FIGHT, PERSECUTION OR AMNESTY IN THE NAME OF THE FIGHT AGAINST CORRUPTION?

Comprehensive assessment report on the monitoring of corruption cases treatment in justice system for the first six months period 2017

Pristina, December 2017
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**ABOUT KLI**

Kosovo Law Institute (KLI) is a non-governmental organization and non-profit of public policy, and specialized ideal in the justice sector.

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I. Executive summary

Corruption in Kosovo is endemic. Kosovo suffers from the lack of willingness to fight corruption. The fight against corruption continues to remain at the level policy adoption by justice institutions. This fight has now turned into a fight of persecution and amnesty of corruption, holding citizens for decades and years in criminal proceedings, violating fundamental rights and freedoms and violating legal certainty.

Policies and laws have not been lacking in the efficient and effective fight against corruption in Kosovo. The Ministry of Justice has prepared a legal framework whose implementation would bring concrete results in fighting corruption. The Judicial Council and the Prosecutorial Council have adopted strategies and action plans to address corruption cases with absolute priority. The holders of judicial and prosecutorial functions have not taken these policies seriously, which are struggling to be implemented in practice. This has led to an inefficient and ineffective fight against corruption, in violation of all legal deadlines for dealing with corruption cases both in the investigation phase and in prosecuting trials. Supervision of the implementation of action plans remains formal and not substantive, without producing the expected results both in the judicial and prosecutorial systems.

The fight against corruption in Kosovo continues to develop mainly towards the low and middle profile. High profile is seldom followed, but even when prosecuted, high-profile indictments fail in initial court proceedings. The systematic monitoring findings conducted by KLI in the prosecutorial and judicial system show that fighting corruption is mainly concentrated on low and medium profile. KLI has analysed cases adjudicated during 2016, involving high-profile persons. The findings of the monitoring show that from the cases completed in the first instance until December 2017, 67% of them have failed in the courts. Of the 33 high profile persons charged and tried during 2016, seven (7) of them were convicted from the first instance, against nine (9) of them a verdict of acquittal was rendered, with one (1) person being announced a refusal judgment, four (4) of them have had indictments dismissed, while for twelve (12) of them trial is continuing. In the only case where a conviction was imposed against seven persons, the second instance – Court of Appeal - verified the conviction for only one person, being sentenced to 10 months suspended imprisonment, three were acquitted, and three people have not yet been given a decision.

Unlike the previous year, in the first six months of 2017 indictments were filed against three high profile persons. For two of these persons (Dalibor Jevtic and Pal Lekaj) indictments filed by prosecutors have failed during the initial stage in the court, while the third person (Shukri Buja) is still undergoing judicial proceedings.
KLI during the first six months of 2017 has monitored 702 hearings, where 255 are cases of corruption with 761 people, in all Kosovo Basic Courts. 463 hearings were held and as a result of the failure to meet the legal deadlines for holding hearings, 239 of them have been postponed due to the absence of defendants, prosecutors and judges. Of the 702 monitored hearings in seven Basic Courts, where for analysis 255 corruption cases are included, KLI has identified violations of legal deadlines at all stages of criminal proceedings. Although the Criminal Procedure Code sets the deadline of 30 days for the treatment of criminal charges, in the cases analysed, in practice it results that the average time for the treatment of cases is 217 days. The average time for handling a case from the indictment until the initial hearing is 249 days, though the Code foresees only 30 days. Meanwhile, the average treatment from the scheduling of the main trial until the announcement of the verdict is 266 days. The shortest time of handling a case of corruption from the time of filing a criminal report until the pronouncement of the verdict is 1 day, while the case that has taken the most time until the verdict is announced is 3689 days or over 10 years. So, at all stages of the procedure there is a violation of legal deadlines.

The profile of 761 persons accused in these 255 cases of corruption monitored by KLI during this reporting period (January-June 2017) was mainly for low and medium profiles with a limited number of persons accused that belong to high profile.

In 88 published decisions at the first instance, against 184 persons in cases of corruption monitored by KLI, results that prosecutors have failed in the majority of their indictments against high profile cases to try them in court, while judges have mainly applied mild punitive politics to the perpetrators of criminal offences of corruption.

In these cases of corruption where decisions were published, 90 persons belong to low profile, 87 persons to medium profile and 7 persons belong to high profile cases. Of the 7 persons belonging to high profile, 6 were acquitted where only one was sentenced and he is the former Mayor of the Municipality of Novoberdo that was given a fine of 4,500 euro. KLI evaluates that this trend proves that indictment against high profile persons were raised without evidence with the purpose of persecution or permanent amnesty.

Claims for sequestration and confiscation of assets acquired through criminal offence of corruption are non-existent in practice, even when it is found that through corruptive actions thousands of millions of euros have been damaged. This approach is the same for local prosecutors and EULEX prosecutors.

During the KLI monitoring process, judges and professional collaborators have shown to implement legal obligation in proving access to public documents in compliance with the law, whereas the majority of prosecutors continue to violate the law by not providing access to requests documents, which they have provided for numerous years. This shows the lack of will to increase transparency and accountability of prosecutors. As a results of KLI findings, the
office of the Disciplinary Counsel has treated over 500 cases of preliminary investigations for violation of the law from the holders of prosecutorial and judicial functions.

KLI finds that in the name of the fight against corruption, the justice system is not fighting, it is more persecuting and amnestying corrupt activities. Political influence on the practical and non-formal appointment of key position holders in the justice system is preventing the fight against corruption. The fact of holding open cases without evidence and evidence for years is affecting the persecution of citizens and the violation of their legal security. On the other hand, the increase and evidence of indictments in addition to persecution in certain cases is being used to amnesty the potential perpetrators of corruption offenses forever.

In this situation, the KLI finds that it is time to open a public debate regarding the start of the vetting process in the Police, Prosecution Offices and Courts. The vetting process should include a detailed background check of current police, prosecutors and judges in Kosovo. Verification should include a comprehensive debate of all political parties represented in the Kosovo Parliament, with the requirement that the implementation of the verification process in practice be conducted by the United States, the United Kingdom and Germany.

It is also recommended to open public debate regarding the establishment of a Special Prosecutor's Office and Court with competences in fighting organised crime and corruption. The process of recruiting local police, prosecutors and judges should be implemented by the United States, the United Kingdom and Germany.
II. Methodology

KLI in order to compile a more comprehensive and analytical report on dealing with cases of corruption from the prosecutorial and judicial system has used mixed research methodology. This is because the prosecutorial and the judicial system still face problems in unifying its data. Therefore, the investigation of corruption cases by the prosecutorial and judicial system is based on direct monitoring of the performance of prosecutions and courts in law enforcement, policies and action plans for addressing corruption cases with priority.

KLI based on legal obligations and action plans has established a clear indicator for measuring progress in their implementation by the prosecutorial and the judicial system. The research includes monitoring of corruption cases in seven Basic Prosecution Offices, the Special Prosecution Office of the Republic of Kosovo, seven Basic Courts and their Branches. In the focus of the monitoring were the activities of the Supervisory Committees of the Councils on Corruption, the State Prosecutor, the Kosovo Prosecutorial Council and the Kosovo Judicial Council in implementing policies and action plans. KLI also provided statistical data from the Prosecution Performance Review Unit and the Statistics Department of the Judicial Council and collected individual data throughout the monitoring process across all prosecutor offices and courts.

The reports provided by the KLI are summarized in a database that includes all cases of corruption and persons involved in these cases at all stages of criminal proceedings in the prosecutorial and the judicial system.

The database was used to identify the most disturbing issues related to the implementation of the legal obligations and the obligations of the action plans, respectively related to the resolution, the manner in resolving and the non-resolution of corruption cases by prosecutors and judges. Through statistics, KLI has analysed several aspects that have been presented and commented through tables and graphics, including all corruption case specifics for each prosecution office and court, for each corruption case complainant, for the backlog of reported cases of corruption and the manner of case resolution.

KLI has continued to monitor prosecutorial acts on the decisions to dismiss criminal reports and decisions for termination of investigations. The same were analysed against legal obligations and identification of legal violations in dealing with corruption cases in criminal proceedings, including the identification of prescribed cases. It is worth mentioning that for the first six months of 2017 (1 January - 30 June 2017) prosecution acts have not been provided by the majority of Basic Prosecution Offices. KLI has built a practice of co-operation since 2013 with all Prosecution Offices that have provided prosecutorial acts (decisions on the dismissal of criminal charges and decisions for termination of investigations), which have been repeatedly requested in accordance with the provisions of the Law on Access to Public Documents and the Law on the Protection of Personal Data. The refusal to provide these prosecutorial acts, of which a number of cases involving prosecutors have been sent to the Disciplinary Committee, testifies
to the maximum efforts of these prosecution offices to avoid monitoring, transparency and public accountability regarding the handling of corruption cases. The guaranteed rights defined by the applicable legislation on securing legal acts of prosecution, KLI will attain through legal channels.

KLI researchers, from 1 January to 30 June 2017 monitored 702 courts hearings, where 255 are cases of corruption involving 761 people. KLI created clear indicators to make accurate measurements of the duration of corruption cases throughout all stages of criminal proceedings, including from criminal charges up to the first instance decision by the courts. The analysis includes all the trends of dealing with these cases and the length of procedures cases of corruption.

An important aspect of the monitoring was the performance of accountability mechanisms for prosecutors and judges who, due to their performance in corruption cases, became subject to disciplinary procedures.

KLI has continuously monitored the activities of the Supervisory Committee for corruption cases of the Kosovo Judicial Council, Kosovo Prosecutorial Council, Basic Prosecution Offices, Special Prosecution Office of the Republic of Kosovo and Basic Courts. KLI developed in-depth interviews with all prosecutorial and judicial stakeholders, based on indicators defined in accordance with legal obligations and obligations derived from action plans. The developed interviews have been codified so that the issues and information that emerged from them are included in the report.

Moreover, in order to be as precise as possible in identifying problems and proposing recommendations for problem solving in fighting corruption, respectively in the most efficient and effective implementation of the legal obligations and obligations of the action plans, KLI has analysed the legal basis, as well as relevant local and international documents related to the fight against corruption in Kosovo.
III. Fight against corruption at political level

On 19 January 2012, the European Commission started the dialogue on visa liberalization with Kosovo. In the framework of the visa dialogue, Kosovo was required by the European Commission to initially adopt or amend the legislation set out in the Visa Liberalization Guidelines in accordance with the EU acquis. Kosovo should then fully implement this legislation and all other measures specified in the roadmap.1

In block three of visa liberalization roadmap, regarding Security and Rule of Law, the European Commission set criterion for Kosovo, in order to adopt and implement legislation on the prevention, investigation, prosecution and adjudication of organised crime and corruption, including money laundering, and financial crime, sequestration and asset restitution, and terrorist financing, in accordance with the EU acquis, ensuring that changes to this legislation are also reflected in the criminal code.

a) MoJ policies and implementation

The Ministry of Justice, within its competences and responsibilities, in order to meet the criteria for visa liberalization, as well as the stabilization and association process, initiated, drafted and sent for approval to the Kosovo Assembly, through the Government of Kosovo, a large number of the laws, in order to meet the criteria for visa liberalization. Since 2012, the new Criminal Code and the new Criminal Procedure Code have been enacted since 1 January 2013. During 2013, the Law on Extended Competencies for Confiscation of Property Acquired by Criminal Law, the Law on the Execution of Criminal Sanctions, the Law on International Legal Cooperation in Criminal Matters. While in 2015, the Law on Crime Victim Compensation was adopted; amendments to the laws of the judiciary, such as the Law on the Kosovo Judicial Council, the Law on Kosovo Prosecutorial Council, the Law on Courts and the Law on State Prosecutor were adopted. During 2016, a new law on the administration of sequestrated and confiscated assets was adopted. During this period of time, the Ministry of Justice had several laws repeated and amended several times.

The Ministry of Justice, by the end of 2016 and 2017, began reviewing the rule of law sector in Kosovo, including the review of criminal justice, a process that is in progress.

Despite the adoption of criminal legislation, Kosovo through the establishment of a large number of mechanisms in fighting corruption in Kosovo has influenced the distribution of responsibility in fighting corruption. "Institutional framework on Anti-corruption in Kosovo is fragmented while key anti-corruption bodies are not well integrated, their competencies are violated, and the

1 Kosovo Visa Liberalisation Roadmap, available on: http://mei-ks.net/repository/docs/Udherrefyesi_per_Liberalizim_te_Vizave.pdf
division of tasks is unclear. Kosovo needs to strengthen the inter-institutional coordination of mechanisms and bodies.”

Furthermore, the American State Report on Kosovo regarding human rights practices for 2016 addresses the issue of fighting corruption in Kosovo. According to this report, convictions regarding corruption cases continue to represent a handful of people being investigated and accused of corruption.

Even in 2017, the policies on paper regarding the fight on corruption are not being implemented in practice in an independent, impartial and fair manner.

b) KPC policies and implementation


This action plan continues to be unavailable to the public. Even at the end of 2017, the KPC has not published the Action Plan, although the purpose of this plan was to increase transparency and accountability. Article 4 of the Action Plan foresaw the establishment of the Supervisory Committee regarding the handling of corruption cases by prosecution offices, monitoring the implementation of the strategy and reporting to KPC on a quarterly (three-month) basis.

Resolution of corruption cases according to deadlines foreseen in the action plan- Article 3 of the action plan foresaw that unresolved cases of corruption, economic crime, including sequestration and confiscation of illegal assets accepted from 2001 to 2010, to be completed by 30 June 2016. KPC has failed to implement this obligation in practice. The failure of the Supervisory Committee in implementing the Strategic Plan and the Action Plan on fighting Corruption and Economic Crime was reported as a success by the KPC. According to the Committee, all corruption cases up to 2010 were resolved with the exception of three cases. There are unresolved corruption cases in the prosecutorial system dated since 2008, respectively backlogged unresolved cases for approximately 10 years. KLI found that up until now, SP still has at work 12 unresolved corruption cases with 27 people involved that belong to the period of years from 2008 up to 2010. SPRK has 3 unresolved cases with 7 people, BP in Mitrovica has 1 unresolved case with 2 people, BP in Ferizaj has 1 unresolved case with 1 person and BP in Pristina has 7 unresolved cases with 17 people prior to 2010.

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4 Supervisory Committee during reporting before the KPC for the 2016 report presented only three unresolved cases that belong to 2010. Prosecutor Laura Pula, during the presentation of the report, stated that of these three cases, two are not resolved because they are suspended due to an international arrest warrant in the absence of the defendant, whereas one case is at work in the information gathering phase. The KPC Supervisory Committee report, 1 February 2017.
**KPC quarterly reports** - Article 4 of the action plan foresaw the establishment of the Supervisory Committee regarding the treatment of corruption cases from prosecution, monitoring the implementation of strategy and reporting to the KPC on a quarterly basis. During 2017, the same Committee reported twice before the KPC. The Supervisory Committee for the first time reported to the KPC during September 2016\(^5\). The same Committee was obligated to report before the Council every three months regarding the monitoring of corruption cases dealt with by Prosecution\(^6\). For the second time, this Committee reported in February 2017\(^7\) whereas on 16 May reported for the third time\(^8\). The Supervisory Committee during 2016 found numerous inconsistencies of the data in report to the number of cases left at the end of the previous period\(^9\).

The Supervisory Committee has not provided concrete recommendations regarding the treatment of corruption and economic crime cases for the period January-March 2017\(^{10}\). The approach used by the Committee and the Council prove in practice the lack of will in fulfilling their obligations adopted by the KPC.

**Reporting for the sequestrated and confiscated assets for criminal offences against corruption** - the action plan specified that the National Coordinator for the Fight against Economic Crime (NCFAEC) will monitor cases related to economic crime, including sequestration and confiscation of illegal assets. NCFAEC fulfilled its obligations in reporting to the KPC regarding their activities in relation to sequestration and confiscation of illegal assets. NCFAEC reported twice during the first six months of 2017, on 10 February they reported to the KPC for the period July-December 2016 whereas on 29 May they reported concerning the period of January-March 2017. During the reporting period of this quarterly there is information on only one case of criminal offences relating to corruption. This is concerning a sequestration of 100,000.00 euro that was dispensed in the Ministry of Health budget. Regardless of this there still remains a concerning fact that there are assets that were reported to have been confiscated from the year 2000 and onwards, the same were not proposed in indictments for confiscation.

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\(^5\) Supervisory Committee for the first time reported to the KPC on 16 September 2016.  
\(^6\) *Note:* KLI has addressed the KPC and the Supervisory Committee with requests for Access to public documents regarding the treatment of corruption cases, regarding activities undertaken concerning corruption cases. KPC and the Supervisory Committee did not reply in any of KLI’s requests.  
\(^7\) *Note:* the KPC Supervisory Committee regarding the treatment of corruption cases, for the second time reported to the KPC members on 1 February 2017. Reporting was conducted by the Chair of this Committee, Ms. Laura Pula. The report was published online: [http://betimiperdrejtesi.com/kpk-miraton-transferimin-e-prokurorit-syle-hoxha-ne-prokurorine-speciale-te-republikes-se-kosoves/](http://betimiperdrejtesi.com/kpk-miraton-transferimin-e-prokurorit-syle-hoxha-ne-prokurorine-speciale-te-republikes-se-kosoves/). The meetings report is also available on: [https://www.youtube.com/watch?v=btvTa4Rk20M&feature=youtu.be](https://www.youtube.com/watch?v=btvTa4Rk20M&feature=youtu.be)  
\(^8\) *Note:* KPC Supervisory Committee regarding the treatment of corruption cases, for the third time reported to the KPC members on 16 May 2017. Reporting was conducted by the member for this Committee, Mr. Haxhi Dërguti. The report was published online: [http://betimiperdrejtesi.com/kpk-aprovon-raportin-mbikesqejes-per-kuftimin-e-korrupsionit-dhe-krimeteve-e-konomikve/](http://betimiperdrejtesi.com/kpk-aprovon-raportin-mbikesqejes-per-kuftimin-e-korrupsionit-dhe-krimeteve-e-konomikve/)  
\(^9\) The Chair of the Supervisory Committee regarding the treatment of corruption cases, during the meeting held on 1 February 2017, reported that after the collection of information from all individual prosecutor offices, the committee found numerous discrepancies of this data in report to the number of cases left at the end of the previous report.  
\(^{10}\) The member of the Supervisory Committee, Mr. Haxhi Dërguti at the meeting held on 16 May 2017, for the period of January-March 2017 reported that this committee has not provided concrete recommendations, however, the same will be proposed in the six month report.
During this reporting period the same as in 2016 there was no decision with regards to larger confiscations\textsuperscript{11}. Basic Courts of the Republic of Kosovo again this year have continued with their in-efficency in treating cases for requests for final confiscations. On the other hand, the Law on Extended Powers for Confiscation of Assets Acquired by Criminal Offence has many inadequacies and is not functional. However, NCFAEC has failed to provide information to the KPC regarding the requests for sequestration and confiscation of asset acquired by criminal offence against corruption.

c) KJC policies and implementation
KJC on 25 September 2015 adopted the Action Plan of resolving corruption cases. Through this plan the KJC presented a general situation, weaknesses in dealing with corruption cases, identification and allocating cases, including undertaking concrete activities within practical deadlines in order to increase the efficiency of dealing with corruption cases. The plan foresaw the establishment of a Committee for the Supervision of the implementation of the Plan with restricted competencies only regarding the supervision of the implementation of the Action Plan\textsuperscript{12}.

**KJC action plan on the treatment of corruption cases with priority**- KJC in cooperation with KLI, drafted the KJC Action Plan in treating corruption cases with priority. This plan was adopted on 25 September 2015 by the KJC\textsuperscript{13}. The implementation of this plan remains a challenge in practice, as a result of the judges having too many cases, but also a result of the lack of willingness in treating the cases with absolute priority, as is defined in the Action Plan.

**Reporting according to the deadlines determined within the action plan**- Through the Action Plan, the KJC determined concrete activities and practical deadlines in order to increase the activities in treating corruption cases. The foreseen deadlines during 2016 and 2017 were not respected by the Committee or KJC. The Supervisory Committee reports even though they are

\textsuperscript{11} The National Coordinator for the fight against economic crime at a meeting held on 29 May 2017 reported that they received the support of the Kosovo Judicial Council for the confiscation on 23 cases that will be treated with priority. However such a notion has not occurred in practice: \url{https://www.youtube.com/watch?v=1KoIKlietu4}.


\textsuperscript{13} KLI has supported the KJC in drafting the Action Plan on Increasing the Efficiency of the Judicial System in treating corruption cases. KLI drafted the Action Plan for KJC, a plan that some additions was adopted by the KJC on 25 September 2015.
sent time to time to the KJC\textsuperscript{14}, for the same during 2017, the Committee has never reported before the KJC members. The Committee has only reported once to the KJC on 6 April 2016.\textsuperscript{15}

\textbf{a) Public transparency and accountability of the judicial and prosecutorial system}

KJC and KPC continue to declare an increase in transparency and accountability in relation to the public and media. Both Councils have adopted regulations and strategies in order to increase transparency and accountability and to ease cooperation with the public and media.

KLI during the monitoring of the judicial and prosecutorial system during the first six months of 2017, have addresses 80 requests for access to public documents, regarding the fulfilsments of legal obligations, information exchange, statistics and other available data allowed pursuant to the Law on Access to Public Documents.

From 80 requests for access to public documents, 40 requests were addressed to the judicial system of which KLI has only received 16 positive answers or 40%, whereas in 24 requests there was no reply or 60%.

From 80 requests for access to public documents, 40 requests were addressed to the prosecutorial system, of which the prosecutorial system replied positively to 1 request or 2.5%, 37 other requests did not receive any replies or 92.5%, whereas in 2 requests they refused to give the requested information or 5%. By not implementing the legal obligations and policies adopted by both Councils, strengthens KLI findings and assessments derived by international and national reports regarding the lack of willingness of the judicial and prosecutorial system to be transparent and accountable before the public. By not adhering to the obligations proves that the law in Kosovo is not implemented the same for all. In cases where high officials do not fulfil their obligations and responsibilities, the culture of impunity continues to cultivate.

\textsuperscript{14} Committee for the Supervision of Corruption Cases in Courts sent to the KJC written reports for the period January-June 2017, August 2017, September 2017 and November 2017, information based on interview with Mr. Astrit Hoti – Director of the KJC Legal Department

\textsuperscript{15} Note: Interview with Kosovo Judicial Council Chair, Mr. Nehat Idrizi.
IV. **Fight against corruption in the prosecutorial system**

Despite legal obligations, policies adopted by the KPC and continuous public statements on the fight against corruption without compromise, in practice the prosecutorial system continues to be challenged with the lack of concrete results.

The findings based on systematic monitoring conducted by KLI of the prosecutorial and judicial system, show that the fight against corruption is mainly concentrated on low and medium profiles. The findings of the monitoring show that from the high profile cases judged during 2016 and completed in the first instance until December 2017, 67% of them have failed in the courts. Unlike the previous year, in the first six months of 2017 indictments were filed against three high profile persons. For two of these persons (Dalibor Jevtic and Pal Lekaj) indictments filed by prosecutors have failed during the initial stage in the court, while the third person (Shukri Buja) is still undergoing judicial proceedings.

The supervision of the implementation of the strategy and action plan for the treatment of corruption cases, have never been seriously treated by the Committee created by KPC itself. Hundreds of citizens of the Republic of Kosovo for years and decades continue to be held hostage and are blackmailed by the initiation of preliminary investigative procedures and criminal investigations. By not treating these cases for so many years, by violating all legal deadlines, is a violation of fundamental human rights and freedoms and encroachment of the judicial security of citizens. Investigations in specified cases have been reported to be misused in order to blackmail certain individuals and businesses.\(^{16}\)

**a) The investigation of corruption cases in the prosecutorial system**

State Prosecutor (SP), continues to be challenged by the large number of unsolved cases of corruption. The biggest problems remain in the large number of unsolved cases inherited from previous years. Despite the adoption of strategies, action plans and increment of prosecutors number in recent years, the prosecutorial system is still failing to successfully handle the treatment of corruption cases in accordance with constitutional and legal obligations. Concerning is the fact that, both at the beginning and at the end of this reporting period, the number of unsolved cases of corruption remains almost the same. Consequently, this means violation of fundamental human rights and freedoms, including a large number of citizens in investigative proceedings, as a result of criminal charges that are not resolved for years. This constitutes legal violation in handling cases within a reasonable time, determined by positive legislation, and it seriously affects the legal certainty of citizens of the Republic of Kosovo. This condition of corruption cases in this reporting period of the first six months of 2017 is summarized in the table below.

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\(^ {16}\)“Police officer suspected to have blackmailed institutions for the interest of family business”. “Koha Ditore” and Koha.net. 1 October 2016. (available on: [http://archive.koha.net/?id=&l=135333](http://archive.koha.net/?id=&l=135333) – watched for the last time on 30.11.2017)
Delay in solving cases is the biggest concern not only for fighting corruption but also for the legal security of citizens. Only in this reporting period of the six months, in solved cases, it results that over half of criminal reports were dismissed or investigations were terminated. From 255 resolved cases of corruption, where are included 549 persons, against 270 persons, it results that there were no proves and evidence to keep them unfairly as subject to criminal proceedings, producing consequences in their lives and jeopardizing legal security.

Another concern regarding to these unsolved corruption cases, are legal deadlines for statutory limitation of criminal prosecution, which in some cases it has reached and prosecutors have been forced to close the cases. In these cases, irreparable damage are caused as for the parties involved in these cases as for the amnesty that is achieved for the potential perpetrator of corruption offences.

The biggest applicant of criminal reports continues to remain, Kosovo Police, charging prosecutions at country level with most cases of corruption. After Kosovo Police as independent law enforcement agency, injured parties and citizens are the ones who have denounced most corruptive cases. In the table below is presented in summarized way, the state of corruption cases in this reporting period of the first six months of 2017.

<table>
<thead>
<tr>
<th>State Prosecutor</th>
<th>Unsolved at the beginning (01.01.2017)</th>
<th>Received (01.01.2017 until 30.06.2017)</th>
<th>Resolved (01.01.2017 until 30.06.2017)</th>
<th>Solving manner</th>
<th>Unsolved at the end (30.06.2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cases</td>
<td>Persons</td>
<td>Cases</td>
<td>Persons</td>
<td>Cases</td>
</tr>
<tr>
<td>SPRK</td>
<td>40</td>
<td>162</td>
<td>3</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Pristina</td>
<td>230</td>
<td>673</td>
<td>116</td>
<td>183</td>
<td>130</td>
</tr>
<tr>
<td>Prizren</td>
<td>24</td>
<td>51</td>
<td>19</td>
<td>43</td>
<td>26</td>
</tr>
<tr>
<td>Peja</td>
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<td>48</td>
<td>22</td>
<td>32</td>
<td>26</td>
</tr>
<tr>
<td>Gjilan</td>
<td>25</td>
<td>53</td>
<td>27</td>
<td>44</td>
<td>30</td>
</tr>
<tr>
<td>Mitrovica</td>
<td>80</td>
<td>156</td>
<td>12</td>
<td>22</td>
<td>12</td>
</tr>
<tr>
<td>Ferizaj</td>
<td>17</td>
<td>47</td>
<td>10</td>
<td>28</td>
<td>6</td>
</tr>
<tr>
<td>Gjakova</td>
<td>20</td>
<td>37</td>
<td>7</td>
<td>11</td>
<td>15</td>
</tr>
<tr>
<td>Total:</td>
<td>462</td>
<td>1,227</td>
<td>216</td>
<td>373</td>
<td>255</td>
</tr>
</tbody>
</table>

Table 1 – Corruption cases in prosecutorial system
CORRUPTION CASES IN THE PROSECUTORIAL SYSTEM DURING THE REPORTING PERIOD  
(01.01.2017 - 30.06.2017)

<table>
<thead>
<tr>
<th>APPLICANTS OF CRIMINAL REPORTS</th>
<th>Unsolved at the beginning (01.01.2017)</th>
<th>Received (01.01.2017 until 30.06.2017)</th>
<th>Resolved (01.01.2017 until 30.06.2017)</th>
<th>Solving manner</th>
<th>Others manner</th>
<th>Unresolved at the end (30.06.2017)</th>
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<tbody>
<tr>
<td></td>
<td>Persons</td>
<td>Persons</td>
<td>Persons</td>
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<td>Persons</td>
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<td>Kosovo Property Agency</td>
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<tr>
<td>Tax Administration</td>
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<td>Kosovo Costums</td>
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<td>52</td>
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<td>76</td>
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<td>Kosovo Police</td>
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<td>152</td>
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<tr>
<td>Citizen</td>
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<td>38</td>
<td>82</td>
<td>44</td>
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<td>The injured party</td>
<td>163</td>
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<td>91</td>
<td>63</td>
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<td>Holder of property</td>
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<td>Kosovo Forestry Authority</td>
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</tr>
<tr>
<td>Prosecutor with self-initiative</td>
<td>55</td>
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<td>2</td>
<td>51</td>
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<td>Received in competence</td>
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<td>63</td>
<td>49</td>
<td>15</td>
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<td>Without applicant</td>
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<td>Total:</td>
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<td>373</td>
<td>549</td>
<td>170</td>
<td>379</td>
<td>1,069</td>
</tr>
</tbody>
</table>

Table 2 - Corruption cases at the stage of gathering information according to applicants

KL17 as result of monitoring of the work of SP in treating of corruption cases has found that despite the approved policies by the KPC regarding the treatment of corruption in the prosecutor’s office, SPRK and BP in Pristina continue to face a large number of corruption cases and delays in treating these cases.

17 Note: Kosovo Law Institute through its 12 monitors in the field, monitors in the systematic way all cases of corruption in all courts and prosecutions of Kosovo. For every monitored corruption case is reported in real time in www.betimiperdrejtesi.com
Concerning remains to be the way of solving of corruption cases. Over 60% of corruption cases are closed by the prosecutors. See the chart below.

According to the above-mentioned graph, out of 549 persons against who cases have been solved, results that against 270 persons or 49.2% are closed corruption cases, respectively were dismissed criminal reports or criminal investigations were terminated, while against 212 persons or 38.6% indictments were filed, and against 67 persons or 12.2% cases have been solved in different manners.
Caseload of unsolved corruption cases in prosecution offices

Prosecutorial system has transformed in practice non-implementation and violation of policies and decisions approved by the KPC. KLI finds that the will of prosecutorial system in treating of corruption cases continue to remain in policy drafting, which are not implemented in practice.

KPC has drafted Action Plan, Strategic Plan, has established Commission for Supervising of implementation of the Action Plan, has established Units within the BP Departments in Pristina to fight corruption. Implementation of the obligations in practice, remains incomplete.

This is proved with the fact that still in the prosecutorial system has unsolved corruption cases dating since 2008 respectively old cases and unsolved for almost 10 years. SP has yet to work 12 unsolved cases of corruption with 27 persons involved that belong to the period from 2008 to 2010. SPRK has 3 unsolved cases with 7 persons, BP in Mitrovica has 1 unsolved case with 2 persons, BP in Ferizaj has 1 unsolved case with 1 person and BP in Pristina has 7 unsolved case with 17 persons before 2010.

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<td>7</td>
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<td>9</td>
<td>70</td>
<td>9</td>
<td>39</td>
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</table>

Table 3 – Unsolved corruption cases on 30.06.2017
Caseload of unsolved cases of corruption according to the applicants

SP on June 30, 2017, ended with 416 unsolved cases of corruption with 1069 persons’ subject to criminal proceedings of corruption. The biggest submitter of criminal reports to the SP remains Kosovo Police.

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<td>Customs</td>
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<td>1</td>
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<td>11</td>
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<td>6</td>
<td>11</td>
<td>39</td>
<td>25</td>
<td>104</td>
<td></td>
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<tr>
<td>The injured party</td>
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<td>4</td>
<td>8</td>
<td>42</td>
<td>28</td>
<td>85</td>
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<td>2</td>
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<td></td>
</tr>
<tr>
<td>Prosecutor with selfinitiative</td>
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<td></td>
<td>40</td>
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<td>8</td>
<td>1</td>
<td>51</td>
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</tr>
<tr>
<td>Received by competence</td>
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<td></td>
<td>8</td>
<td>43</td>
<td>35</td>
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<td>Municipality Administration</td>
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<td>1</td>
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<td>2</td>
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<tr>
<td>Totali</td>
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<td>17</td>
<td>70</td>
<td>39</td>
<td>53</td>
<td>125</td>
<td>219</td>
<td>249</td>
<td>287</td>
<td>1,069</td>
</tr>
</tbody>
</table>

Table 4 – Unsolved corruption cases according to applicants
b) Preliminary investigation in corruption cases in prosecutorial system

Initiation of preliminary investigations has already been transformed in one of the most common tools of persecution of citizens, keeping them hostage and blackmailed because of not treating the cases for years and decades. In this period, police is obliged to gather information to give it to prosecution, which within 30 days should decide to dismiss the case or to initiate investigative stage. The findings of the KLI monitoring proves that there are cases of corruption denounced in 2004, which have not yet been addressed and identified as open cases. This means that the citizens involved in these cases since 2004, continue to be held hostage and blackmailed with the possibility of initiating criminal investigative proceedings against them. The fact that one initiate preliminary investigate of 2004 still is kept in drawers, despite reaching the statutory limitation of criminal prosecution, proves that these cases are being used from the justice system to hold hostage and blackmail the citizens involved in these denunciations.

For solving these cases, prosecutors and police officers have the responsibility to show a greater commitment and professionalism in the conduct of preliminary investigations, to define cases and where there are elements of criminal offences to advance criminal investigations, whereas in those cases where there are not such elements, to dismiss the allegations, so that persons against whom they claim ungrounded allegations, to be released from any charge on the criminal records of the justice system, in this case the prosecution and the police.

Inclusion of prosecutors in preliminary phase and cooperation with other law enforcement agencies in Kosovo is at low level. In such circumstances, the State Prosecutor accepts unverifiable information from these agencies, which are treated after many years and over 80% of them are dismissed. This has a direct impact on the prosecutor's work, who have invest great time in dismissing these information reports. On 30 June, there are 1248 persons, who appear in evidence that against them preliminary investigation for corruption offences are conducted. In the following table notice the cases and old persons by years in each prosecution.
PPN CASES OF CORRUPTION IN PROSECUTORIAL SYSTEM (01.01.2017 - 30.06.2017)

<table>
<thead>
<tr>
<th>STATE PROSECUTOR PPN</th>
<th>State Prosecutor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Unsolved at the beginning (01.01.2017)</td>
</tr>
<tr>
<td></td>
<td>Cases</td>
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<td>SPRK</td>
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<tr>
<td>Pristina</td>
<td>397</td>
</tr>
<tr>
<td>Prizren</td>
<td>43</td>
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<tr>
<td>Peja</td>
<td>70</td>
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<tr>
<td>Gjilan</td>
<td>4</td>
</tr>
<tr>
<td>Mitrovica</td>
<td>54</td>
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<tr>
<td>Ferizaj</td>
<td>57</td>
</tr>
<tr>
<td>Gjakova</td>
<td>22</td>
</tr>
<tr>
<td>Total:</td>
<td>704</td>
</tr>
</tbody>
</table>

Table 5 - Corruption cases at the stage of gathering information

KPC during 2015, has established the Unit for Anticorruption, Economic Crimes, Sequestration and Confiscation of Illegal Assets in the BP in Pristina, in the Department of Serious Crimes and General Department. KLI has assessed “bearing in mind the tremendous volume of cases that BP in Pristina deals with, as well as the fact that 60% of corruption or economic cases are handled by this office, the establishment of this Unit can be assessed as a strategic objective that shall result in the increase of efficiency of the prosecutorial system in handling and combating criminal offences of corruptive or economic nature, only if there exists will and commitment”.

Despite the fact that this Unit was established and assignment of prosecutors by KPC with a special duty in handling corruption cases and economic crimes, we still do not have the expected results. Despite the fact that this Unit was established in 2015 with the aim of reducing the corruption cases, in fact, it has not yet managed to solve even the old cases PPN up to 2004.

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18 Note: Information from this table are generated from the Tracking Mechanism on Harmonisation of Statistical Reports. Kosovo Prosecutorial Council.

Of solved cases against 355 persons, SP against 309 has dismissed the information received in relation to allegations for corruption in these cases, respectively results that SP has closed 80% of these cases.

The table below presents the corruption cases with individuals according to applicants of criminal reports, which have remained unsolved on June 30, 2017. Out of unsolved cases against 1248 persons, the largest number of them belong to the cases filed by KP with 383 persons, followed by the injured party with 238 persons and citizens with 202 persons.

<table>
<thead>
<tr>
<th>Applicants of Criminal Reports PPN</th>
<th>Unsolved at the beginning (01.01.2017)</th>
<th>Received (01.01.2017 until 30.06.2017)</th>
<th>Resolved (01.01.2017 until 30.06.2017)</th>
<th>Solving manner</th>
<th>Të pazgjidhura në fund (30.06.2017)</th>
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</thead>
<tbody>
<tr>
<td>Anti-Corruption Agency</td>
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<td>23</td>
<td>23</td>
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<td>23</td>
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<tr>
<td>Tax Administration</td>
<td>7</td>
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<td>7</td>
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<td>2</td>
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<td>EULEX</td>
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<td>2</td>
<td>2</td>
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<tr>
<td>Kosovo Police Inspectorate</td>
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<td>2</td>
<td>51</td>
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<tr>
<td>Kosovo Police</td>
<td>385</td>
<td>123</td>
<td>123</td>
<td>102</td>
<td>16</td>
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<tr>
<td>The injured party</td>
<td>258</td>
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<td>83</td>
<td>80</td>
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<tr>
<td>Municipal Administration</td>
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<td>6</td>
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<tr>
<td>Holder of property</td>
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<td>Kosovo Forestry Authority</td>
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<td>Prosecutor with self-initiative</td>
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<tr>
<td>Received in competence</td>
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<td>Total:</td>
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<td>302</td>
<td>355</td>
<td>309</td>
<td>41</td>
</tr>
</tbody>
</table>

Table 6<sup>20</sup> - Corruption cases at the stage of gathering information according to applicants

**Unsolved old PPN cases according to applicants of information**

KLI has found that even in the cases registered PPN, there are old cases which have not been handled by SP dating from 2004 and 2006 when they were reported. According to the following table, in these two cases, information relating to allegations of committing the crime were filed by the injured parties of criminal offenses of corruption. The lack of an efficient system of

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<sup>20</sup> Note: Information from this table are generated from the Tracking Mechanism on Harmonisation of Statistical Reports. Kosovo Prosecutorial Council.
handling corruption cases in a reasonable time and within legal deadlines has a direct affect on citizens' trust in Kosovo prosecutorial system. From monitoring of corruption cases, KLI has found that non treatment or non solving of corruption cases for years or in some cases over 10 years proves the lack of will and responsibility to handle cases of corruption with priority, and highlights the negligence and non seriousness of prosecutorial system. The table below presents the unsolved cases of information applicants for criminal offenses of corruption.

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<td>Citizen</td>
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<td>Municipality Administration</td>
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<td>Holder of Property-OP</td>
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<td>3</td>
<td>2</td>
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<tr>
<td>Prosecutor with self initiative</td>
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</table>

Table 7 – Unsolved corruption cases according to applicants on 30.06.2017

On the table below are presented the unsolved cases of information for criminal offenses of corruption for each prosecution office.
c) Filing of indictments for corruption and the profile of the defendants

KLI has continued the monitoring and analyses of the profile of the pursued perpetrators of corruption cases based on the information published by SP regarding the indictments that were filed for corruption cases during the first six months of 2017.

The profile of the persons indicted, includes: Minister, former Mayors, police officers and other officials mainly from low profile. According to the indictments filed by Prosecution offices, there is no information regarding the damage caused with these criminal offences, meanwhile, in these indictments there is also no information if the prosecution offices have filed requests for sequestration or confiscation of assets acquired by criminal offence.

The most effective prosecution office during this period are, SPRK with 5 cases against 19 individuals involved in those indictments, and BP in Prizren with 3 indictments against 25 individuals involved.
<table>
<thead>
<tr>
<th>Date</th>
<th>Position/Function</th>
<th>Value of damage caused</th>
<th>Demand for sequestration/confiscation</th>
<th>Number of individuals</th>
<th>Prosecution office</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.01.2017</td>
<td>1 MTI official</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>2</td>
<td>SPRK</td>
</tr>
<tr>
<td></td>
<td>1 Businessman</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23.01.2017</td>
<td>1 Official</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>1</td>
<td>SPRK</td>
</tr>
<tr>
<td></td>
<td>1 Former Mayor</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>10</td>
<td>SPRK</td>
</tr>
<tr>
<td></td>
<td>8 Officials</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 Constructor</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.02.2017</td>
<td>1 Former Mayor</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>3</td>
<td>SPRK</td>
</tr>
<tr>
<td></td>
<td>1 Former director of budget and finance</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td></td>
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<tr>
<td></td>
<td>1 Former procurement manager</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24.02.2017</td>
<td>4 Police Officers</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>4</td>
<td>BP in Prizren</td>
</tr>
<tr>
<td>01.03.2017</td>
<td>1 Police Officer</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>1</td>
<td>BP in Prizren</td>
</tr>
<tr>
<td>02.02.2017</td>
<td>20 Police Officers</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>20</td>
<td>BP in Prizren</td>
</tr>
<tr>
<td>15.03.2017</td>
<td>1 Minister</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td>3</td>
<td>SPRK</td>
</tr>
<tr>
<td></td>
<td>1 General Secretary</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 Director</td>
<td>There’s no information</td>
<td>There’s no information</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 9 – Profile of defendants for corruption and the value of sequestration and confiscation
I) Comparative analysis of the filing of indictments for corruption and the profile of prosecution

KLI has continued the monitoring and analyses of the profile of the pursued perpetrators of corruption cases based on the information published by SP regarding the indictments that were filed for corruption cases.

Based on the published data, KLI has compared the number of indictments filed in six-month periods (first six months of 2016, second six months of 2016 and first six months of 2017) and the number of individuals accused in these cases. Comparative analysis proves that the number of indictments filed during the first six months of 2017 is significantly lower than that the number of indictments filed during the first six months of 2016 and second six months of 2016.

![Comparative analysis of the filing of indictments for corruption offences](chart2.png)

Chart 2: Comparative analysis of the filing of indictments for corruption offences (First six months of 2016, second six months of 2016 and first six months of 2017)

While in the first six months of 2016 were filed 19 indictments for corruption cases involving 149 individuals, during the second six months of 2016 the number of indictments filed decreased to 18 indictments with 134 defendants. However, in comparison with these two six months period, during the first six months of 2017 the number of indictments filed for corruption cases has decreased to 8 indictments with 44 defendants.
Following, KLI has also compared the number of individuals accused for corruption offences in six-month periods (*first six months of 2016, second six months of 2016 and first six months of 2017*), which belong to high profile.

Comparative analysis proves that the number of individuals accused during the first six months of 2017 for corruption offences, which belong to high profile, is lower than the number of individuals accused during the first six months of 2016 and the second six months of 2016.

![Comparative analysis of individuals accused for corruption offences](chart3.png)

**Chart 3: Comparative analysis of individuals accused for corruption offences which belong to high profile**

(First six months of 2016, second six months of 2016 and first six months of 2017)

While in the first six months of 2016 were filed indictments against 6 individuals which belong to high profile (2 former Court Presidents, 1 Mayor, 1 former MP and 2 former Ministers), during the second six months of 2016 this number decreased to 4 individuals (1 Mayor, 1 former Mayor, 1 MP and 1 former MP). However, during the first six months 2017 there are 3 individuals accused which belong to high profile (2 former Mayors and 1 Minister).
This proves that the State Prosecutor has built a rhetoric to fight corruption, while in practice there is lack of results, which are expected from the citizens of the Republic of Kosovo and the international community in Kosovo.\footnote{Note: Citizens continue to say that their belief in the justice system is very low and that their well-being and European perspectives are directly dependent by the fight against corruption. The same requirements have been set as criteria by the European Union, which as one of the two main conditions for obtaining visa liberalization for Kosovo citizens, has set the fight against corruption and organized crime.}

KLI has analyzed cases judged during 2016, involving high-profile individuals. Findings of the monitoring process show that from cases completed in the first instance so far, 67% of them have failed in the courts. Out of 33 defendants of high-profile judged during 2016, against seven (7\textsuperscript{22}) individuals was announced sentencing judgment from the first instance, against nine (9\textsuperscript{23}) individuals was announced acquittal verdict, against one (1\textsuperscript{24}) was announced rejecting judgment, against four (4\textsuperscript{25}) individuals the indictment was dismissed, while against twelve (12\textsuperscript{26}) individuals court proceeding is still ongoing. Meanwhile, for seven individuals against whom sentencing judgment was announced, the second instance - Court of Appeal - has proven the verdict for 1 individual\textsuperscript{27}, while has changed the verdict for 3 individuals\textsuperscript{28} from the sentencing judgment to acquittal one. And, for 3 individuals the Court of Appeal has not decided yet.

\textsuperscript{21} Individuals which belong to high profile, against whom sentencing judgment was announced from the first instance are: Mayor of Dragash Municipality Salim Jenuzi, Mayor of Kllokot Municipality Sreqko Spasiq, Mayor of Partesh municipality Dragan Nikoliq, former Rector of Public University of Prishtina Enver Hasani, former Minister of the Ministry of Culture, Youth and Sports Astrit Haraçija, former Minister of the Ministry of Culture, Youth and Sports and former President of the Procurement Review Body Hysni Hoxha.

\textsuperscript{22} Individuals which belong to high profile, against whom acquittal verdict was announced are: former Minister of the Ministry of Transport and Telecommunication Fatmir Limaj, former Rector of Public University of Prizren Mazllum Baraliu, former Chief Prosecutor of the Basic Prosecution Office of Gjakova Shpresa Bakija, former Executive Chief of PTK Shyqyri Haxha, former Mayor of Malisheva Municipality Ragip Begaj, Mayor of Partesh municipality Dragan Nikoliq, former President of the Procurement Review Body Hysni Hoxha, former Mayor of Drenas Municipality Nexhat Demaku and former Mayor of Obiliq Municipality Mehmet Krasniqi.

\textsuperscript{23} Individuals which belong to high profile, against whom rejecting judgment was announced is: former President of the Procurement Review Body Hysni Hoxha.

\textsuperscript{24} Individuals which belong to high profile, against whom indictments were dismissed are: former Mayor of Vushtrri Municipality Muharrem Shabani, former President of the Constitutional Court Enver Hasani, Mayor of Gjilan Municipality Lutfi Haziri and Mayor of Mitrovica Municipality Agim Bahtiri.

\textsuperscript{25} Individuals which belong to high profile, against whom trial is still ongoing are: former MP Ukë Rugova, former Minister of the Ministry of Culture, Youth and Sports Astrit Haraçija, MP Naser Osmani, former Minister of the Ministry of Health Ferid Agani, former President of the Court of Appeal Salih Mekaj, Mayor of Kllokot Municipality Sreqko Spasiq, former President of the Procurement Review Body Hysni Hoxha, former Mayor of Skenderaj Municipality Sami Lushtaku, former MP Azem Syla, former Mayor of Gjilan Municipality Qemajl Mustafa, former MP Etem Arifi and former Mayor of Peja Municipality Sokol Bashota.

\textsuperscript{26} The Court of Appeal has proven the sentencing judgment announced against the Mayor of Municipality of Kllokot Srecko Spasic.

\textsuperscript{27} The Court of Appeal has changed the verdict from sentencing judgment to acquittal one in the case against the former Minister of the Ministry of Culture, Youth and Sports Astrit Haraçija, former Minister of the Ministry of Culture, Youth and Sports Valton Beqiri and former President of the Procurement Review Body Hysni Hoxha.
Chart 4 – Comparison of indictments that have been verified and dismissed by Basic Courts
I. Prosecutor’s accountability

As a result of KLI findings published in seven reports, ODC has treated 571 corruption cases at preliminary investigations against prosecutors. Of them are involved in disciplinary investigation 25 cases of prosecutors, including 17 cases. Of them 9 cases with proved disciplinary evidences by ODC were sent to the Disciplinary Committee of the KPC. From initiated cases according to KLI findings, 4 disciplinary investigations are closed with findings, 4 disciplinary investigations are under investigation procedure, 39 cases were rejected, 246 cases were rejected after preliminary investigation. Only for the last report published by KLI on March 2017, ODC has initiated preliminary investigations in 178 corruption cases handled by prosecutors and judges.

According to findings of KLI report “Fighting Corruption, priority in paper”, published on December 10, 2015, ODC has conducted preliminary investigations on all the identified cases (56 cases) and has taken a large number of statements by prosecutors, who have been charged with subjects that have reached the statutory limitation as described in the report. It was required by prosecutors to declare about KLI findings, respectively ODC’s. After the gathering of information, their review and analysis, ODC considered that, all findings should be sent for assessment to the Prosecutors’ Performance Review Committee in Kosovo Prosecutorial Council. ODC has taken such action because is claimed that findings are related to the prosecutor’s performance at work. Since the report with the findings was sent to the Prosecutors’ Performance Review Committee in Kosovo Prosecutorial Council, ODC is informed by the Chairman of KPC that the report is submitted for assessment in the above mentioned Committee.

According to findings of KLI report “Corruption in Kosovo: Combating or promotion of corruption” published on April 27, 2016, ODC has conducted preliminary investigations (information gathering of 111 cases) on all the identified cases and has taken a large number of statements by prosecutors (22 statements) who have been charged with subjects that have reached the statutory limitation as described in the report. It was required by prosecutors to declare about KLI findings, respectively ODC’s. These cases have also been sent for assessment to the Prosecutors’ Performance Review Committee in Kosovo Prosecutorial Council.

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30 Source: Director of ODC, Mr. Zef Prendrecaj in a written reply through electronic mail has informed that only for the last two KLI reports, are initiated 257 preliminary investigations in corruption cases handled by prosecutors. “Report VI – Corruption in Kosovo: Combating or promotion of corruption (27.04.2016) Regarding the findings of this report, ODC has conducted preliminary investigations (information gathering of 111 subjects) for all identified cases and has taken a large number of statements by prosecutors (22 statements) who have been charged with subjects that have reached the statutory limitation as described in the report. It was required by prosecutors to declare about KLI findings, respectively ODC’s. Report VII – Corruption in Kosovo: Rhetoric in fighting corruption (27.10.2016) Regarding the findings of this report, ODC is taking preliminary investigations (information gathering of 146 subjects). After gathering of information, their review and analysis, ODC, will keep you informed about the outcomes of cases and findings.” KLI interview with Mr. Zef Prendrecaj, Director of ODC. March 2017.
According to findings of KLI report, “Corruption in Kosovo: Rhetoric in fighting corruption” published on October 27, 2016, ODC is undertaking preliminary investigations (information gathering of 146 cases). ODC has collected all relevant information, has reviewed and analyzed them, and has also sent them for assessment to the Prosecutors’ Performance Review Committee in Kosovo Prosecutorial Council.

According to findings of KLI report, “Corruption in Kosovo: Corruption “Sea” in Kosovo” published on March 28, 2017, ODC is undertaking preliminary investigations (information gathering of 178 cases). DC has collected all relevant information, has reviewed and analyzed them. ODC is in the final stages of taking a decision regarding these cases.

<table>
<thead>
<tr>
<th>CASES OF INVESTIGATIONS FROM THE OFFICE OF THE DISCIPLINARY COUNSEL, INITIATED BY KLI REPORTS</th>
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<tbody>
<tr>
<td><strong>KLI published reports</strong></td>
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<tr>
<td>-----------------------------</td>
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<tr>
<td>Corruption in Kosovo - I –</td>
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<tr>
<td>Corruption in Kosovo - II–</td>
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<td>Corruption in Kosovo - III –</td>
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<td>Corruption in Kosovo – IV –</td>
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<td>V Fighting corruption– Priority in paper (10.12.2015)</td>
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<tr>
<td>VI Corruption in Kosovo: Combating or promotion of corruption (27.04.2016)</td>
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<tr>
<td>VII Rhetoric in fighting corruption (27.10.2016)</td>
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<tr>
<td>VIII. Corruption “Sea” in Kosovo (28.03.2017)</td>
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<td><strong>Total:</strong></td>
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</table>

Table 9 – Investigation cases initiated by ODC based on the findings of KLI reports.
ODC is continuously being challenged in its work for the development of investigations into the cases of the findings of KLI reports. ODC leaders have repeatedly assessed that after collection of documents, information and other actions undertaken based on the findings of the reports of KLI, it's been observed that the work of similar cases has began to improve (the findings in the reports) or to increase accountability.

II. Fight against corruption in the judicial system

The daily rhetoric of institutional leaders, starting from the head of state to all the holders of prosecutorial and judicial functions does not differ in the area of combating corruption. Nonetheless, they have consistently given strong promises that "no one is above the law and that corruption will be fought uncompromisingly". In practice, the fight against corruption has mainly involved the low and medium profile n, while the high profile remains unpunished. In some cases of high profile prosecution, prosecutors have failed to argue their indictments in the courts, returning the fight against corruption in a boomerang for the justice system, losing citizens' trust.

KLI is only organisation, which since June 2015 systematically monitors all cases of corruption offenses in all Basic Courts of the Republic of Kosovo. KLI’s team of monitors starting from June 2015 have continuously visited on daily basis the Basic Courts and their Presidents in order to closely monitor every judicial proceeding related to the criminal offences of the corruption domain. The process of monitoring has incorporated the identification of the ongoing corruption cases, the appointment and delegation of cases, the information regarding the current procedural stage of the cases and this process is concluded with the compilation of a daily report that is published in the official website of the organization. 31 The issue of identifying corruption cases, the exact hour of their hearing and providing data on cases (including the history of the case from the filing of the criminal report until the court hearings) remains a continuous challenge for KLI’s monitors. 32 However, from now on KLI looks forward to diminishing this challenge due to the fact that it has formalized a Memorandum of Cooperation with KJC33, a document which

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31KLI in cooperation with the Public Broadcaster of the country co-produce a programme “Oath for Justice” focused on the rule of law, a programme apart from displaying research, analysis and debates, publishes the daily reports of the Institute’s monitors for every followed corruption case. The reporting is conducted in a special section of the portal, which can be found at the following link: http://betimiperdrejtesi.com/lajme/

32The Basic Courts in general are still lacking an efficient and effective system that will update the database regarding the exact hour of the court hearings, and specifically for corruption cases. Firstly, KLI had established communication through Court Presidents and afterwards through the Spokespersons of the court who informed the monitors regarding the court hearings from the corruption domain. The aforementioned practice did not function optimally, due to the fact that sometime the Spokespersons were sending out incomplete and inaccurate information regarding the hour and date of the hearings and this produced various problems in their monitoring process. This sort of communication has improved over time, although is still facing difficulties. Bearing in mind these challenges, KLI by using the applicable legislation in order to access the necessary information from these cases, has signed a Memorandum of Cooperation with the KJC, through which has enabled a better access, communication, cooperation and coordination between the Institute’s monitors and KJC, namely with every level of Courts and their Presidents.

33The Memorandum of Cooperation between KJC and KLI was approved unanimously by all of the members of the KJC in the meeting held in April 6, 2016. The document was signed in April 7, 2016. Pristina. April 7, 2016.
aims to facilitate the Institute’s access in communication, cooperation and coordination with the courts.

KLI monitors, from January 1 until June 30, 2017 have monitored 702 court hearings, including 255 corruption cases with 761 individuals. For a more detailed approach see the table below.

<table>
<thead>
<tr>
<th>Monitored cases by KLI (January 1 - June 30, 2017)</th>
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</thead>
<tbody>
<tr>
<td><img src="chart.png" alt="Chart 5 – Corruption cases monitored by KLI (January 1 – June 30, 2017)" /></td>
</tr>
</tbody>
</table>

a) The analysis of monitored cases for the six month period (01.01.2017 – 30.06.2017)

In this report, the subject of research and analysis are the monitored corruption cases during the first six months of 2017 (January, February, March, April, May and June 2017), while other cases will be addressed in the next report. In relation to the first six month period of 2017, KLI has monitored 702 court hearings, including 255 corruption cases with 761 individuals involved. In the chart below is presented the number of hearings and corruption cases monitored by KLI. Also, there is presented the number of hearings that have been held and hearings that have been postponed due to various reasons.

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34 **Clarification:** KLI throughout January has monitored 93 court hearings, including 70 corruption cases with 231 individuals. During February have been monitored 111 court hearings, including 84 corruption cases with 274 individuals. During March have been monitored 140 court hearings, including 103 corruption cases with 325 individuals. During April have been monitored 136 court hearings, including 92 corruption cases with 282 individuals. During May have been monitored 108 court hearings, including 80 corruption cases with 329 individuals. And, during June have been monitored 114 court hearings, including 84 corruption cases with 255 individuals. However, considering the fact that one case monitored in January, has continued also during the following months, turns out that the analysis of corruption cases for this reporting period will include 255 corruption cases with 761 individuals.
Chart 6 – Court cases monitored during the period January 1, 2017 until June 30, 2017.

The largest number of monitored court hearings involve BC in Pristina, with 370 court hearings monitored, out of which 229 court hearings were held, while 141 court hearings were postponed. Following is BC in Prizren with 96 court hearings monitored, out of which 66 court hearings were held, while 30 court hearings were postponed. In BC in Gjilan 74 court hearings have been monitored, out of which 54 court hearings were held, while 20 court hearings were postponed. In BC in Peja 60 court hearings have been monitored, out of which 38 court hearings were held, while 22 court hearings were postponed. The smallest number of monitored court hearings involve BC in Mitrovica with 42 court hearings monitored, out of which 29 court hearings were held, while 13 court hearings were postponed, BC in Gjakova with 31 court hearings monitored, out of which 26 court hearings were held, while 5 court hearings were postponed, and BC in Ferizaj with 29 court hearings monitored, out of which 21 court hearings were held, while 8 court hearings were postponed.
Throughout the monitoring process of court hearings by KLI during this reporting period (January, February, March, April, May and June 2017), various irregularities have been identified. Out of 702 monitored court hearings, 463 court hearings were held, while as a result of non-fulfilment of legal conditions for holding hearings 239 of them were postponed. In the following table, KLI presents the reasons for the postponement of 239 court hearings.

| Reasons for the postponement of the court hearings monitored during the reporting period (January-June 2017) | Absence of defendants | Absence of defenders | Absence of judges | Absence of witnesses | Absence of prosecutor | Absence of injured party | Absence of expert | Absence of more than one party in the procedure | Requested by defenders | Requested by judges | Requested by prosecutor | Other | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| BC in Pristina | 41 | 7 | 22 | 8 | 29 | 1 | 1 | 8 | 9 | 2 | 2 | 11 | | 141 |
| BC in Prizren | 12 | 1 | 5 | 2 | 1 | 0 | 2 | 0 | 3 | 1 | 1 | 2 | | 30 |
| BC in Peja | 1 | 5 | 2 | 1 | 7 | 0 | 1 | 0 | 0 | 2 | 1 | 1 | | 22 |
| BC in Gjilan | 9 | 3 | 3 | 1 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | | 20 |
| BC in Mitrovica | 4 | 3 | 0 | 1 | 3 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | | 13 |
| BC in Ferizaj | 2 | 1 | 2 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | | 8 |
| BC in Gjakova | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 2 | 0 | 0 | 0 | | 5 |
| Total | 70 | 20 | 34 | 14 | 41 | 2 | 5 | 12 | 15 | 5 | 4 | 17 | | 239 |

Table 10 - Reasons for the postponement of the court hearings of corruption cases monitored during the first six months of 2017

Expressed in percentage, it appears that the largest number of hearings have been postponed due to the absence of the defendants, due to the absence of the prosecutor and due to the absence of judges. In the chart below, KLI presents the percentage of the reasons for the postponement of 239 court hearings.

Clarification: 35 court hearings were postponed during January, 38 court hearings were postponed during February, 38 court hearings were postponed during March, 37 court hearings were postponed during April, 48 court hearings were postponed during May and 43 court hearings were postponed during June.
KLI has identified various irregularities also in the proceeded hearings. Out of 463 court hearings held, 145 of them have started with over 15 minutes late, including:

- 99 cases in BC of Pristina
- 13 cases in BC of Ferizaj
- 9 cases in BC of Gjilan
- 8 cases in BC of Peja
- 8 cases in BC of Prizren
- 7 cases in BC of Gjakova
- 1 case in BC of Mitrovica

As the most frequent reason of delay are identified the delays of: Judge/Trial Panel, Prosecutor, in some cases of Lawyer/Defender and Witnesses.

Throughout the process of monitoring were also noted other irregularities that have impeded the proceedings of court hearings. Out of 463 court hearings held, in 84 of them KLI monitors have found the following violations:

- The holding of hearings in the office (21 cases)
- Disuse of court dress by judges, prosecutors and defenders (19 cases)
- Usage of mobile phone during the session by judges (10 cases)
- Usage of mobile phone during the session by prosecutors (4 cases)
- Failure to provide case files to the defense counsel by the prosecutor (4 cases)
- Violation of Article 3, point 3.1, of the Code of Ethics and Professional Conduct for Judges, where it is foreseen that a judge shall not, in the performance of judicial duties, by words, gesture or conduct, manifest bias or prejudice towards any person or group (4 cases)
- Allowing the prosecutor or lawyer to ask questions to the witness, after the trial panel (3 cases)
- Commencement of the trial without completing the trial panel (2 cases)
- Failure to start the trial from the beginning after the trial panel changes (2 cases)
- Holding the main trial without inviting the injured party (2 cases)
- One of the defendants being present in the courtroom during the questioning of the other defendant (2 cases)
- One of the witnesses being present in the courtroom during the questioning of the other witness (2 cases)
- One of the witnesses being present in the courtroom during the questioning of a defendant (1 case)
- Failure to notify the defendants with their rights before the cross examination (1 case)
- Non reading of the indictment at the initial hearing (1 case)
- Lack of translation from the Serbian language into Albanian language for the parties present in the courtroom (1 case)
- Reopening the case after the submission of new evidence, without the presence of the defense counsel of defendant (1 case)
- Violation of Presentation of Evidence order according to Article 327, paragraph 1 of the Criminal Procedure Code (1 case)
- Violation by Presiding Judge of Article 254, paragraph 6 of CPC, which foresees that: “If the single trial judge or presiding trial judge still must rule on a pending objection under Article 249 or request under Article 250 of the present Code, he or she shall issue a written decision with reasoning on the pending motions after the second hearing. He or she shall also schedule the main trial by a written order issued concurrently with the above written decision or decisions”. (1 case)
- Violation by Presiding Judge of Article 254, paragraph 5 of CPC, which foresees that: “During the second hearing the single trial judge or presiding trial judge shall schedule the main trial, unless he or she still must rule on a pending objection under Article 249 or request under Article 250 of the present Code”. (1 case)
- Continuation of the trial for a few minutes after a member of trial panel leaves the courtroom (1 case)
b) Delays of prosecution offices in proceeding indictments to courts

KLI while monitoring corruption cases in prosecution offices and courts has noticed in practice the delay phenomenon of the delivery of indictments by prosecutors in courts. KLI has identified six (6) such cases in all courts of Kosovo. KLI presents at the table below cases in which prosecutors have sent with delay the indictments in court.

In the case of BP in Gjilan, with the number of indictment PP.I.no. 50/15, is confirmed a delay of 31 days from the date when the prosecutor compiled the indictment until the date when the same one was sent to court.

In the case of BP in Pristina, with the number of indictment PP.I/.no.1168/2014, is confirmed a delay of 28 days from the date when the prosecutor compiled the indictment until the date when the same one was sent to court.

In the case of BP in Pristina, with the number of indictment PP.no. 218-7/08, is confirmed a delay of 26 days from the date when the prosecutor compiled the indictment until the date when the same one was sent to court.

In the case of BP in Pristina, with the number of indictment PP.no.5345-4/11, is confirmed a delay of 13 days from the date when the prosecutor compiled the indictment until the date when the same one was sent to court.

In the case of BP in Pristina, with the number of indictment PP.I.nr.112/2016, is confirmed a delay of 12 days from the date when the prosecutor compiled the indictment until the date when the same one was sent to court.

In the case of BP in Peja, with the number of indictment PP/I.no.23/2015, is confirmed a delay of 11 days from the date when the prosecutor compiled the indictment until the date when the same one was sent to court.
Delays of prosecutors in proceeding indictments to courts

<table>
<thead>
<tr>
<th>Basic Courts and Branches of Basic Courts</th>
<th>No. of Indictment</th>
<th>Date of Indictment compilation by Prosecution office</th>
<th>Date of Indictment filing in Court</th>
<th>Delays</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Gjilan</td>
<td>PP.I.no.50/15</td>
<td>05.10.2015</td>
<td>05.11.2015</td>
<td>31 days</td>
</tr>
<tr>
<td>2 Pristina</td>
<td>PP/I.no.1168/2014</td>
<td>30.09.2015</td>
<td>28.10.2015</td>
<td>28 days</td>
</tr>
<tr>
<td>3 Pristina</td>
<td>PP.no.218-7/08</td>
<td>17.09.2008</td>
<td>13.10.2008</td>
<td>26 days</td>
</tr>
<tr>
<td>4 Pristina</td>
<td>PP.no.5345-4/11</td>
<td>26.10.2011</td>
<td>08.11.2011</td>
<td>13 days</td>
</tr>
<tr>
<td>6 Peja</td>
<td>PP/I.no.23/2015</td>
<td>28.01.2016</td>
<td>08.02.2016</td>
<td>11 days</td>
</tr>
</tbody>
</table>

Table 11 - Delays of prosecutors in proceeding indictments to courts

c) The duration of court proceedings

Failures to respect legal deadlines in handling corruption cases appear at all levels of justice system, including delays in police, prosecution offices and courts. Delays in solving cases have a direct effect in violating the rights of citizens of the Republic of Kosovo, which are guaranteed by the Constitution of the Republic of Kosovo.

Also during this reporting period of monitoring, KLI has identified violations of justice institutions in handling corruption cases. Through monitoring of the handling of corruption cases in prosecution offices and courts, including all stages of criminal proceeding, KLI presents the real state on how long it takes the institutions responsible for handling a case of corruption, from the submission of the criminal report until the announcement of the verdict.

Out of 702 court hearings monitored in all seven BCs, including 255 cases of corruption, KLI has identified violations in all criminal proceedings. KLI has set several indicators to measure the time for treating a case, at each stage of criminal proceedings, including: The time period from the submission of the criminal report until the initiation of investigations; 2) the time period from the initial of investigations until the completion of investigations; 3) the time period from the initiation of investigations until filing the indictment; 4) the time period from the completion of investigations until filing the indictment; 5) the time period from the submission of the criminal report until filing the indictment; 6) the time period from filing the indictment until the

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scheduling of the initial hearing; 7) the time period from the initial hearing until the appointment of the second hearing; 8) the time period from the second hearing until the appointment of the main trial; 9) the number of hearings that were held and 10) the time period from the main trial until the announcement of the verdict of the first instance.

Based on these indicators, KLI has measured 226\(^{39}\) corruption cases monitored during this reporting period (January – June 2017). Even during this reporting period, KLI findings showed that prosecutors and judges have constantly violated the legal deadlines foreseen by the Criminal Procedure Code. In the table below, KLI has presented all indicators of certain criminal proceedings stages and the average of the spend time at each stage as a result of practical monitoring and research, as well as legal analysis.\(^{40}\)

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39 Clarification: In this analysis are not included 29 corruption cases returned in trial, considering the fact that for these cases is conducted special analysis.

Note: The measures for each indicator in each stage differ in terms of the number of cases. KLI has measured and analyzed only those cases for which monitors have managed to provide the completed data about the each stage of the criminal procedure set in indicators.
As noted in the table, the average duration of criminal proceedings in 353\textsuperscript{41} corruption cases monitored by KLI, shows that prosecutors and courts at different stages of criminal law commit violation\textsuperscript{42} of legal deadlines provided in Criminal Procedure Code.

- In 195 cases of corruption monitored by KLI, results that the average of the treatment of the criminal report by prosecutors is 217 days.
- In 201 cases of corruption monitored by KLI, results that the average of the treatment from initiation of investigation until the completion of the investigation is 200 days.
- In 203 cases of corruption monitored by KLI, results that the average of the treatment from the initiation of investigation until the filing of the indictment is 204 days.
- In 218 cases of corruption monitored by KLI, results that the average of the treatment from the completion of the investigations until the filing of the indictment is 1 day.
- In 16 cases of corruption monitored by KLI, results that the average of the treatment from criminal report until the filing of the direct indictment is 316 days.
- In 204 cases of corruption monitored by KLI, results that the average of the treatment from the filing of the indictment until the scheduled initial hearing is 249 days.
- In 107 cases of corruption monitored by KLI, results that the average of the treatment from the initial hearing until the scheduled second hearing is 66 days.
- In 71 cases of corruption monitored by KLI, results that the average of the treatment from the second hearing until the scheduled main hearing is 142 days.
- In 224 cases of corruption monitored by KLI, results that the average of the scheduled sessions for each case is 4 sessions.
- In 51 cases of corruption monitored by KLI, results that the average of the treatment from the scheduling of the main hearing until the announcement of the verdict is 266 days.

Ongoing, it is also analyzed the average time spent at each stage of criminal proceeding, for all monitored cases for each prosecution office and court.

\textsuperscript{41} Clarification: KLI clarifies that each indicator for which is averaged, is based on cases in which the data are completed and the number of cases for each indicator changes. So, as you may see in the table, calculations are made only for the number of cases for which there are all the data.

\textsuperscript{42} Note: Based on the new criminal procedure code, from the time of the submission of criminal report, prosecutor has to initiate investigations within 30 days or to dismiss the criminal report. This limitation of the deadline was not defined in the old criminal procedure code which fact made it possible to prosecutors to conduct violations, by not taking any legal actions with decades in order to treat those criminal reports. From the initiation of investigations until the completion of them can take 24 months, eventually if the case is complicated the investigation can last six (6) more months, which decision must come from the Court. 2. State prosecutor should immediately send a copy of this decision according to paragraph 1. To the police. 3. State Prosecutor within eight (8) days from the dismissal of the criminal report must notify the injured party regarding the dismissal and the reasons of such decision. Criminal Procedure Code of the Republic of Kosovo. Assembly of the Republic of Kosovo. December 13, 2012. Miftaraj E. and Musliu B. “Fighting Corruption in Kosovo, Priority in Paper”. Kosovo Law Institute. Page 89, 90. December 2015.
Prosecution offices who have spent most of the time in dealing with criminal reports are BP in Pristina, BP in Mitrovica and BP in Gjakova. The average of the treatment of the criminal charges until the decision from the initiation of the investigation in the prosecution offices it has taken the following time:

- BP in Pristina for 96 monitored cases it took 331 days.
- BP in Mitrovica for 19 monitored cases it took 272 days.
- BP in Gjakova for 9 monitored cases it took 130 days.
- BP in Peja for 15 monitored cases it took 121 days.
- BP in Ferizaj for 9 monitored cases it took 96 days.
- BP in Gjilan for 27 monitored cases it took 38 days.
- BP in Prizren for 20 monitored cases it took 26 days.

Prosecution offices who have spent most of the time in criminal investigations are BP in Ferizaj, BP in Gjakova and BP in Mitrovica. The average of the treatment from the initiation of the investigations until the completion of the investigations in the prosecution offices it has taken the following time:

- BP in Ferizaj for 9 monitored cases it took 361 days.
- BP in Gjakova for 10 monitored cases it took 241 days.
- BP in Mitrovica for 20 monitored cases it took 224 days.
- BP in Peja for 15 monitored cases it took 219 days.
- BP in Pristina for 99 monitored cases it took 218 days.
- BP in Prizren for 20 monitored cases it took 154 days.
- BP in Gjilan for 28 monitored cases it took 73 days.
Prosecution offices who have spent most of the time from the initiation of the investigation until the filing of the indictment are BP in Ferizaj, BP in Gjakova and BP in Pristina. The average of the treatment from the initiation of the investigation until the filing of the indictment in the prosecution offices it has taken the following time:

- BP in Ferizaj for 9 monitored cases it took 361 days.
- BP in Gjakova for 10 monitored cases it took 243 days.
- BP in Pristina for 101 monitored cases it took 226 days.
- BP in Mitrovica for 20 monitored cases it took 225 days.
- BP in Peja for 15 monitored cases it took 221 days.
- BP in Prizren for 20 monitored cases it took 155 days.
- BP in Gjilan for 28 monitored cases it took 76 days.

Prosecution offices who have spent most of the time from the completion of the investigation until the filing of the indictment are BP in Pristina, BP in Gjilan and BP in Mitrovica. The average of the treatment from the completion of the investigation until the filing of the indictment in the prosecution offices it has taken the following time:

- BP in Pristina for 112 monitored cases it took 2 days.
- BP in Gjilan for 28 monitored cases it took 2 days.
- BP in Mitrovica for 23 monitored cases it took 1 day.
- BP in Prizren for 20 monitored cases it took 1 day.
- BP in Peja for 15 monitored cases it took 1 day.
- BP in Gjakova for 10 monitored cases it took 1 day.
- BP in Ferizaj for 10 monitored cases it took 1 day.
Courts who have spent most of the time from the filing of the indictment until the scheduled initial hearing are BC in Mitrovica, BC in Ferizaj and BC in Pristina. The average time period from the filing of the indictment until the scheduled of the initial hearing in courts it has taken the following time:

- BC in Mitrovica for 19 monitored cases it took 609 days.
- BC in Ferizaj for 11 monitored cases it took 249 days.
- BC in Pristina for 106 monitored cases it took 246 days.
- BC in Gjilan for 27 monitored cases it took 235 days.
- BC in Peja for 14 monitored cases it took 163 days.
- BC in Gjakova for 9 monitored cases it took 96 days.
- BC in Prizren for 18 monitored cases it took 49 days.

Courts who have spent most of the time from the initial hearing until the scheduled second hearing are BC in Gjilan, BC in Pristina and BC in Peja. The average time period from the initial hearing until the scheduled of the second hearing in courts it has taken the following time:

- BC in Gjilan for 1 monitored case it took 84 days.
- BC in Pristina for 76 monitored cases it took 73 days.
- BC in Peja for 8 monitored cases it took 59 days.
- BC in Prizren for 16 monitored cases it took 51 days.
- BC in Gjakova for 5 monitored cases it took 31 days.
- BC in Mitrovica for 1 monitored case it took 21 days.
Courts who have spent most of the time from the second hearing until the scheduled basic hearing are BC in Mitrovica, BC in Pristina and BC in Gjilan. The average period time from the second hearing until the scheduled main hearing in courts it has taken the following time:

- BC in Mitrovica for 1 monitored case it took 248 days.
- BC in Pristina for 45 monitored cases it took 173 days.
- BC in Gjilan for 1 monitored case it took 171 days.
- BC in Peja for 6 monitored cases it took 155 days.
- BC in Gjakova for 3 monitored cases it took 86 days.
- BC in Prizren for 15 monitored cases it took 44 days.

Courts who have spent most of the time from the scheduling of the main hearing until the announcement of the verdict are BC in Pristina, BC in Peja and BC in Prizren. The average time period from the scheduling of the main hearing until the announcement of the verdict in courts has taken the following time:

- BC in Pristina for 20 monitored cases it took 411 days.
- BC in Peja for 5 monitored cases it took 278 days.
- BC in Prizren for 8 monitored cases it took 277 days.
- BC in Ferizaj for 1 monitored case it took 153 days.
- BC in Gjilan for 6 monitored cases it took 146 days.
- BC in Gjakova for 3 monitored cases it took 69 days.
- BC in Mitrovica for 8 monitored cases it took 63 days.
d) Duration of judicial proceedings in corruption cases until the announcement of the verdict

During KLI’s monitoring process in the first six months of 2017, courts have announced 88 verdicts for corruption cases. In all these cases in which verdicts were announced, KLI has analyzed the duration of each stage of the criminal proceedings and the respect of legal deadlines provided by Criminal Procedure Code. The following charts present two important phases to measure the duration of solving corruption cases, from the initial of criminal report and from the filing of the indictment until the announcement of the verdict in the first instance. See the following charts.

The graphic above shows that the shortest time of handling a corruption case from the submission of the criminal report until the announcement of the verdict is 1 day, while the one that lasted longer until the announcement of the verdict is 3689 days or over 10 years.

Note: KLI has measured and analyzed only those cases for which monitors have managed to provide the completed data about this stage of the criminal procedure set in indicators.
The graphic below presents the duration from the filing of the indictment until the announcement of the verdict. According to corruption cases monitored by KLI, results that the shortest time has been the completion of the case within a day, while the case that lasted longer has taken 3385 days or over 9 years.

![Chart 10 - The duration from the filing of the indictment until the announcement of the verdict in 88 cases monitored by KLI during January-June 2017.](image)

44 Note: KLI has measured and analyzed only those cases for which monitors have managed to provide the completed data about this stage of the criminal procedure set in indicators.
e) Monitoring of corruption cases returned in retrial

While monitoring 255 corruption cases during the six month period (January-June 2017), KLI monitors have identified 29 cases returned in retrial. Out of these 29 cases, 7 cases belong to BC of Peja, 7 cases belong to BC of Gjilan, 4 cases belong to BC of Prizren, 4 cases belong to BC of Ferizaj, 4 cases belong to BC of Pristina, 2 cases belong to BC of Mitrovica and 1 case belongs to BC of Gjakova.

Despite this, also in these cases KLI has set several indicators to measure the time for treating a case, at each stage of criminal proceedings, but the main focus has been in these three stages: 1) the time period from the filing of indictment until the announcement of the verdict of the first instance; 2) the time period from the announcement of the verdict of the first instance until the decision to return the case in retrial and 3) the time period from the decision to return the case in retrial until the appointment of the main trial. KLI findings show that judges and prosecutors need years to initiate or complete a case.

On the chart below, IKLI has presented the indicators of three stages mentioned above with the average of the spend time at each stage.

Chart 11- Average of the spend time of three stages of criminal proceeding in 29 corruption cases returned in retrial

Note: The measures for each indicator in each stage differ in terms of the number of cases. KLI has measured and analyzed only those cases for which monitors have managed to provide the completed data about the each stage of the criminal procedure set in indicators.
As noted in the chart above, the average duration of criminal proceedings in 29 corruption cases returned in retrial, which are monitored by KLI, shows that need to pass at least 5 months for one stage to be processed.

- In 27 cases returned in retrial, results that the average of the treatment from filing the indictment until the announcement of the verdict of the first instance is 811 days.
- In 23 cases returned in retrial, results that the average of the treatment the announcement of the verdict of the first instance until the decision to return the case in retrial is 219 days.
- In 23 cases returned in retrial, results that the average of the treatment the decision to return the case in retrial until the appointment of the main trial is 143 days.

KLI findings, from the monitoring process of the corruption cases returned in retrial, show that in 16 cases with 22 individuals the second verdict was announced. The average of the spend time from the appointment of the main trial until the announcement of the verdict for 16 cases of them is 179 days.

Out of 22 individuals to whom the second verdict was announced, one individual\(^{47}\) is sentenced with 48 months imprisonment, two individuals\(^{48}\) are sentenced with 12 months imprisonment each, two individuals\(^{49}\) are sentenced with 5 months imprisonment each, one individual is sentenced with 4 months imprisonment, against one individual was announced suspended sentence for 11 months with, against one individual was announced suspended sentence for 7 months, against thirteen individuals was announced acquittal verdict, while against one individual was announced rejecting judgment because the prosecutor has given up from prosecution.

Meanwhile, out of 29 cases analyzed, 3 cases are returned in retrial for the second time.

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\(^{46}\) Clarification: From 6 individuals sentenced with imprisonment, 4 of them are the same ones that were sentenced also with fine, in total of 6,100 euro.

\(^{47}\) Clarification: The individual sentenced with imprisonment for 48 months, is the same one that was sentenced also with fine, in total of 5,000 euro.

\(^{48}\) Clarification: One of two individuals sentenced with imprisonment for 12 months, is the same one that was sentenced also with fine, in total of 300 euro.

\(^{49}\) Clarification: Two individuals sentenced with imprisonment for 5 months each, are the same ones that were sentenced also with fine in total of 400 euro each.
f) Profile of judged individuals in corruption cases (01.01.2017-30.06.2017)
The profile of 761 defendants in these 255 corruption cases monitored by KLI during this reporting period (January-June 2017) is mainly low and medium and a limited number of defendants belong to the high-profile.

![Chart 12 - The profile of 761 defendants accused for criminal offences of corruption in Basic Courts during the reporting period (January-June 2017)](chart)

<table>
<thead>
<tr>
<th>The high-profile of defendants accused for corruption offenses during January-June 2017</th>
<th>Pristina</th>
<th>Prizren</th>
<th>Peja</th>
<th>Gjilan</th>
<th>Mitrovica</th>
<th>Ferizaj</th>
<th>Gjakova</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court President</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Mayor</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>4&lt;sup&gt;51&lt;/sup&gt;</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>MPs</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Ministers</td>
<td>5</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Head of the PRB</td>
<td>1&lt;sup&gt;52&lt;/sup&gt;</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Rector at the University</td>
<td>1&lt;sup&gt;53&lt;/sup&gt;</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

Table 13 – The high-profile of defendants accused for corruption offenses during January-June 2017

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<sup>50</sup> Clarification: Nine defendants, six of which belong to medium profile and three to high profile, are involved in more than one case.

<sup>51</sup> Clarification: The defendant accused as the Mayor of Kllokot Municipality, is also accused in another case.

<sup>52</sup> Clarification: The defendant accused as the Head of the Procurement Review Body (PRB), is also accused in another case.

<sup>53</sup> Clarification: The defendant accused as the Rector at the University, is also accused in another case as the President of the Constitutional Court.
The medium profile of defendants accused for corruption offenses during January-June 2017

<table>
<thead>
<tr>
<th>Category</th>
<th>Pristina</th>
<th>Prizren</th>
<th>Peja</th>
<th>Gjilan</th>
<th>Mitrovica</th>
<th>Ferizaj</th>
<th>Gjakova</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prosecutors</td>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Judges</td>
<td>2</td>
<td>1</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
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<td>Officials in a Ministry</td>
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<td>0</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>36</td>
</tr>
<tr>
<td>Officials in a Municipality</td>
<td>49(^{54})</td>
<td>13(^{55})</td>
<td>42</td>
<td>19(^{56})</td>
<td>8</td>
<td>1</td>
<td>10</td>
<td>142</td>
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<tr>
<td>Officials in the Prime Minister's Office</td>
<td>1</td>
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<td>0</td>
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<td>0</td>
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<td>1</td>
</tr>
<tr>
<td>Officials at Courts</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Police officials</td>
<td>15</td>
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<td>2</td>
<td>1</td>
<td>41</td>
<td>5</td>
<td>0</td>
<td>91</td>
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<tr>
<td>Officials in the KSF</td>
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<td>0</td>
<td>2</td>
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<tr>
<td>Customs officials</td>
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<td>2</td>
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<td>8</td>
</tr>
<tr>
<td>Director of public companies</td>
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<td>0</td>
<td>0</td>
<td>3</td>
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<td>Director of RTK</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Director of the National Theatre</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Director at UCCK</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Director at UCCK's central pharmacy</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>1</td>
</tr>
<tr>
<td>Director of procurement in UP</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>1</td>
</tr>
<tr>
<td>Director of the Institute</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Director at the Mental Service Center</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Director of an NGO</td>
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<tr>
<td>Director in KEDS</td>
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<td>Officials at TAK</td>
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<td>1</td>
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<td>Officials in KEDS</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Officials in PTK</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Officials at the public school</td>
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<td>3</td>
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<td>3</td>
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<td>3</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Officials at hospitals and FMC</td>
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<td>3</td>
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<td>Officials at UCCK</td>
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<td>2</td>
</tr>
</tbody>
</table>

Table 14 – The medium profile of defendants accused for corruption offenses during January-June 2017.

\(^{54}\) **Clarification:** An official in a Municipality is also accused in another case.

\(^{55}\) **Clarification:** An official in a Municipality is also accused in another case.

\(^{56}\) **Clarification:** Four officials in a Municipality are also accused in another case.
### The low profile of defendants accused for corruption offenses during January-June 2017

<table>
<thead>
<tr>
<th>Role</th>
<th>Pristina</th>
<th>Prizren</th>
<th>Peja</th>
<th>Gjilan</th>
<th>Mitrovica</th>
<th>Ferizaj</th>
<th>Gjakova</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Businessman</strong></td>
<td>50</td>
<td>0</td>
<td>18</td>
<td>1</td>
<td>1</td>
<td>0</td>
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<td><strong>Citizens</strong></td>
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<td>21</td>
<td>3</td>
<td>13</td>
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<td>8</td>
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<tr>
<td><strong>Director of private companies</strong></td>
<td>5</td>
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<td>0</td>
<td>1</td>
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<td><strong>Directors at the bank</strong></td>
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<td>1</td>
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<td>1</td>
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<td><strong>Officials at private institutions</strong></td>
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<td>0</td>
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<td><strong>Employees at the public school</strong></td>
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<td><strong>Officials at the university</strong></td>
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<tr>
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<tr>
<td><strong>Officials in public companies</strong></td>
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<td>0</td>
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<td><strong>Employees in public companies</strong></td>
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<tr>
<td><strong>Security employees</strong></td>
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<tr>
<td><strong>Employees in PTK</strong></td>
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<td><strong>Employees at the National Theatre</strong></td>
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<td><strong>Notary</strong></td>
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<td>0</td>
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<td><strong>Doctor</strong></td>
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</tr>
<tr>
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<tr>
<td><strong>Geodesist</strong></td>
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<td><strong>Collectors</strong></td>
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</table>

Table 15 – The low profile of defendants accused for corruption offenses during January-June 2017.
III. Legal analysis of the treatment of specific corruption cases of high profile

Despite the legal obligations and policies set by the judiciary to address corruption cases with absolute priority, implementation in practice proves a continuing violation of legal deadlines. In three of the mayor cases of high profile corruption cases, in the case of “Stenta”, “Ukë Rugova and the others” and “Naser Osmani and the others”, the judges have failed to comply with legal obligations for their treatment in time. KLI estimates that this approach of judges demonstrates the lack of certainty in the implementation of KJC’s legal obligations and policies in addressing these cases with absolute priority.

In the other seven completed cases during the first six months of 2017, involving seven high profile cases, it results that in six cases the indictments of prosecutors have failed, and only the indictment against the Mayor of Novoberda, Svetislav Ivanovic, has been proven and in which case the judges have sentenced Ivanovic to 4500 euros fine. This proves that the fight against corruption is empty rhetoric, which does not produce concrete results in the prosecution and trial of high profile officials accused of corruption.

a) Legal analysis of the prolonging of three specific high profile cases

STENATA CASE

On 15th June 2016, the Office of the Chief State Prosecutor filed an indictment against former Minister of Health- Ferid Agani, General Secretary of Ministry of Health- Gani Shabani and 62 others for the criminal offences “Abusing official position or authority”, “taking bribes”, “giving bribes”, “irresponsible medical treatment”, “unlawful exercise of medical or pharmaceutical activity” and “tax evasion”.

The case is being treated by local prosecutors and judges.

Characteristics of the case and violations of legal deadlines:

a) This indictment was raised by the Office of the Chief State Prosecutor, in violation of the law and judicial practices in Kosovo.
b) This case was not classified into the top/targeted cases;
c) Stenta file has approximately 2500 to 3000 pages;
d) Since the filing of the indictment four prosecutors have been replaced in the case "Stenta". The case was initiated by the Prosecutor from the Office of the Chief State
Prosecutor Besim Kelmendi, then to prosecutor Admir Shala, then to the prosecutor Sylë Hoxha and at the end to prosecutor Florije Shamolli.

e) One person was wrongfully accused by Prosecutor Besim Kelmendi. According to the judge of the case, for the wrongfully accused there is a ruling to dismiss the investigation and the same should not have been part of the indictment.

f) On 15 June 2016, the indictment was sent to the court. From 15 June 2016 until the beginning of November 2017, for this case, ten court hearings were held regarding the initial trial.

g) On 16 March 2017, nine months after the indictment was raised, the defendants did not receive documents translated in their mother tongue. The judge of the case rendered a decision of which obligates Special Prosecution, that before 19 May, to complete the translation of the CD’s in the Turkish and Macedonian language.

On 2 November 2017, the Court of Appel rendered a decision for the “Stenta” case of which it sent for redress. In the courts decisions it states that the Basic Court of Pristina decision for this case, was accompanied by essential violation of provisions of criminal procedures from article 384 relating to article 245, 249 and 250 of the Criminal Procedure Code. Furthermore, in the Court of Appeal decision it states that the first instance has not respected the rights foreseen for the professional protection of defendants, where initial hearings were held without the presence of the defendant’s defence, while for some of the defendants initial hearings were held without first setting their requirements for appointing defence counsel at public expense.

The Court of Appeal found that the first instance in its reasoning did not give any clear reasons as to what evidence was based on which, an indictment was filed that supports the grounded suspicion that the defendants committed the criminal offenses which they are charged with in the indictment. It points out that the first instance court must redress the abovementioned violations and first respect the procedural provisions provided for in Article 245 of the Criminal Procedure Code for the presence of the parties.

CASE OF UKË RUGOVA AND OTHERS:

SPRK on 18th November 2013 rendered a decision for the initiation of investigations in the case against Ukë Rugova and others. On 18th May 2016, SPRK filed an indictment against Ukë Rugova, former parliamentarian to the Kosovo Parliament and Astrit Haraqija former Minister, regarding suspicion of committing criminal offences: “Organised Crime”, “smuggling of migrant”, “unauthorised possession of weapons”, “exercising influence”, “fraud”, “and abusing official position or authority”. The Special Prosecution indictment charges Ukë Rugova that

during the period of May 2011 until February 2014 he managed a criminal group, by providing individuals with EU Schengen visas, through the Italian Embassy situated in Pristina. All these visas were allegedly received illegally through illegal means through corruption or distortion.\textsuperscript{58}

The case is being led by international EULEX prosecutors and judges.

Characteristics of the case and violations of legal deadlines:

\begin{enumerate}
\item The accused: one former parliamentarian and one former minister
\item According to the indictment, the group is suspected that they have secured 556 visas, that means that approximately they have gained in an illegal manner a sum from 1,668,000 to 2,224,000 Euro.
\item According to the indictment, prosecution has not presented a request for sequestration or confiscation of assets acquired with criminal offence.
\item The indictment was raised on 18 May 2016.
\item From the initiation of the indictment, seven court hearings were scheduled regarding this case, three of which were adjourned for various reasons.
\item 15 months since the indictment was raised, this case has still not started the main trial.\textsuperscript{59}
\end{enumerate}

On 12 May 2017, the Court of Appeal refused the request for dismissal of indictment in the case of the former parliamentarian Ukë Rugova, former minister Astrit Haraqija and others, whom where accused for various criminal offences relating to organised crime. Through a press release, the Court of Appeal notified that they refused the complaint made by the defence of Rugova and the others that was submitted against the decision rendered by the Presiding judge of the Basic Court of Pristina.\textsuperscript{60}


\textsuperscript{59}Article 245 paragraph 5 of KCPC stipulates that during the initial hearing, the only presiding judge or president of the panel schedules the second hearing no earlier than thirty (30) days after the initial hearing and no later than forty (40) days after the initial hearing. On the other hand, the only presiding judge or president of the trial panel can request only the presentation of proposals until a certain date, which cannot be more than thirty (30) days from the initial hearing. The case of Ukë Rugova, Astrit Haraqija and the others is still at the initial phase of the hearing and 15 months after the filed indictment; violating legal deadlines defined in the KCPC.

CASE OF NASER OSMANI AND OTHERS

SPRK on 16 February 2016, filed an indictment at the BC in Pristina against parliamentarian NAser Osmani, Vice-Chairman of PAK Board of Directors, Bahri Shabani, Shkëlzen Lluka, Naim Avdiu, Melita Ymeraga, Agron Kamberi, Adrian Kelmendi, Agim Deshishku, all PAK officials.

According to the indictment filed by SPRK, the defendants Naser Osmani, as Vice-Chairman of PAK Board of Directors, Bahri Shabani as Director of PAK Board of Directors, Shkelzen Lluka as manager of PAK, Naim Avdiu as deputy managing director of PAK and Melita Ymeraga, Ardian Kelmendi, Agron Kamberaj as chairs to the PAK Monitoring Unit and in cooperation with other officials as international members of PAK: Lisa Brodey, Mohammed Omran dhe Hubert Warsmann, have passed official capacity with the intent to unlawfully gain and benefit for his/her self or another person, in the sum from 5,400,000,00 euro. 61

The case is being treated by local prosecutors and judges.

Characteristics of the case and violations of legal deadlines:

a) Naser Osmani is a parliamentarian in the Kosovo Parliament;
b) Decision for initiating investigations was rendered on 30 April 2014.
c) The indictment for this case was filed on 16 February 2016.
d) Initial hearing was held on 4 April 2016.
e) Hearings scheduled for 20 April and 29 May 2017 were postponed.
f) For this case three hearings were scheduled, dated 12 July 2017 that was held, while hearing scheduled on 11 September was postponed due to the absence of the defence lawyer of Naser Osmani, whereas the hearing scheduled for 16 October 2016, was postponed due to the absence of the Presiding judge, Judge Shashivar Hoti.
g) Legal deadlines determined in the Criminal Procedure Code for this case were not respected by the court. For more than one year, from 4 April 2016 to 20 April 2017, no hearing was scheduled for this case.

b) Legal analysis of the treatment of three high profile cases

1) CASE OF HYSIS HOXHA AND OTHERS.: FORMER CHAIR OF PROCUREMENT REVIEW BODY (PRB)

Basic Court of Pristina
Case number: PKR.nr.408/16
Criminal Offence: “Abusing official position or authority”
Presiding Judge: Shashivar Hoti
Prosecutor: Paul Flynn
Defendants: Emin Tmava, Hanefi Hajdini, Muhamet Selmani, Driton Pruthi, Njazi Thaçi, Hysni Hoxha and Azem Duraku

On 28 September 2011, criminal charges were filed against former-Chair of the PRB, Hysni Hoxha, PRB experts Azem Duraku and KEK officials, Emin Tmava, Hanefi Hajdini, Driton Pruthi, Muhamet Selmani and Njazi Thaçi. On 16 December 2012 a decision was rendered for the starting investigations against them. On 7 July 2016, an indictment was filed at the Basic Court of Pristina for the criminal offence “Abusing official position or authority”. According to the indictment in March 2011 the accused Emin Tmava, chair of the committee for the evaluation of KEK providers, together with the member of the committee Hanefi Hajdini, supervisor Driton Pruthi, acting director of the procurement office Muhamet Selmani and executive director of the procurement office Njazi Thaçi, published the winner of the million euro tender, company “Solar & Ortex Uro Group” and “Beli Com”. They did this even though they knew that the abovementioned companies, during their application presented false documents and did not fulfil the tender criteria. Acting in such a way, the abovementioned accused, created conditions for considerable damage against KEK. Whereas, the accused Hysni Hoxha, former director of PRB and Azem Duraku, PRB expert, even though they knew that the companies “Solar & Ortex Uro Group” and “Beli Com”, did not fulfil the criteria for application and presented false document, where they dismissed complaints made by companies such as “SMH Kosovo”, “Kombinimi” and “Teknox Group Kosovo L.L.C. In this manner, the accused Hoxha and Duraku failed to take any binding action to prevent the signing of this harmful contract for KEK.

Negligence in the treatment of the case and violation of legal deadlines

The initial hearing regarding this case was scheduled to be held after four months, or three months in violation of the law, precisely on 7 November 2016, however, the same was postponed due to the absence of the three accused parties. While on 25 November 2016, the

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initial hearing was held\textsuperscript{63}, where the seven accused, after the reading of the indictment by EULEX prosecutor, Tomas Meskauskas, stated their innocence of the criminal offence that they were charged with according to the indictment.

After the initial hearing was held, the second hearing was scheduled to be held on 29 December 2016\textsuperscript{64}, however, the same was postponed with the request of the EULEX prosecutor, Paul Flynn. Characteristics of this case is that immediately after the second hearing held on 23 January 2017\textsuperscript{65}, prosecutor Paul Flynn withdrew from criminal prosecution of the accused Emin Tmava, Hanefi Hajdini, Muhamet Selmani, Driton Pruthi, Nijazi Thaçi, Hysni Hoxha and Azem Duraku, with the reason that there is a lack of evidence. For this case the Basic Court of Pristina rendered a judgement of refusal for the seven accused defendants.

\textit{Sequestration and Confiscation}

No requests were made.

\textbf{2) CASE OF ENVER HASANI: FORMER PRESIDENT OF THE CONSTITUTIONAL COURT}

Basic Court of Pristina  
Case number: PKR nr.14/16  
Criminal Offence: “Abusing official position or authority” and “falsifying official document”.  
Presiding Judge: Shashivar Hoti  
Prosecutor: Abdurrahim Islami  
Defendant: Enver Hasani

On 14 April 2015, criminal charges were filed against Enver Hasani, former President of the Constitutional Court. On the same day on 14 April 2015, SPRK rendered a decision for the initiation of investigations against the same. On 13 January 2016, SPRK filed an indictment at the Basic Court of Pristina against Enver Hasani for the criminal offence “abusing official position or authority” and “falsifying official document”. Enver Hasani was accused for the Constitutional Court decision regarding the Decree of the President regarding the continuing of the mandate of three international judges. According to this indictment, at the time when he was


President of the Constitutional Court, Hasani was accused that he wrote the name of Robert Carolan even though the latter did not take part in the review of this issue, because it was concerning his mandate.

**Negligence in the treatment of the case and violation of legal deadlines**

Characteristic of this case is the frequent changes in prosecutors; respectively in this case from the beginning until the end three prosecutors from the SPRK treated the case: Blerim Isufaj, Drita Hajdari and Abdurrahim Islami. Also for this case the legal obligation to schedule the initial trial within 30 days of the filed indictment was violated. Respectively, the initial hearing for this case was scheduled on 1 July 2016, or 5 months after the indictment as filed. The scheduled hearing for 1 July 2016 was postponed due to the absence of the Prosecutor.66. Regarding this case, two hearings were held for the initial trial on 15 July and 8 September 2016. At the hearing held on 8 September 2016, Enver Hasani before he trial panel stated that his case was “common revenge by the Chief State Prosecutor, Aleksandër Lumezi and his bosses, because the Constitutional Court refused the appointment procedure for the Chief State Prosecutor Lumezi” 67.

The second hearing in the case against Enver Hasani was held on 11 October 2016. At this hearing, the accused defence, lawyer Bajram Tmava during the rejection of the indictment against his client made it clear that the decision that was rendered by Hasani at the time that he was President of the Constitutional Court of the Republic of Kosovo was rendered in the light of the Constitution of Kosovo and the applicable laws in force.68

On 10 January 2017, the court of Appeal dismissed the indictment raised against the former President of the Constitutional Court, Enver Hasani for the criminal office of “abusing official position or authority” and falsifying official documents”. The representative of the former President of the Constitutional Court, lawyer Bajram Tmava stated that the Court of Appeal fully approved the appeal against the decision of the Basic Court of Pristina and that the cease of criminal proceedings against his client were done after the Court of Appeal evaluated that all actions undertaken by Hasani were grounded based on his authorisation as the President of the Constitutional Court.69

Sequestration and Confiscation

No such request was made.

3) CASE OF RAMË BUJA AND OTHERS.: FORMER MINISTER OF EDUCATION, SCIENCE AND TECHNOLOGY (MEST)

Basic Court of Pristina
Case number: PKR.nr.656/15
Criminal Offence: “Abusing official position or authority” and “Fraud”.
Presiding Judge: Valon Kurtaj
Prosecutor: Ali Rexha
Defendant: Ramë Buja, Xhemajl Buzuku, Afrim Demiri and Xhavit Dakaj
Lawyers: Petrit Dushi, Florent Latifaj and Ramë Dreshaj

On 24 May 2013, criminal charges were filed against Ramë Buja, former minister of Education, Science and Technology (MEST), Xhavit Dakaj, MEST general secretary, Xhemajl Buzuku, procurement director of MEST and Afrim Demiri, owner of the economic operator “Alb – Architect”. On 1 December 2014, SPRK rendered a decision for the initiation of investigations for the same. On 7 November 2016, SPRK filed and indictment at the Basic Court in Pristina, against Ramë Buja, Xhavit Dakaj and Xhemajl Buzuku for the criminal offence “abusing official position or authority” and “fraud”. According to the accused, Bija as minister of Education, Science and Technology (MEST) and Dakaj as general secretary in MEST allegedly had concluded an unlawful agreement with the economic operator “Alb – Architect”, owner of who was the accused Afrim Demiri. While, Buzuku being in the capacity of MEST Procurement Director allowed this contract with this operator, in violation of the law on public procurement.

Negligence in the treatment of the case and violation of legal deadlines

The indictment against the four above mentioned was filed on 7 November 2016, whereas the initial hearing was scheduled to be held on 7 March 2017 or three months after the foreseen legal deadline. At the initial hearing, the former minister of education, Ramë Buja, Xhemajl Buzuku and Xhavit Daka stated their innocence for the criminal offence that the Special Prosecution of the Republic of Kosovo (SPRK) are charging them with, which is “abusing official position or authority”. Afrim Demiri also stated his innocence, he is being charged with the criminal offence of “fraud”.  

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The second hearing in the case of Ramë Buja and the others was held on 11 April 2017. In this hearing, all the lawyers of the accused submitted to the Court written objections regarding evidence and request for dismissal of the indictment.71

On 28 April 2017, Basic Court of Pristina dismissed the indictment filed against former minister of Education, Ramë Buja and former secretary of this ministry, Xhavit Dakaj with the reason that SPRK did not have any evidence or point to the fact that that they exceed their official competencies or abuse of official position, of the accused in question. Special Prosecution of the Republic of Kosovo, prosecutor, Ali Rexha, was not notified of this decision. Contacted by “Oath to Justice” on 16 May 2017, prosecutor Rexha stated that he does not know whether to file an appeal to the Court of Appeal, since he has not received a decision for the dismissal of the indictment in question72. However, after some time, against the decision of the Basic Court, Special Prosecution of the Republic of Kosovo filed an appeal to the Court of Appeal. The latter, on 5 June 2017 verified the decision of the Basic Court for the dismissal of the indictment against the abovementioned73.

Sequestration and Confiscation

No such request was made.

4) CASE OF SVETISLLAV IVANOVIQ AND OTHERS.: MAYOR OF THE MUNICIPALITY OF NOVOBËRDO

Basic Court of Gjilan
Case number: PKR.nr.253/16
Criminal offence: “Abusing official position or authority” and “Conflict of interest”.
Presiding judge: Emine Salihu
Prosecutor: Rabije Jakupi
Defendants: Svetisllav Ivanoviq, Xhemajl Novobërdaliu, Sylejman Avdyli and Adem Abazi

On 21 February 2016, Basic Prosecution Office in Gjilan initiated investigations against the Mayor of the Municipality of Novoberbo, Svetisllav Ivanoviq for “abusing official position or authority” and “conflict of interest” and three official of this municipality, Xhemajl

Novobërðaliu, Sylejman Avdyli and Adem Abazi for “abusing official position or authority”. On 7 October 2016, Prosecution filed an indictment at the Basic Court of Gjilan against Svetislav Ivanoviq, Xhemajl Novobërðaliu, Sylejman Avdyli and Adem Abazi. According to the indictment, Svetislav Ivanoviq in the capacity of the mayor of the Municipality of Novoberdo, in collaboration with the head personnel Sylejman Avdyli, hired Vesna Ivanoviq in the temporary position as manager of culture at the sector for Education and Culture at the Municipality of Novoberdo. Such employment was done without a vacancy announcement, in which case the budget of the Republic of Kosovo was damaged by a sum of 5,757.25 euro for year 2014 and 7,349.46 euro for year 2015. “Appointment Act” for this position was signed by mayor Ivanoviq, a decision that was verified with a stamp by Avdyli. The latter, is accused even though after the expiry of the “appointment act” for Miodrag Markoviq, Tanja Stankoviq in the position of a technical medic and Visar Mehmeti for the position of Director of Health at the Municipality of Novoberdo, verified with official stamp and continues these positions with a new “appointment act” without a vacancy announcement. In this manner the Kosovo budget, respectively that of the Municipality of Novoberdo, allegedly is damaged with the value from 12,751.75 euro. The contracts for the abovementioned three, was signed and approved by the defendant Xhemajl Novobërðaliu, as director of the Health Directorate at the Municipality in question. For the acceptance of the new employees without a vacancy announcement, Adem Abazi in the capacity of director of Education and Culture in Novoberdo is accused.

**Negligence in the treatment of the case and violation of legal deadlines**

The indictment for the abovementioned accused was filed on 7 October 2016, whereas the initial hearing was scheduled on 17 March 2017, or four months after the deadline foreseen by the law. At the initial hearing, Basic Court of Gjilan sentenced the Mayor of the Municipality of Novoberdo, Svetislav Ivanoviq with a fine of 4,500 euro for “abusing official position or authority” and “conflict of interest”, Xhemajl Novobërðaliu with a fine of 1,000 euro and Sylejman Avdyli with a 2,000 euro fine for “abusing official position or authority”. Such a decision was rendered because the above mentioned reached an agreement for pleading guilty with the Prosecution, immediately after their defence was notified, lawyers Ardit Latifi, Habib Hashani and Sherif Sherifi, for all the consequences and un-clarities. However, such an agreement was not done for one of the accused, Adem Abazi, for which the procedure was isolated.

**Sequestration and Confiscation**

No such request was made.

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5) CASE OF PAL LEKAJ AND OTHERS.: FORMER MAYOR OF THE MUNICIPALITY OF GJAKOVA

Basic Court of Gjakova
Case number: PKR.nr.18/17
Criminal Offence: “Keqpërdorim i pozitës apo autoritetit zyrtar”.
Presiding judge: Gëzim Pozhegu
Prosecutor: Faik Halili
Defendants: Pal Lekaj, Qazim Mehmeti and Nikollë Lleshi

On 3 July 2014, an indictment was filed against the former mayor of the Municipality of Gjakova, Pal Lekaj, former director for Budget and Finance, Qazim Mehmeti and former manager of procurement Nikollë Lleshi. On 16 May 2016, SPRK rendered a decision for the initiation of investigations against the same. On 10 February 2017, SPRK filed an indictment at the Basic Court in Gjakova, against Pal Lekaj, Qazim Mehmeti and Nikollë Lleshi for the criminal offence “abusing official position or authority”. According to the indictment filed by the SPRK, Pal Lekaj at time when he was mayor of the municipality of Gjakova, in collaboration with Qazim Mehmeti, former director for Budget and Finance and Nikollë Lleshi, former manager of procurement, exceed their official competencies with the purpose of gaining for themselves or someone else any kind of material benefit, causing damage to the municipality of Gjakova and its residents.

Negligence in the treatment of the case and violation of legal deadlines

The indictment against the accused abovementioned was raised on 10 February 2017, whereas the initial hearing was scheduled to be held on 14 April 2017, or one month after the foreseen legal deadline. At the initial hearing, Pal Lekaj, Qazim Mehmeti and Nikollë Lleshi pleaded their innocence for the criminal offence of which they were charged with by the Special Prosecution of the Republic of Kosovo (SPRK); “abusing official position or authority”.

The second hearing in the case against Pal Lekaj and the others was held on 15 May 2017. At this hearing, defence lawyers Arianit Koci, Ndrecë Dodaj and Meshari Selimaj in an objection to the evidence, requested the dismissal of all charges against their clients, Pal Lekaj, Qazim Mehmeti and Nikollë Lleshi, accused for abusing official position or authority. While, the prosecutor of the Special Prosecution Office, Faik Halili, stated that he fully objects the submissions sent by the defence lawyers, since according to him, the indictment was grounded and based on evidence, furthermore according to him, the accused committed criminal offence of
which they are charged with and requested that the trial panel to dismiss the submissions of the lawyers.75

On 19 May 2017, Basic Court of Gjakova dismissed the indictment raised against former mayor of the municipality of Gjakova Pal Lekaj, former director of Budget and Finance, Qazim Mehmeti and former manager of procurement Nikollë Lleshi, in the lack of evidence76. The dismissal of the indictment against Pal Lekaj and the other two accused was verified by the Court of Appeals.

Sequestration and Confiscation

No such request was made.

6) CASE OF AGIM BAHTIRI AND OTHERS.: MAYOR OF THE MUNICIPALITY OF MITROVICA

Basic Court of Mitrovica
Case number: PKR.nr.20/16
Criminal offence: “Abusing official position or authority” and “Agreements in restriction of competition upon invitation to tender”
Presiding Judge: Beqir Halili
Prosecutor: Agron Bajrami
Defendnats: Agim Bahtiri, Haxhimet Ferati and Fatbardh Makolli

The Kosovo Police on 18 November 2015 filed criminal charges against Agim Bahtiri, Mayor of the Municipality of Mitrovica. SPRK on 4 February 2016 rendered a decision for the initiation of investigations against the same. On 1 March 2016, SPRK filed an indictment against Agim Bahtiri for the criminal offence “abusing official position or authority”.

SPRK accused Agim Bahtiri that as Mayor of Mitrovica, together with Haxhimet Ferati, head of procurement of this municipality, exceeded their competencies with the purpose of illegal gain. This gain, they allegedly took for the economic operator ”HESALIGHT A/S”, where the director for Kosovo was the accused Gazmend Kelmendi. They signed a contract with the title “Supply, installation and maintenance of efficient public lighting in all streets of Mitrovica city”, an offer based on an illegal agreement, whose aim was to restrict free competition. Furthermore, according to prosecution, the Municipality of Mitrovica accepted the offer presented by

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Kelmendi with the price from 767,940.00 euro, damage that was caused to the Municipality and further to the Kosovo budget. In this manner the defendants acted in violation of the legal provisions, by not notifying PPRC. Moreover the same did not publish the notification of giving the contract with the purpose that the economic operator in question is rewarded, against the fact that there were other operators regarding the offering of the same services.

**Negligence in the treatment of the case and violation of legal deadlines**

Indictment against Agim Bahtiri was raised on 1 March 2016, whereas the initial hearing was scheduled for 22 June 2016 and was postponed for 15 July 2016. At the hearing held on 15 July 2016 at the Basic Court of Mitrovica, Agim Bahtiri, Haxhimet Ferati, head of procuremtn in Mitrovica and Gazmend Kelmendi, director for Kosovo of economic operator “Hesalight” pleaded not guilty. After prosecutor Agron Bajrami read the indictment, the defendant Bahtiri said that he considers the trial to be political and that the indictment has nothing to do with him. After approximately 8 months since the initial hearing was held, the indictment raised against the Mayor of the Municipality of Mitrovica Agim Bahtiri, head of Procuremtn in Mitrovica, Haxhimet Ferati and director of Kosovo for economic operator “Hesalight”, Gazmend Kelmendi was dismissed. After the initial trial was held, the defence of the Mayor of Mitrovica, lawyer Mahmut Halimi, submitted his objections regarding the evidence in the indictment. Judge Beqir Halili dismissed the objection of the defence and confirmed the indictment.

The defence filed an appeal against this decision to the Court of Appeal. The latter approved the defences appeal ad the case was sent for review and redress. However, even after the review of the case for redress, judge Halili did not give the right to the defence and dismissed their appeal, confirming once more the indictment. However the Court of Appeal in Pristina, in the collegial meeting held on 27 February 2017, approved as grounded the appeal of the defendants, against the decision rendered by the Basic Court of Mitrovica, by refusing the indictment since it regarded that there was no grounded evidence in support of the suspicions that the accused committed the criminal offence which they were charged with.

**Sequestration and Confiscation**

In the case against Agim Bahtiri, according to the prosecution, the Municipality of Mitrovica accepted the offer presented by Gazmend Kelmendi with a price from 767,940.00 euro, damage caused to the Municipality, further to the Kosovo budget. Regardless of this damage, the

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indictment presented by Prosecution, did not present any request for sequestration or confiscation of wealth gained by criminal offence.

7) CASE OF MEHMET KRASNIQI AND OTHERS.: FORMER MAYOR OF THE MUNICIPALITY OF OBILIQ

Basic Court of Pristina
Case number: PKR.nr.271/14
Criminal Offence: “Abusing official position or authority”, “Fraud” and “Fraud in Office”
Presiding Judge: Afërdita Bytyçi
Prosecutor: Agron Bajrami

The Kosovo Police on 14th April filed criminal charges against Nexhat Krasniqit and others. SPRK on 15 September 2014 rendered a decision for initiating investigations, whereas on 8 May 015, filed an indictment at BC Pristina for criminal offences relating to “abusing official position or authority”, “Fraud” and “Fraud in Office”, against Muhmet Krasniqi former Mayor of the Municipality of Obiliq, Xhavit Krasniqi – Geodesic, Haki Raqi – Municipality Officer, Emir Sopjani – owner of company “Delta-ing”, Sami Kadriu – Responsible Manager, Nazmi Gashi – member of the Committee for Technical Acceptance, Bujar Alidema- owner of company ”Bas Com”, Shpend Kelmendi- Engineer, Basri Kqiku owner of company “Bejta Commerce”, Hasie Dushi - Municipality Officer, Azem Spanca Municipal Director of the Municipality of Obiliq, Altin Preniqit Procuremant Office Manager. Criminal Offences, of which Mehmet Krasniqi and 12 others are accused of, were conducted during 2012-2013, respectively during the realization of the project for paving the streets in the Municipality of Obiliq.

Negligence in the treatment of the case and violation of legal deadlines

The initial hearing for this case was held on 21 October and 22 October 2015, six months after the legal deadline stipulated by KCPK, whereas the second hearing was held on 14 December 2015. From this time, it took the court seven months to schedule the main hearing that was held on 20 July 2016. During 2016, the court held another hearing on 18 November 201680, whereas the hearing scheduled for 13 January 2017 was adjourned81. After this another two hearings were

The decision was published on 19 May 2017\textsuperscript{84}, according to which the Basic Court in Pristina, in the lack of evidence, acquitted the accused for abusing official position, former mayor of the Municipality of Obiliq, Mehmet Krasniqi. From the indictment for the same criminal offence, with a decision published Friday the other officials from the Municipality were also acquitted; Xhavit Krasniqi, Haki Raqi, Nazmi Gashi, Ramadan Hashani, Bajram Paloji, Azem Spanca and Altin Preniqi. Hasnije Dushi was acquitted from charges of fraud in office. Whereas, in the case of Emir Sopjani and Sami Kadriu, the Court gave a conditional sentence of 1 year and 6 months imprisonment. Bujar Alidema and Shpend Kelmendi were given a conditional sentence of 2 years imprisonment and 4,000 euro fine. Furthermore, Basri Kqiku was given a conditional sentence of imprisonment of 1 year and a 3,000 euro fine.

\textbf{Sequestration and Confiscation}

No such request was made.

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\textsuperscript{84} Report from the monitoring of the case against Mehmet Krasniqi and the others, 19 May 2017: http://betimiperdrejtesi.com/shpallet-i-pafajshem-ish-kryetari-i-obiliqit-mehmet-krasniqi/
IV. Sentences policy on corruption cases

a) Sentences policy on corruption cases (01.01.2017-30.06.2017)

KLI assesses that the policy of sentences on corruption cases continues to remain soft. In 88 verdicts announced in the first instance against 184 defendants on corruption cases monitored by KLI, results that judges mainly implement a soft policy of sentence against perpetrators of corruption offenses. On the following table are presented the verdicts announced by judges in these 88 judgments on corruption cases. See the table below.

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Table 16 - Cases of judgment monitored by KLI.

KLI findings, from the monitoring of corruption cases process, shows that against 184 individuals to whom the verdict was announced in the first instance, against 17 individuals the court has announced imprisonment verdict, in total from three hundred and five (305) months or twenty-five (25) years and five (5) months for all convicted individuals.

Out of 17 convicted individuals, one individual is sentenced with 5 months imprisonment, eight individuals are sentenced with 6 months imprisonment each, three individuals are sentenced with 12 months imprisonment each, two individuals are sentenced with 36 months imprisonment each, and one individual is sentenced with 36 months imprisonment.

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85 Clarification: From 17 individuals sentenced with imprisonment, 4 of them are the same ones that were sentenced also with fine, in total of 4,200 euro.

86 Clarification: From 45 individuals with suspended sentence, 18 of them are the same ones that were sentenced also with fine, in total of 29,565 euro.

87 Clarification: For 22 individuals prosecutors have given up their prosecution due to lack of evidences, 1 individual is mistakenly included in the indictment, and for 2 individuals prosecutors have given up their prosecution due to the reach of statutory limitation.

88 Clarification: For 1 individual the court has dismissed the indictment due to the reach of statutory limitation.

89 Clarification: Two of eight individuals sentenced with imprisonment for 6 months each, are the same ones that were sentenced also with fine in total of 2,000 euro. One of them was also sentenced with 2000 euro fine and none of them with 200 euro fine.

90 Clarification: One of two individuals sentenced with imprisonment for 36 months, is the same one that was sentenced also with fine, in total of 1,000 euro.
imprisonment each, one individual is sentenced with 38 months imprisonment, one individual is sentenced with 48 months imprisonment and one individual is sentenced with 58 months imprisonment.

Judges against 45 individuals have announced suspended sentences of 510 months. Against one individual have announced verdict with suspended sentence for 2 months, against two individuals suspended sentence for 3 months each, against two individuals suspended sentence for 5 months each, against seventeen individuals suspended sentence for 6 months each, against two individuals suspended sentence for 8 months each, against eight individuals suspended sentence for 12 months each, against one individual suspended sentence for 14 months, against four individuals suspended sentence for 18 months each, against eight individuals suspended sentence for 24 months each.

Judges against 29 individuals have announced sentences with fine in total of 177,600 euro. Of them, one individual is sentenced with 100 euro fine, one individual is sentenced with 200 euro fine, two individuals are sentenced with 300 euro fine each, one individual is sentenced with 700 euro fine, three individuals are sentenced with 1,000 euro fine each, two individuals are sentenced with 1,500 euro fine each, five individuals are sentenced with 2,000 euro fine each, one individual is sentenced with 2,400 euro fine, one individual is sentenced with 2,500 euro fine, one individual is sentenced with 3,000 euro fine, one individual is sentenced with 3,600 euro fine, one individual is sentenced with 4,000 euro fine, one individual is sentenced with 4,500 euro fine, two individuals are sentenced with 10,000 euro fine each, six individuals are sentenced with 20,000 euro fine each.

Judges against 52 individuals have announced acquittal verdict, while against 25 individuals have announced rejecting judgment because for 22 individuals prosecutors have given up their prosecution due to lack of evidences, 1 individual is mistakenly included in the indictment, and

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91 Clarification: The individual sentenced with imprisonment for 48 months, is the same one that was sentenced also with fine, in total of 1,000 euro.

92 Clarification: The individual sentenced with suspended sentence for 2 months, is the same one that was sentenced also with fine, in total of 150 euro.

93 Clarification: Seven of seventeen individuals sentenced with suspended sentence for 6 months each, are the same ones that were sentenced also with fine in total of 6,015 euro. Three of them were also sentenced with 500 euro each, one of them was also sentenced with 600 euro, one of them was also sentenced with 1000 euro, one of them was also sentenced with 1415 euro and one of them was also sentenced with 1500 euro.

94 Clarification: Seven of eight individuals sentenced with suspended sentence for 12 months each, are the same ones that were sentenced also with fine in total of 14,400 euro. One of them was also sentenced with 1000 euro, one of them was also sentenced with 1500 euro, one of them was also sentenced with 2900 euro, one of them was also sentenced with 3000 euro, two of them were also sentenced with 500 euro each and one of them was also sentenced with 5000 euro.

95 Clarification: One of three individuals sentenced with suspended sentence for 18 months each, is the same one that was sentenced also with fine, in total of 1,000 euro.

96 Clarification: Two individuals sentenced with suspended sentence for 24 months each, are the same ones that were sentenced also with fine in total of 8,000 euro, each with 4000 euro.
for 2 individuals prosecutors have given up their prosecution due to the reach of statutory limitation. Meanwhile, judges against 16 individuals have dismissed the indictments, against 1 individual due to the reach of statutory limitation, while against 15 individuals due to lack of evidences.

Out of 184 defendants, results that courts have sentenced with effective imprisonment 17 individuals or 9.24% of defendants. Also, out of these 184 defendants, against 45 individuals courts have announced suspended sentences or against 24.46% of defendants, against 29 individuals courts have announced sentences with fine or against 15.76% of defendants, while 93 individuals or 50.54% of defendants have been released.

In these cases of corruption in which courts have announced a verdict, are included all profile levels of the defendants. Of them, 90 individuals belong to the low profile, 87 individuals belong to medium profile and 7 individuals belong to high profile.

Chart 13- Profile of 184 defendants for criminal offences of corruption, for which Basic Courts have announced a verdict during the reporting period (January-June 2017)
Without prejudging the merits of the judicial decision in corruption cases, KLI expresses its concern that sentences policy implemented by judges on corruption cases, is no sending a clear message to the perpetrators of these criminal offenses. Such practice, by imposing soft sentences with prison or suspended sentence and fine, transmits negative message to the citizens and the public. Also, these soft measures imposed cannot reach its goal of which is punished, if the character punitive to those who are found guilty of having committed the offense of the corruption, or preventive character, which is intended to send a clear message to those who may be the subject to the commission of offenses of corruption.

a) Sentencing policy in corruption cases according to Tracking Mechanism
Sentencing policy in corruption cases continues to remain low, which is mainly based on announcements of suspended sentences and sentences with fine. KLI assesses that these penalties do not reach the purpose of punishment, given that the phenomenon of corruption continues to be characterized as cancer of society, economic development and the European perspective. In this regard, judges should impose adequate sentences in relation to the sentences committed by the perpetrators of corruption offenses.
a) Comparative analysis of sentences for the first six months of 2016 and 2017

Sentencing policy in a comparative analysis for the first six months of 2016 and 2017, results to be tougher during 2016 rather than 2017. Unlike 2016, in 2017 cases of announcement of suspended sentences and sentences with fine have been increased.

Chart 15 – The treatment of corruption cases by Basic Courts during the first six months of 2016 and 2017.
Chart 16 – Solving manner of corruption cases by Basic Courts during the first six months of 2016 and 2017.
V. Confiscation of assets benefited through criminal offences of corruption

IKD KLI during the reporting period monitored prosecutors and judges activities with regard to the implementation of the legal provisions on freezing, sequestration and confiscation of the assets benefited through criminal offence of corruption. Out of 255 corruption cases monitored in all Basic Courts, KLI found that prosecutors in very rare cases implement in practice legal provisions with regard to the requests for sequestration and confiscation of the assets benefited through criminal offence of corruption.

Chief State Prosecutor on 14 January 2014, issued an Instruction\(^97\) regarding the actions of the prosecution on implementation of the provisions in relation to the sequestration and confiscation of the assets benefited through criminal offence. KLI monitors during the monitoring process of the corruption cases found that in very limited cases, prosecutors submitted requests for sequestration and confiscation of assets benefited through criminal offence of corruption, as follows:

- **BC in FERIZAJ:**

  KLI during the reporting period monitored 15 corruption cases at the Basic Court in Ferizaj. Out of 15 cases, KLI monitors identified only **4 cases**, where prosecutors submitted request for sequestration and confiscation. Below are presented the concrete case:
  
  - **PKR.no.12/15:** Kosovar passport, Yugoslav passport, pocket notebook, phone numbers, contracts and authorizations between the company "El-Abrar", etc.;
  - **PKR.no.22/17:** A banknote worth 50 euros, two banknotes worth 20 euros and a banknote worth 10 euros;
  - **PKR.no.42/17:** The money in the amount of 12,570 euros, 100 dollars, 100 Swiss francs, two pistols with a 6.35 mm caliber and a hand grenade;
  - **PKR.no.75/17:** Permanent confiscation of the banknote worth 10 euros.

- **BC in GJILAN:**

KLI during the reporting period monitored 35 corruption cases at the Basic Court in Gjilan. Out of 35 cases, KLI monitors identified only 4 cases, where prosecutors submitted request for sequestration and confiscation. Below are presented the concrete case:

- PKR.no.34/17: A banknote worth 50 euro;
- PKR.no.185/16: A banknote worth 20 euro;
- PKR.no.157/16: Request for sequestration of two vehicles;
- PKR.no.94/17: Money worth 500 euro.

➤ BC in MITROVICA:

KLI during the reporting period monitored 26 corruption cases at the Basic Court in Mitrovica. Out of 26 cases, KLI monitors identified only 3 cases, where prosecutors submitted request for sequestration and confiscation. Below are presented the concrete case:

- P.no.60/16: Confiscation of money worth 250 euro;
- P.no.23/17: A banknote worth 100 euro;
- P.no 328/13: Request for confiscation: Bullet 17.428 kg./ 9465 plates x 37,479 kg.

➤ BC in PRISTINA:

KLI during the reporting period monitored 122 corruption cases at the Basic Court in Pristina. Out of 122 cases, KLI monitors identified only 13 cases, where prosecutors submitted request for sequestration and confiscation. Below are presented the concrete case:

- PKR.no.341/15: Against the defendant I.H SPRK has proposed:- CONFISQATION of the car of the type Audi Q7, with plates 01-900FG, produced on 2008 in the amount of 37.000,00€, car of the type VW Golf with plates 01-326- FP, produced on 2009 in the amount of 12.500€ and another car of the type VW Golf with plates 01-421-FL, produced on 2009, in the amount of 16.800,00€ and the amount of 11.000,00€, as assets gained through criminal offence; - Against the defendant Skender Canolli CONFISQATION of the car of the type VWPassat, with plates 01-714-FL, produced on 2008, in the amount of 20.000,00€, the amount of 10.560,00 Swiss Franc, 2.600,00$ American and 1.880,00€, as assets gained through criminal offence; - Against the defendant CONFISQATION of the building in the neighbor “Kalbria” Lamela 2, floor II, building no. 07 with an area of 76.3m2, in the amount of 38.150,00€; as assets gained through criminal offence; and the ARMS: by the defendant Ismet Haliti-Pistoleta pistol CZ.99 of 9mm caliber with no.121623 with a free cartridge and by the defendant Skender Canolli -Broving Pistol 9mm caliber eight cartridges and a Carbine rifle with serial number 85269, Kragujevac Zastava- Crvena production, caliber 8x57mm, and twenty two of this rifle cartridge.

Sequestrationd items:
Sequestration of items by the defendant I.H: a. 11,000.00€ (eleven thousand euro), 22 banknotes 500€; Car VW “Golf”, produced on 2009, metallic black color, with plates 01-326-FP, ID no. WVWZZZ1KZP453134, registered in the name of I.H; Car VW “Golf”, produced on 2009, grey color, metallic, with plates 01-421-FL, ID no. WVWZZZ1KZ9W578466, registered in the name of F.H (son of the defendant I.H); Car Audi Q7, black color, with plates 01-900-FG, identification number WAUZZZ4L69D025641, produced on 2008, registered in the name of A.P, where the investigation found out that the owner of this car is the defendant I.H. Sequestration of items by the defendant S.C – 10,560CHF (ten thousand five hundred and sixty Swiss francs) – 1,880€ (one thousand eight hundred and eighty euro), – 2,600$ USD (two thousand six hundred US dollar); Car VW “Passat”, metallic black color, with number of registration 01-714-FL, produced on 2008, ID no. WVWZZZ3CZ9E520573, registered in the name of L.C (son of the defendant S.C)

Property sequestred by the defendant M.Sh. building no. 8 with an area of 76.3m2, on the lamell 2, entrance 1, floor 2 in the neighbor Calabria;

- PKR.no. 305/16: Computers;
- PKR.no. 688/15: Confiscation of barrels with oil derivatives;
- PKR.no.303/16: Temporary taking of items: Contract VR.no.5687/1997 dated.28.01.1990, purchase of real estate contract dated 20.03.2012;
- PKR.no. 27/17: Temporary sequestration of items;
- PKR.no.722/14: Temporary sequestration of items;
- PKR.no.642/15: Confiscation of: the apartment in Klina area of 36 m2, two storey house in surface of 209 m2, agricultural land in surface of 1182 m2 + land with two parcels, business premise in surface of 39.86 m2, apartment on surface of 97.30 m2, land parcel in Ulcinj in the area of 308 m2, another parcel of 171 m2 in Ulcinj, branded vehicle AUDI A6, financial means on behalf of the sale of two business premises purchased by Kolë Puka under the contracts deposited in case files in the amount of 63 thousand euro;
- PKR.no.352/16: Temporary sequestration of items; Confiscation of a vehicle (truck)
- PKR.no.24/17: Temporary sequestration of items;
- PKR.no.411/16: Confiscation of a "Beretta" type shooter along with a charger and 14 cartridges;
- PKR.no.201/14: Confiscation of items specified in the indictment of the Basic Prosecution office in Pristina;
- PKR.no. 160/17: Confiscation of falsified assets and documents;
- PKR.no.94/17: A banknote worth 50 euro.
➢ BC in PRIZREN:

KLI during the reporting period monitored 24 corruption cases at the Basic Court in Prizren. Out of 24 cases, KLI monitors identified only 1 case, where prosecutors submitted request for sequestration and confiscation. Below is presented the concrete case:

  o P.no.192/16: Two banknote worth 50 euro each.

➢ BC in GJAKOVA:

KLI during the reporting period monitored 11 corruption cases at the Basic Court in Gjakova. Out of 11 cases, KLI monitors identified only 1 case, where prosecutors submitted request for sequestration and confiscation. Below is presented the concrete case:

  o P.no.60/16: Confiscation of the diploma and confiscation of the diploma certificate;

➢ BC in PEJA:

KLI during the reporting period monitored 22 corruption cases at the Basic Court in Peja. Out of 22 cases, KLI monitors identified only 1 case, where prosecutors submitted request for sequestration and confiscation. Below is presented the concrete case:

  o P.no.64/17: A banknote worth 100 euro.
VI. SELECTION OF TOP TARGETS

During September 2014, the prosecutorial system of Kosovo presented a Strategic Plan for Interagency Cooperation between the State Prosecutor and law enforcement agencies in Kosovo in fighting organized crime and corruption, as well as Standard Operating Procedures (SOP) for the selection Serious Crimes Targets.\(^98\)

The objective of the SOP has been the prevention, detection, investigation and prosecution of the most serious offenses, through coordination and harmonization of activities of the competent authorities. The purpose of this mechanism was the appointment of 50 more serious cases in the justice system in Kosovo, which will be treated urgently by all law enforcement agencies.

In September 2017 in database, are identified 35 targeted cases\(^99\), out of which 31 are in courts, where 4 (four) cases are under investigation, while for 27 cases indictments are filed in courts.

Four cases under investigation are titled as following: “PRISON”, “CIRCUIT”, “GOLD” and “FEBRUARY”.

The 27 cases, for which indictments are filed in courts, are currently at these stages of the procedure:

- for one case the initial hearing is scheduled: “LAWYER 3”;
- for three cases the review of objections by the Court of Appeal: “APPEAL”, “INSPECTOR” and “STENTA”
- for two cases, the request for dismissal of the indictment has been rejected and now is expected the appointment of the main trial: “TRANSPORTER” and “FERONIKEL”
- a case is partially of final judgment, the indictment is dismissed for two defendants, while the main trial continues for two other defendants - “AUTHORITY/PROJECT”;
- thirteen cases are at the stage of the main trial: (“SECURITY”, “CRISTAL”, “OBLIGATION”, “CONSTRUCTION”, “KEDS”, “MOH II”, “PRB 1”, “UP”, “KLLOKOTI II”, ”BULL”, “RENT”, “HIB” and “FAN”;
- two cases have been completed in the first instance: “CONTRACT” and “MATRIX – M”;


five cases are of final judgment: "PROSECUTOR", “LAWYER 1”, “LAWYER 2”, “SUHAREKA” and “KLLOKOTI 1”.

Two cases have been completed in the first instance and are being processed at the Court of Appeals. For these cases basic courts have announced the following verdicts:

- “CONTRACT” (Sentencing judgment for two individuals, one is sentenced with six months imprisonment, while the other one with ten months imprisonment, acquittal verdict for one defendant, and rejecting judgment for two defendants);
- “MATRIX-M” (Sentencing judgment for two individuals, one is sentenced with 5 years imprisonment and 5000€ fine, while the other with 3 years and 6 months imprisonment and 2000€ fine, acquittal verdict for six defendants);

Five cases are of final judgment:

- "PROSECUTOR": (Sentencing judgment for a defendant with 3 years imprisonment and 5000,00 euro fine, sentencing judgment for a defendant with 1 year and 6 months imprisonment, sentencing judgment for a defendant with 3000,00 euro fine)
- “LAWYER 1”, “LAWYER 2”: (Sentencing judgment with 3000,00 euro fine, acquittal verdict for two other criminal offenses);
- “SUHAREKA”: (Rejecting judgment for five individuals since State Prosecutor withdrew from the charge);
- “KLLOKOTI 1” (Sentencing judgment for a criminal offense- suspended sentence for 10 months and a period of two-year verification, while acquittal verdict for two criminal offenses)
VII. ANEX: Concrete failures of prosecutors in handling corruption cases

KLI has analyzed all the solved cases provided by the data of Tracking Mechanism and prosecutorial legal acts provided by some prosecution offices (for the period 01.01.2017 – 30.06.2017) and has identified violations of prosecutors in relation to respecting legal deadlines for the treatment of criminal reports. Violation of the provisions of the Criminal Procedure Code, results with violations of human rights, keeping citizens as subjects on prosecution’s criminal evidences in cases when there is no basis to conduct criminal investigations against them. KLI when analyzing prosecutorial legal acts, has identified cases that have reached statutory limitation and violations of deadlines to decide on corruption cases. KLI for the first time, after more than three years of cooperation with Prosecution offices, has received a negative response from some Chief Prosecutors, who have not cooperated to provide prosecutorial acts for the purpose of monitoring and analyzing the meet of legal deadlines by prosecutors in cases of corruption. Through this closing of Prosecution offices, their leaders have demonstrated a lack of will to increase public transparency and accountability through monitoring by external actors of civil society. Moreover, through this form of monitoring and professional analysis of the findings by KLI, it has directly affected the increase of prosecutors' accountability.  

STATUTORY LIMITATION OF CRIMINAL PROSECUTION

BASIC PROSECUTION IN PEJA


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100 KLI interview with Mr. Zef Prendrecaj, Director of the Office of Disciplinary Counsel.
101 Based on the ruling issued on 27.03.2017, BP in Peja, had decided to terminate the investigation against one (1) person for the criminal offence “Falsifying official documents” pursuant with Article 348 paragraph 1 in view of the fact that the period of relative statutory of limitation for the criminal prosecution has expired.
102 Based on the ruling issued on 27.03.2017, BP in Peja, had decided to terminate the investigation against six (6) persons for the criminal offence , “False statement” article 307, paragraph 2 connected with article 23 of temporary CCK, “Legalization of false content” article 334, paragraph 2 connected with article 23 of temporary CCK, “Falsifying official documents” pursuant with Article 332 paragraph 3, pursuant with temporary CCK, in view of the fact that the period of statutory of limitation for the criminal prosecution has expired.
CASES OF BREACHING THE PRESCRIBED PERIODS OF TIME CONCERNING DECISION MAKING

SPECIAL PROSECUTION OFFICE OF THE REPUBLIC OF KOSOVO

Cases of decisions of Dismissal of Criminal Reports

1. Case with number 50/15-pps, submitted by the citizen, received in the SP on 16.07.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 24.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 16.07.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 24.01.2017. Treatment related to this criminal report had lasted for 558 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 558 days, or 528 days after the legal deadline.

Cases of decisions of Termination of Investigations

1. Case with number 86/15-pps, submitted by the citizen, received in the SP on 08.07.2015, including four (4) persons for criminal offense “Abusing official position or authority”. The decision for termination of investigation ruling for two persons was taken on 17.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 08.07.2015, meanwhile the Prosecution had decided to terminate the investigation ruling on 17.01.2017. Treatment related to this criminal report had lasted for 559 days from the receipt of the same one.

2. Case with number 36/16-pps, submitted by Kosovo Anti-Corruption Agency, received in the SP on 30.09.2015, including one (1) person for criminal offense “Failure to report or report false assets, income, gifts, other material benefits or financial obligations.” The decision for termination of investigation ruling was taken on 11.04.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 30.09.2015, meanwhile the Prosecution had decided to terminate the investigation ruling on 11.04.2017. Treatment related to this criminal report had lasted for 559 days from the receipt of the same one.

3. Case with number 59/16-pps, submitted by Kosovo Police, received in the SP on 09.11.2016, including two (2) persons for criminal offense “Abusing official position or
 authority.” The decision for termination of investigation ruling was taken on 12.04.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 09.11.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 12.04.2017. Treatment related to this criminal report had lasted for 154 days from the receipt of the same one.

4. Case with number 71/15-pps, accepted on competence, received in the SP on 28.09.2015, including two (2) persons for criminal offense “Abusing official position or authority.” The decision for termination of investigation ruling was taken on 02.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 28.09.2015, meanwhile the Prosecution had decided to terminate the investigation ruling on 02.05.2017. Treatment related to this criminal report had lasted for 582 days from the receipt of the same one.

5. Case with number 50/16-pps, submitted by Kosovo Police, received in the SP on 30.09.2016, including one (1) person for criminal offense “Abusing official position or authority.” The decision for termination of investigation ruling was taken on 09.06.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 30.09.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 09.06.2017. Treatment related to this criminal report had lasted for 344 days from the receipt of the same one.

**Cases of decisions of Dismissal of Criminal Reports / Closed with report - PPN**

1. Case with number 99/13-ppn, submitted by Kosovo Police, received in the SP on 28.10.2013, including three (3) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 03.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 28.10.2013, meanwhile the Prosecution had decided to dismiss the criminal report with on 03.02.2017. Treatment related to this criminal report had lasted for 1194 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1194 days, or 1164 days after the legal deadline.

2. Case with number 62/15-pps, submitted by the citizen, received in the SP on 18.05.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 23.02.2017.
KLI: Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 18.05.2015, meanwhile the Prosecution had decided to dismiss the criminal report with on 23.02.2017. Treatment related to this criminal report had lasted for 647 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 647 days, or 617 days after the legal deadline.

3. Case with number 23/17-ppn, submitted by the citizen, received in the SP on 21.02.2017, including five (5) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 31.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 21.02.2017, meanwhile the Prosecution had decided to dismiss the criminal report with on 31.05.2017. Treatment related to this criminal report had lasted for 99 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 99 days, or 69 days after the legal deadline.

4. Case with number 182/16-ppn, accepted in competence, received in the SP on 04.11.2016, including one (1) person for criminal offense “Accepting bribe”. The decision for dismissal of criminal report ruling was taken on 19.06.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the SPORK on 04.11.2016, meanwhile the Prosecution had decided to dismiss the criminal report with on 19.06.2017. Treatment related to this criminal report had lasted for 227 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 227 days, or 197 days after the legal deadline.

BASIC PROSECUTION IN PRISHTINA

Cases of decisions of Dismissal of Criminal Reports

1. Case with number 5472/14-IIPR, submitted by Kosovo Tax Administration, received in the BP on 23.07.2014, including one (1) person for criminal offense “Misuse of
economic authorizations”. The decision for dismissal of criminal report ruling was taken on 06.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 23.07.2014, meanwhile the Prosecution had decided to dismiss the criminal report with on 06.01.2017. Treatment related to this criminal report had lasted for 898 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 898 days, or 868 days after the legal deadline.

2. Case with number 1312/13-IPR, submitted by injured party, received in the BP on 26.12.2013, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 24.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 26.12.2013, meanwhile the Prosecution had decided to dismiss the criminal report with on 24.01.2017. Treatment related to this criminal report had lasted for 1125 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1125 days, or 1095 days after the legal deadline.

3. Case with number 1210/14-IPR, submitted by prosecutor with its own initiative, received in the BP on 21.11.2014, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 31.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 21.11.2014, meanwhile the Prosecution had decided to dismiss the criminal report with on 31.01.2017. Treatment related to this criminal report had lasted for 802 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 802 days, or 772 days after the legal deadline.

4. Case with number 214/15-IPR, submitted by the citizen, received in the BP on 08.01.2013, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 31.01.2017.
KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 08.01.2013, meanwhile the Prosecution had decided to dismiss the criminal report with on 31.01.2017. Treatment related to this criminal report had lasted for 1484 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1484 days, or 1454 days after the legal deadline.

5. Case with number 697/15-IPR, submitted by the citizen, received in the BP on 31.08.2015, including five (5) persons for criminal offense “Abusing official position or authority”. Four (4) persons for criminal offense “Trading influence”. The decision for dismissal of criminal report ruling was taken on 24.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 31.08.2015, meanwhile the Prosecution had decided to dismiss the criminal report with on 24.01.2017. Treatment related to this criminal report had lasted for 512 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 512 days, or 482 days after the legal deadline.

6. Case with number 940/15-IPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 03.12.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 22.02.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 03.12.2015, meanwhile the Prosecution had decided to dismiss the criminal report with on 22.02.2017. Treatment related to this criminal report had lasted for 447 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 447 days, or 417 days after the legal deadline.

7. Case with number 102/16-IPR, submitted by the injured party, received in the BP on 03.05.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 07.02.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 03.05.2016, meanwhile the Prosecution had decided to dismiss the criminal report with on 07.02.2017. Treatment related to this criminal report had lasted for 280 days from the receipt of
the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 280 days, or 250 days after the legal deadline.

8. Case with number 263/15-IPR, submitted by the injured party, received in the BP on 10.04.2015, including one (1) person for criminal offense “Abusing official position or authority. The decision for dismissal of criminal report ruling was taken on 23.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 10.04.2015, meanwhile the Prosecution had decided to dismiss the criminal report with on 23.02.2017. Treatment related to this criminal report had lasted for 685 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013; limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 685 days, or 655 days after the legal deadline.

9. Case with number 647/15-IPR, submitted by the Police Inspectorate of Kosovo, received in the BP on 17.08.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 23.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 17.08.2015, meanwhile the Prosecution had decided to dismiss the criminal report with on 23.02.2017. Treatment related to this criminal report had lasted for 648 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013; limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 648 days, or 618 days after the legal deadline.

10. Case with number 65/13-IPR, received in competence, received in the BP on 01.03.2013, including one (1) person for criminal offense “Accepting bribe”. The decision for dismissal of criminal report ruling was taken on 16.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 01.03.2013, meanwhile the Prosecution had decided to dismiss the criminal report with on 16.02.2017. Treatment related to this criminal report had lasted for 1448 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013; limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 1448 days, or 1418 days after the legal deadline.

11. Case with number 1118/14-IPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 21.10.2014, including six (6) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 28.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 21.10.2014, meanwhile the Prosecution had decided to dismiss the criminal report with on 28.03.2017. Treatment related to this criminal report had lasted for 889 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 889 days, or 859 days after the legal deadline.

12. Case with number 1004/15-IPR, submitted by the injured party, received in the BP on 24.12.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 14.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 24.12.2015, meanwhile the Prosecution had decided to dismiss the criminal report with on 14.03.2017. Treatment related to this criminal report had lasted for 446 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 446 days, or 416 days after the legal deadline.

13. Case with number 601/14-IPR, submitted by the injured party, received in the BP on 10.06.2014, including nine (9) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 07.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 10.06.2014, meanwhile the Prosecution had decided to dismiss the criminal report with on 07.03.2017. Treatment related to this criminal report had lasted for 1001 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1001 days, or 971 days after the legal deadline.
14. Case with number 789/15-IPR, submitted by the injured party, received in the BP on 07.10.2015, including six (6) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 27.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 07.10.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 27.03.2017. Treatment related to this criminal report had lasted for 1001 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1001 days, or 971 days after the legal deadline.

15. Case with number 853/15-IPR, submitted by the injured party, received in the BP on 27.10.2015, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 21.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 27.10.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 21.03.2017. Treatment related to this criminal report had lasted for 511 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 511 days, or 481 days after the legal deadline.

16. Case with number 99/15-IPR, submitted by the injured party, received in the BP on 11.02.2015, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 09.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 11.02.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 09.03.2017. Treatment related to this criminal report had lasted for 757 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 757 days, or 727 days after the legal deadline.

17. Case with number 121/16-IPR, submitted by Kosovo Police, received in the BP on 23.06.2016, including two (2) persons, one (1) person for criminal offense “Abusing
official position or authority”, one (1) person for “Conflict of interest”. The decision for dismissal of criminal report ruling was taken on 28.03.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 23.06.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 28.03.2017. Treatment related to this criminal report had lasted for 278 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 278 days, or 248 days after the legal deadline.

18. Case with number 1260/13-IPR, submitted by Kosovo Police, received in the BP on 11.12.2013, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 20.03.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 11.12.2013 meanwhile the Prosecution had decided to dismiss the criminal report with on 20.03.2017. Treatment related to this criminal report had lasted for 1195 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1195 days, or 1165 days after the legal deadline.

19. Case with number 14/17-IPR, submitted by Kosovo Police, received in the BP on 23.01.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 27.03.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 23.01.2017 meanwhile the Prosecution had decided to dismiss the criminal report with on 27.03.2017. Treatment related to this criminal report had lasted for 63 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 63 days, or 33 days after the legal deadline.

20. Case with number 485/02-IPR, submitted by Kosovo Police, received in the BP on 30.05.2002, including two (2) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 27.03.2017.
**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 30.05.2002 meanwhile the Prosecution had decided to dismiss the criminal report with on 27.03.2017. Treatment related to this criminal report had lasted for 5415 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1546 days, or 1516 days after the legal deadline.

21. Case with number 110/16-IPR, submitted by prosecutor with its own initiative, received in the BP on 26.05.2016, including one (1) person for criminal offense “*Abusing official position or authority*”. The decision for dismissal of criminal report ruling was taken on 28.03.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 26.05.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 28.03.2017. Treatment related to this criminal report had lasted for 306 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 306 days, or 276 days after the legal deadline.

22. Case with number 567/15-IPR, submitted by the citizen, received in the BP on 21.07.2015, including one (1) person for criminal offense “*Abusing official position or authority*”. The decision for dismissal of criminal report ruling was taken on 27.03.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 21.07.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 27.03.2017. Treatment related to this criminal report had lasted for 616 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 616 days, or 586 days after the legal deadline.

23. Case with number 694/15-IPR, submitted by the citizen, received in the BP on 31.08.2015, including four (4) persons for criminal offense “*Abusing official position or authority*”. The decision for dismissal of criminal report ruling was taken on 28.03.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 31.08.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on
28.03.2017. Treatment related to this criminal report had lasted for 575 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 575 days, or 545 days after the legal deadline.

24. Case with number 301/11-IPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 20.04.2011, including seven (7) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 06.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 20.04.2011 meanwhile the Prosecution had decided to dismiss the criminal report with on 06.04.2017. Treatment related to this criminal report had lasted for 2178 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1556 days, or 1526 days after the legal deadline.

25. Case with number 1233/14-IPR, submitted by the injured party, received in the BP on 27.11.2014, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 26.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 27.11.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on 26.04.2017. Treatment related to this criminal report had lasted for 881 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 881 days, or 851 days after the legal deadline.

26. Case with number 19/13-IPR, submitted by the injured party, received in the BP on 04.11.2009, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 07.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 04.11.2009 meanwhile the Prosecution had decided to dismiss the criminal report with on 07.04.2017. Treatment related to this criminal report had lasted for 2711 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 1557 days, or 1527 days after the legal deadline.

27. Case with number 32/16-IPR, submitted by the injured party, received in the BP on 13.01.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 05.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 13.01.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 05.04.2017. Treatment related to this criminal report had lasted for 448 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 448 days, or 418 days after the legal deadline.

28. Case with number 663/14-IPR, submitted by the injured party, received in the BP on 25.06.2014, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 11.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 25.06.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on 11.04.2017. Treatment related to this criminal report had lasted for 1021 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1021 days, or 991 days after the legal deadline.

29. Case with number 912/15-IPR, submitted by the injured party, received in the BP on 23.11.2015, including three (3) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 28.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 23.11.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 28.04.2017. Treatment related to this criminal report had lasted for 522 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 522 days, or 492 days after the legal deadline.
30. Case with number 1005/15-IPR, submitted by the injured party, received in the BP on 24.12.2015, including five (5) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 07.04.2017. 

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 24.12.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 07.04.2017. Treatment related to this criminal report had lasted for 470 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 470 days, or 440 days after the legal deadline.

31. Case with number 29/17-IPR, submitted by the citizen, received in the BP on 27.02.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 19.04.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 27.02.2017 meanwhile the Prosecution had decided to dismiss the criminal report with on 19.04.2017. Treatment related to this criminal report had lasted for 51 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 51 days, or 21 days after the legal deadline.

32. Case with number 23/16-IPR, submitted by the citizen, received in the BP on 11.01.2016, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 15.05.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP on 11.01.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 15.05.2017. Treatment related to this criminal report had lasted for 490 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 490 days, or 460 days after the legal deadline.

33. Case with number 429/15-IPR, submitted by the injured party, received in the BP on 20.03.2015, including three (3) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 03.05.2017.
KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 20.03.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 03.05.2017. Treatment related to this criminal report had lasted for 775 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 775 days, or 745 days after the legal deadline.

34. Case with number 850/15-IPR, submitted by the injured party, received in the BP on 23.10.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 19.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 23.10.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 19.05.2017. Treatment related to this criminal report had lasted for 574 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 574 days, or 544 days after the legal deadline.

35. Case with number 76/16-IPR, received on competence, received in the BP on 19.02.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 22.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 19.02.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 22.05.2017. Treatment related to this criminal report had lasted for 458 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 458 days, or 428 days after the legal deadline.

36. Case with number 269/14-IPR, submitted by Kosovo Police, received in the BP on 20.03.2014, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 22.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 20.03.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on 22.05.2017. Treatment related to this criminal report had lasted for 1142 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after
January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82),
results that the SPORK has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 1141 days, or 1112 days
after the legal deadline.

37. Case with number 1274/14-IPR, submitted by the citizen, received in the BP on
05.12.2014, including one (1) person for criminal offense “Abusing official position or
authority”. The decision for dismissal of criminal report ruling was taken on 26.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on
05.12.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on
26.05.2017. Treatment related to this criminal report had lasted for 903 days from the receipt of
the same one. Whereas, with the new Criminal Procedural Code entering into force after
January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82),
results that the SPORK has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 903 days, or 873 days
after the legal deadline.

38. Case with number 457/15-IPR, submitted by the citizen, received in the BP on
29.05.2015, including three (3) persons for criminal offense “Abusing official position or
authority”. The decision for dismissal of criminal report ruling was taken on 15.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on
29.05.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on
15.05.2017. Treatment related to this criminal report had lasted for 717 days from the receipt of
the same one. Whereas, with the new Criminal Procedural Code entering into force after
January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82),
results that the SPORK has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 717 days, or 687 days
after the legal deadline.

39. Case with number 809/13-IPR, submitted by Kosovo Anti-Corruption Agency, received
in the BP on 27.08.2013, including twelve (12) persons, two (2) persons for criminal
offense “Falsifying documents” connected with procurement, three (3) persons for criminal
offence of “Misappropriation in office”, seven (7) persons for criminal
offence of “Abusing official position or authority” connected with procurement. The
decision for dismissal of criminal report ruling was taken on 29.06.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on
27.08.2013 meanwhile the Prosecution had decided to dismiss the criminal report with on
29.06.2017. Treatment related to this criminal report had lasted for 1402 days from the receipt of
the same one. Whereas, with the new Criminal Procedural Code entering into force after
January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82),
results that the SPORK has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 1402 days, or 1372 days after the legal deadline

40. Case with number 892/15-IPR, submitted by the injured party, received in the BP on 11.11.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling was taken on 14.06.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 11.11.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 14.06.2017. Treatment related to this criminal report had lasted for 581 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 581 days, or 551 days after the legal deadline.

41. Case with number 10/17-IPR, received on competence, received in the BP on 20.01.2017, including one (1) person for criminal offense “Falsifying document”. The decision for dismissal of criminal report ruling was taken on 22.06.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 20.01.2017 meanwhile the Prosecution had decided to dismiss the criminal report with on 22.06.2017. Treatment related to this criminal report had lasted for 153 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 153 days, or 123 days after the legal deadline.

Cases of decisions of Termination of Investigations

1. Case with number 38/16-IPPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 02.02.2016, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations.”. The decision for termination of investigation ruling was taken on 24.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 02.02.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 24.01.2017. Treatment related to this criminal report had lasted for 357 days from the receipt of the same one.

2. Case with number 68/16-IPPR-KE, submitted by Kosovo Anti-Corruption Agency, received in the BP on 16.05.2016, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits
or financial obligations.”. The decision for termination of investigation ruling was taken on 16.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 16.05.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 16.01.2017. Treatment related to this criminal report had lasted for 245 days from the receipt of the same one.

3. Case with number 67/15-IPR, submitted by the citizen, received in the BP on 05.01.2015, including one (1) person for criminal offense “*Abusing official position or authority*”. The decision for termination of investigation ruling was taken on 03.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 05.01.2015, meanwhile the Prosecution had decided to terminate the investigation ruling on 03.02.2017. Treatment related to this criminal report had lasted for 760 days from the receipt of the same one.

4. Case with number 19/17-IIPR-KE, submitted by Kosovo Anti-Corruption Agency, received in the BP on 24.02.2017, including one (1) person for criminal offense “*Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations*”. The decision for termination of investigation was taken on 29.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 24.02.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on 29.03.2017. Treatment related to this criminal report had lasted for 33 days from the receipt of the same one.

5. Case with number 231/13-IPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 22.03.2013, including one (1) person for criminal offense, “*Abusing official position or authority*”. The decision for termination of investigation was taken on 29.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 22.03.2013, meanwhile the Prosecution had decided to terminate the investigation ruling on 29.03.2017. Treatment related to this criminal report had lasted for 1468 days from the receipt of the same one.

6. Case with number 24/17-IIPR-KE, submitted by Kosovo Anti-Corruption Agency, received in the BP on 24.02.2017, including one (1) person for criminal offense “*Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations*”. The decision for termination of investigation was taken on 29.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 24.02.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on
29.03.2017. Treatment related to this criminal report had lasted for 33 days from the receipt of the same one.

7. Case with number 63/16-IIPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 13.05.2016, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations”. The decision for termination of investigation was taken on 31.03.2017. 

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 13.05.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 31.03.2017. Treatment related to this criminal report had lasted for 322 days from the receipt of the same one.

8. Case with number 707/15-IPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 03.09.2015, including seven (7) persons for criminal offense “Trading of influence”. And six (6) persons for criminal offence of “Abusing official position or authority” The decision for termination of investigation was taken on 30.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 03.09.2015, meanwhile the Prosecution had decided to terminate the investigation ruling on 30.03.2017. Treatment related to this criminal report had lasted for 574 days from the receipt of the same one.

9. Case with number 71/16-IIPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 19.05.2016, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations”. The decision for termination of investigation was taken on 10.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 19.05.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 10.03.2017. Treatment related to this criminal report had lasted for 295 days from the receipt of the same one.

10. Case with number 94/16-IIPR, submitted by the injured party, received in the BP on 24.03.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 28.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 24.03.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 28.03.2017. Treatment related to this criminal report had lasted for 369 days from the receipt of the same one.
11. Case with number 3427/14-IIPR, submitted by the injured party, received in the BP on 02.05.2014, including one (1) person for criminal offense “Misuse of economic authorization”. The decision for termination of investigation was taken on 22.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 02.05.2014, meanwhile the Prosecution had decided to terminate the investigation ruling on 22.03.2017. Treatment related to this criminal report had lasted for 1055 days from the receipt of the same one.

12. Case with number 51/16-IIPR, submitted by Kosovo Police, received in the BP on 11.03.2010, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 31.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 11.03.2010, meanwhile the Prosecution had decided to terminate the investigation ruling on 31.03.2017. Treatment related to this criminal report had lasted for 1550 days from the receipt of the same one.

13. Case with number 25/17-IIPR-KE, submitted by Kosovo Anti-Corruption Agency, received in the BP on 24.02.2017, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations”. The decision for termination of investigation was taken on 27.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 24.02.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on 27.04.2017. Treatment related to this criminal report had lasted for 62 days from the receipt of the same one.

14. Case with number 171/16-IPR, submitted by Kosovo Police, received in the BP on 08.12.2016, including three (3) persons, one (1) person for criminal offense “Falsifying document”, two (2) persons for criminal offense of for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligation“. The decision for termination of investigation was taken on 28.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 08.12.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 28.04.2017. Treatment related to this criminal report had lasted for 141 days from the receipt of the same one.

15. Case with number 24/16-IIPR, submitted by Kosovo Police, received in the BP on 11.01.2016, including two (2) persons, one (1) person for other criminal offenses that do not belong to characteristic criminal groups of criminal offenses, as qualified by the prosecutor at the beginninga and one (1) person for criminal offense “Abusing official
position or authority”. The decision for termination of investigation was taken on

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on
11.01.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on
26.04.2017. Treatment related to this criminal report had lasted for 471 days from the receipt of
the same one.

16. Case with number 37/17-IIPR-KE, submitted by Kosovo Anti-Corruption Agency,
received in the BP on 08.03.2017, including one (1) person for criminal offense
*Unauthorized reporting or reporting of property, income, gifts, other material benefits
or financial obligations*. The decision for termination of investigation was taken on
22.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on
08.03.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on
22.05.2017. Treatment related to this criminal report had lasted for 75 days from the receipt of
the same one.

17. Case with number 56/17-IIPR-KE, submitted by Kosovo Anti-Corruption Agency,
received in the BP on 24.03.2017, including one (1) person for criminal offense
*Unauthorized reporting or reporting of property, income, gifts, other material benefits
or financial obligations*. The decision for termination of investigation was taken on
17.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on
24.03.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on
17.05.2017. Treatment related to this criminal report had lasted for 54 days from the receipt of
the same one.

18. Case with number 122/16-IIPR-KE, submitted by Kosovo Police, received in the BP on
01.07.2016, including one (1) person for criminal offense *Abusing official position or
authority*. The decision for termination of investigation was taken on 30.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on
01.07.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on
30.05.2017. Treatment related to this criminal report had lasted for 333 days from the receipt of
the same one.

19. Case with number 123/16-IIPR-KE, submitted by Kosovo Police, received in the BP on
01.07.2016, including two (2) persons for criminal offense *Abusing official position or
authority*. The decision for termination of investigation was taken on 26.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on
01.07.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on
26.05.2017. Treatment related to this criminal report had lasted for 329 days from the receipt of the same one.

20. Case with number 951/08-IPR, submitted by Kosovo Police, received in the BP on 20.06.2008, including four (4) persons for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 24.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 20.06.2008, meanwhile the Prosecution had decided to terminate the investigation ruling on 24.05.2017. Treatment related to this criminal report had lasted for 3107 days from the receipt of the same one.

21. Case with number 46/17-IIPR-KE, submitted by Kosovo Anti-Corruption Agency, received in the BP on 10.03.2017, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations”. The decision for termination of investigation was taken on 28.06.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 10.03.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on 28.06.2017. Treatment related to this criminal report had lasted for 110 days from the receipt of the same one.

22. Case with number 65/16-IIPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 13.05.2016, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations”. The decision for termination of investigation was taken on 20.06.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 13.05.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 20.06.2017. Treatment related to this criminal report had lasted for 403 days from the receipt of the same one.

23. Case with number 93/17-IPR, submitted by Kosovo Anti-Corruption Agency, received in the BP on 26.05.2017, including one (1) person for criminal offense “Unauthorized reporting or reporting of property, income, gifts, other material benefits or financial obligations”. The decision for termination of investigation was taken on 29.06.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 26.05.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on 29.06.2017. Treatment related to this criminal report had lasted for 34 days from the receipt of the same one.

24. Case with number 103/16-IIPR, submitted by Police Inspectorate of Kosovo, received in the BP on 03.05.2016, including two (2) persons for criminal offense “Abusing official
position or authority”. The decision for termination of investigation was taken on 29.06.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 03.05.2016, meanwhile the Prosecution had decided to terminate the investigation ruling on 29.06.2017. Treatment related to this criminal report had lasted for 422 days from the receipt of the same one.

25. Case with number 48/17IIPR-KE, submitted by prosecutor with its own initiative, received in the BP on 06.04.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 29.06.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 06.04.2017, meanwhile the Prosecution had decided to terminate the investigation ruling on 29.06.2017. Treatment related to this criminal report had lasted for 84 days from the receipt of the same one.

**Cases of decisions of Dismissal of Criminal Reports / Closed with report - PPN**

1. Case with number 107/16-IPR, submitted by the injured party, received in the BP on 16.02.2016, including five (5) persons, one (1) person for “Conflict of interests”, and four (4) persons for criminal offense “Issuing unlawful judicial decisions”. The decision for termination of investigation was taken on 24.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 16.02.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 24.01.2017. Treatment related to this criminal report had lasted for 343 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 343 days, or 313 days after the legal deadline.

2. Case with number 289/15-IPR-KE, received in competence, received in the BP on 03.06.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 20.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 03.06.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 20.01.2017. Treatment related to this criminal report had lasted for 597 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after
January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 597 days, or 567 days after the legal deadline.

3. Case with number 350/15-IPR-KE, received in competence, received in the BP on 29.10.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 12.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 29.10.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 12.01.2017. Treatment related to this criminal report had lasted for 441 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 441 days, or 411 days after the legal deadline.

4. Case with number 1005/13-IPR-KE, submitted by Kosovo Police, received in the BP on 19.11.2013, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 31.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 19.11.2013 meanwhile the Prosecution had decided to dismiss the criminal report with on 31.01.2017. Treatment related to this criminal report had lasted for 1169 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1169 days, or 1139 days after the legal deadline.

5. Case with number 13/15-IPR-KE, submitted by Kosovo Police, received in the BP on 09.12.2014, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 10.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 09.12.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on 10.01.2017. Treatment related to this criminal report had lasted for 763 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 763 days, or 733 days after the legal deadline.

6. Case with number 139/14-IPR-KE, submitted by Kosovo Police, received in the BP on 07.05.2014, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 10.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 07.05.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on 10.01.2017. Treatment related to this criminal report had lasted for 979 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 979 days, or 949 days after the legal deadline.

7. Case with number 167/14-IPR-KE, submitted by Kosovo Police, received in the BP on 22.05.2014, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 05.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 22.05.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on 05.01.2017. Treatment related to this criminal report had lasted for 959 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 959 days, or 929 days after the legal deadline.

8. Case with number 249/16-IPR-KE, submitted by Kosovo Police, received in the BP on 21.07.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 06.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 21.07.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 06.01.2017. Treatment related to this criminal report had lasted for 169 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 169 days, or 139 days after the legal deadline.
9. Case with number 255/16-IPR-KE, submitted by Kosovo Police, received in the BP on 27.02.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 12.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 27.02.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 12.01.2017. Treatment related to this criminal report had lasted for 685 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 685 days, or 655 days after the legal deadline.

10. Case with number 340/16-IPR-KE, submitted by Kosovo Police, received in the BP on 24.11.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 26.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 24.11.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 26.01.2017. Treatment related to this criminal report had lasted for 63 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 63 days, or 33 days after the legal deadline.

11. Case with number 342/16-IPR-KE, submitted by Kosovo Police, received in the BP on 29.11.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 13.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 29.11.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 13.01.2017. Treatment related to this criminal report had lasted for 45 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 45 days, or 15 days after the legal deadline.

12. Case with number 363/16-IPR-KE, submitted by Kosovo Police, received in the BP on 23.12.2016, including one (1) person for criminal offense “Abusing official position or authority”.
The decision for termination of investigation was taken on 30.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 23.12.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 30.01.2017. Treatment related to this criminal report had lasted for 38 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 38 days, or 8 days after the legal deadline.

13. Case with number 458/15-IPR-KE, submitted by Kosovo Police, received in the BP on 28.09.2015, including one (1) person for criminal offense “**Abusing official position or authority**”. The decision for termination of investigation was taken on 26.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 28.09.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 26.01.2017. Treatment related to this criminal report had lasted for 486 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 486 days, or 456 days after the legal deadline.

14. Case with number 537/15-IPR-KE, submitted by Kosovo Police, received in the BP on 12.11.2015, including one (1) person for criminal offense “**Abusing official position or authority**”. The decision for termination of investigation was taken on 10.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 12.11.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 10.01.2017. Treatment related to this criminal report had lasted for 425 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 425 days, or 395 days after the legal deadline.

15. Case with number 601/15-IPR-KE, submitted by Kosovo Police, received in the BP on 07.12.2015, including seven (7) person for criminal offense “**Abusing official position or authority**” and one (1) person for criminal offense, “**Misusing official...**”
information”. The decision for termination of investigation was taken on 20.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 07.12.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 20.01.2017. Treatment related to this criminal report had lasted for 410 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 410 days, or 380 days after the legal deadline.

16. Case with number 3560/16-IPR-KE, submitted by the citizen, received in the BP on 09.12.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 24.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 09.12.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 24.01.2017. Treatment related to this criminal report had lasted for 46 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 46 days, or 16 days after the legal deadline.

17. Case with number 377/15-IPR, submitted by the citizen, received in the BP on 06.08.2015, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 12.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 06.08.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 12.01.2017. Treatment related to this criminal report had lasted for 525 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 525 days, or 495 days after the legal deadline.

18. Case with number 235/15-IPR, submitted by the Eulex, received in the BP on 10.03.2015, including one (1) person for criminal offense “Issuing unlawful judicial decisions”. The decision for termination of investigation was taken on 13.02.2017.
**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 10.03.2015 meanwhile the Prosecution had decided to dismiss the criminal report with on 13.02.2017. Treatment related to this criminal report had lasted for 706 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 706 days, or 676 days after the legal deadline.

19. Case with number 166/16-IPR, submitted by the injured party, received in the BP on 07.05.2016, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 15.02.2017. 

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 07.05.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 15.02.2017. Treatment related to this criminal report had lasted for 284 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 284 days, or 254 days after the legal deadline.

20. Case with number 1808/14-IPR, submitted by the injured party, received in the BP on 01.12.2014, including two (2) persons, one (1) for criminal offense “Abusing official position or authority” and one (1) person for criminal offense ‘Fraud in office” The decision for termination of investigation was taken on 02.02.2017. 

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 01.12.2014 meanwhile the Prosecution had decided to dismiss the criminal report with on 02.02.2017. Treatment related to this criminal report had lasted for 794 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 794 days, or 764 days after the legal deadline.

21. Case with number 191/16-IPR, submitted by the injured party, received in the BP on 10.05.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 14.02.2017. 

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP on 10.05.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on
14.02.2017. Treatment related to this criminal report had lasted for 280 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 280 days, or 250 days after the legal deadline.

22. Case with number 237/16-IPR-KE, submitted by the injured party, received in the BP on 29.06.2016, including five (5) persons for criminal offense “Abusing official position or authority”. The decision for termination of investigation was taken on 16.02.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP on 29.06.2016 meanwhile the Prosecution had decided to dismiss the criminal report with on 16.02.2017. Treatment related to this criminal report had lasted for 232 days from the receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after January 1st, 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that the SPORK has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 232 days, or 202 days after the legal deadline.

23. Case with number PPN.365/13-IPR, submitted by the injured party, received by the Prosecution on 08.05.2013, included four (4) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 21.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 08.05.2013, while the Prosecution had decided to dismiss the criminal report on 21.02.2017. Treatment time of the criminal report has lasted 1385 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1385 days, or 1355 days after the legal deadline.

24. Case with number PPN.213/16-IPR, submitted by the Kosovo Police Inspectorate, received by the Prosecution on 27.11.2013, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 23.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 27.11.2013, while the Prosecution had decided to dismiss the criminal report on 23.02.2017. Treatment time of the criminal report has lasted 1184 days from the date of receipt
of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1184 days, or 1154 days after the legal deadline.

25. Case with number PPN.1094/13-IPR, accepted in competence, received by the Prosecution on 18.12.2013, included thirteen (13) persons, five (5) persons for criminal offence Abusing official position or authority, one (1) person for criminal offence Conflict of interest, one (1) person for criminal offence Accepting bribes, one (1) person for criminal offence Issuing unlawful judicial decisions, one (1) person for criminal offence Misappropriation in office, two (2) persons for criminal offence Trading Influence, two (2) persons for Falsifying official document. Decision for dismissal of criminal report/closed with report was taken on 13.02.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 18.12.2013, while the Prosecution had decided to dismiss the criminal report on 13.02.2017. Treatment time of the criminal report has lasted 1153 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1153 days, or 1123 days after the legal deadline.

26. Case with number PPN.214/15-IPR, accepted in competence, received by the Prosecution on 15.05.2015, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 15.02.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 15.05.2015, while the Prosecution had decided to dismiss the criminal report on 15.02.2017. Treatment time of the criminal report has lasted 642 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 642 days, or 612 days after the legal deadline.

27. Case with number PPN. 25/16-IPR, accepted in competence, received by the Prosecution on 18.01.2016, included three (3) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 14.02.2017
**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 18.01.2016, while the Prosecution had decided to dismiss the criminal report on 14.02.2017. Treatment time of the criminal report has lasted 393 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 393 days, or 363 days after the legal deadline.

28. Case with number PPN.26/14-IPR-KE, accepted in competence, received by the Prosecution on 29.01.2014, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 27.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 29.01.2014, while the Prosecution had decided to dismiss the criminal report on 27.02.2017. Treatment time of the criminal report has lasted 1125 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1125 days, or 1095 days after the legal deadline.

29. Case with number PPN.266/09-IPR-KE, accepted in competence, received by the Prosecution on 24.12.2008, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 28.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 24.12.2008, while the Prosecution had decided to dismiss the criminal report on 28.02.2017. Treatment time of the criminal report has lasted 2988 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1519 days, or 1489 days after the legal deadline.

30. Case with number PPN.333/16-IPR-KE, accepted in competence, received by the Prosecution on 18.11.2016, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 22.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 18.11.2016, while the Prosecution had decided to dismiss the criminal report on
22.02.2017. Treatment time of the criminal report has lasted 96 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 96 days, or 66 days after the legal deadline.

31. Case with number PPN.163/16-IPR, submitted by Kosovo Police, received by the Prosecution on 01.04.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 13.02.2017.

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 01.04.2016, while the Prosecution had decided to dismiss the criminal report on 13.02.2017. Treatment time of the criminal report has lasted 318 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 318 days, or 288 days after the legal deadline.

32. Case with number 298/16-IPR, submitted by Kosovo Police, received by the Prosecution on 10.10.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 08.02.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 10.10.2016, while the Prosecution had decided to dismiss the criminal report on 08.02.2017. Treatment time of the criminal report has lasted 121 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 121 days, or 91 days after the legal deadline.

33. Case with number PPN. 3/16-IIPR, submitted by Kosovo Police, received by the Prosecution on 08.02.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 10.02.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 08.02.2016, while the Prosecution had decided to dismiss the criminal report on 10.02.2017. Treatment time of the criminal report has lasted 368 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 368 days, or 338 days after the legal deadline.
January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 368 days, or 338 days after the legal deadline.

34. Case with number 352/16-IPR, submitted by Kosovo Police, received by the Prosecution on 09.12.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 14.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 09.12.2016 while the Prosecution had decided to dismiss the criminal report on 14.02.2017. Treatment time of the criminal report has lasted 67 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 67 days, or 37 days after the legal deadline.

35. Case with number PPN.422/15-IPR, submitted by Kosovo Police, received by the Prosecution on 30.10.2015, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 24.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 30.10.2015 while the Prosecution had decided to dismiss the criminal report on 24.02.2017. Treatment time of the criminal report has lasted 483 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 483 days, or 453 days after the legal deadline.

36. Case with number 1619/12-IPR, submitted by prosecutor with its own initiative, received by the Prosecution on 02.05.2012, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 08.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 02.05.2012 while the Prosecution had decided to dismiss the criminal report on 08.02.2017. Treatment time of the criminal report has lasted 1743 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 1499 days, or 1469 days after the legal deadline.

37. Case with number PPN.148/14-IPR, submitted by citizen, received by the Prosecution on 13.05.2014, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 15.02.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 13.05.2014 while the Prosecution had decided to dismiss the criminal report on 15.02.2017. Treatment time of the criminal report has lasted 1009 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1009 days, or 979 days after the legal deadline.

38. Case with number PPN.189/16-IPR, submitted by citizen, received by the Prosecution on 05.05.2016, included four (4) persons for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 22.02.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 05.05.2016 while the Prosecution had decided to dismiss the criminal report on 22.02.2017. Treatment time of the criminal report has lasted 293 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 293 days, or 263 days after the legal deadline.

39. Case with number PPN.237/15-IPR, submitted by citizen, received by the Prosecution on 22.07.2014, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 21.02.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 22.07.2014 while the Prosecution had decided to dismiss the criminal report on 21.02.2017. Treatment time of the criminal report has lasted 945 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 945 days, or 915 days after the legal deadline.
40. Case with number PPN.322/16-IPR-KE, submitted by citizen, received by the Prosecution on 04.11.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 20.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 04.11.2016 while the Prosecution had decided to dismiss the criminal report on 20.02.2017. Treatment time of the criminal report has lasted 108 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 108 days, or 78 days after the legal deadline.

41. Case with number 300/12-IPR, submitted by the injured party, received by the Prosecution on 18.04.2013, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 14.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 18.04.2013 while the Prosecution had decided to dismiss the criminal report on 14.02.2017. Treatment time of the criminal report has lasted 1404 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1404 days, or 1374 days after the legal deadline.

42. Case with number PPN.195/15-IPR, submitted by EULEX, received by the Prosecution on 06.03.2015, included one (1) person for criminal offence Accepting bribes. Decision for dismissal of criminal report/closed with report was taken on 28.03.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 06.03.2015 while the Prosecution had decided to dismiss the criminal report on 28.03.2017. Treatment time of the criminal report has lasted 753 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 753 days, or 723 days after the legal deadline.

43. Case with number PPN.337/16-IPR-KE, submitted by the injured party, received by the Prosecution on 16.11.2016, included three (3) persons for criminal offence
Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 27.03.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 16.11.2016 while the Prosecution had decided to dismiss the criminal report on 27.03.2017. Treatment time of the criminal report has lasted 131 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 131 days, or 101 days after the legal deadline.

44. Case with number 43/15-IPR, submitted by the injured party, received by the Prosecution on 06.02.2015, included four (4) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 24.03.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 06.02.2015 while the Prosecution had decided to dismiss the criminal report on 24.03.2017. Treatment time of the criminal report has lasted 749 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 749 days, or 719 days after the legal deadline.

45. Case with number 45/15-IPR, submitted by the injured party, received by the Prosecution on 06.02.2015, included five (5) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 31.03.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 06.02.2015 while the Prosecution had decided to dismiss the criminal report on 31.03.2017. Treatment time of the criminal report has lasted 784 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 784 days, or 754 days after the legal deadline.

46. Case with number PPN.859/13-IPR, submitted by the injured party, received by the Prosecution on 27.10.2013, included four (4) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 30.03.2017
KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 27.10.2013 while the Prosecution had decided to dismiss the criminal report on 30.03.2017. Treatment time of the criminal report has lasted 1280 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1280 days, or 1250 days after the legal deadline.

47. Case with number PPN.168/16-IPR, accepted in competence, received by the Prosecution on 05.04.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 30.03.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 05.04.2016 while the Prosecution had decided to dismiss the criminal report on 30.03.2017. Treatment time of the criminal report has lasted 359 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 359 days, or 329 days after the legal deadline.

48. Case with number PPN.340/15-IPR-KE, accepted in competence, received by the Prosecution on 09.07.2015, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 30.03.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 09.07.2015 while the Prosecution had decided to dismiss the criminal report on 30.03.2017. Treatment time of the criminal report has lasted 630 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 630 days, or 600 days after the legal deadline.

49. Case with number PPN.11/17-IPRKE, submitted by Kosovo Police, received by the Prosecution on 27.01.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 07.03.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 27.01.2017 while the Prosecution had decided to dismiss the criminal report on
07.03.2017 Treatment time of the criminal report has lasted 39 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 39 days, or 9 days after the legal deadline.

50. Case with number ppn.1242/12-IPR, submitted by Kosovo Police, received by the Prosecution on 06.04.2012, included four (4) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 16.03.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 06.04.2012 while the Prosecution had decided to dismiss the criminal report on 16.03.2017. Treatment time of the criminal report has lasted 1805 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1535 days, or 1505 days after the legal deadline.

51. Case with number ppn.129/10-IPR, submitted by Kosovo Police, received by the Prosecution on 10.03.2010, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 22.03.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 10.03.2010 while the Prosecution had decided to dismiss the criminal report on 22.03.2017. Treatment time of the criminal report has lasted 2569 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1541 days, or 1511 days after the legal deadline.

52. Case with number PPN.221/13-IPR, submitted by Kosovo Police, received by the Prosecution on 12.03.2013, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 08.03.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 12.03.2013 while the Prosecution had decided to dismiss the criminal report on 08.03.2017. Treatment time of the criminal report has lasted 1457 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of
January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1457 days, or 1427 days after the legal deadline.

53. Case with number PPN.226/13-IPR, submitted by Kosovo Police, received by the Prosecution on 10.12.2012, included two (2) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 29.03.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 10.12.2012 while the Prosecution had decided to dismiss the criminal report on 29.03.2017. Treatment time of the criminal report has lasted 1570 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1570 days, or 1518 days after the legal deadline.

54. Case with number PPN.23/17-IPRKE, submitted by Kosovo Police, received by the Prosecution on 09.02.2017, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 30.03.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 09.02.2017 while the Prosecution had decided to dismiss the criminal report on 30.03.2017. Treatment time of the criminal report has lasted 49 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 49 days, or 19 days after the legal deadline.

55. Case with number PPN.274/16-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 26.08.2016, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 31.03.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 26.08.2016 while the Prosecution had decided to dismiss the criminal report on 31.03.2017. Treatment time of the criminal report has lasted 217 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 217 days, or 187 days after the legal deadline.

56. Case with number PPN.47/16-IPR, submitted by Kosovo Police, received by the Prosecution on 03.02.2016, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 16.03.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 03.02.2016 while the Prosecution had decided to dismiss the criminal report on 16.03.2017. Treatment time of the criminal report has lasted 407 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 407 days, or 377 days after the legal deadline.

57. Case with number 585/13-IPR, submitted by Prosecutor with its own initiative, received by the Prosecution on 19.07.2013, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 28.03.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 19.07.2013 while the Prosecution had decided to dismiss the criminal report on 28.03.2017. Treatment time of the criminal report has lasted 1348 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1348 days, or 1318 days after the legal deadline.

58. Case with number PPN.250/14-IPR, submitted by citizen, received by the Prosecution on 30.07.2014, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 29.03.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 30.07.2014 while the Prosecution had decided to dismiss the criminal report on 29.03.2017. Treatment time of the criminal report has lasted 973 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 973 days, or 943 days after the legal deadline.
59. Case with number PPN.123/16-IPR-K, submitted by the injured party, received by the Prosecution on 09.03.2016, included three (3) persons for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 11.04.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 09.03.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 398 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 398 days, or 368 days after the legal deadline.

60. Case with number PPN.133/15-IPR, submitted by the injured party, received by the Prosecution on 04.03.2015, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 24.04.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 04.03.2015 while the Prosecution had decided to dismiss the criminal report on 24.04.2017. Treatment time of the criminal report has lasted 782 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 782 days, or 752 days after the legal deadline.

61. Case with number PPN.200/16-IPR-K, submitted by the injured party, received by the Prosecution on 17.05.2016, included two (2) persons for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 27.04.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 17.05.2016 while the Prosecution had decided to dismiss the criminal report on 27.04.2017. Treatment time of the criminal report has lasted 345 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 345 days, or 315 days after the legal deadline.

62. Case with number PPN.211/16-IPR-K, submitted by the injured party, received by the Prosecution on 30.05.2016, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 27.04.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 30.05.2016 while the Prosecution had decided to dismiss the criminal report on 27.04.2017. Treatment time of the criminal report has lasted 315 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 315 days, or 285 days after the legal deadline.
official position or authority. Decision for dismissal of criminal report/closed with report was taken on 11.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 30.05.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 316 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 316 days, or 286 days after the legal deadline.

63. Case with number PPN.243/16-IPR-K, submitted by the injured party, received by the Prosecution on 12.07.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 11.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 12.07.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 273 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 273 days, or 243 days after the legal deadline.

64. Case with number PPN.58/14-IPR, submitted by the injured party, received by the Prosecution on 07.03.2014, included one (1) person for criminal offence Accepting bribes. Decision for dismissal of criminal report/closed with report was taken on 11.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 07.03.2014 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 1131 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1131 days, or 1101 days after the legal deadline.

65. Case with number PPN.219/16-IPR-K, accepted in competence, received by the Prosecution on 03.06.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 11.04.2017
**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 03.06.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 312 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 312 days, or 282 days after the legal deadline.

66. Case with number PPN.276/16-IPR-K, accepted in competence, received by the Prosecution on 26.08.2016, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 11.04.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 26.08.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 228 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 228 days, or 198 days after the legal deadline.

67. Case with number PPN.295/16-IPR-K, accepted in competence, received by the Prosecution on 05.10.2016, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 11.04.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 05.10.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 188 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 188 days, or 158 days after the legal deadline.

68. Case with number PPN.344/15-IPR, accepted in competence, received by the Prosecution on 16.07.2015 included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 24.04.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 16.07.2015 while the Prosecution had decided to dismiss the criminal report on
24.04.2017. Treatment time of the criminal report has lasted 648 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 648 days, or 618 days after the legal deadline.

69. Case with number PPN.18/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 02.02.2017 included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 11.04.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 02.02.2017 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 68 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 68 days, or 38 days after the legal deadline.

70. Case with number PPN.242/16-IPR-K, submitted by Kosovo Police, received by the Prosecution on 12.07.2016 included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 24.04.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 12.07.2016 while the Prosecution had decided to dismiss the criminal report on 24.04.2017. Treatment time of the criminal report has lasted 286 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 286 days, or 256 days after the legal deadline.

71. Case with number PPN.248/15-IPR, submitted by Kosovo Police, received by the Prosecution on 22.05.2012 included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 11.04.2017

**KLI**: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 22.05.2012 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 1785 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1785 days, or 1755 days after the legal deadline.
January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1561 days, or 1531 days after the legal deadline.

72. Case with number PPN.279/16-IPR-K, submitted by Kosovo Police, received by the Prosecution on 30.08.2016 included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 06.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 30.08.2016 while the Prosecution had decided to dismiss the criminal report on 06.04.2017. Treatment time of the criminal report has lasted 219 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 219 days, or 189 days after the legal deadline.

73. Case with number PPN.288/14-IPR, submitted by Kosovo Police, received by the Prosecution on 18.10.2014 included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 21.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 18.10.2014 while the Prosecution had decided to dismiss the criminal report on 21.04.2017. Treatment time of the criminal report has lasted 946 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 946 days, or 916 days after the legal deadline.

74. Case with number PPN.299/14-IPR, submitted by Kosovo Police, received by the Prosecution on 29.09.2014 included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 24.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 29.09.2014 while the Prosecution had decided to dismiss the criminal report on 24.04.2017. Treatment time of the criminal report has lasted 938 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be
dis missed within 30 days, while the criminal report was dismissed after 938 days, or 908 days after the legal deadline.

75. Case with number PPN.313/16-IPR-K, submitted by Kosovo Police, received by the Prosecution on 25.10.2016 included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 05.04.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 25.10.2016 while the Prosecution had decided to dismiss the criminal report on 05.04.2017. Treatment time of the criminal report has lasted 162 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 162 days, or 132 days after the legal deadline.

76. Case with number PPN.460/13-IPR, submitted by Kosovo Police, received by the Prosecution on 05.06.2013 included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 11.04.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 05.06.2013 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 1406 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1406 days, or 1376 days after the legal deadline.

77. Case with number PPN.54/14-IPR, submitted by Kosovo Police, received by the Prosecution on 07.03.2014 included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 07.04.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 07.03.2014 while the Prosecution had decided to dismiss the criminal report on 07.04.2017. Treatment time of the criminal report has lasted 1127 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1127 days, or 1097 days after the legal deadline.
78. Case with number PPN.72/16-IPR, submitted by Kosovo Police, received by the Prosecution on 22.02.2016 included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 11.04.2017

*KLI*: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 22.02.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 414 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 414 days, or 384 days after the legal deadline.

79. Case with number PPN.79/13-IPR, submitted by Kosovo Police, received by the Prosecution on 23.04.2016 included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 11.04.2017

*KLI*: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 23.04.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 353 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 353 days, or 323 days after the legal deadline.

80. Case with number PPN.335/16-IPR-K, submitted by citizen, received by the Prosecution on 02.11.2016 included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 11.04.2017

*KLI*: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 02.11.2016 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 160 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 160 days, or 130 days after the legal deadline.

81. Case with number PPN.447/15-IPR, submitted by citizen, received by the Prosecution on 23.09.2016 included one (1) person for criminal offence *Abusing official position*
or authority. Decision for *dismissal of criminal report/closed with report* was taken on 24.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 23.09.2016 while the Prosecution had decided to dismiss the criminal report on 24.04.2017. Treatment time of the criminal report has lasted 213 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 213 days, or 183 days after the legal deadline.

82. Case with number PPN.556/15-IPR, submitted by citizen, received by the Prosecution on 11.11.2015 included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 11.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 11.11.2015 while the Prosecution had decided to dismiss the criminal report on 11.04.2017. Treatment time of the criminal report has lasted 517 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 517 days, or 487 days after the legal deadline.

83. Case with number PPN.988/12-IPR, submitted by citizen, received by the Prosecution on 14.12.2012 included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 13.04.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 14.12.2012 while the Prosecution had decided to dismiss the criminal report on 13.04.2017. Treatment time of the criminal report has lasted 1581 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1581 days, or 1533 days after the legal deadline.

84. Case with number PPN.45/16-IPR, submitted by holder of property, received by the Prosecution on 25.01.2016 included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 27.04.2017
KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 25.01.2016 while the Prosecution had decided to dismiss the criminal report on 27.04.2017. Treatment time of the criminal report has lasted 458 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 458 days, or 428 days after the legal deadline.

85. Case with number PPN.572/15-IPR, submitted by the injured party, received by the Prosecution on 06.11.2015 included seven (7) persons, six persons for criminal offence Abusing official position or authority, one person for criminal offence Falsifying official document regarding procurement. Decision for dismissal of criminal report/closed with report was taken on 19.05.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 06.11.2015 while the Prosecution had decided to dismiss the criminal report on 19.05.2017. Treatment time of the criminal report has lasted 560 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 560 days, or 530 days after the legal deadline.

86. Case with number PPN.926/13-IPR, submitted by the injured party, received by the Prosecution on 27.03.2013 included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 05.05.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 27.03.2013 while the Prosecution had decided to dismiss the criminal report on 05.05.2017. Treatment time of the criminal report has lasted 1500 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1500 days, or 1470 days after the legal deadline.

87. Case with number PPN.3972/12-IPR, submitted by Kosovo Police Inspectorate, received by the Prosecution on 09.12.2012, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 29.05.2017

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**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 09.12.2012 while the Prosecution had decided to dismiss the criminal report on 29.05.2017. Treatment time of the criminal report has lasted 1662 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1609 days, or 1579 days after the legal deadline.

**88.** Case with number PPN.129/07-IPR, accepted in competence, received by the Prosecution on 15.02.2017, included four (4) persons for criminal offence **Abusing official position or authority.** Decision for dismissal of criminal report/closed with report was taken on 23.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 15.02.2017 while the Prosecution had decided to dismiss the criminal report on 23.05.2017. Treatment time of the criminal report has lasted 97 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 97 days, or 67 days after the legal deadline.

**89.** Case with number PPN.261/16-IPR-K, accepted in competence, received by the Prosecution on 29.07.2016, included one (1) person for criminal offence **Abusing official position or authority.** Decision for dismissal of criminal report/closed with report was taken on 23.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 29.07.2016 while the Prosecution had decided to dismiss the criminal report on 23.05.2017. Treatment time of the criminal report has lasted 298 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 298 days, or 268 days after the legal deadline.

**90.** Case with number PPN.66/14-IPR, accepted in competence, received by the Prosecution on 18.03.2014, included three (3) persons for criminal offence **Abusing official position or authority.** Decision for dismissal of criminal report/closed with report was taken on 19.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 18.03.2014 while the Prosecution had decided to dismiss the criminal report on
19.05.2017. Treatment time of the criminal report has lasted 1158 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1158 days, or 1128 days after the legal deadline.

91. Case with number PPN.176/13-IPR, submitted by Kosovo Police, received by the Prosecution on 30.10.2015, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 16.05.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 30.10.2015 while the Prosecution had decided to dismiss the criminal report on 16.05.2017. Treatment time of the criminal report has lasted 564 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 564 days, or 534 days after the legal deadline.

92. Case with number PPN.449/12-IPR, submitted by Kosovo Police, received by the Prosecution on 01.06.2012, included three (3) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 30.05.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 01.06.2012 while the Prosecution had decided to dismiss the criminal report on 30.05.2017. Treatment time of the criminal report has lasted 1824 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1610 days, or 1580 days after the legal deadline.

93. Case with number PPN.49/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 13.03.2017, included one (1) person for criminal offence Abusing official position or authority regarding procurement. Decision for dismissal of criminal report/closed with report was taken on 22.05.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 13.03.2017 while the Prosecution had decided to dismiss the criminal report on 22.05.2017. Treatment time of the criminal report has lasted 70 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of
January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 70 days, or 40 days after the legal deadline.

94. Case with number PPN.61/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 06.04.2017, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 22.05.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 06.04.2017 while the Prosecution had decided to dismiss the criminal report on 22.05.2017. Treatment time of the criminal report has lasted 46 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 45 days, or 16 days after the legal deadline.

95. Case with number PPN.330/16-IPR-K, submitted by Prosecutor with its own initiative, received by the Prosecution on 16.11.2016, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 16.05.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 16.11.2016 while the Prosecution had decided to dismiss the criminal report on 16.05.2017. Treatment time of the criminal report has lasted 181 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 181 days, or 151 days after the legal deadline.

96. Case with number PPN.283/16-IPR-K, submitted by citizen, received by the Prosecution on 07.09.2016, included one (1) person for criminal offence **Abusing official position or authority.** Decision for **dismissal of criminal report/closed with report** was taken on 29.05.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 07.09.2016 while the Prosecution had decided to dismiss the criminal report on 29.05.2017. Treatment time of the criminal report has lasted 264 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be
dismissed within 30 days, while the criminal report was dismissed after 264 days, or 234 days after the legal deadline.

97. Case with number PPN.760/09-IPR, submitted by owner property, received by the Prosecution on 23.12.2009, included seven (7) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 19.05.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 23.12.2009 while the Prosecution had decided to dismiss the criminal report on 19.05.2017. Treatment time of the criminal report has lasted 2704 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1599 days, or 1596 days after the legal deadline.

98. Case with number PPN.667/15-IPR, submitted by the injured party, received by the Prosecution on 18.12.2015, included five (5) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 15.06.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 18.12.2015 while the Prosecution had decided to dismiss the criminal report on 15.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 545 days, or 545 days after the legal deadline.

99. Case with number 366/16-IPR-K, accepted in competence, received by the Prosecution on 23.12.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 15.06.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 23.12.2016 while the Prosecution had decided to dismiss the criminal report on 15.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 174 days, or 144 days after the legal deadline.
100. Case with number PPN.10/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 27.01.2017, included one (1) person for criminal offence **Abusing official position or authority**. Decision for **dismissal of criminal report/closed with report** was taken on 09.06.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 27.01.2017 while the Prosecution had decided to dismiss the criminal report on 09.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 133 days, or 103 days after the legal deadline.

101. Case with number PPN.154/16-IPR-K, submitted by Kosovo Police, received by the Prosecution on 16.03.2016, included one (1) person for criminal offence **Abusing official position or authority**. Decision for **dismissal of criminal report/closed with report** was taken on 15.06.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 16.03.2016 while the Prosecution had decided to dismiss the criminal report on 15.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 456 days, or 426 days after the legal deadline.

102. Case with number PPN.166/14-IPR, submitted by Kosovo Police, received by the Prosecution on 21.05.2014, included one (1) person for criminal offence **Abusing official position or authority**. Decision for **dismissal of criminal report/closed with report** was taken on 15.06.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 21.05.2014 while the Prosecution had decided to dismiss the criminal report on 15.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1121 days, or 1091 days after the legal deadline.

103. Case with number PPN.185/12-IPR, submitted by Kosovo Police, received by the Prosecution on 23.02.2012, included one (1) person for criminal offence **Abusing official position or authority**. Decision for **dismissal of criminal report/closed with report** was taken on 29.06.2017

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KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 23.02.2012 while the Prosecution had decided to dismiss the criminal report on 29.06.2017. Treatment time of the criminal report has lasted 1953 days from the date of receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1640 days, or 1610 days after the legal deadline.

104. Case with number PPN.278/13-IPR, submitted by Kosovo Police, received by the Prosecution on 03.04.2013, included one (1) person for criminal offence **Abusing official position or authority**. Decision for **dismissal of criminal report/closed with report** was taken on 15.06.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 03.04.2013 while the Prosecution had decided to dismiss the criminal report on 15.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1534 days, or 1504 days after the legal deadline.

105. Case with number PPN.30/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 20.02.2017, included one (1) person for criminal offence **Accepting bribe**. Decision for **dismissal of criminal report/closed with report** was taken on 15.06.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 20.02.2017 while the Prosecution had decided to dismiss the criminal report on 15.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 115 days, or 85 days after the legal deadline.

106. Case with number PPN.42/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 03.03.2017, included one (1) person for criminal offence **Accepting bribe**. Decision for **dismissal of criminal report/closed with report** was taken on 15.06.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 03.03.2017 while the Prosecution had decided to dismiss the criminal report on 15.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82),
results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 104 days, or 74 days after the legal deadline.

107. Case with number PPN.43/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 03.03.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 20.06.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 03.03.2017 while the Prosecution had decided to dismiss the criminal report on 20.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 109 days, or 79 days after the legal deadline.

108. Case with number PPN.48/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 09.03.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/closed with report was taken on 20.06.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 09.03.2017 while the Prosecution had decided to dismiss the criminal report on 20.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 98 days, or 68 days after the legal deadline.

109. Case with number PPN.5/16-IPR, submitted by Kosovo Police, received by the Prosecution on 12.01.2016, included one (1) person for criminal offence Giving bribe regarding procurement. Decision for dismissal of criminal report/closed with report was taken on 19.06.2017

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 12.01.2016 while the Prosecution had decided to dismiss the criminal report on 19.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 524 days, or 494 days after the legal deadline.
110. Case with number PPN.68/17-IPR-KE, submitted by Kosovo Police, received by the Prosecution on 27.04.2017, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 12.06.2017

*KLI*: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 27.04.2017 while the Prosecution had decided to dismiss the criminal report on 12.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 46 days, or 16 days after the legal deadline.

111. Case with number PPN.88/15-IPR, submitted by Kosovo Police, received by the Prosecution on 15.02.2015, included one (1) person for criminal offence *Abusing official position or authority*. Decision for *dismissal of criminal report/closed with report* was taken on 09.06.2017

*KLI*: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 15.02.2015 while the Prosecution had decided to dismiss the criminal report on 09.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 835 days, or 805 days after the legal deadline.

112. Case with number PPN.1095/13-IPR, submitted by owner of property, received by the Prosecution on 23.12.2013, included one (1) person for criminal offence. *Abusing official position or authority* Decision for *dismissal of criminal report/closed with report* was taken on 08.06.2017

*KLI*: Based on the ruling, it is confirmed that the criminal report was received in the BP in Pristina on 23.12.2013 while the Prosecution had decided to dismiss the criminal report on 08.06.2017. Whereas with the new Criminal Procedural Code entering into force after 1st of January 2013, limited legal deadline to 30 days for treating of criminal report (article 82), results that BP in Pristina has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1263 days, or 1233 days after the legal deadline.

**BASIC PROSECUTION IN PRIZREN**

Cases of decisions of Dismissal of Criminal Reports

1. Case with number 231/16-IPZ, accepted in competence, received by the Prosecution on 14.09.2016, included three (3) persons for criminal offence, *Abusing official*
position or authority. Decision for dismissal of criminal report was taken on 02.02.2016

KLI: Based on the ruling it is confirmed that the criminal report was received on 14.09.2016 while the Prosecution had decided to dismiss the criminal report on 02.02.2017. Treatment time of criminal report lasted 141 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 141 days, or 111 after the legal deadline.

2. Case with number 188/16-IPZ, accepted in competence, received by the Prosecution on 01.08.2016, included one (1) persons for criminal offence, Abusing official position or authority. Decision for dismissal of criminal report was taken on 01.03.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 01.08.2016 while the Prosecution had decided to dismiss the criminal report on 01.03.2017. Treatment time of criminal report lasted 212 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 212 days, or 182 after the legal deadline.

Cases of decisions of Termination of Investigations - PP

1. Case with number 104/16-IPZ, submitted by the Kosovo Police, received by the Prosecution on 14.04.2016, included two (2) persons for criminal offence, Abusing official position or authority. Decision for termination of investigation ruling was taken on 11.01.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 14.04.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 11.01.2017. Treatment time of criminal report lasted 272 days from the date of receipt of the same one.

2. Case with number 274/16-IPZ, submitted by the Kosovo Police, received by the Prosecution on 09.11.2016, included two (2) persons, for the criminal offence Abusing official position or authority. Decision for termination of investigation ruling against one (1) was taken 04.01.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 09.11.2016 meanwhile the Prosecution had decided to terminate the
3. Case with number 153/16- IPZ, submitted by the Kosovo Police, received by the Prosecution on 22.06.2016, included two (2) persons, for the criminal offence *Abusing official position or authority*. Decision for termination of investigation ruling was taken on 28.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 22.06.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 28.02.2017. Treatment time of criminal report lasted 251 days from the date of receipt of the same one.

4. Case with number 205/16- IPZ, submitted by the Kosovo Police, received by the Prosecution on 12.08.2016, included three (3) persons, for the criminal offence *Abusing official position or authority*. Decision for termination of investigation ruling was taken on 24.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 12.08.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 24.02.2017. Treatment time of criminal report lasted 196 days from the date of receipt of the same one.

5. Case with number 264/15- IPZ, submitted by the Kosovo Police Inspectoriat, received by the Prosecution on 21.09.2015, included three (3) persons, for the criminal offence *Abusing official position or authority*. Decision for termination of investigation ruling was taken on 01.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 21.09.2015 meanwhile the Prosecution had decided to terminate the investigation ruling on 01.03.2017. Treatment time of criminal report lasted 527 days from the date of receipt of the same one.

6. Case with number 285/16-IPZ, submitted by the Kosovo Police, received by the Prosecution on 16.11.2016, included one (1) person for the criminal offence *Abusing official position or authority*. Decision for termination of investigation ruling was taken on 26.04.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 16.11.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 26.04.2017. Treatment time of criminal report lasted 161 days from the date of receipt of the same one.
7. Case with number 301/15- IPZ, submitted by the Kosovo Police, received by the Prosecution on 06.11.2015, included two (2) persons for criminal offence, *Abusing official position or authority*. Decision for termination of investigation ruling was taken on 14.04.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 06.11.2015 meanwhile the Prosecution had decided to terminate the investigation ruling on 14.04.2017. Treatment time of criminal report lasted 525 days from the date of receipt of the same one.

8. Case with number 23/17- IPZ, submitted by the Kosovo Police, received by the Prosecution on 28.02.2017, included four (4) persons, three persons for the criminal office, *Giving bride an done* (1) for the criminal offence, *Abusing official position or authority*. Decision for termination of investigation ruling against three (3) persons was taken on 26.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 28.02.2017 meanwhile the Prosecution had decided to terminate the investigation ruling on 26.05.2017. Treatment time of criminal report lasted 87 days from the date of receipt of the same one.

9. Case with number 270/16- IPZ, submitted by the Kosovo Police, received by the Prosecution on 07.11.2016, included one (1) person for the criminal offence, *Abusing official position or authority*. Decision for termination of investigation ruling was taken on 26.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 07.11.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 26.05.2017. Treatment time of criminal report lasted 200 days from the date of receipt of the same one.

10. Case with number 18/17- IPZ, accepted in competence, received by the Prosecution on 07.02.2017, included eight (8) persons, for the criminal offence, *Abusing official position or authority*. Decision for termination of investigation ruling was taken on 20.06.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 07.02.2017 meanwhile the Prosecution had decided to terminate the investigation ruling on 20.06.2017. Treatment time of criminal report lasted 133 days from the date of receipt of the same one.

**Cases of decisions of Dismissal of Criminal Reports / Closed with report – PPN**
1. Case with number 46-17- IPZ PPN, submitted by the injured party, received by the Prosecution on 10.02.2017, included one (1) person for the criminal offence, Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 15.03.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 10.02.2017 while the Prosecution had decided to dismiss the criminal report on 15.03.2017. Treatment time of criminal report lasted 33 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 33 days, or 3 days after the legal deadline.

2. Case with number 530/15- IPZ PPN, submitted by the injured party, received by the Prosecution on 24.01.2017, included one (1) person, for the criminal offence, Abusing of official position or authority. Decision for dismissal of criminal report/ closed with report was taken on 30.03.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 24.01.2017 while the Prosecution had decided to dismiss the criminal report on 30.03.2017. Treatment time of criminal report lasted 65 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 65 days, or 35 days after the legal deadline.

3. Case with number 435/16- IPZ PPN, accepted in competence, received by the Prosecution on 19.10.2016, included two (2) persons for the criminal offence, Abusing of official position or authority. Decision for dismissal of criminal report/ closed with report, was taken on 28.03.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 19.10.2016 while the Prosecution had decided to dismiss the criminal report on 28.03.2017. Treatment time of criminal report lasted 160 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 160 days, or 130 days after the legal deadline.

4. Case with number 526/16- IPZ PPN, accepted in competence, received by the Prosecution on 07.12.2016, included one (1) person, for the criminal offence, Abusing of official position or authority. Decision for dismissal of criminal report/ closed with report was taken on 31.03.2017.
Based on the ruling it is confirmed that the criminal report was received on 07.12.2016 while the Prosecution had decided to dismiss the criminal report on 31.03.2017. Treatment time of criminal report lasted 114 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 114 days, or 84 days after the legal deadline.

5. Case with number 261-16- IPZ PPN, submitted by Kosovo Police, received by the Prosecution on 29.06.2016, included one (1) person for the criminal offence, *Abusing of official position or authority*. Decision for dismissal of criminal report/ closed with report was taken on 06.03.2017.

Based on the ruling it is confirmed that the criminal report was received on 29.06.2016 while the Prosecution had decided to dismiss the criminal report on 06.03.2017. Treatment time of criminal report lasted 250 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 250 days, or 220 days after the legal deadline.

6. Case with number 457/16- IPZ PPN, submitted by Kosovo Police, received by the Prosecution on 01.11.2016, included one (1) person, for the criminal offence, *Abusing of official position or authority*. Decision for dismissal of criminal report/ closed with report was taken on 30.03.2017.

Based on the ruling it is confirmed that the criminal report was received on 01.11.2016 while the Prosecution had decided to dismiss the criminal report on 30.03.2017. Treatment time of criminal report lasted 149 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 149 days, or 119 days after the legal deadline.

7. Case with number 52/16- IPZ PPN, submitted by Kosovo Police, received by the Prosecution on 04.02.2016, included one (1) person for the criminal offence *Abusing of official position or authority*. Decision for dismissal of criminal report/ closed with report was taken on 07.03.2017.

Based on the ruling it is confirmed that the criminal report was received on 04.02.2016 while the Prosecution had decided to dismiss the criminal report on 07.03.2017. Treatment time of criminal report lasted 379 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 379 days, or 349 days after the legal deadline.
limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 379 days, or 367 days after the legal deadline.

8. Case with number 42/17- IPZ PPN, submitted by the injured party, received by the Prosecution on 07.02.2017, included one (1) person for the criminal offence, **Abusing of official position or authority**. Decision for **dismissal of criminal report/ closed with report** was taken on 25.04.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 07.02.2017 while the Prosecution had decided to dismiss the criminal report on 25.04.2017. Treatment time of criminal report lasted 77 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 77 days, or 47 days after the legal deadline.

9. Case with number 42/17/ IPZ PPN, submitted by the injured party, received by the Prosecution on 07.02.2017, included one (1) person for the criminal offence **Abusing of official position or authority**. Decision for **dismissal of criminal report/ closed with report** was taken on 02.05.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 07.02.2017 while the Prosecution had decided to dismiss the criminal report on 02.05.2017. Treatment time of criminal report lasted 84 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 84 days, or 54 days after the legal deadline.

10. Case with number 42/17/ IPZ PPN, submitted by the injured party, received by the Prosecution on 23.02.2017 included two (2) person for the criminal offence **Abusing of official position or authority**. Decision for **dismissal of criminal report/ closed with report** was taken on 04.05.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 23.02.2017 while the Prosecution had decided to dismiss the criminal report on 04.05.2017. Treatment time of criminal report lasted 70 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 70 days, or 40 days after the legal deadline.
11. Case with number 349/16/ IPZ PPN, submitted by the injured party, received by the Prosecution on 24.08.2016 included one (1) person for the criminal offence **Abusing of official position or authority**. Decision for **dismissal of criminal report/ closed with report** was taken on 15.05.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 24.08.2016 while the Prosecution had decided to dismiss the criminal report on 15.05.2017. Treatment time of criminal report lasted 264 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Prizren has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 264 days, or 234 days after the legal deadline.

**BASIC PROSECUTION IN PEJA**

**Cases of decisions of Dismissal of Criminal Reports**

1. Case with number 186/16-I-PE, submitted by the injured party, received by the Prosecution on 23.06.2016, included four (4) persons for criminal offence **Abusing of official position or authority**. Decision for **dismissal of criminal report** was taken on 21.02.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 23.06.2016 while the Prosecution had decided to dismiss the criminal report on 21.02.2017. Treatment time of criminal report lasted 243 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 243 days, or 213 after the legal deadline

2. Case with number 230/16-I-PE, submitted by the injured party, received by the Prosecution on 15.08.2016, included one (1) person for criminal offence **Abusing of official position or authority**. Decision for **dismissal of criminal report** was taken on 10.02.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 15.08.2016 while the Prosecution had decided to dismiss the criminal report on 10.02.2017. Treatment time of criminal report lasted 179 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has
violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 179 days, or 149 after the legal deadline

3. Case with number 25/17-I-PE, accepted in competence, received by the Prosecution on 20.01.2017, included five (5) persons for criminal offence *Abusing of official position or authority*. Decision for dismissal of criminal report was taken on 02.03.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 20.01.2017 while the Prosecution had decided to dismiss the criminal report on 02.03.2017. Treatment time of criminal report lasted 41 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 41 days, or 11 after the legal deadline.

4. Case with number 225/16-I-PE, submitted by the citizen, received by the Prosecution on 08.08.2016, included one (1) person for criminal offence *Abusing of official position or authority*. Decision for dismissal of criminal report was taken on 15.05.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 08.08.2016 while the Prosecution had decided to dismiss the criminal report on 15.05.2017. Treatment time of criminal report lasted 280 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 280 days, or 250 days after the legal deadline.

5. Case with number 320/16-I-PE, submitted by the citizen, received by the Prosecution on 02.11.2016, included one (1) person for criminal offence *Abusing of official position or authority*. Decision for dismissal of criminal report was taken on 06.06.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 02.11.2016 while the Prosecution had decided to dismiss the criminal report on 06.06.2017. Treatment time of criminal report lasted 216 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 216 days, or 186 days after the legal deadline.

6. Case with number 73/17-I-PE, submitted by the citizen, received by the Prosecution on 15.05.2017, included three (3) persons for criminal offence *Abusing of official position or authority*. Decision for dismissal of criminal report was taken on 28.06.2017.
**KLI:** Based on the ruling it is confirmed that the criminal report was received on 15.05.2017 while the Prosecution had decided to dismiss the criminal report on 28.06.2017. Treatment time of criminal report lasted 44 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 44 days, or 14 days after the legal deadline.

**Cases of decisions of Dismissal of Criminal Reports / closed with report PPN**

1. Case with number 119/16-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 31.05.2016, included one (1) person for criminal offence *Abusing official position or authority*. Decision for dismissal of criminal report/ closed with report was taken 26.01.2017

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 31.05.2016 while the Prosecution had decided to dismiss the criminal report on 26.01.2017. Treatment time of criminal report lasted 240 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 240 days, or 210 days after the legal deadline.

2. Case with number 159/16-1/PE-PPN, submitted by citizen, received by the Prosecution on 08.07.2016, included one (1) person for criminal offence *Abusing official position or authority*. Decision for dismissal of criminal report/ closed with report was taken 27.01.2017

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 08.07.2016 while the Prosecution had decided to dismiss the criminal report on 27.01.2017. Treatment time of criminal report lasted 203 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 203 days, or 173 days after the legal deadline.

3. Case with number 99/16-1/PE-PPN, accepted in competence, received by the Prosecution on 13.05.2016, included one (1) person for criminal offence *Abusing official position or authority*. Decision for dismissal of criminal report/ closed with report was taken 02.02.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 13.05.2016 while the Prosecution had decided to dismiss the criminal report on 02.02.2017. Treatment time
of criminal report lasted 265 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 265 days, or 235 days after the legal deadline.

4. Case with number 253/16-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 19.10.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 27.02.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 19.10.2016 while the Prosecution had decided to dismiss the criminal report on 27.02.2017. Treatment time of criminal report lasted 131 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 131 days, or 101 days after the legal deadline.

5. Case with number 166/16-1/PE-PPN, accepted in competence, received by the Prosecution on 14.07.2016, included three (3) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 07.03.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 14.07.2016 while the Prosecution had decided to dismiss the criminal report on 07.03.2017. Treatment time of criminal report lasted 236 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 236 days, or 206 days after the legal deadline.

6. Case with number 21/17-1/PE-PPN, accepted in competence, received by the Prosecution on 20.01.2017, included five (5) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 07.03.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 20.01.2017 while the Prosecution had decided to dismiss the criminal report on 07.03.2017. Treatment time of criminal report lasted 46 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this
legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 46 days, or 16 days after the legal deadline.

7. Case with number 25/17-1/PE-PPN, accepted in competence, received by the Prosecution on 26.01.2017, included three (3) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 21.03.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 26.01.2017 while the Prosecution had decided to dismiss the criminal report on 21.03.2017. Treatment time of criminal report lasted 54 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 54 days, or 24 days after the legal deadline.

8. Case with number 301/16-1/PE-PPN, accepted in competence, received by the Prosecution on 25.11.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 14.03.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 25.11.2016 while the Prosecution had decided to dismiss the criminal report on 14.03.2017. Treatment time of criminal report lasted 109 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 109 days, or 79 days after the legal deadline.

9. Case with number 11/17-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 10.01.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 21.03.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 10.01.2017 while the Prosecution had decided to dismiss the criminal report on 21.03.2017. Treatment time of criminal report lasted 70 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 70 days, or 30 days after the legal deadline.
10. Case with number 283/16-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 15.11.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 21.03.2017

KLI: Based on the ruling it is confirmed that the criminal report was received on 15.11.2016 while the Prosecution had decided to dismiss the criminal report on 21.03.2017. Treatment time of criminal report lasted 126 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 126 days, or 96 days after the legal deadline.

11. Case with number 305/16-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 05.12.2016, included two (2) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 20.03.2017

KLI: Based on the ruling it is confirmed that the criminal report was received on 05.12.2016 while the Prosecution had decided to dismiss the criminal report on 20.03.2017. Treatment time of criminal report lasted 105 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 105 days, or 75 days after the legal deadline.

12. Case with number 13/17-1/PE-PPN, accepted in competence, received by the Prosecution on 13.01.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 25.04.2017

KLI: Based on the ruling it is confirmed that the criminal report was received on 13.01.2017 while the Prosecution had decided to dismiss the criminal report on 25.04.2017. Treatment time of criminal report lasted 102 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 102 days, or 72 days after the legal deadline.

13. Case with number 216/16-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 07.09.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 19.04.2017.
KLI: Based on the ruling it is confirmed that the criminal report was received on 07.09.2016 while the Prosecution had decided to dismiss the criminal report on 19.04.2017. Treatment time of criminal report lasted 224 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 224 days, or 194 days after the legal deadline.


KLI: Based on the ruling it is confirmed that the criminal report was received on 10.01.2017 while the Prosecution had decided to dismiss the criminal report on 12.04.2017. Treatment time of criminal report lasted 29 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 29 days, or 62 days after the legal deadline.

15. Case with number 137/16-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 17.06.2016, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 24.05.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 17.06.2016 while the Prosecution had decided to dismiss the criminal report on 24.05.2017. Treatment time of criminal report lasted 341 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 341 days, or 311 days after the legal deadline.

16. Case with number 37/11-1/PE-PPN, submitted by Kosovo Police, received by the Prosecution on 10.02.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 19.05.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 10.02.2017 while the Prosecution had decided to dismiss the criminal report on 19.05.2017. Treatment time of criminal report lasted 98 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to
30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 98 days, or 68 days after the legal deadline.

17. Case with number 235/16-1/PE-PPN, submitted by citizen, received by the Prosecution on 26.09.2016, included one (1) person for criminal offence *Abusing official position or authority*. Decision for dismissal of criminal report/ closed with report was taken 02.05.2017.

*KLI*: Based on the ruling it is confirmed that the criminal report was received on 26.09.2016 while the Prosecution had decided to dismiss the criminal report on 02.05.2017. Treatment time of criminal report lasted 218 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 218 days, or 188 days after the legal deadline.

18. Case with number 119/167-1/PE-PPN, submitted by citizen, received by the Prosecution on 22.05.2017, included one (1) person for criminal offence *Abusing official position or authority*. Decision for dismissal of criminal report/ closed with report was taken 22.06.2017.

*KLI*: Based on the ruling it is confirmed that the criminal report was received on 22.05.2017 while the Prosecution had decided to dismiss the criminal report on 22.06.2017. Treatment time of criminal report lasted 31 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 31 days, or 1 days after the legal deadline.

19. Case with number 78/17-1/PE-PPN, submitted by citizen, received by the Prosecution on 20.03.2017, included one (1) person for criminal offence *Abusing official position or authority*. Decision for dismissal of criminal report/ closed with report was taken 09.06.2017.

*KLI*: Based on the ruling it is confirmed that the criminal report was received on 20.03.2017 while the Prosecution had decided to dismiss the criminal report on 09.06.2017. Treatment time of criminal report lasted 81 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Peja has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 81 days, or 51 days after the legal deadline.
Cases of termination of investigation ruling decisions

1. Case with number 74/16-1-PE-PPN, submitted by the Kosovo Police, received by the Prosecution on 07.03.2016, included one (1) person for criminal offence of Falsifying official document. Decision for termination of investigation ruling was taken 07.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 07.03.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 07.04.2017. Treatment time of criminal report lasted 396 days from the date of receipt of the same one.

BASIC PROSECUTION IN GJILAN

Cases of decisions of Dismissal of Criminal Reports – PP

1. Case with number 54/2017-I-GJI, accepted in competence, received by the Prosecution on 03.03.2017, included two (2) persons for criminal offence Abusing official position or authority. Decision for dismissal of criminal report was taken on 28.04.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 03.03.2017 while the Prosecution had decided to dismiss the criminal report on 28.04.2017. Treatment time of criminal report lasted 56 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 56 days, or 26 after the legal deadline.

2. Case with number 30/2017-I-GJI, accepted in competence, received by the Prosecution on 25.01.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report was taken on 23.05.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 25.01.2017 while the Prosecution had decided to dismiss the criminal report on 23.05.2017. Treatment time of criminal report lasted 118 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 118 days, or 88 after the legal deadline.

3. Case with number 101/2017-I-GJI, submitted by the injured, received by the Prosecution on 24.04.2017, included one (1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report was taken on 19.06.2017.
**KLI**: Based on the ruling it is confirmed that the criminal report was received on 24.04.2017 while the Prosecution had decided to dismiss the criminal report on 19.06.2017. Treatment time of criminal report lasted 56 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 56 days, or 26 after the legal deadline.

4. Case with number 44/2017-I-GJI, submitted by citizen, received by the Prosecution on 27.02.2017, included four (4) persons for criminal offence **Abusing official position or authority**. Decision for **dismissal of criminal report** was taken on 13.06.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 27.02.2017 while the Prosecution had decided to dismiss the criminal report on 13.06.2017. Treatment time of criminal report lasted 106 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 106 days, or 76 after the legal deadline.

5. Case with number PP.I.nr.278/2016, submitted by the injured, received by the Prosecution on 01.11.2016, included one (1) person for criminal offence **Abusing official position or authority**. Decision for **dismissal of criminal report** was taken on 28.02.2017.

**KLI**: Based on the ruling it is confirmed that the criminal report was received on 01.11.2016 while the Prosecution had decided to dismiss the criminal report on 28.02.2017. Treatment time of criminal report lasted 119 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 119 days, or 89 after the legal deadline.

**Cases of decisions of Termination of Investigations**

1. Case with number 115/2016-I- Gji, submitted by citizen, received by the Prosecution on 18.05.2016, included one (1) person for criminal offence **Abusing official position or authority**. Decision for **termination of investigation ruling** was taken on 24.05.2017

**KLI** -Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 18.05.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 24.05.2017. Treatment time of criminal report lasted 371 days from the date of receipt of the same one.
2. Case with number 277/2016-I- Gji, submitted by the injured party, received by the Prosecution on 25.10.2016, included four (4) persons for criminal offence Abusing official position or authority. Decision for termination of investigation ruling was taken on 28.06.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 25.10.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 28.06.2017. Treatment time of criminal report lasted 246 days from the date of receipt of the same one.

3. Case with number PPH.I.nr.282/2016, submitted by the Kosovo Police, received by the Prosecution on 10.11.2016, included four (4) persons for criminal offence Abusing official position or authority. Decision for termination of investigation ruling was taken on 28.02.2017

KLI: Based on the ruling, it is confirmed that the criminal report was received by the Prosecution on 10.11.2016 meanwhile the Prosecution had decided to terminate the investigation ruling on 28.02.2017. Treatment time of criminal report lasted 110 days from the date of receipt of the same one.

4. Case with number PPH.I.nr.165/2016, submitted by the injured party, received by the Prosecution on 12.07.2016, included one (1) person for Abusing official position or authority. Decision to initiate the investigation report was taken 14.12.2016

KLI: Based on the ruling it is confirmed that the criminal report was received on 12.07.2016 while the Prosecution had decided to initiate the investigation on 14.12.2016. Treatment time of criminal report lasted 155 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has violated this legal deadline since the treatment of criminal report should have been made within 30 days, while the criminal report was treated after 155 days, or 125 days after the legal deadline.

Cases of decisions of Dismissal of Criminal Reports / closed with report PPN

1. Case with number 29/2017- PPN-Gji, accepted in competence, received by the Prosecution on 08.02.2017, included three (3) persons Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 31.05.2017.

KLI: Based on the ruling it is confirmed that the criminal report was received on 08.02.2017 while the Prosecution had decided to dismiss the criminal report on 31.05.2017. Treatment time of criminal report lasted 112 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has
violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 112 days, or 82 days after the legal deadline.

2. Case with number 49/2017- PPN-Gji, accepted in competence, received by the Prosecution on 08.02.2017, included one(1) person for criminal offence Abusing official position or authority. Decision for dismissal of criminal report/ closed with report was taken 06.06.2017.

**KLI:** Based on the ruling it is confirmed that the criminal report was received on 08.02.2017 while the Prosecution had decided to dismiss the criminal report on 06.06.2017. Treatment time of criminal report lasted 118 days from the date of receipt of the same one. Whereas, with the new Criminal Procedural Code entering into force after 01.01.2013 limited legal deadline limited to 30 days for treating of the criminal report (article 82), results that BP in Gjilan has violated this legal deadline since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 118 days, or 88 days after the legal deadline.

**BASIC PROSECUTION IN MITROVICA**

Cases of decisions of Dismissal of Criminal Reports – PP

1. Case number PP I.nr.286/2014, submitted by the Kosovo Police, received by the BP on 20.11.2014, including one (1) person for criminal offense “Abusing official position or authority” and “Falsifying official document”. The decision for dismissal of criminal report ruling was taken on 26.04.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 20.11.2014, meanwhile the Prosecution had decided to dismiss the criminal report on 26.04.2017. The treatment related to this criminal report had lasted for 888 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 888 days, or 858 days after the legal deadline.

2. Case number PP.I.nr.404/2013, submitted by the Kosovo Police Inspectorate, received by the BP on 29.08.2013, including one (1) person for criminal offense “Abusing official position or authority” The decision for dismissal of criminal report ruling was taken on 25.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 29.08.2013, meanwhile the Prosecution had decided to dismiss the criminal report on 25.05.2017. The treatment related to this criminal report had lasted for 1365 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force
after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1365 days, or 1335 days after the legal deadline.

3. Case number 34/13, submitted by the citizen, received by the BP on 07.03.2013, including one (1) person for criminal offense “Abusing official position or authority” The decision for dismissal of criminal report ruling was taken on 24.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 07.03.2013, meanwhile the Prosecution had decided to dismiss the criminal report on 24.05.2017. The treatment related to this criminal report had lasted for 1539 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1539 days, or 1509 days after the legal deadline.

4. Case number PP.I.nr.179/2014, submitted by the Kosovo Police Inspectorate, received by the BP on 25.06.2014, including one (1) person for criminal offense “Misappropriation in office” The decision for dismissal of criminal report ruling was taken on 22.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 25.06.2014, meanwhile the Prosecution had decided to dismiss the criminal report on 22.05.2017. The treatment related to this criminal report had lasted for 1062 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 1062 days, or 1032 days after the legal deadline.

5. Case number PP.I.nr.367/2015, submitted by the Kosovo Police, received by the BP on 02.11.2015, including one (1) person for criminal offense “Abusing official position or authority” and “Falsifying official document”. The decision for dismissal of criminal report ruling was taken on 26.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 02.11.2015, meanwhile the Prosecution had decided to dismiss the criminal report on 26.01.2017. The treatment related to this criminal report had lasted for 451 days from the
receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 451 days, or 421 days after the legal deadline.

Cases of decisions of Termination of Investigations

1. Case number PPN.I.nr.287/2014, submitted by the Kosovo Police, received by the BP on 27.11.2014, including four (4) persons for criminal offense “Abusing official position or authority”. The decision for termination of investigation ruling was taken on 03.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 27.11.2014, meanwhile the Prosecution had decided to terminate investigation ruling on 03.05.2017. The treatment related to this criminal report had lasted for 888 days from the receipt of the same one.

2. Case number PP.I.nr.67/2014, submitted by the Kosovo Police, received by the BP on 11.04.2014, including two (2) persons for criminal offense “Abusing official position or authority”. The decision to initiate investigative stage ruling was taken on 12.02.2015.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 11.04.2014, meanwhile the Prosecution had decided to initiate investigative stage on 12.02.2015. The treatment related to this criminal report had lasted for 307 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 307 days, or 277 days after the legal deadline.

Cases of decisions of Dismissal of Criminal Reports / closed with report - PPN

1. Case number PPN.I.nr.23/2017, submitted by the Kosovo Police, received by the BP on 06.02.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 23.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 06.02.2017, meanwhile the Prosecution had decided to dismiss the criminal report
on 23.05.2017. The treatment related to this criminal report had lasted for 106 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 106 days, or 76 days after the legal deadline.

2. Case number PPN.I.nr.26/2017, submitted by the Kosovo Police, received by the BP on 26.04.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 23.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Mitrovica on 26.04.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 23.05.2017. The treatment related to this criminal report had lasted for 392 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Mitrovica has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 392 days, or 362 days after the legal deadline.

**BASIC PROSECUTION IN FERIZAJ**

Cases of decisions of Termination of Investigations

1. Case number 77/13-IFE, submitted by the Kosovo Police, received by the BP on 08.05.2013, including four (4) persons for criminal offense “Abusing official position or authority”. The decision for termination of investigation ruling was taken on 26.01.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Ferizaj on 08.05.2013, meanwhile the Prosecution had decided to terminate investigation ruling on 26.01.2017. The treatment related to this criminal report had lasted for 1359 days from the receipt of the same one.
Cases of decisions of Dismissal of Criminal Reports / closed with report - PPN

1. Case number 81/16-IFE-PPN, received in competence, received by the BP on 04.05.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 26.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Ferizaj on 04.05.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 26.01.2017. The treatment related to this criminal report had lasted for 267 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Ferizaj has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 267 days, or 237 days after the legal deadline.

2. Case number 194/15-IFE, submitted by the Kosovo Police, received by the BP on 29.10.2015, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 28.02.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Ferizaj on 29.10.2015, meanwhile the Prosecution had decided to dismiss the criminal report on 28.02.2017. The treatment related to this criminal report had lasted for 488 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Ferizaj has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 488 days, or 458 days after the legal deadline.

3. Case number 43/16-IFE-PPN, submitted by the Kosovo Police, received by the BP on 04.03.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 28.02.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Ferizaj on 04.03.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 28.02.2017. The treatment related to this criminal report had lasted for 361 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in
Ferizaj has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 361 days, or 331 days after the legal deadline.

4. Case number 96/16-IFE-PPN, submitted by the Kosovo Police, received by the BP on 18.05.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 17.03.2017.

KLJ: Based on the ruling, it is confirmed that the criminal report was received in the BP in Ferizaj on 18.05.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 17.03.2017. The treatment related to this criminal report had lasted for 303 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Ferizaj has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 303 days, or 273 days after the legal deadline.

5. Case number 61/17-IFE-PPN, received in competence, received by the BP on 23.02.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 29.05.2017.

KLJ: Based on the ruling, it is confirmed that the criminal report was received in the BP in Ferizaj on 23.02.2017, meanwhile the Prosecution had decided to dismiss the criminal report on 29.05.2017. The treatment related to this criminal report had lasted for 95 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Ferizaj has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 95 days, or 65 days after the legal deadline.

BASIC PROSECUTION IN GJAKOVA

Cases of decisions of Dismissal of Criminal Reports – PP
1. Case number PP/I nr.159/2015, submitted by the injured party, received by the BP on 28.09.2015, including three (3) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 09.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 28.09.2015, meanwhile the Prosecution had decided to dismiss the criminal report on 09.03.2017. The treatment related to this criminal report had lasted for 528 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 528 days, or 498 days after the legal deadline.

2. Case number PP/I nr.160/2016, submitted by the injured party, received by the BP on 16.11.2016, including two (2) persons for criminal offense “Abusing official position or authority” and “misappropriation in office”. The decision for dismissal of criminal report ruling/closed with report was taken on 13.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 16.11.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 13.01.2017. The treatment related to this criminal report had lasted for 58 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 58 days, or 28 days after the legal deadline.

3. Case number PP/I nr.106/2016, submitted by the injured party, received by the BP on 08.08.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 11.01.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 08.08.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 11.01.2017. The treatment related to this criminal report had lasted for 156 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30
days, while the criminal report was dismissed after 156 days, or 126 days after the legal deadline.

4. Case number 175/2016-PP-I-PP, submitted by the injured party, received by the BP on 30.11.2016, including five (5) persons, one (1) person for criminal offense “issuing unlawful judicial decisions” and four (4) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 27.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 30.11.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 27.04.2017. The treatment related to this criminal report had lasted for 148 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 148 days, or 118 days after the legal deadline.

5. Case number 5/2017-PP-I-PP, submitted by the injured party, received by the BP on 17.01.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 03.04.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 17.01.2017, meanwhile the Prosecution had decided to dismiss the criminal report on 03.04.2017. The treatment related to this criminal report had lasted for 76 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 76 days, or 46 days after the legal deadline.

6. Case number 34/2017-PP-I-gja, submitted by the injured party, received by the BP on 05.05.2017, including two (2) persons for criminal offense “Falsifying official document”. The decision for dismissal of criminal report ruling/closed with report was taken on 30.06.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 05.05.2017, meanwhile the Prosecution had decided to dismiss the criminal report on 30.06.2017. The treatment related to this criminal report had lasted for 56 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision
concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 56 days, or 26 days after the legal deadline.

7. Case number 82/2016-Gja-I-PP, received in competence, received by the BP on 22.06.2016, including one (1) person for criminal offense “Accepting bribes”. The decision for dismissal of criminal report ruling/closed with report was taken on 21.06.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 22.06.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 21.06.2017. The treatment related to this criminal report had lasted for 364 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 364 days, or 334 days after the legal deadline.

Cases of decisions of Termination of Investigations

1. Case number PPN/I.nr.7/2017, submitted by the Kosovo Police, received by the BP on 25.01.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation ruling was taken on 10.03.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 25.01.2017, meanwhile the Prosecution had decided to terminate investigation ruling on 10.03.2017. The treatment related to this criminal report had lasted for 44 days from the receipt of the same one.

2. Case number 71/2016-gja-PP-I, submitted by the Anti-Corruption Agency, received by the BP on 03.06.2016, including one (1) person for criminal offense “Abusing official position or authority”. The decision for termination of investigation ruling was taken on 23.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 03.06.2016, meanwhile the Prosecution had decided to terminate investigation ruling on 23.05.2017. The treatment related to this criminal report had lasted for 354 days from the receipt of the same one.

Cases of decisions of Dismissal of Criminal Reports / closed with report – PPN
1. Case number PPN/I.nr.234/2016, submitted by the injured party, received by the BP on 31.10.2016, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 10.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 31.10.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 10.03.2017. The treatment related to this criminal report had lasted for 130 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 130 days, or 100 days after the legal deadline.

2. Case number PPN/I.nr.50/2016, submitted by the injured party, received by the BP on 04.05.2016, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 06.02.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 04.05.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 06.02.2017. The treatment related to this criminal report had lasted for 278 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 278 days, or 248 days after the legal deadline.

3. Case number 105/2016-gja-ppn-I, submitted by the injured party, received by the BP on 31.08.2016, including one (1) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 13.04.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 31.08.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 13.04.2017. The treatment related to this criminal report had lasted for 225 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 225 days, or 195 days after the legal deadline.
days, while the criminal report was dismissed after 225 days, or 195 days after the legal deadline.

4. Case number 13/2017 PPN-I-I, submitted by the Prosecutor with self-initiative, received by the BP on 06.02.2017, including one (1) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 26.04.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 06.02.2017, meanwhile the Prosecution had decided to dismiss the criminal report on 26.04.2017. The treatment related to this criminal report had lasted for 79 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 79 days, or 49 days after the legal deadline.

5. Case number 115/2016-ppn-I-, submitted by the injured party, received by the BP on 20.09.2017, including three (3) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 29.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 20.09.2017, meanwhile the Prosecution had decided to dismiss the criminal report on 29.05.2017. The treatment related to this criminal report had lasted for 251 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 251 days, or 221 days after the legal deadline.

6. Case number 233/2016-PPn-I-, submitted by the injured party, received by the BP on 28.10.2016, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 05.05.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 28.10.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 05.05.2017. The treatment related to this criminal report had lasted for 189 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in
Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 189 days, or 159 days after the legal deadline.

7. Case number 238/15-Gj-I-PPN, submitted by the injured party, received by the BP on 23.12.2016, including two (2) persons for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 12.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 23.12.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 12.05.2017. The treatment related to this criminal report had lasted for 140 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 140 days, or 110 days after the legal deadline.

8. Case number 8/2017 PPN-I-, submitted by the injured party, received by the BP on 17.01.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 12.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 17.01.2017, meanwhile the Prosecution had decided to dismiss the criminal report on 12.05.2017. The treatment related to this criminal report had lasted for 115 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 115 days, or 85 days after the legal deadline.

9. Case number 19/2017-PPN-I-gja submitted by the Kosovo Police, received by the BP on 13.02.2017, including one (1) person for criminal offense “Abusing official position or authority”. The decision for dismissal of criminal report ruling/closed with report was taken on 11.05.2017.

KLI: Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 13.02.2017, meanwhile the Prosecution had decided to dismiss the criminal report on 11.05.2017. The treatment related to this criminal report had lasted for 87 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 87 days, or 57 days after the legal deadline.
concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 87 days, or 57 days after the legal deadline.

10. Case number PPN/I-nr.122/2016, submitted by the injured party, received by the BP on 03.12.2016, including three (3) persons for criminal offense “Falsifying official document”. The decision for dismissal of criminal report ruling/closed with report was taken on 20.03.2017.

**KLI:** Based on the ruling, it is confirmed that the criminal report was received in the BP in Gjakova on 03.12.2016, meanwhile the Prosecution had decided to dismiss the criminal report on 20.03.2017. The treatment related to this criminal report had lasted for 107 days from the receipt of the same one. Whereas with the new Criminal Procedural Code entering into force after January 1st 2013, where the legal prescribed period of time of granting a decision concerning the criminal report has been limited to 30 days (Article 82), results that the BP in Gjakova has violated this legal deadline, since the criminal report had to be dismissed within 30 days, while the criminal report was dismissed after 107 days, or 77 days after the legal deadline.
VIII. Recommendations

RECOMMENDATIONS IMPLEMENTED:

- KJC to review the possibility that the number of judges in the Serious Crime Department at the Basic Court in Pristina to be increased in compliance with the number of backlog of cases for this court, especially cases concerning corruption.
  - Three more judges were added to this department.
- KPC is recommended to continue fulfilling its vacant positions for prosecutors in the SPRK.
  - Three more prosecutors were added to the SPRK.
- The Ministry of Justice is recommended to start supplementing the amendment of the Law on Special Prosecution of the Republic of Kosovo regarding the competences and responsibilities of this Prosecution, including reviewing the criteria and procedures for the recruitment process and appointment of prosecutors to this Prosecution.
  - This law has been sent to Government.
- The Ministry of Justice is recommended to start drafting the special Law on the Office of the Disciplinary Counsel. Through this law the accountability of ODC needs to be raised, manner of management and administration of this office and the Director of this office should have a managerial character and not executive. ODC to review the possibility to be part of the Ministry of Justice, while, it must secure the independence of the KJC and KPC in treatment of cases presented to the ODC against judges and prosecutors.
  - This law is in the drafting phase at the MoJ.
- The KJC is recommended to accelerate and finalize the recruitment process and proposal for the appointment of 14 positions promulgated for judges.
  - 14 judges have been appointed in the beginning of 2017.
- The KPC is recommended to accelerate and finalize the recruitment process and proposal for appointing positions for new prosecutors.
  - KPC completed this process in mid-2017.

RECOMMENDATIONS FOR THE ASSEMBLY OF KOSOVO:

- Opening of public debate concerning the vetting process for the Police, Prosecutors and Judges. The vetting process must include the detailed verification of the background of current police, prosecutors and judges in Kosovo. The verification must include comprehensive debate of all political parties represented in the Kosovo Parliament, with the request that the implementation of the verification process in practice to be conducted by USA, United Kingdom and Germany.
- Opening of public debate concerning regarding the establishment of a Special Prosecution and Court with competences in fighting organised crime and corruption. Prosecution must have the right to undertake competencies in whatever phase of
proceedings, cases that have started or are at work at the Basic Prosecution Offices or SPRK. Prosecution to have its own judicial police which will act exclusively under the orders of the Prosecutor's Office and there will be no legal obligation to the structure or management of the Kosovo Police. Recruitment of local police officers, prosecutors and judges, with uncontested personal and professional integrity, to be conducted by the United States, the United Kingdom and Germany. Parliament to allocate sufficient financial means for the functioning of these mechanisms independently.

RECOMMENDATIONS FOR THE MINISTRY OF JUSTICE:

- The process of the criminal justice sector review in Kosovo, to include the evaluation and analysis of at least 200 final cases of corruption (criminal charges dismissed, decision for the termination of investigations, decision of acquittal, dismissal of indictments, decisions of refusal), conducted by experts of a working group established by MoJ. The purpose of the evaluation and analysis of these final cases must serve to identify the reasons for the failures of the enormous number of cases of corruption in police, prosecution and courts in a manner to provide adequate solutions that will provide recommendations for amendments to the laws or practices in the rule of law in these institutions.
- During the process of the criminal justice sector review, MoJ to review the return of the subsidiary prosecutor and to install judicial control in all phase of criminal proceedings. The enormous number of cases of preliminary investigations initiated without a legal basis or in a non-transparent manner by the prosecution and without judicial control seriously undermines legal certainty and violates human rights and freedoms.

RECOMMENDATIONS FOR JUDICIAL SYSTEM:

- KJC to review the action plan regarding the treatment of corruption cases within courts. KJC to re-evaluate the number of corruption cases in courts and determine deadlines regarding the treatment of these cases in compliance with legal obligations.
- KJC to request from Court of Appeal to implement in practice the unification of judicial practices regarding punitive policies regarding corruption cases.
- KJC to obligate Court Presidents to initiate disciplinary procedures against prosecutors who without reason are absent in hearings concerning corruption cases.
- KJC to request from Court Presidents and judges to comply with requests made for access to public documents for corruption cases in accordance with the law in force.

RECOMMENDATIONS FOR PROSECUTORIAL SYSTEM:

- KPC in accordance with obligations arising from the applicable law to amend, supplement and publish in order to make it accessible to the public the Strategic Plan (2016-2018) and the Action Plan to Increase the Efficiency of the Prosecutorial System in
Fighting Corruption and Economic Crimes, including Seizure and Confiscation of Illegal Assets adopted by KPC on December 1, 2015.

- KLI recommends to KPC to provide access to statistics regarding the treatment of targeted cases and information which do not obstruct the investigation process in these cases, including the results on seizure and confiscation of illegal assets in targeted cases.
- KLI recommends to KPC to urgently treat the phenomenon of the large number of decisions to dismiss criminal reports and terminate investigation in cases of corruption and failure of indictments in courts for corruption cases.
- KPC to address the enormous number of corruption case hearings that are postponed due to the absence of the prosecutor for the hearings.
- KPC to hold responsible the Chief State Prosecutor for the lack of transparency and accountability in report to media and civil society regarding requests for access to public documents.

Chief State Prosecutor, Chief Prosecutor of SPRK and Chief Prosecutors of Basic Prosecution Offices are recommended to fulfil legal obligations regarding requests for access to public documents in the prosecutorial system.

**Design:** Anymate (Leutrim Bajrami)