



# **BULLETIN OF THE KOSOVO PROSECUTORIAL COUNCIL**

October 2022

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## ACTIVITIES OF THE KOSOVO PROSECUTORIAL COUNCIL

**(In this edition of this newsletter, the activities for the month of October 2022 are reflected)**

### The draft Regulation for the Administration of the KPC is finalized

The Commission for Normative Issues of the KPC held its next meeting, during which it made the final review of the Draft Regulation for the Activity, Internal Organization and Systematization of the Administration in the KPC, after the harmonization of some provisions completed by the administration of the KPC Secretariat.



The members of the Commission for Normative Issues decided that the finalized draft of this regulation should be sent for approval at one of the next meetings of the Kosovo Prosecutorial Council.

### Representatives of the prosecutorial system visit the District Court in Oslo

A delegation from the prosecutorial system visited the District Court in Oslo, Norway.



In the framework of this visit, discussions were held with the aim of benefiting from the exchange of experiences and good practices, especially those

related to the management of information technology services in the field of justice, including the statistics, analysis and use of information, which affects the strengthening and advancement of CMIS, the description of the models of operation, maintenance and concrete models of its financing, which are needed to keep the essential infrastructure up to date.

### The draft Regulation for interns in the prosecutorial system is approved

The Commission for Normative Issues held its next meeting, during which the draft Regulation for interns in the prosecutorial system was reviewed.



The members of this Commission emphasized that through this regulation it will be possible to engage new staff to train and prepare for work.

### The next meeting of the Commission for the Administration of Prosecutions is held

The Commission for the Administration of Prosecutions held the next meeting, where the focus was on the review of the analysis for the necessary number of prosecutors in the Appellate Prosecution Office, in which case it was emphasized that recommendations will be drawn from this assessment that will be sent to the Council for approval at one of his next meetings.



Part of the discussion was also the draft of the agenda of the workshop that is planned to be held for administrators, which is mainly related to the presentation of monitoring reports on the implementation of CMIS in the prosecutorial system.

### The implementation of by-laws in the Basic Prosecution Office of Peja and Gjakova is monitored

Following the monitoring of the implementation of by-laws and in order to fulfill their work duties, the members of the Commission for Normative Issues visited the basic prosecution offices of Peja and Gjakova, where they were received by the respective chief prosecutors of these prosecution offices.



In the meetings held in the two respective prosecution offices, the members of the Commission for Normative Issues were informed about the implementation of the by-laws in force and the acts that are in the process of being drafted, discussed and approved in the KPK, the facilitation of access to them, the challenges and difficulties in the implementation of them and the eventual proposals for completing and changing normative acts in general.



## The commission for the election of the member of the KPC from the turn of the Appellate Prosecution Office is established

The Prosecutorial Council of Kosovo has held its 220th meeting in a row, during which the reports for the period January-June 2022 of the inter-institutional tracking mechanism for characteristic criminal offenses and the supervisory commission for monitoring cases of corruption and economic crimes arising from Strategic Plan of the Prosecution System 2022-2024. Also, for the first six months of 2022, the chairmen of the permanent commissions of the KPK also reported, reports which were approved with several recommendations.



Subsequently, the members have approved the Instruction for the use of symbols and seals in the prosecutorial system, as well as promoted, according to the recommendation of the Commission for the transfer and advancement of prosecutors, the prosecutor Sadri Alija from the General Department to the Juvenile Department of the Basic Prosecution Office of Gjakova. Meanwhile, for the Appellate Prosecution Office, a decision was made on the internal announcement for the advancement of 3 prosecutors in this prosecutor's office.

During this meeting, the Document of training policies for prosecutors and administrative staff of the prosecutorial system was approved, as well as the Plan of needs for the training of prosecutors and administrative staff, which will be sent to the Academy of Law for the drafting of the training program for the year 2023.

The meeting continued with the establishment of the Commission for the election of the member of the Prosecution Council of Kosovo from among the prosecutors of the Appellate Prosecution.

At this meeting, the Council made a decision to announce the competition for the General Director of the Secretariat of the Kosovo Prosecutorial Council and the Director of the Prosecution Performance Review

Unit, as well as established the recruiting committee for these 2 positions.

At the end of the meeting, the report on the evaluation of the performance of 11 prosecutors with a permanent mandate was approved.

## Work activities in the Appellate and Basic Prosecution Office of Pristina are essentially reduced

The Kosovo Prosecutorial Council of has made a decision for the essential reduction of work activities in Object C of the Palace of Justice, where the Appellate Prosecution and the Basic Prosecution of Pristina are located. This reduction in these two prosecution offices is a result of the deteriorating condition in this facility, as a result of the pronounced lack of oxygen and health problems that appear on a daily basis among the prosecutors and the support staff of these two prosecution offices.



In order to carry out emergency work, these two prosecution offices will appoint prosecutors and administrative staff to take care of and carry out only the activities of an urgent nature and the actions set according to the legal deadlines.

The situation created in this facility with health consequences is not the responsibility of the Kosovo Prosecutorial Council of, since the same has undertaken successive actions within its powers to find a solution to this major problem. This facility is under the management of the Ministry of Internal Affairs, which is competent and responsible for undertaking further actions.

Faced with this situation, we call on the Ministry of Internal Affairs to implement the contract for opening the windows in this facility as soon as possible. Until the realization of this project, the aforementioned prosecution offices will work according to the emergency plan.

The Kosovo Prosecutorial Council of will not be held responsible for criminal charges and eventual civil lawsuits that may be filed related to the health consequences caused by staying in this facility.

### The chairman of the KPC hosted a delegation of the High Inspectorate of Justice from the Republic of Albania

The Chairman of the Kosovo Prosecutorial Council, together with the Chief Prosecutor of the Special Prosecution, received the High Inspector of Justice (ILD) of the Republic of Albania with associates.



On this occasion, they discussed the identification of ways of cooperation and the exchange of experiences, as well as the intensification of cooperation through the creation of joint groups, in order to achieve the objectives in the relevant fields of work.

### The prosecutorial system continues voluntary blood donation

The Kosovo Prosecutorial Council of and the institution of the State Prosecutor in cooperation with the National Center for Blood Transfusion of Kosovo organized an action within the framework of regular voluntary blood donation, in which case a considerable number of officials responded to the invitation to donate prosecutorial system.



Such cooperation between the prosecution system and the National Blood Transfusion Center continues for years, organizing and carrying out such humanitarian acts that save people's lives.

### The speech of the Chairman of the Kosovo Prosecutorial Council, Mr. Jetish Maloku, on the occasion of marking the Week for the Rights of Crime Victims

Honorable Acting Chief State Prosecutor, Mr. Besim Kelmendi,  
Your Excellency, Ms. Vjosa Osmani, President of the Republic of Kosovo,

Honorable President of the Constitutional Court, Mrs. Gresa Caka - Nimani,

Honorable Ambassador of the United States of America, Mr. Jeffrey Hovenier,

Honorable Minister of Justice, Mrs. Albulena Haxhiu,

Honorable President of the Supreme Court, Mr. Enver Peci,

Honorable Chairman of the Kosovo Judicial Council, Mr. Albert Zogaj,

Dear leaders of local institutions and representatives of international institutions,

Dear chief prosecutors, prosecutors, presidents of courts, judges, police and you defenders of crime victims,



I am honored to be part of this conference and on behalf of the Kosovo Prosecutorial Council to present the ongoing commitment of this institution to the protection of crime victims.

Based on our competences, the Kosovo Prosecutorial Council has supported the institution of the State Prosecutor's Office for the construction of a stable office for the protection of victims, offering it professionals and the necessary legal and technical infrastructure, so that the victims of crime are not forgotten during the administration of justice, but to feel safe and protected physically and psychologically.

In this regard, we highly appreciate the commitment of the Office for Protection and Assistance to Victims and, in particular, the commitment of the State Prosecutor institution.

Dear State Prosecutors,

- Your task and role should not be seen only as a symbolic commitment, but above all to be an active and powerful commitment in representing the interests of crime victims;

- You have an obligation to be by the side of the victims, so that they do not feel alone and without the support of the relevant institutions;

- You have the obligation that criminal procedures do not increase the suffering of crime victims, on the contrary, they build trust and security in the relevant institutions.

No one is asking for special privileges for crime victims, nor denial of the rights of the accused, but only equality in treatment, which is lacking in many cases.

Therefore, respected prosecutors, restore the trust, not only of the witnesses, but also of the victims of crime, otherwise the legal system and the rule of law in our country will remain weak and criminals will walk free, without fear of punishment (sentencing).

Despite the great changes and the advancement of the procedures in Kosovo, our institutions still have a lot to do in this field and for this it is not enough only the will of individuals or groups of individuals, but the entire social advancement would be needed to raise awareness in protection of crime victims by institutions, but also by society.

Therefore, we ask the competent institutions to support us according to their competences with budgetary means, in order to complete the legal and technical infrastructure, as required by law.

In this direction, we have continuously had great support in this field from our international partners, to whom we are very grateful. In particular, I highly appreciate the assistance of the Embassy of the United States of America, which in various ways and forms has

contributed to the advancement of the rights of crime victims.

Also, we strongly believe that their compensation is of great importance as a form of material, health and psychological help and support, until their full rehabilitation and integration.

In the end, dear prosecutors, we believe that by protecting the victims of crime, we build a peaceful, safe and healthy environment for our entire society.

I thank you for your attention and the contribution of all the institutions present here and those who engage in this direction.

### Continuous commitment is required in the handling of corruption and economic crimes cases

The Supervisory Commission for Corruption and Economic Crimes has visited the Basic Prosecution Office of Ferizaj, whereupon they were received by the Chief Prosecutor of this prosecution office.



During this meeting, it was discussed about the cases of corruption and economic crimes, their treatment and the various challenges that appear on the road ahead of this prosecution office.

In this meeting, the members of the Commission, despite the results achieved in the handling of corruption cases and economic crimes in this prosecution office, asked for a continuous commitment in handling these cases.

At the end of the meeting, the members of the Commission said that the fight against corruption should be a priority because it is in the national interest of the country.

## The first joint inter-institutional meeting is held

The Kosovo Judicial Council in coordination with the Kosovo Prosecutorial Council, the Ministry of Justice, the Supreme Court of Kosovo and the Office of the Chief State Prosecutor, held today the first joint inter-institutional meeting.

This meeting was a starting point platform to discuss and consider the possibilities of a focused and agreed inter-institutional approach to set in motion a common legal and regulatory initiative.



This initiative aims to address the issues that have emerged from the European Union Commission's Country Report, the Rule of Law Strategy as well as the recommendations of the Venice Commission Opinion.

## Activities of the KPC Secretariat

During the month of October, the Secretariat of the KPC prepared the Cooperation Agreement between the Prosecution Council of Kosovo and the Customs for the electronic exchange of data and held a meeting with representatives of the IRZ regarding the completed projects and those to be realized in 2023 by this organization.

On the other hand, the process of registering real cases in the OCSP has started and a meeting was held with the experts of the EUKOJUST Project for the archiving of cases in CMIS, as well as with representatives of the Academy of Law where the preparation of the module for holding the training for the use of CMIS by prosecutors.

Meanwhile, an important meeting was held with the KJC, where the exchange of data for the second instance (Court of Appeals – Appellate Prosecution Office) was discussed, as well as the Guide for raising the level of knowledge for the prevention of cybercrimes was prepared.

## Activities of the Prosecution Performance Review Unit

The PPRU, during October 2022, have been focused on the drafting of the analytical report on the necessary number of prosecutors in the Appellate Prosecution Office in accordance with the changes to the Code of Criminal Procedure, the drafting of the nine-month work report of the State Prosecutor, supporting the process of recruiting prosecutors, supporting the implementation and administration of the written test for candidates for prosecutors, comments on the further advancement of CMIS reports, participation in the meeting of the Commission for the Administration of Prosecutions and presentation of the report according to the agenda, drafting infographic report on typical criminal offenses, which are published on the web portal, participation in the meeting with CEPEJ experts of the KOSEJ project within the Council of Europe where the forms of reporting through CMIS were discussed, the preparation of the individual training plan for the officials of ZMAVP and the drawing up of regular reports.