinary complaints against judges of the Republic of Kosovo. 94% of these complaints (117) were rejected or dismissed by the competent court authorities, while 9 requests for the initiation of disciplinary investigations were initiated at the KJC.

→ The same situation of complaints was also during 2023, where citizens had filed 125 complaints against judges, 95% of which were rejected/dismissed by the competent authority.

→ During 2024, KJC has issued 9 disciplinary decisions, from which the following measures have been imposed:

- Written public warnings - 2 cases;
- Non-public written warnings - 2 cases;
- Temporary reduction of salary by 50% for up to one year - 1 case;
- Release from liability - 4 cases.

<sup>2</sup> For more, see the report: <https://levizjafol.org/ep-content/uploads/2025/01/82-Ankesat-disiplinore-ALB01.pdf>



While during 2023, KJC had issued more diverse and in some cases harsher measures, including 2 proposals for dismissal, 1 decision for a written public warning accompanied by a temporary salary reduction of 40% for four months, 2 other written public warnings, 4 decisions for release from disciplinary liability, as well as 1 decision for a permanent transfer of a judge within the court.

Compared to the previous year, during 2024 there is a trend towards lighter disciplinary measures and a lack of measures such as a proposal for dismissal or permanent transfer.

- For cases handled by court presidents, it was generally found that the legal deadlines were respected in handling disciplinary complaints against judges, which indicates a high degree of procedural efficiency in decision-making on disciplinary complaints, considering that in all cases it was decided within the legal deadline, with the exception of one decision, in which it was decided 8 days delay.<sup>3</sup>

Compared to 2023, the situation appears to have improved, as that year in 5 cases the court presidents had ruled outside the legal deadline.

- During 2024, citizens filed 58 disciplinary complaints against prosecutors, of which 54 (93%) were rejected or dismissed by the competent authorities, while 6 requests were submitted to initiate disciplinary investigations at the KPC. This indicates that the vast majority of complaints did not pass the initial stage of review by the relevant authorities.

The number of filed complaints this year shows that there has been a significant decrease in the filing of complaints against prosecutors compared to 2023, when 71 complaints were filed against prosecutors, 87% of which were rejected/dismitted by the competent authorities.

- During this period, KPC has issued 4 disciplinary decisions for cases of 2024, imposing the following measures:
- Non-public written warnings - 2 cases;
  - Salary reduction by 30% for 6 months - 1 case;
  - Salary reduction by 20% for 3 months - 1 case.

While in 2023, KPC had issued 5 disciplinary decisions, which included: 2 non-public written warnings, 2 public written warnings and 1 decision to reduce salary by 30% for one year.

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<sup>3</sup> Decision APGjA.nr.6/2024 (complaint filed on July 15, 2024, decision taken on August 23, 2024).

In both 2023 and 2024, the majority of disciplinary measures imposed by KPC were warnings, whether public or non-public, indicating a trend towards lighter disciplinary sanctions.

- Regarding the respect of legal deadlines by the prosecutorial system, the published decisions show that the competent authorities have acted within the deadlines set by law and regulations. In the analyzed cases, no violations of procedural deadlines were identified. However, since only a small part of the decisions have been published, it remains challenging to make an assessment.
- During 2024, the Ombudsperson Institution received 12 disciplinary complaints against judges and prosecutors. Of these:
  - 8 complaints were declared inadmissible;
  - In 3 cases, KJC and KPC did not find any disciplinary violations;
  - 1 case is still in the investigation phase.

A relatively similar number of disciplinary complaints were filed with the Ombudsperson in 2023, when 12 disciplinary complaints were filed against judges and prosecutors, 1 of which was declared inadmissible. However, even then, KPC and KJC did not find any disciplinary violations.

Before delving into the data on the number of complaints filed with each court/prosecutor's office and with the Ombudsperson, this report will review the Kosovo legal structure, particularly with regard to the disciplinary procedures applicable to judges and prosecutors within the constitutional framework of Kosovo.

## 2. Legal framework for filing disciplinary complaints against judges and prosecutors

The issue of disciplinary liability of judges and prosecutors is based on the Constitution of Kosovo<sup>4</sup>, and is further regulated by Law No. 06/L-055 on the Kosovo Judicial Council<sup>5</sup>, Law No. 06/L-054 on Courts<sup>6</sup>, Law No. 06/L-056 on the Kosovo Prosecutorial Council<sup>7</sup> and the amendment to this law adopted in 2025<sup>8</sup>, Law No. 08/L-167 on the State Prosecutor<sup>9</sup>, and Law No. 06/L-057 on Disciplinary Liability of Judges and Prosecutors<sup>10</sup>, adopted by the Assembly of the Republic of Kosovo in November 2018, as well as the amendment to this law adopted in 2021.<sup>11</sup>

### Constitution of Kosovo – Judicial and Prosecutorial System

The Constitution of Kosovo<sup>12</sup> sets out the regulatory framework for the judicial system of Kosovo. It outlines the principles of judicial independence, impartiality and accountability. The Constitution establishes the structure of the judiciary, including the Supreme Court, the Constitutional Court and other judicial bodies. It defines the appointment, mandate and responsibilities of judges, ensuring their professionalism and integrity. Furthermore, the Constitution guarantees access to justice, due process of law and the protection of fundamental rights for all citizens.

As regards disciplinary instruments relating to judges, the Constitution of Kosovo provides the basis for the disciplinary framework for judges. As is usually the case, the Constitution includes provisions describing the grounds for dismissal of judges, serving as a measure of last resort. These grounds include serious criminal offences or serious disregard for duties (serious breach).

4 Constitution of Kosovo , <https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702>

5 Law No. 06/L-055 on the Kosovo Judicial Council , <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18335>

6 Law No. 06/L - 054 on Courts, <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18302>

7 Law No. 06/L-056 on the Kosovo Prosecutorial Council, <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18920>

8 Law No. 08/L-249 on amending and supplementing Law No. 06/L-056 on the Kosovo Prosecutorial Council, <https://gzk.rks-gov.net/ActDetail.aspx?ActID=10594>

9 Law No. 08/L-167 on the State Prosecutor , <https://gzk.rks-gov.net/ActDetail.aspx?ActID=74943>

10 Law No. 06/L-057 on Disciplinary Responsibility of Judges and Prosecutors , <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18336>

11 Law No. 08/L – 003 on amending and supplementing Law No. 06/L-057 on Disciplinary Responsibility of Judges and Prosecutors ,

12 <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18336>

More specifically, Article 104(4) specifies that "*Judges may be dismissed from office due to conviction for a serious criminal offence or for serious misconduct*", describing the final sanctions applicable to judges in such circumstances.

This article has set a high standard when referring to criminal offenses as grounds for dismissal, as according to Article 22 of the Criminal Procedure Code (CPC), serious crimes include i) all crimes punishable by 10 years or more and other offenses, expressly defined in the Criminal Procedure Code.

This article sets a high standard by identifying serious criminal offences as grounds for dismissal. It is important to note that the definition of "serious crimes" under Article 22 of the Criminal Procedure Code (CPC) focuses on offences punishable by 10 or more years of imprisonment or explicitly listed crimes. This definition may overlook a range of criminal offences that, while not meeting the 10-year threshold, still significantly undermine the integrity of the judiciary.

Furthermore, the Constitution mandates the Kosovo Judicial Council (KJC) as a constitutional body to conduct disciplinary proceedings against judges (Article 108(3)) and to conduct judicial inspections (Article 108(5)). To enact these provisions, the Kosovo Assembly has enacted three main legislative acts regulating judicial misconduct and its punitive measures: the Law on the Kosovo Judicial Council, the Law on Courts, and the Law on Disciplinary Liability of Judges and Prosecutors, which serves as a comprehensive legislation covering both judges and prosecutors.

Similar to the judicial system, the Constitution of Kosovo establishes the principles of independence, impartiality and accountability of the prosecution service. According to Article 109, paragraph 6 of the Constitution, "*[prosecutors may be dismissed from their duties if they are convicted of a serious criminal offence or for significant negligence of their duties.*" This provision reflects the same requirement imposed on judges.

In addition, Article 110 (2) of the Constitution stipulates that the Kosovo Prosecutorial Council is responsible for the recruitment, nomination, promotion, transfer, reappointment and discipline of prosecutors in accordance with procedures established by law.

## LAW ON THE KOSOVO JUDICIAL COUNCIL

The Law on the Kosovo Judicial Council (KJC) regulates the organization and functioning of the Council, as an institution responsible for ensuring the independence, impartiality, integrity and accountability of the judiciary in Kosovo. It describes the composition of the Council, including appointment and mandate of its members, as well as their duties and responsibilities. The Law also addresses the procedures for the selection, evaluation and discipline of judges, aiming to maintain the highest standards of professionalism and ethics within the Kosovo judicial system.

In this regard, the LKJC provides that the KJC is authorized to decide on the discipline of judges (Article 7(1.14)) and that it has a mandate to adopt the Code of Ethics for Professional Conduct for judges (Article 7(1.19)). In addition to disciplining judges, the KJC also deals with the discipline of KJC members. However, this aspect will not be covered in this analysis as it falls outside the scope of the report.

It is important to note that the LKJC (Article 39), stipulates that all matters regarding the disciplinary liability of judges shall be handled in accordance with the disciplinary framework set out in the Law on Disciplinary Liability and the relevant regulations issued by the Council, which this report will examine in the following sections of this report.

When it comes to legal protection for judges facing disciplinary sanctions, according to Article 32 of the LKJC, which is linked to Article 104 (5) of the Constitution, judges are authorized with the right to file an appeal directly to the Supreme Court of Kosovo regarding decisions taken by the KJC. These decisions include disciplinary measures, which may result in the demotion of the judge, and in these cases - where disciplinary decisions result in the demotion of judges - they have the opportunity to file an appeal directly to the Supreme Court for review.

## LAW ON COURTS

The Law on Courts regulates the organization, jurisdiction and functioning of the judicial system in Kosovo. It establishes the different levels of courts, including the Basic Courts, with their branches, the Court of Appeals and the Supreme Court. Furthermore, it describes the procedures for the appointment of judges and other court personnel, as well as their rights, duties and responsibilities. The law also addresses issues such as court administration, judicial ethics and the protection of the independence of the judiciary.

The Law on Courts sets out guidelines for the professionalism and duties of judges, described mainly in Articles 40 and 41.

Article 40 of the law stipulates that judges must conduct themselves with objectivity, impartiality and independence, in accordance with the principles set out in the Code of Professional Ethics for Judges. Furthermore, judges are expected to demonstrate availability, respect for parties and witnesses and vigilance in maintaining the highest level of competence in the execution of their duties. They are also required to protect the confidentiality of non-public information encountered in the course of their judicial functions and to refrain from commenting to the media on the details of the case or engaging in ex-parte communications. Furthermore, judges are encouraged to engage in continuing legal education programs to enhance their professional competence and effectiveness.

On the other hand, Article 41 provides for prohibitions on the conduct of judges. It mandates that judges shall refrain from performing any duty or service that may compromise their independence, impartiality, or otherwise conflict with their judicial duties or with the provisions of the Code of Professional Ethics for Judges in Kosovo. This ensures that judges maintain their integrity and impartiality in all aspects of their professional conduct. Furthermore, judges are prohibited from being members of political entities or from participating in any political activity, including running for, holding or exercising any political office. This prohibition protects the neutrality and independence of the judiciary, while maintaining public trust and confidence in the judicial system.

## LAW ON THE KOSOVO PROSECUTORIAL COUNCIL

The Law on the Kosovo Prosecutorial Council (LKPC), together with Law No. 08/L-249 on Amending and Supplementing Law No. 06/L-056 on the Kosovo Prosecutorial Council<sup>13</sup>, describes the composition, powers and responsibilities of the KPC, which include recruitment, nomination, promotion, transfer, reappointment and disciplinary actions regarding prosecutors. It provides for the procedures for the selection of KPC members, their mandate and mechanisms for ensuring transparency, accountability and impartiality in the decision-making processes of the council.

With regard to the discipline of prosecutors, it provides that the KPC is authorized to decide on the discipline of prosecutors (Article 7(1.11)) and that it is mandated to adopt the Code of Ethics for Professional Conduct for prosecutors (Article 7(1.15)) and sets out the procedures for hearings and the conduct of disciplinary hearings (Article 7(1.22)).

Similar to the LKJC, the LKPC (Article 34) directs that all matters relating to the disciplinary liability of prosecutors be handled in accordance with the disciplinary framework set out in the Law on Disciplinary Liability and the relevant regulations issued by the Council, which this report will examine in the following sections of this report.

## LAW ON THE STATE PROSECUTOR

The Law on the State Prosecutor describes the role, responsibilities and powers of the State Prosecutor within the legal framework of Kosovo. This law establishes the State Prosecutor as an independent institution, responsible for prosecuting criminal offences on behalf of the state. It defines the appointment process and mandate of state prosecutors, as well as the organizational structure of the State Prosecutor's Office.

The Law on the State Prosecution differs from the Law on Courts in that it prohibits promotions for prosecutors who have been subject to disciplinary measures, except in cases of reprimand or non-public reprimand within the last five years. This is a positive measure that deserves recognition.

Article 38 of the Law on the State Prosecutor focuses on the conduct of prosecutors. It prohibits prosecutors from using their position or the reputation of the prosecution for personal gain. They are also prohibited from performing any duties that may jeopardize their independence or impartiality. Prosecutors are also prohibited from being associated with political entities or engaging in political activities, ensuring their neutrality and integrity in the performance of their duties.

Similar to the Law on Courts, this law also sets out different criteria for the appointment of prosecutors compared to the initiation of disciplinary proceedings against them, in particular for the commission of criminal offences. In the case of the appointment of prosecutors, Article 24 (1.5) stipulates that candidates must not have been convicted of a criminal offence, with the exception of offences committed through negligence.

<sup>13</sup> Official Gazette of the Republic of Kosovo / no. 1 / 21 May 2025, Prishtina, Law no. 08/L-249 on amending and supplementing Law no. 06/L-056 on the Kosovo Prosecutorial Council.

However, initiating disciplinary proceedings against prosecutors in relation to the commission of criminal offences would involve a set of distinct criteria. This means that they can be triggered by the commission of any criminal offence, regardless of whether it was committed negligently or not.

## **LAW ON DISCIPLINARY LIABILITY OF JUDGES AND PROSECUTORS**

Law No. 06/L-057 on Disciplinary Liability of Judges and Prosecutors (LDL) further regulates disciplinary matters within the judicial and prosecutorial system of Kosovo. This law describes the procedures for investigating allegations of misconduct or violations of professional ethics by judges and prosecutors. The law defines the disciplinary process, including the rights of the accused and the responsibilities of the disciplinary bodies involved. Its provisions are designed to uphold the integrity, independence and accountability of judges and prosecutors by ensuring fair and transparent disciplinary proceedings.

Before the entry into force of this law, the development of disciplinary procedures against judges and prosecutors was carried out through the Office of the Disciplinary Prosecutor (ODP). This was an independent institution, which had the competence to investigate allegations of non-fulfillment or improper performance of work duties by prosecutors and judges. However, with the entry into force of the new law, namely since December 2018, the ODP was abolished and its competences were delegated to the KJC and the KPC.

Article 7 of the LDL defines the disciplinary sanctions that may be imposed by the KJC and the KPC against judges and prosecutors if they are found liable for disciplinary violations.

Disciplinary measures include a non-public written reprimand, communicated privately to the judges and prosecutors concerned, indicating their misconduct and the need for corrective action, and a public written reprimand, which implies a public admission of the disciplinary violation and the need for corrective action to be taken by the judge concerned. In cases where the violation requires more serious measures, a temporary reduction of salary of up to 50% for a period of up to one year may be imposed as a disciplinary sanction. This financial penalty serves as a deterrent and reflects the gravity of the criminal offense.

Furthermore, the Councils have the authority to order a temporary or permanent transfer of the individual to a lower level court/prosecutor's office. This measure can act as a disciplinary measure while also ensuring that the individual's conduct is closely monitored in a different professional environment.

Finally, in the most serious cases of misconduct, the Councils may propose the dismissal of the individual from their position as a judge. This represents the final disciplinary measure and is reserved for acts that significantly undermine the integrity and credibility of the judiciary.

Article 8 of the LDL sets out the grounds for the dismissal of judges and prosecutors. It stipulates that the President of the Republic of Kosovo has the authority to dismiss a judge/prosecutor. However, this decision can only be taken based on the proposal of the KJC and the KPC. Regarding the grounds for dismissal, the KJC and the KPC can only propose the dismissal of a judge/prosecutor if they are convicted of a serious criminal offence, or if they are found to have seriously neglected their duties.

## KJC AND KPC REGULATION ON DISCIPLINARY PROCEDURE AGAINST JUDGES AND PROSECUTORS

Following the entry into force of the Law on Disciplinary Liability of Judges and Prosecutors, the KJC has issued the Regulation on Disciplinary Procedure against Judges, which has been implemented since July 2019. Like the KJC, the KPC has adopted the Regulation on Disciplinary Procedure against Prosecutors, which has been implemented since June 2019.

The disciplinary process for judges and prosecutors, as set out in the law and these regulations, typically follows a specific set of steps, as detailed below:

- Initially, complaints against judges and prosecutors for their disciplinary violations are sent to the Competent Authorities.<sup>14</sup> Complaints can also be sent to the Ombudsperson Institution, which directs them to the competent authorities. In this case, it should be noted that the LDL has left legal gaps in determining the Competent Authority for several categories of judges and prosecutors, namely for: judges of the Supreme Court of the Republic of Kosovo, prosecutors engaged in the Office of the Chief State Prosecutor, as well as judges of the branches of the basic courts.
- After receiving the complaint, the Competent Authority reviews it within 30 days, and after reviewing it, the authority may dismiss the complaint, reject it, or request the initiation of investigations (in which case investigative panels are created in the relevant councils). The legislator has not left the possibility of appealing these decisions.
- The Investigation Panels of the respective councils conduct investigations within 3 months from the date of establishment. If there are exceptional circumstances and upon request, the council may extend the investigations for another 2 months.
- After 15 days from the completion of the investigation, the panel sends a report to the relevant council. After 30 days from the date of sending the report, the council schedules a hearing and makes a decision.
- As mentioned above, if it is found that judges and prosecutors have committed disciplinary violations, the relevant councils may impose one or more of the following disciplinary sanctions on the judges and prosecutors:
  - Non-public written warnings;
  - written public warnings;
  - temporary reduction of salary up to fifty 50% for a period of up to 1 year;
  - temporary or permanent transfer to another lower-level court or prosecutor's office;
  - proposal for dismissal.

According to the law, with the exception of non-public warnings, all final decisions on disciplinary sanctions are published without delay, but no later than 15 days by the relevant councils on their official website.

<sup>14</sup> The Competent Authorities are: Presidents of Basic Courts (for disciplinary violations of judges of the respective courts); President of the Court of Appeal (for disciplinary violations of judges of the Court of Appeal); President of the Supreme Court (for disciplinary violations of presidents of basic courts and of the President of the Court of Appeal); Kosovo Judicial Council (for disciplinary violations of the President of the Supreme Court); Presidents of Basic Prosecutors' Offices (for disciplinary violations of prosecutors of the respective prosecution offices); Chief State Prosecutor (for disciplinary violations of Chief Prosecutors of Prosecution Offices); Kosovo Prosecutorial Council (for disciplinary violations of the Chief State Prosecutor).



### 3. Metodology

Through this report, Levizja FOL, aims to provide a general overview of the number of complaints for disciplinary violations by citizens filed against judges/prosecutors during the period January-December 2024 and their fate after review by the Competent Authorities of courts and prosecutors, as well as the manner in which they were decided by the relevant councils.

Decisions on disciplinary complaints of the Competent Authorities published on their official websites were continuously monitored throughout the monitoring period. Also, for the needs of this report, FOL used the method of collecting quantitative data, such as the number of complaints received, the number of complaints rejected, the number of complaints dismissed and the number of requests for initiation of investigations in the KJC and the KPC. This data was obtained through requests for access to public documents from the Competent Authorities - the presidents of courts and the chief prosecutors of the prosecution offices, the KJC and the KPC, as well as the Ombudsperson Institution.

Levizja FOL has also analyzed the decisions on the dismissal/rejection of disciplinary complaints against judges, which were published on the websites of the KJC and the KPC, respectively on the domains of the courts and prosecutors' offices. The published decisions were analyzed in order to assess whether the competent authorities acted in accordance with the provisions of the law and the regulations approved by the councils. Special attention was paid to whether the complaints were reviewed within the deadline set by law.

Special importance in this report has also been devoted to analyzing the legal framework for filing disciplinary complaints against judges and prosecutors and clarifying the steps/procedure for filing disciplinary complaints. Also, based on the findings of this report, FOL has finally provided a list of recommendations for relevant institutions, with the aim of increasing efficiency in handling disciplinary cases.

This is the second report in a row on the monitoring of disciplinary decisions against judges and prosecutors made by FOL, following the first report published for 2023.<sup>15</sup>

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<sup>15</sup> [Disciplinary complaints January-December 2023.](#)





# **Handling of disciplinary cases by the Kosovo Judicial system**

## 4. Handling of disciplinary cases by the Kosovo Judicial system

During the period January - December 2024, citizens filed 124 disciplinary complaints against judges of the courts of the Republic of Kosovo<sup>16</sup>.

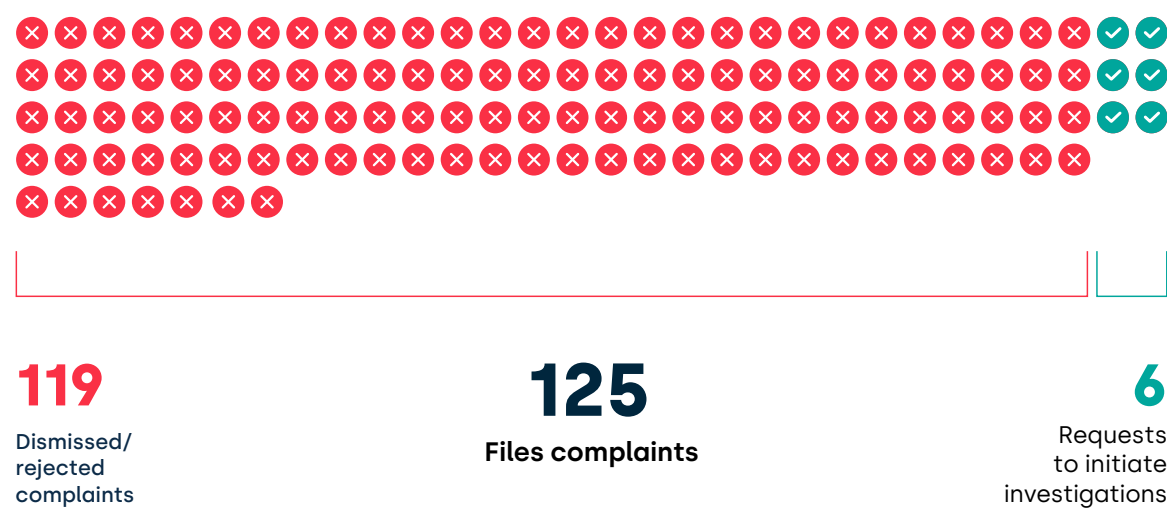
The vast majority of disciplinary complaints filed during this period, namely 117 disciplinary complaints (94% of complaints), were rejected/dismissed by the competent court authorities, while 9 requests were made to initiate disciplinary investigations at the KJC. This means that only a very low percentage of disciplinary complaints have managed to pass the initial stage of review by the competent authorities, reflecting a low rate of their reaching investigative procedures at the KJC. The number of disciplinary complaints filed has not changed much from the previous year (2023), where 125 disciplinary complaints were filed, 119 of which were rejected/dismissed by the competent authorities and 6 requests were made to initiate disciplinary investigations.<sup>17</sup>

The table below graphically displays the number of disciplinary complaints filed during 2024, the number of complaints dismissed/rejected, and the number of requests to initiate investigations.

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<sup>16</sup> Data obtained through requests for access to public documents to all courts. Requests for access to public documents were made on 16.04.2024.

<sup>17</sup> For more information, see the report: [Disciplinary Complaints Against Judges and Prosecutors \(January-December 2023\)](#)



**FIGURE 1.** Statistical data regarding the number of complaints filed, the number of complaints dismissed/rejected, and the number of requests to initiate investigations at the KJC.

All decisions on disciplinary complaints of the courts are published on the official website of the KJC, at the courts' domains. What is important to note is that, unlike the Kosovo Prosecutorial Council, the Kosovo Judicial Council has published all decisions on disciplinary complaints of the courts on its official website, under the respective court domains.

The monitoring data show that a large number of complaints against judges have been dismissed because they do not contain sufficient elements of a disciplinary violation, according to the legal criteria. In such cases, the assessment by the Competent Authorities concludes that the facts presented do not meet the minimum thresholds required to initiate an investigation for a disciplinary violation.

All decisions were analyzed in terms of meeting the deadlines set by law for their review/handling. The reasons for filing complaints and the reasoning behind the decisions were also reviewed. The following part of the report will present data on the number of complaints filed and their handling by the competent authorities of the Kosovo courts, as well as data on the number of decisions and disciplinary measures taken by the KJC. The presentation of these data will reflect the volume of work of the competent authorities and the Kosovo Judicial Council in handling disciplinary cases.

# Supreme Court of Kosovo

According to the Law on Disciplinary Liability of Judges and Prosecutors, the President of the Supreme Court is the Competent Authority for disciplinary violations of the Presidents of Basic Courts and the President of the Court of Appeal. Consequently, although as a result of some omission, the President of this institution has not been expressly entrusted with the competence to review complaints against judges serving in the Supreme Court, but only against the presidents of lower instances (the Court of Appeal and basic courts). Therefore, for the judges of the Supreme Court, there is no defined address where disciplinary complaints should be filed.

According to data provided through requests for access to public documents, during the period January - December 2024, citizens filed **16 disciplinary complaints** against the presidents of lower instance courts (Court of Appeal and basic courts), as well as against judges of the Supreme Court <sup>18</sup>. Compared to 2023, the number of complaints filed by citizens this year decreased by 10.

All of these complaints were rejected/dismissed by the Competent Authority and no request was made to initiate investigations at the KJC.

All decisions to dismiss/reject complaints were also published on the official website of the KJC, respectively on the domain of the Supreme Court. It is also emphasized that all disciplinary complaints were decided within the legally established deadline, reflecting a high degree of efficiency in their handling by the relevant authority.

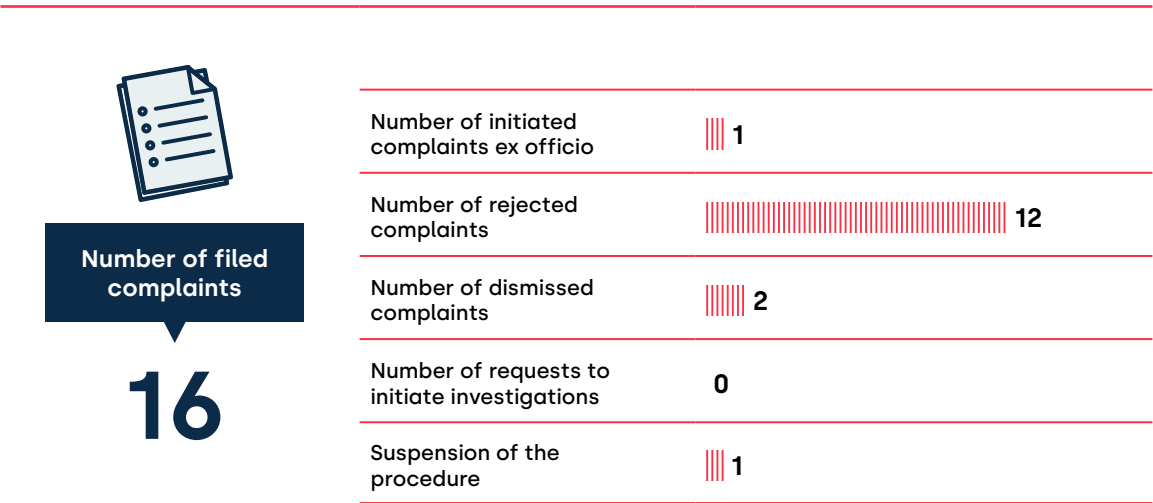


TABLE 1

Statistical data regarding disciplinary appeals to the Supreme Court of Kosovo.

# Court of Appeals


According to the LDL, the President of the Court of Appeal is the Competent Authority with regard to allegations of disciplinary violations of judges of the Court of Appeal.

During 2024, **55 judges**<sup>19</sup> served in the Court of Appeal. Meanwhile, according to the responses received from the officials of this court, during the period January-December 2024, **6 disciplinary complaints** were filed against judges of the Court of Appeal. All of these complaints were rejected by the Competent Authority, without any request for the initiation of investigations at the KJC.

The number of complaints filed this year has decreased compared to 2023, when a total of 10 disciplinary complaints were recorded.

Consequently, according to the data received, this year there has been no request for the initiation of investigations at the KJC.

Monitoring the official website of the Court of Appeals has revealed that all disciplinary decisions on the rejection of the parties' disciplinary appeals have been published. In all of these decisions, it was found that they were decided within the deadline stipulated in the KJC Regulation, with the exception of one decision, which was decided 8 days late.<sup>20</sup>

 <div>Number of judges</div> <div>55</div>	Number of filed complaints	6
	Number of initiated complaints ex officio	0
	Number of rejected complaints	6
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

**TABLE 2** Statistical data regarding disciplinary appeals at the Court of Appeals of Kosovo.

19 Court of Appeal, Annual Work Report for 2024.  
20 Decision APGJA.nr.6/2024 (complaint filed on July 15, 2024, decision taken on August 23, 2024).

# Commercial Court


Due to the fact that it has been just recently established<sup>21</sup>, the procedure for filing complaints against judges of the Commercial Court is not provided for in the LDL, but in Law 08/L-015 on the Commercial Court it is determined that for the issue of prohibitions on the conduct of judges of this court and their disciplinary liability, the relevant provisions of the Law in force on Courts and the LDL shall apply accordingly. In this context, in a similar manner as is determined for other courts, against judges of this court, the complaint is filed with the President of the Commercial Court.

In the Commercial Court during 2024, **17 judges**<sup>22</sup> exercised their functions. Meanwhile, during this period, citizens have filed **3 disciplinary complaints** against these judges. All these complaints have been rejected as unfounded by the president of this court - the Competent Authority. Consequently, no request was made to initiate investigations at the KJC.

This number of complaints had decreased significantly compared to 2023, where 8 disciplinary complaints were filed against judges of this court.

The number of complaints for 2024 has marked a significant decrease compared to the previous year (2023), when a total of 8 disciplinary complaints were recorded against judges of this court.

According to the monitoring conducted on the official website of the KJC, all decisions on these complaints have been published in the relevant section of the Commercial Court. For all cases, it has been decided within the deadline stipulated in the KJC Regulation, which proves the high efficiency in handling disciplinary cases in this institution.

 <b>Number of judges</b> <b>18</b>	Number of filed complaints	6
	Number of initiated complaints ex officio	0
	Number of rejected complaints	6
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

**TABLE 3** Statistical data regarding disciplinary appeals in the Commercial Court during the period January-December 2024.

21 The Commercial Court of Kosovo was established in August 2022 as a new court, the establishment of which aimed to improve the efficiency of resolving cases and shorten the duration of judicial processes, which fall under the jurisdiction of this court, the profiling of judges and the continuous increase of expertise in this field. This court was established based on Law No. 08/L-015 on the Commercial Court (LCC), as a specialized court of first and second instance, competent to resolve all business, economic, administrative disputes and all appeals of enforcement orders.

22 Commercial Court, Annual Work Report for 2024.



# Basic Court of Prishtina

According to the LDL, the presidents of basic courts are the Competent Authorities to review complaints for disciplinary violations against judges of the courts in which they serve. Thus, the Competent Authority to review complaints for disciplinary violations against judges of the Basic Court of Prishtina is the President of the Basic Court of Prishtina.

**106 judges** served <sup>23</sup>during 2024. Meanwhile, according to the responses received from the officials of this court, **32 disciplinary complaints were filed** against judges of this court during 2024. This means that this number had increased significantly compared to 2023, where 18 disciplinary complaints were filed against judges of this court.

Of all these disciplinary complaints, 31 were rejected/dismissed by the Competent Authority, 1 of them was dismissed, while no request for the initiation of investigations was initiated at the KJC.

Monitoring conducted on the official website of the KJC, namely in the section dedicated to the Basic Court of Prishtina, shows that all decisions on the rejection or dismissal of complaints are published in a transparent manner. Also, all cases are reviewed and decisions are made within the legally established deadline, reflecting a high degree of efficiency in the handling of disciplinary cases by this court.


 <div>Number of judges</div> <div>106</div>	Number of filed complaints	32
	Number of initiated complaints ex officio	0
	Number of rejected complaints	31
	Number of dismissed complaints	1
	Number of requests to initiate investigations	0

TABLE 4

Statistical data regarding disciplinary complaints at the Basic Court of Prishtina during the period January-December 2024.

23 [Basic Court Prishtina, Annual Work Report for 2024.](#)


# Basic Court of Mitrovica

As stipulated in the LDL, the President of the Basic Court of Mitrovica is the Competent Authority to review disciplinary complaints against judges of this court.

**27 judges<sup>24</sup>** were engaged in this court, including its branches, during 2024. Meanwhile, according to the responses to requests for access to public documents received by this court, **6 disciplinary complaints** were filed against these judges by citizens during 2024, 5 of which were rejected by the president of the court, respectively the Competent Authority, while 1 complaint was forwarded to the KJC.

Compared to 2023, when 11 disciplinary complaints were filed, the number of complaints in 2024 has marked a significant decrease.

From monitoring the official website of this court, it results that all decisions regarding disciplinary complaints have been published on the website. It has also been evidenced that all complaints have been handled within the deadlines set by law, proving high efficiency in the administration of disciplinary procedures by this court.

 Number of judges <b>27</b>	Number of filed complaints	6
	Number of initiated complaints ex officio	0
	Number of rejected complaints	5
	Number of dismissed complaints	0
	Number of requests to initiate investigations	1

**TABLE 5** Statistical data regarding disciplinary complaints in the Basic Court of Mitrovica during the period January-December 2024.

24 KJC, General Annual Report 2024.


# Basic Court of Peja

According to the law, the President of the Basic Court of Peja is the Competent Authority to review complaints for disciplinary violations against judges of the Basic Court of Peja.

During 2024, **38 judges**<sup>25</sup> served in this court, including its branches. Consequently, **14 disciplinary complaints** were filed against these judges, respectively 1 complaint more than during the same period of the previous year. Also during this period, 1 decision was issued to discontinue disciplinary investigations because no elements of disciplinary violations were found against the respective judge.

Of these complaints, 12 were rejected and 1 was delegated to the Supreme Court for decision.

All decisions on these complaints have been regularly published on the court's official website. It has also been found that all complaints have been reviewed within the deadlines set by law, which shows the efficiency in handling disciplinary cases in this judicial institution.

 <div>Number of judges</div> <div>38</div>	Number of filed complaints	14
	Number of initiated complaints ex officio	0
	Number of rejected complaints	12
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

**TABLE 6** Statistical data regarding disciplinary complaints in the Basic Court of Peja during the period January - December 2024.

25 [Basic Court of Peja, Annual Work Report for the Year 2024.](#)

# Basic Court of Prizren

Citizens dissatisfied with the unethical and unprofessional behavior of judges of the Basic Court of Prizren can submit disciplinary complaints against judges of this court to the President of the Basic Court of Prizren.

During the period January-December 2024, a total of **31 judges** were engaged in this court (including the branches of the court).

Meanwhile, according to the responses received from the officials of this court, during 2024, **16 disciplinary complaints** were filed against these judges by citizens (1 less than in the previous year). All of these complaints were rejected by the Competent Authority. In addition, during 2024, an ex officio disciplinary case was initiated by the Competent Authority itself, which ended with the finding that the judge was not responsible for any disciplinary violation.

From monitoring the official website of the court, it results that all decisions on rejected appeals have been published. Also, in most cases it has been decided within the deadline foreseen by the relevant provisions. However, in three disciplinary decisions<sup>26</sup>, the date of filing the appeal does not appear, which makes it impossible to verify whether the decision was taken within the deadline stipulated by law.


 <div>Number of judges</div> <div>31</div>	Number of filed complaints	16
	Number of initiated complaints ex officio	1
	Number of rejected complaints	16
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

TABLE 7

Statistical data regarding disciplinary complaints in the Basic Court of Prizren during the period January - December 2024.

26 Decision AD-GJTHPZ.nr.1/24; Decision AD-GJTHPZ.nr.2/24; Decision AD-GJTHPZ.nr.5/24.


# Basic Court of Ferizaj

The President of the Basic Court of Ferizaj is the Competent Authority to review complaints for disciplinary violations against judges of the Basic Court of Ferizaj.

During 2024, the Basic Court of Ferizaj, together with its branches, had a total of **30 judges**<sup>27</sup> engaged. According to data received through a request for access to public documents, during this period, **8 disciplinary complaints** were filed by citizens against judges of this court, which represents a decrease of two complaints compared to 2023.

All of these complaints were rejected by the Competent Authority, while during the same period, 1 request for the initiation of ex officio disciplinary investigations was initiated at the KJC.

From the monitoring carried out on the official website of the KJC, it results that all relevant decisions have been published in the link of the Basic Court of Ferizaj. Also, all appeals have been decided within the deadlines provided by law, proving efficiency and transparency in the handling of disciplinary cases by this court.

 Number of judges <b>30</b>	Number of filed complaints	8
	Number of initiated complaints ex officio	1
	Number of rejected complaints	8
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

**TABLE 8** Statistical data regarding disciplinary complaints in the Basic Court of Ferizaj during the period January - December 2023.

27 [Basic Court of Ferizaj, Annual Work Report for the Year 2024.](#)

# Basic Court of Gjilan

The President of the Basic Court of Gjilan is the Competent Authority to review complaints for disciplinary violations against judges of the Basic Court of Gjilan.

During 2024, a total of **22 judges**<sup>28</sup> were engaged in the Basic Court of Gjilan. Meanwhile, according to the responses to requests for access to public documents, during this period citizens have filed 16 disciplinary complaints against judges of this court with the Competent Authority, 14 of which were rejected by the Competent Authority, while 2 complaints were dismissed as inadmissible.

Compared to 2023, when 8 disciplinary complaints were filed, their number doubled during 2024, reflecting a significant increase in the rate of addressing claims from citizens.

On the other hand, during this period, 6 complaints were initiated ex-officio by the Competent Authority.

All disciplinary decisions were published on the official website of the KJC. Furthermore, the decisions were taken within the deadlines set by law, demonstrating efficiency and transparency in the handling of disciplinary procedures.


 <div>Number of judges</div> <div>22</div>	Number of filed complaints	16
	Number of initiated complaints ex officio	6
	Number of rejected complaints	14
	Number of dismissed complaints	2
	Number of requests to initiate investigations	0

TABLE 9

Statistical data regarding disciplinary complaints in the Basic Court of Gjilan during the period January - December 2023.

28 Basic Court of Gjilan, Annual Work Report for 2024.

# Basic Court of Gjakova


The President of the Basic Court of Gjiilan is the Competent Authority to review complaints for disciplinary violations against judges of the Basic Court of Gjiilan.

During 2024, **13 judges**<sup>29</sup> were engaged in the Basic Court of Gjakova. Meanwhile, according to the responses received through the request for access to public documents from officials of this institution, during this year, citizens have filed **7 disciplinary complaints** against judges of this court.

All of these disciplinary complaints were rejected by the Competent Authority, while there were no complaints initiated ex officio by the Competent Authority and no requests for initiation of investigations at the KJC.

Compared to 2023, when only 3 disciplinary complaints were filed, the number of complaints in 2024 has more than doubled, which can be interpreted as an increase in citizens' awareness that they can address disciplinary claims.

From monitoring the website of this court, it appears that all 7 decisions on the rejection of disciplinary complaints were published on this website and that all complaints were reviewed within the period provided for by law, showing high efficiency in the handling of disciplinary cases.

 <div>Number of judges</div> <div>13</div>	Number of filed complaints	7
	Number of initiated complaints ex officio	0
	Number of rejected complaints	7
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

**TABLE 10** Statistical data regarding disciplinary complaints at the Basic Court of Gjakova during the period January - December 2024.

29 Basic Court of Gjakova, Annual Work Report for 2024.

# General analysis of the reasons for filing complaints against judges and the reasoning of decisions

All decisions of the competent authorities regarding the dismissal or rejection of disciplinary complaints against judges are published on the official website of the Kosovo Judicial Council. This approach represents a good institutional practice, which significantly contributes to increasing the transparency and accountability of the judicial system, by enabling free and clear access for the public regarding the handling of disciplinary cases.

The year 2024 has marked the continuation of some of the previous concerns of citizens regarding the functioning of the judicial system, but some new trends in the nature of complaints have also been identified.

The most frequent complaints filed during this period included the delay of court proceedings, unethical comments on social media, the use of unprofessional language by judges during hearings, the failure to communicate decisions within reasonable deadlines, and the failure to respect legal deadlines for the completion of case review. In some cases, citizens have also reported a lack of effective access to necessary information on the progress of their cases.

However, this year also saw a similar trend to previous years: many citizens continued to use disciplinary procedures as a means of appealing against judicial decisions with which they disagreed. Instead of using regular legal remedies such as appeals to a higher court, they turned to disciplinary authorities, often due to limited knowledge of procedural processes. The Competent Authorities, in accordance with the mandate and principles of judicial independence, have reiterated that they cannot interfere with the content or results of final judgments, as long as there are no elements of unacceptable conduct or disciplinary violations on the part of judges.

The decisions to reject or dismiss disciplinary complaints have been clearly and convincingly based on the absence of elements of punishable conduct, in accordance with the standards defined by law. Thus, in cases where the KJC has determined that "no violation" occurred, the decisions within the judicial system are generally well-structured and properly reasoned, presenting the relevant facts, the legal basis, analytical reasoning, and the conclusion.

In all cases of disciplinary appeals, a decision was made within the period stipulated in the KJC Regulation, with the exception of one decision, which was made 8 days late.<sup>30</sup>

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30 Decision APGjA.nr.6/2024 (complaint filed on July 15, 2024, decision taken on August 23, 2024).



# Final decisions of the Kosovo Judicial Council

As explained in the legal framework section, in cases where the Competent Authorities do not dismiss/reject the disciplinary complaints of citizens/parties, the authorities request the KPC and KJC to initiate disciplinary investigations. In this case, the councils establish investigative panels, which conduct investigations and provide facts and evidence regarding the alleged violations.

After receiving the report from the investigative panel, the council holds a session and decides whether the alleged disciplinary violation has been committed and, if it finds that the judge or prosecutor has committed the alleged disciplinary violation, imposes the appropriate disciplinary sanction.

During 2024, the KJC received 9 requests from the competent authorities to initiate disciplinary investigations by the Competent Authorities of the Kosovo courts.

During this period, the Council has established 10 investigative panels and held 13 hearings, issuing 9 disciplinary decisions. Through these decisions, the KJC has imposed the following disciplinary measures:

• Written public warnings	→ (2 decisions);
• Non-public written warnings	→ (2 decisions);
• Temporary salary reduction of 50% for a period of up to 1 year	→ (1 decision);
• Release from liability	→ (4 decisions <sup>31</sup> ).

All these decisions have been published on the official website of the KJC, unlike the practice of the KPC, representing a positive step towards increasing institutional transparency.

Compared to the previous year<sup>32</sup>, in 2024 there is a noticeable trend toward lighter measures and an absence of sanctions such as "recommendation for dismissal" or "permanent transfer." This is mainly related to the nature of the cases handled in 2024. For context, during 2023, two recommendations for dismissal were recorded; according to external sources and relevant KJC acts\*, these cases were related to the participation of judges in political meetings with the "Serb List."

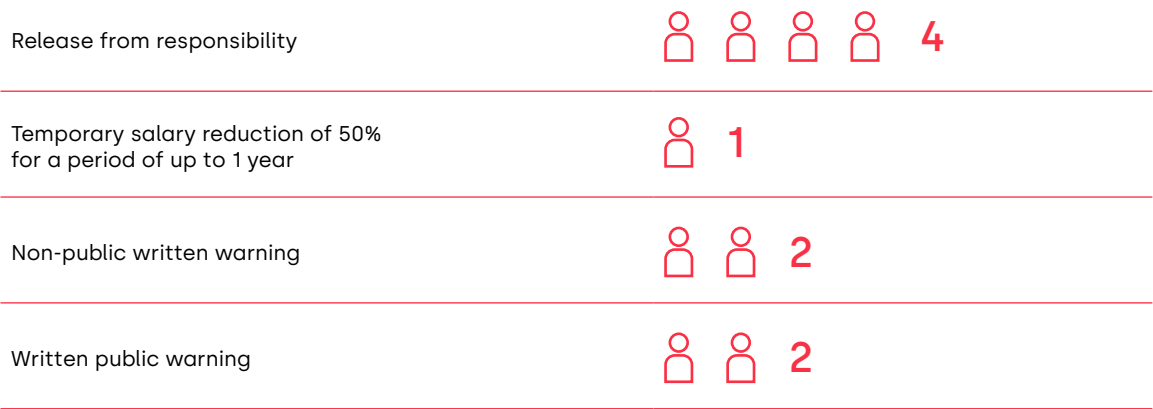
31 1 vendim për ankesën e parashtruar gjatë vitit 2023.  
32 During 2023, the measures were more varied and, in some cases, stricter, including: 2 recommendations for dismissal; 1 public written warning accompanied by a temporary 40% salary reduction for four months;

Based on the monitoring data, it can be observed that the decisions are well structured and reasoned in a chronological manner, describing in detail the ethical or legal violations identified and clearly specifying the legal basis on which the decisions were made.

However, their objectivity and impartiality remain difficult to assess, as the review process is conducted with complete discretion by the investigative panels and KJC meetings are held closed to the public, limiting transparency over decision-making.

With regard to the consistency in the imposition of sanctions, based on the published decisions, a relative consistency can be observed – that is, similar types of violations generally result in similar measures. However, the number of available cases does not allow for a comprehensive assessment, and some differences can be explained by the specific circumstances of each case.

Graphically, the number and type of disciplinary measures taken during 2024 by the Kosovo Judicial Council is also set out in the figure below.



**FIGURE 2** Disciplinary sanctions imposed by the KJC during the period January - December 2024.



# **Handling of disciplinary complaints by the Kosovo Prosecutorial system**

## 5. Handling of disciplinary complaints by the Kosovo Prosecutorial system

During the period January - December 2024, citizens (natural and legal persons) have filed 58 disciplinary complaints against prosecutors of the Prosecution Offices of the Republic of Kosovo<sup>33</sup>. This number shows a decrease in the filing of disciplinary complaints against prosecutors compared to 2023, when 71 disciplinary complaints were filed.

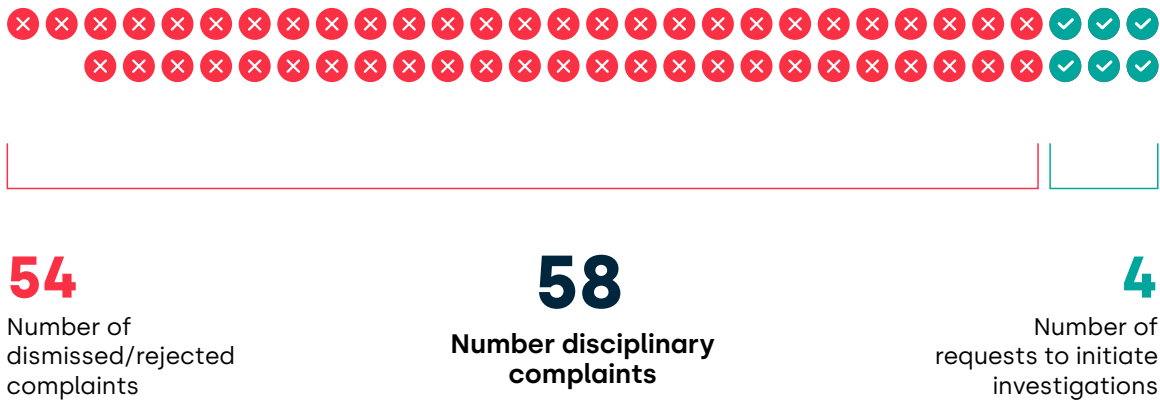
The vast majority of these complaints filed during 2024, namely 54 disciplinary complaints (93% of complaints), were rejected/dismissed by the Competent Authorities of the prosecution offices, while 6 requests were made to initiate disciplinary investigations at the KPC. These data show that the vast majority of disciplinary complaints have not passed the initial phase of review by the Competent Authorities.

The majority of decisions on the dismissal/rejection of disciplinary complaints of the Competent Authorities, namely 37 decisions, were not published on the KPC website, in the prosecution sections. This situation represents a deficiency in terms of transparency and public access to information, despite the recommended practices of institutional accountability.

The table below graphically displays the number of disciplinary complaints filed during 2024, the number of complaints dismissed/rejected, and the number of requests to initiate investigations at the KPC.

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33 Data provided through responses from prosecutors to requests for access to public documents.



**FIGURE 3** Statistical data regarding disciplinary complaints in the Kosovo prosecutorial system during 2024

Regarding the reasons for the dismissal or rejection of disciplinary complaints, the low level of publication of decisions by the Competent Authorities hinders an objective assessment of the specific grounds for rejection or dismissal. However, in the published decisions, the most common reasons appear to relate to the absence of elements constituting a disciplinary violation, as well as the failure to meet the factual or legal threshold required to initiate a disciplinary investigation.

As for the consistency in decision-making for similar cases, the published decisions from the prosecutorial system show that each case had its own material and procedural specificities (e.g., the presence of mitigating or aggravating circumstances, cooperative behavior, etc.). These differences make it impossible to draw a general and verifiable conclusion that similar violations receive similar sanctions within the prosecutorial system.

The following part of this report will present specific data regarding the number of filed complaints and their handling by the competent authorities of the Kosovo prosecution offices, as well as data regarding the number of decisions and disciplinary measures taken by the KPC.

The volume of work of the competent authorities and the KPC in handling disciplinary cases will be reflected through the presentation of this data.

# Office of the Shief State Prosecutor

The Chief State Prosecutor has jurisdiction over the entire territory of the Republic of Kosovo and has exclusive jurisdiction over third-instance cases before the Supreme Court, as well as over all cases involving extraordinary legal remedies. The Chief State Prosecutor may also take over any case in any prosecutor's office of the Republic of Kosovo as determined by law.

According to the LDL, the Chief State Prosecutor is the Competent Authority to handle complaints regarding allegations of disciplinary violations of the Chief Prosecutors of all prosecution offices. Although as a result of some omission, the LDL, as for the judges of the Supreme Court, does not specify the Competent Authority to complain about disciplinary violations of prosecutors engaged in the OCSP.

According to the response received, during the period January - December 2024 **there were no disciplinary complaints** filed against the Chief Prosecutors of the prosecution offices, as during 2023, where no complaints were also recorded in this regard.

 <div>Number of filed complaints</div> <div>0</div>	Number of filed complaints	0
	Number of initiated complaints ex officio	0
	Number of rejected complaints	0
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

TABLE 11

Statistical data regarding disciplinary complaints at the OCSP during the period January - December 2024.

# Appeal Prosecutor's Office

According to the LDL, the Chief Prosecutor of each prosecution office is responsible for reviewing disciplinary violations of prosecutors of that prosecution office.

**11 prosecutors** were engaged in the Appeal Prosecution Office during 2024. Meanwhile, according to the responses received through requests for access to public documents from officials of this institution, **no disciplinary complaints were filed** by citizens against prosecutors of this prosecution office with the Chief Prosecutor of the Appeal Prosecution Office during the period January-December 2024.

This represents a decrease compared to 2023, when 2 disciplinary complaints were filed by citizens.

Also, during the same period, no disciplinary investigation was initiated ex officio by the Chief Prosecutor of the Appeal Prosecution Office.


 <div>Number of prosecutors</div> <div>11</div>	Number of filed complaints	0
	Number of initiated complaints ex officio	0
	Number of rejected complaints	0
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

TABLE 12

Statistical data regarding disciplinary complaints in the AP during the period January - December 2023.


# Special Prosecutor's Office

According to the LDL, the Chief Prosecutor of the Special Prosecution Office is responsible for reviewing complaints regarding allegations of disciplinary violations by prosecutors of this prosecution office.

**24 prosecutors** were engaged in this prosecution during 2024. Meanwhile, according to data obtained through requests for access to public documents from this prosecution, during the period January-December 2024, citizens filed **3 disciplinary complaints** against prosecutors of this prosecution, which were rejected by the Competent Authority. Meanwhile, during this period, no ex-officio procedure was initiated by the Competent Authority. The same number of filings of disciplinary complaints against prosecutors of this prosecution was also recorded during 2023.

Unlike other prosecution offices, the decisions of the chief prosecutor of this prosecution office were not published on the KPC website, which constitutes a lack in terms of institutional transparency.

Consequently, FOL has only obtained information on the NUMBER OF FILED COMPLAINTS against prosecutors of this prosecution office through a complaint to the Information and Privacy Agency, and only after this institution has not responded to our requests for access to public documents.<sup>34</sup>

 <div>Number of prosecutors</div> <div>24</div>	Number of filed complaints	3
	Number of initiated complaints ex officio	0
	Number of rejected complaints	3
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

**TABLE 13** Statistical data regarding disciplinary complaints in the SP during the period January - December 2024.

34 Information and Privacy Agency, Decision A-486/2025, 20 June 2025.



# Basic Prosecutor's Office of Prishtina

According to the law, the Chief Prosecutor of the Basic Prosecution Office of Prishtina is responsible for reviewing complaints filed against prosecutors of this prosecution. A total of **50 prosecutors** were engaged in this prosecution during 2024.

According to the responses received through requests for access to public documents from officials of the Basic Prosecution Office of Prishtina, during this period **20 disciplinary complaints** were filed against prosecutors of this prosecution, while 1 request was initiated ex officio. All the complaints filed were rejected by the Competent Authority.

This number has decreased significantly compared to 2023, when a total of 34 disciplinary complaints were filed against prosecutors of this prosecution office.

Out of a total of 20 decisions rejecting disciplinary complaints, taken by the Competent Authority of this prosecution, only 8 of them have been published on the official website of the institution. From the monitoring of these 8 published decisions, it results that the Competent Authority has decided within the deadline set by law, respecting the procedural requirements for the timeliness of handling complaints.


 <div>Number of prosecutors</div> <div>50</div>	Number of filed complaints	20
	Number of initiated complaints ex officio	1
	Number of rejected complaints	20
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

TABLE 14

Statistical data regarding disciplinary complaints in the Basic Prosecutor's office of Prishtina during the period January - December 2024.

# Basic Prosecutor's Office of Mitrovica

The Chief Prosecutor of the Basic Prosecution Office of Mitrovica is the Competent Authority to review disciplinary complaints filed against prosecutors of this prosecution office.

During 2024, a total of **19 prosecutors** were engaged in this prosecution office. Meanwhile, according to responses to requests for access to public documents from this institution, during this period only **1 disciplinary complaint** was filed against prosecutors of this prosecution office, the same as during 2023, indicating a continuation of the low level of filing of complaints.

This complaint was rejected by the Competent Authority. On the other hand, there was no request for initiation of ex-officio disciplinary proceedings.

The decision to reject the complaint was published on the official website of the KPC and was taken within the legally established deadline, reflecting the respect for procedural standards in the handling of disciplinary cases.


 <div>Number of prosecutors</div> <div>19</div>	Number of filed complaints	1
	Number of initiated complaints ex officio	0
	Number of rejected complaints	1
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

TABLE 15

Statistical data regarding disciplinary complaints in the Basic Prosecutor's Office of Mitrovica during the period January - December 2023.

# Basic Prosecutor's Office of Peja

The Chief Prosecutor of the Basic Prosecution Office of Peja is the Competent Authority to review disciplinary complaints filed against prosecutors of this prosecution. During 2023, a total of **17 prosecutors** were engaged in this prosecution.

According to the responses to requests for access to public documents from this institution, during this period **14 disciplinary complaints** were filed against prosecutors of this prosecution. Of these, 12 disciplinary complaints were rejected by the Competent Authority. There was no request to initiate ex-officio investigations. While during this period 2 requests were made to initiate disciplinary proceedings.

There was a relatively similar number of complaints against prosecutors of this prosecution office during 2023, where 13 disciplinary complaints were filed, 12 of which were rejected.

No decisions on filed disciplinary complaints have been published on the KPC website, which raises concerns about the lack of transparency and accountability in the handling of disciplinary matters by this institution.


 <div>Number of prosecutors</div> <div>17</div>	Number of filed complaints	14
	Number of initiated complaints ex officio	0
	Number of rejected complaints	12
	Number of dismissed complaints	0
	Number of requests to initiate investigations	2

TABLE 16

Statistical data regarding disciplinary complaints in the Basic Prosecutor's Office of Peja during the period January - December 2024.

# Basic Prosecutor's Office of Prizren

The Chief Prosecutor of the Basic Prosecution Office of Prizren is the Competent Authority to review disciplinary complaints filed against prosecutors of this prosecution office.

During 2023, a total of **22 prosecutors** were engaged in this prosecution. Meanwhile, according to the responses to requests for access to public documents, during the period January - December 2024, 9 disciplinary complaints were filed by citizens against prosecutors of this prosecution, 7 of which were rejected by the Competent Authority. Also, during this period, 2 requests were made to initiate investigations.

The same number of disciplinary complaints were filed by the prosecutors of this prosecution office during 2023, when a total of 9 disciplinary complaints were filed.

On the official website of the KPC, it can be seen that only 3 decisions on disciplinary complaints filed during this period have been published, respectively out of 9, which raises questions about the institution's commitment to transparency and public information. From the general analysis of the 3 published decisions, it can be seen that the claims raised were decided within the deadline provided for in the law and regulations.


 <div>Number of prosecutors</div> <div>22</div>	Number of filed complaints	9
	Number of initiated complaints ex officio	0
	Number of rejected complaints	7
	Number of dismissed complaints	0
	Number of requests to initiate investigations	2

TABLE 17

Statistical data regarding disciplinary complaints in the Basic Prosecutor's Office of Prizren during the period January - December 2024.

# Basic Prosecutor's Office of Ferizaj

The Chief Prosecutor of the Basic Prosecution Office of Ferizaj is the Competent Authority to review disciplinary complaints filed against prosecutors of this prosecution. During 2023, a total of **18 prosecutors** were engaged in this prosecution.

According to the responses to requests for access to public documents, during the period January - December 2024, a total of **2 disciplinary complaints** were filed by citizens against prosecutors of this prosecution office, which were rejected by the Competent Authority. While there were no ex officio requests, and no requests for the initiation of disciplinary investigations at the KPC.

Compared to 2023, when 3 disciplinary complaints were filed, the number of complaints has marked a slight decrease, also reflecting an overall low trend in filing complaints against prosecutors of this prosecution office.

The decisions rejecting the submitted complaints have been published on the official website of the KPC. The analysis of these decisions shows that the competent authority acted within the deadline set for reviewing the claims, and the decisions are clearly and structurally argued. However, it has been noted that in these decisions, the decisions have been incorrectly categorized as 'dismissal' instead of 'rejection', although the real reason for the rejection was the lack of confirmation of the commission of a disciplinary violation.


 <div>Number of prosecutors</div> <div>18</div>	Number of filed complaints	2
	Number of initiated complaints ex officio	0
	Number of rejected complaints	0
	Number of dismissed complaints	2
	Number of requests to initiate investigations	0

TABLE 18

Statistical data regarding disciplinary complaints in the Basic Prosecutor's Office of Ferizaj during the period January - December 2024.


# Basic Prosecutor's Office of Gjilan

The Chief Prosecutor of the Basic Prosecution Office of Gjilan is the Competent Authority to review disciplinary complaints filed against prosecutors of this prosecution. During 2024, a total of **16 prosecutors** were engaged in this prosecution.

According to responses received through requests for access to public documents, during the period January-December 2024, **3 disciplinary complaints** were filed by citizens against prosecutors of this prosecution office. All of these complaints were rejected by the Competent Authority.

The number of complaints for 2024 has marked a significant decrease compared to 2023, when 5 disciplinary complaints were filed.

The respective decisions have been published on the official website of the KPC and, according to monitoring, each complaint has been decided within the deadline set by law and regulations. Also, the decisions have been reasoned and based on legal provisions.

 <div>Number of prosecutors</div> <div>16</div>	Number of filed complaints	3
	Number of initiated complaints ex officio	0
	Number of rejected complaints	3
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

**TABLE 19** Statistical data regarding disciplinary complaints in the Basic Prosecutor's Office of Gjilan during the period January - December 2024.

# Basic Prosecutor's Office of Gjakova

The Chief Prosecutor of the Basic Prosecution Office of Gjakova is the Competent Authority to review disciplinary complaints filed against prosecutors of this prosecution office. During 2024, a total of **15 prosecutors** were engaged in this prosecution office.

According to the responses received from the prosecution officials through the request for access to public documents, during the period January-December 2024, **4 disciplinary complaints** were filed by citizens against the prosecutors of this prosecution. All of these complaints were rejected by the Competent Authority. During this period, no ex officio procedure was initiated, and no request was made for the initiation of disciplinary investigations at the KPC.

Out of a total of 4 decisions taken, only 2 have been published on the official website of the KPC. For these 2 published decisions, it appears that they were made within the deadlines set by law and regulations, respecting the procedural criteria for handling complaints.


 <div>Number of prosecutors</div> <div>15</div>	Number of filed complaints	4
	Number of initiated complaints ex officio	0
	Number of rejected complaints	4
	Number of dismissed complaints	0
	Number of requests to initiate investigations	0

TABLE 20

Statistical data regarding disciplinary complaints in the Basic Prosecutor's Office of Gjakova during the period January - December 2024.

## General analysis of the reasons for filing complaints against prosecutors and the reasoning of the decisions

Unlike the KJC, the KPC continued in 2024 not to publish all decisions regarding the rejection or dismissal of disciplinary complaints, a practice that was also maintained in 2023. During that year, disciplinary complaints against prosecutors were treated as confidential data by the respective chief prosecutors and were not made accessible to the public. For this reason, Levizja FOL had filed a complaint with the Information AND Privacy agency (AIP), opposing the KPC's refusal to provide access to public documents on disciplinary decisions. As a result, the AIP, with decision no. AP-397/2024 dated 24 June 2024, forced the KPC to allow access to these documents, emphasizing that the previous refusal was unjustifiable and contrary to the right to information.

During 2024, out of a total of 51 disciplinary decisions to reject/dismiss complaints received by the Competent Authorities, only 14 were published on the official website of the KPC, while 37 decisions (about 72.5%) were not published at all on the official website of the KPC, respectively on the respective domains of the prosecution offices. This situation represents a serious lack of transparency and limits public access to information, moving away from the standards of accountability and Liability expected of justice institutions.

Such an approach not only undermines citizens' trust in the prosecutorial system, but also negatively impacts efforts to build a culture of accountability and continuous institutional improvement. Without the regular publication of these decisions, it is impossible to make a full and objective assessment of how complaints against prosecutors are handled.

From the general analysis of the decisions available for 2024, it is noted that one of the most common reasons for filing complaints was the violation of the Code of Professional Ethics of Prosecutors, especially in their behavior during court hearings. Numerous complaints from citizens have expressed concerns about the unprofessional approach of some prosecutors, as well as the way the judicial process as a whole has been administered.

Although the non-publication of a significant portion of the decisions by the Competent Authorities limits a comprehensive assessment of the quality of reasoning, it can be said that, where documents are available, the reasoning appears sufficient, including a description of the facts, the legal basis, and the final analysis.



However, the decisions of the Competent Authorities that have been published have generally been well reasoned. The evidence presented and included in the content of the decisions has been considered sufficient to justify the decisions to dismiss or reject the complaints, but the lack of full transparency and the non-publication of all decisions makes it difficult to make a comprehensive and objective assessment of the quality of their handling.

Regarding compliance with legal deadlines, the published decisions show that the competent authorities have acted within the deadlines set by law and regulations. In the cases analyzed, no violations of procedural deadlines were identified.

# Final decisions of the Kosovo Prosecutorial Council

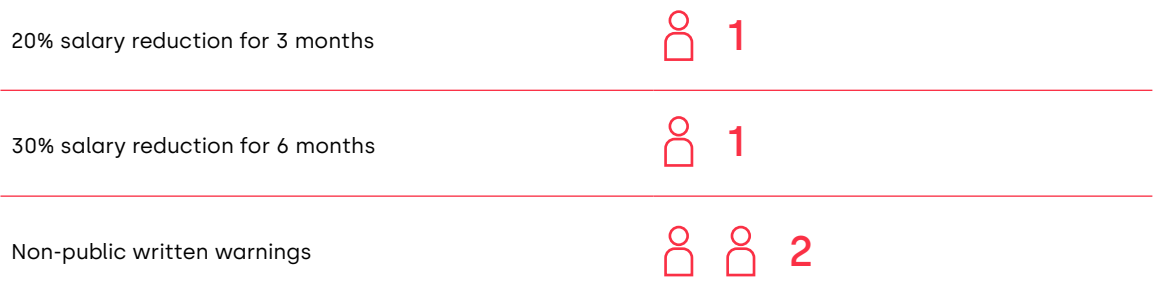
Based on the responses obtained through requests for access to public documents of prosecutorial officials, during 2024, the KPC received 6 requests for initiation of disciplinary investigations from the Competent Authorities (Chief Prosecutors of the Prosecutorial Offices).

According to the KPC's annual report for 2024, during this year, the KPC, through investigative panels, has taken 4 disciplinary decisions for cases of 2024 and has imposed the following disciplinary measures<sup>35</sup>:

- "Non-public written warnings" → (2 decisions);
- "Salary reduction by 30% for a period of 6 months" → (1 decision);
- "Salary reduction of 20% for a period of 3 months" → (1 decision).

This means that the majority of disciplinary measures imposed by the KPC during 2024 were non-public warnings. Also, these KPC decisions are not published on the official website of this institution.

Graphically, the type of disciplinary sanctions imposed by the KJC can also be found in the chart below.



**FIGURE 4** Disciplinary sanctions imposed by the KPC during the period January - December 2024.

35 For more information, see: Kosovo Prosecutorial Council, Work Report for 2024.


## 6. Complaints submitted to the Ombudsperson

Due to the role of the Ombudsperson Institution in law enforcement and human rights protection, the LDL has allowed the possibility of filing disciplinary complaints by natural and legal persons for disciplinary violations of judges and prosecutors also to the Ombudsperson. This additional mechanism provides an important channel for reporting misconduct by judicial and prosecutorial authorities, ensuring broader oversight of the justice system.

During the period January-December 2024, the Ombudsperson received 12 disciplinary complaints, 8 of which were declared inadmissible because, according to their content, they were filed by the parties due to dissatisfaction with judicial decisions and were not filed for disciplinary matters.

The complaints declared admissible have been processed in the KJC and the KPC, and in 3 cases, the councils have not found any disciplinary violations against judges and prosecutors, according to the complainants' claims, while 1 case is in the investigation phase.

The table below shows the number of filed complaints by citizens with the Ombudsperson Institution, as well as the number of admissible and inadmissible complaints.

 <b>The Ombudsperson</b>	Number of filed complaints by citizens	12
	Number of complaints declared admissible	4
	Number of complaints declared inadmissible	8
	Number of disciplinary violations recorded by the KPC and KJC	0

**TABELA 21** Statistical data regarding disciplinary complaints processed by the Ombudsperson during the period January - December 2024.

## 7. Recommendations

Based on the conclusions of this report and the aim of increasing the efficiency of handling disciplinary cases against judges and prosecutors, Levizja FOL makes the following recommendations:

- **KPC to place the form for submitting disciplinary complaints in a more visible and accessible section on the official website, in order to facilitate citizens' access and exercise of this right.**

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- **All decisions on the rejection/dismissal of disciplinary complaints to be published on the official website of the KPC and KJC. This will help increase public awareness and increase citizens' trust in the justice system.**

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- **On a regular monthly basis, KJC and KPC to inform citizens about periodic data on the filing of complaints against judges and prosecutors.**

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- **The 30-day deadline for handling disciplinary complaints be strictly respected, and the parties must be notified in a timely manner of the decision made.**

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- **Stricter disciplinary measures to be imposed on judges or prosecutors by the relevant councils in cases where disciplinary sanctions are imposed on them several times in a row, since there is currently no unified or standardized mechanism to identify and more severely punish cases of repeated violations in both systems.**

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- **Joint campaigns by KJC and KPC to be organized, with the aim of promoting and encouraging citizens to exercise their right to complain against judges and prosecutors.**

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