“FIGHT” FOR CHIEF PROSECUTORS

Analysis of Policies and Legislation About Criteria and Legal Procedures in the Selection of Chief Prosecutors in Kosovo
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ABOUT KLI

KLI, Kosovo Law Institute, is a non-governmental institution and non-profit of public policies, think tank specialized in the rule of law.

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I. Executive summary

The Judicial and Prosecutorial system over the last few years has been faced with many difficulties in drafting secondary legislation and its implementation in a right and impartial selection and appointment process for Court Presidents and Chief Prosecutors.

The appointment process of the current Chief State Prosecutor was a subject of critiques from the public, media and international factor. The prosecutorial system is failing to gain public confidence to lead a transparent, impartial process based on the candidate’s merit for key positions in the Kosovo prosecutorial system.

This is based on the fact that the processes of electing, proposing and appointing Chief Prosecutors have built a bad practice in delaying the procedures, starting from the practice of delaying the election of the current Chief State Prosecutor, Aleksandër Lumezi to the last vacancy announcement for the election of a Chief Prosecutor for the Special Prosecution of the Republic of Kosovo, that was annulled on 25 April 2019.

The annulled vacancy announcement on 25 April 2019 for Chief Prosecutor of the SPRK was announced two months before, respectively on 1 March 2019. Eight days prior to the vacancy announcement, KPC amended the Regulation for the Appointment of Chief Prosecutors. Four candidates, whom fulfilled the legal criteria, applied for the vacancy announcement. KPC for this vacancy announcement for Chief Prosecutor of the SPRK, established the Committee for the Evaluation of Candidates. The established Committee was composed of three members (Chair of the Committee from the State Prosecution Office and two members from the Appellate Prosecution). None of them were KPC members. Out of the four candidates that were part of the election process, two of them were proposed by the Evaluation Committee to be voted for Chief Prosecutors of SPRK. The two candidates that were not recommended complained to the KPC about the Evaluation Committee decision. KPC partly approved the complaints made by the candidates.

For this vacancy announcement for Chief Prosecutor of the SPRK, KPC attempted to follow the illegal practices created by the KJC to create rules in the middle of the election process, which KLI publicly reacted against. KPC at its meeting held on 25 April 2019, on its agenda, although in the midst of electing the Chief Prosecutor of the SPRK, foresaw the amendment of the Regulation of the Election and Appointment of Chief Prosecutors, which had also been amended two months ago, respectively on 21 February 2019.

The tendency to change the rules along the way, proves that there were agendas to adapt the rules and procedures for certain candidates by the KPC, calling on that the “amendments to the regulations must be done in order to harmonize them with decisions from the Constitutional Court in regards to the process of the Chief State Prosecutor”. However, at the KPC meeting held on 25 April 2019, KPC member, despite the inclusion of this item on the agenda, have emphasized that the change of the regulation between the process constitutes a legal violation. In this situation, KPC on 25 April 2019 decided to return the election process for the Chief
Prosecutor of the SPRK to point zero by cancelling the vacancy announcement and authorizing
the Committee on Normative Matters to draft a Regulation on the Appointment of Chief
Prosecutors as soon as possible, based on legal amendments and decision rendered by the
Constitutional Court.

The main challenges for the KPC in recent years are related to the recruitment process and
appointment of chief prosecutors, prosecutors, to the adoption and frequent amendment of
secondary legislation and its non-implementation in practice. In addition, although the criteria
for recruitment and appointment of prosecutors are provided by law, KPC through secondary
legislation has often amended the rules and criteria during the appointment process, which
proves the lack of KPC’s ability to make clear and transparent policies and their implementation
in practice, which still is lacking.

KPC must focus on the drafting and adopting a new the regulation on the appointment of the
Chief State Prosecutor and Chief Prosecutors which will clearly define the procedure for
selection and appointment, including the provision of clear, transparent and objective rules and
criteria. This enables the prosecutorial system to achieve the objectives and KPC to carry out
its functions, since it is essential that Chief Prosecutors at all levels be elected on the basis of
proven competencies, integrity and independence, and in accordance with impartial
procedures, eliminating any discrimination and allowing the possibility of impartial review.

KLI recommends that through the adoption of this new Regulation, KPC must reach these
objectives that: the appointment process be led by KPC, avoiding practices that are important
duty be delegated to the Evaluation Committee; drafting of the Regulation must be drafted in
closed consultation with NGO’s interested and specialized in the rule of law, Chamber of
Advocates and academics; the appointment process for Chief Prosecutors should be based on
objective, clear, and transparent rules and criteria; the appointment process should be open to
public scrutiny and documented fully and properly and should be undertaken according to the
published criteria rather than being amended unlawfully during the process; appointment
should only be based on merit, promoting diversity and avoiding discrimination; the
appointment process should provide for an independent complaints procedure; and
appointment procedures should be characterized by a high degree of publicity and transparency
for the public.
II. Competencies of the Kosovo Prosecutorial Council for the election and appointment of Chief Prosecutors

The Law on KPC foresees that the Council is a fully independent institution in the exercise of its functions in order to provide independent, professional and impartial prosecutorial system, as provided by the Constitution and the law. Further, the law provides that the Council is responsible to propose to the President the appointment and dismissal of the Chief State Prosecutor and to ensure that the proposed candidate fulfils the conditions set by law and that the respective procedures have been implemented.

The KPC pursuant to the Law on KPC\(^1\), decides on the appointment of the Chief Prosecutors of the Basic Prosecutions, Special Prosecution and Appellate Prosecution, in conjunction with the Law on State Prosecutor and Law on the Special Prosecution of the Republic of Kosovo.

Pursuant to Article 22 of the Law on KPC, the Council nominates the Chief State Prosecutor from the ranks of prosecutors and the President appoints them for a mandate of seven (7) years, without the opportunity of reappointment.

The Council appoints Chief Prosecutors for all other State Prosecutor units. Any prosecutor who is subject to the qualifications determined by the Law on State Prosecutors has the right to be nominated for the post of Chief Prosecutor. The Chief Prosecutor is appointed by the Council for a period of four (4) years, with the possibility of renewal for an additional term of office. Moreover, this law provides that KPC is competent and responsible to issue a regulation on the selection procedure of the Chief State Prosecutor and the appointment of Chief Prosecutors of the Prosecutor's Office.

III. Criteria for the appointment of Chief Prosecutors

The criteria for selection, proposal and appointment of Chief Prosecutors are determined in the Law on State Prosecution and the Law on the Special Prosecution of the Republic of Kosovo. Below are explained all the criteria for the selection of Chief Prosecutors of all levels in the prosecutorial system of the Republic of Kosovo.

a) Criteria for Chief State Prosecutor

The amended Law on the State Prosecutor\(^2\) foresees only general criteria in relation to the appointment of the Chief State Prosecutor. This law foresees that, in addition to the minimum qualifications, all candidates for Chief State Prosecutor should have at least eight (8) years of work experience as a prosecutor and based on evaluation performance.

b) Criteria for Chief Prosecutor of the Special Prosecution of the Republic of Kosovo

The Kosovo Assembly, by frequently supplementing the changes of laws and the adoption of new laws, has created a conglomerate regarding the criteria for Chief Prosecutor of the SPRK. The basic criteria regarding the appointment of the Chief Prosecutor of this Prosecution Office were set out in the basic Law on SPRK.\(^3\)

Article 4 of this Law stipulates that the Chief Prosecutor of the SPRK will be elected by one of the Special Prosecutors in accordance with the procedures established by the applicable law. This criterion was amended by Law no. 04 / L-273 on Amendment of Laws related to the mandate of the European Union Rule of Law Mission in the Republic of Kosovo, which stipulated that every prosecutor with a permanent mandate can run for a Chief Prosecutor of SPRK.

However, the Kosovo Assembly, at the end of 2018 adopted the Criminal Code of Kosovo that came into force at the beginning of 2019, a code which through the transitional provisions has abolished, inter alia, Law no. 04 / L-273, on Amending the Amendments to Laws Related to the Mandate of the European Union Rule of Law Mission in the Republic of Kosovo.

In such a situation, by abolishing the criteria for Chief Prosecutor of SPRK in the basic Law on the SPRK and Law no. 04 / L-273, criterions for Chief Prosecutor of SPRK have been

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\(^3\) Law No. 03/l-052 on Special Prosecution of the Republic of Kosovo. Official Gazette of the Republic of Kosovo No. 27. 3 June 2008. (available at: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2526)
moved to the Law on Amendments to the Law on State Prosecutor⁴, which in Article 2 stipulates that in order to exercise the function of the prosecutor in the Special Prosecution of the Republic of Kosovo, the prosecutor must meet the requirements to work as prosecutors at the Department for Serious Crimes and have a positive performance evaluation. The period of exercising the function of the prosecutor in the Special Prosecution Office assigned according to the provisions of this Law shall be counted as the prosecutor's experience in the Serious Crimes Department of the Basic Prosecution.

The above-mentioned criterion is also explained by Article 22 of the current Law on the KPC, which stipulates that the Council appoints Chief Prosecutors for all other State Prosecutor units, and that every Prosecutor who is subject to the qualifications determined by The Law on State Prosecutors has the right to be nominated for the post of Chief Prosecutor, which means that any prosecutor who meets the criteria for working in the Serious Crimes Department of the Basic Prosecution is equivalent and meets the criteria for the Chief Prosecutor of SPRK

c) Criteria for Chief Prosecutor of Appellate Prosecution

The criteria for Chief Prosecutor of the Appellate Prosecution determine that those prosecutors who have at least five (5) years of experience as prosecutors are eligible for this position, of which at least three (3) years of experience as a prosecutor at the Special Department of the Basic Prosecution or the Special Prosecution of the Republic of Kosovo, and based on performance evaluation.

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⁴Law No. 06/l-025 on Amending and Supplementing Law No. 03/l-225 on State Prosecutor amended and supplemented with Law No. 05/l-034, no. 3. 19 April 2018. (available at: https://gzk.rks-gov.net/actdetail.aspx?actid=2710)
IV. International standards vs Practice in Kosovo regarding the appointment of Chief Prosecutors

In all legal systems, prosecutors are assured to guarantee the rule of law. They guarantee fair, impartial and efficient administration of justice in all cases and steps of procedures within their competences. They also act on behalf of civil society and in the public interest with a view to respecting and protecting human rights and freedoms, as envisaged, in particular, by the Convention for the Protection of Human Rights and Fundamental Freedoms and Practice of the European Court of Human Rights. It is therefore necessary that the duties of prosecutors be determined at the highest legislative level and be implemented, strictly respecting democratic values.\(^5\)

The decision on the appointment of the Head of the Prosecution service is of special interest and may be even more sensitive than in the case of judges. The hierarchical structure of the prosecutorial service is exposed to a greater threat in relation to the impacts associated with the appointment of the Prosecutor General, since from this position - as Chief State Prosecutor - such an authority goes beyond all levels of prosecution\(^6\).

Based on the abovementioned, primary legislation in Kosovo provides only general criteria in relation to the process of appointing the Chief State Prosecutor and Chief Prosecutors of Prosecution Offices, which is not in line with international standards, which require that the appointment or election of the leader prosecutions should be based on clear, transparent and objective rules, as well as based on the qualification / experience criteria established by law.

\[\begin{align*}
\text{a) Legal Conglomeration through secondary legislation and failures in the election of Chief Prosecutor}
\end{align*}\]

KLI at working groups established by the Legislation Committee, Mandate, Immunity, Assembly Regulation and Supervision of the Anti-Corruption Agency of the Kosovo Assembly, during the process of adoption of laws on the KJC, KPC, Courts and State Prosecution has provided comments through which it has recommended to the Assembly of Kosovo that through primary legislation to regulate the procedure for appointing presidents of courts and chief prosecutors of prosecution offices. KLI has also recommended that through primary legislation, the Assembly of Kosovo define and draft objective criteria and clear and transparent rules regarding the appointment process of court presidents and chief prosecutors of prosecution offices. Unfortunately, KLI recommendations have not been taken into account in the Assembly of Kosovo, leaving open problems and opportunities for misuse, through secondary legislation, to postpone certain agendas to adapt the rules, procedures and criteria for a particular individual.


\(^6\)ibid.
b) “Game” of the KPC through secondary legislation and non-implementation of the law

KPC since 2014 through secondary legislation has regulated the procedure for appointing the Chief State Prosecutor and Chief Prosecutors.

On 21 March 2014, the KPC approved the “Regulation on criteria and procedures for nomination and proposal for appointment of the Chief State Prosecutor” and started the selection process of the Chief State Prosecutor. Eight candidates had met the conditions and introduced self-evaluation forms and concept papers and were interviewed by KPC members.

As a result of the irregularities in the process of appointing the Chief State Prosecutor, based on the complaints filed by two candidates, the Constitutional Court issued a decision based on which it had ascertained that KPC had violated its procedures during the selection process and nomination of the Chief State Prosecutor. The Constitutional Court found that KPC ignoring the rules established by this institution had created a situation characterized by presumption of arbitrariness, resulting in a violation of the right to a procedure, guaranteed by Article 31 of the Constitution and Article 6, paragraph 1 of the European Convention on Human Rights. As a result, the process of appointing the Chief State Prosecutor was annulled.

At the end of 2014, KPC approved the new Regulation on criteria and procedures for nomination and proposal for appointment of the Chief State Prosecutor and initiated the new process for the selection and appointment of the Chief State Prosecutor.

Similar to the first process, KPC faced difficulties in implementing the regulation. The appointment process was subject to criticisms by civil society and the public in Kosovo. Four candidates for the position of Chief State Prosecutor in the middle of the process had withdrawn their applications stating that the process had been compromised.

KPC during 2014 and 2015 had faced difficulties in the process of appointing the current Chief State Prosecutor and of the contested mandates of former members of the KPC. As a result, the European Commission's Progress Report for Kosovo in 2015 stated that "the administration of justice in Kosovo is slow and there are shortcomings of accountability by judicial system officials. Judicial structures are still prone to political interference. There are concerns that controversial appointments and unclear mandates have damaged the activities of key institutions such as the Kosovo Judicial Council, the Kosovo Prosecutorial Council and the Office of the Chief State Prosecutor. Activities of the KJC and KPC were hampered by the post-election political crisis, particularly political pressure in the process during and after withdrawal from the appointment of the Chief State Prosecutor. Amendments to new laws, adopted in May 2015, are in line with most of the EU’s recommendations. Additional changes are required to include transitional provisions”.

The European Commission Country Report for Kosovo for 2018 foresees that Kosovo is at an early stage in developing a well-functioning judicial system. Some progress was achieved in 2017 in implementing the 2015 justice package laws. The judiciary is still vulnerable to undue
political influence and rule of law institutions need sustained efforts to build up their capacities. The administration of justice remains slow and inefficient.

State Department Country Report on Human Right Practices 2018 – Kosovo, also noted that judicial structures in Kosovo have been subject to political influences with disputed appointments and mandates.

a) Public tendencies to continue the game by KPC to alter the rules while the appointment process of the SPRK Chief Prosecutor was ongoing

KPC in August 2016 approved the Regulation on the Appointment of Chief Prosecutors. This regulation, during 2019 has been amended. Based on the amended regulation, KPC on March 1, 2019 published the announcement for the position of Chief Prosecutor of the Special Prosecution Office of the Republic of Kosovo.

The new regulation includes two alterations. The first alteration has shortened the announcement deadline for the positions of Chief Prosecutors from 45 days to 30 days prior to the completion of the actual Chief Prosecutors mandate, while the second alteration includes the right of all prosecutors in the prosecutorial system that have a permanent mandate to run for Chief Prosecutor of the SPRK.

Considering the numerous delays that KPC had while selecting Chief Prosecutors, KLI is unclear regarding the reasons of the shortening of the announcement deadline on only 30 days prior to the expiration of the mandate of the actual Chief Prosecutors. Meanwhile, the appointment process of the new Chief Prosecutor of the SPRK, is still ongoing, since the former Chief Prosecutor of the SPRK on April 4, 2019 has retired. KPC until April 25, 2019 when Afrim Shefkiu was appointed as Acting Chief Prosecutor, did not inform the public of who was temporarily acting as the Acting Chief Prosecutor of the SPRK.

However, KPC for this announcement of SPRK’s Chief Prosecutor, established the Candidate’s Evaluation Commission. The established commission consisted of three members (the Chairman of the Commission from the Office of the Chief State Prosecutor and two other members from the Appeal Prosecution Office). None of them aren’t members of the KPC. Also the election process of the appointment of the SPRK Chief Prosecutor faced difficulties and violations of proceedings and rules approved by the KPC. Out of four candidates who were part of the selection process, two of them were proposed by the Evaluation Commission to be voted as Chief Prosecutor of the SPRK. The other two candidates, who were not proposed to be voted for this position, have filed an appeal to the KPC against the decision of the Evaluation Commission. KPC has partially approved the appeals of both candidates.

The unlawful practice created by the KJC on altering the rules in the middle of the process, regarding what KLI had reacted publicly, now is being followed by the KPC too, which on April 25, 2019, had foreseen in its agenda the amendment of the Regulation for the election of Chief
Prosecutors, which was already amended on February 21, 2019, even though the process of the election of the Chief Prosecutor of SPRK was ongoing.

The tendency to change the rules while on the way of another process, testifies that there were agendas to adapt the rules and procedures for certain candidates by the KPC, stating that “the amendments to the regulation should be made to harmonize with the Judgment of the Constitutional Court regarding the process of Chief State Prosecutor”. However, at the KPC meeting, held on April 25, 2019, members of the KPC, despite having this item on the agenda, have emphasized that amending the regulation while the process is ongoing, constitutes a legal violation. In this situation, KPC on April 25, 2019 decided to restart the election process of the Chief Prosecutor of the SPRK, by canceling the announcement and by authorizing the Commission on Normative Matters to draft a Regulation on the Appointment of Chief Prosecutors as soon as possible, based on legal changes and on the judgement of the Constitutional Court.

The main challenges of the KPC in recent years regarding the recruitment process and appointment of Chief Prosecutors and prosecutors, are related to the adoption and frequent alteration of secondary legislation and its non-implementation in practice. In addition, although the criteria for recruitment and appointment of prosecutors are provided by law, KPC through secondary legislation has often altered the rules and criteria while the appointment process was ongoing, which proves the lack of KPC’s ability to make clear and transparent policies, and their implementation in practice is still missing.

As a result of the decrease of the institutional integrity of the prosecutorial system and problems with the selection of key positions in the system, merit-based and independently, the British Embassy in Kosovo and the Kosovo Prosecutorial System have decided to cooperate in order for the British project to provide support to the process of recruitment of the prosecutors and Chief Prosecutors. This cooperation occurred, as the British Ambassador, Ruairi O’Connell stated, to ensure that prosecutors are elected merit-based, among individuals with integrity, with necessary qualifications for the most sensitive positions and without any political or other external influences.7

Otherwise, KJC has had the same problems while appointing Presidents of the Courts. In 2017, other discrepancies have been noted on the process of appointing presidents of the Supreme Court and Court of Appeals, when the KJC voted through secret ballot for candidates for these two positions. KJC’s decisions were annulled by the Constitutional Court, which in its decision required from the KJC to repeat the entire process.8 The Constitutional Court found that the mechanism applied by the KJC to appoint one candidate as President of the Supreme Court and

7 “Cooperation between Kosovo Prosecutorial Council and British Embassy in Kosovo is established”. Kosovo Prosecutorial Council. April 12, 2019 (Follow link http://www.kpk-rks.org/single_lajmi/2457/bashkrendohen-format-e-bashkpunimit-t-ndrsjell-n-mes-t-kshillit-prokurorial-

8 “Internations in Kosovo are disappointed with KJC regarding the appointment of the president of the Supreme Court and the Court of Appeals”. Oath for Justice. August 25, 2017. (Follow link https://betimiperdrejtesi.com/nderkombetaret-ne-kosove-te-zhgenjyer-me-kgjk-ne-per-zgjedhjen-e-kryetarit-te-supremes-e-te-apellit/ )
as President of the Court of Appeals did not guarantee equal, merit – based, transparent and open election process.\(^9\)

In the absence of clear, transparent and objective rules, the qualification/experience criteria set out in the applicable laws of the KPC and the State Prosecutor on procedures for the election and appointment of Chief Prosecutors, the KPC in accordance with its mandate delegated by the Assembly of Kosovo with the law on KPC is competent and responsible to issue a regulation on the procedure for the election of the Chief State Prosecutor and the appointment of Chief Prosecutors of the Prosecution Offices.

V. Conclusions and recommendations

- Due to the KPC’s difficulties on conducting an independent, fair and transparent process of appointing senior positions, especially appointing and proposing for appointment of Chief State Prosecutor and Chief Prosecutors of Prosecution Offices. KLI assesses that KPC should consider drafting a new regulation that is applicable to the selection and appointment procedure for all senior positions in the prosecutorial system, including the position of Chief State Prosecutor, Chief Prosecutor of the SPRK, Chief Prosecutor of the Appeals Prosecution and Basic Prosecutions.

- The KPC should avoid the current practice of adopting two different regulations, one for the Chief State Prosecutor and another for the other Chief Prosecutors and determining different procedures and criteria for the election process of the above positions.

- Instead, the KPC should focus on drafting and adopting a new regulation on the appointment of the Chief State Prosecutor and Chief Prosecutors, where the whole procedure on selection and appointment will be clearly defined, including the provision of clear, transparent and objective rules. In order to enable the prosecutorial system to achieve its objectives and to carry out its functions it is necessary that Chief Prosecutors at all levels be elected on the basis of proven powers, integrity and independence, as well as in accordance with impartial procedures, excluding any discrimination and allowing the possibility of impartial review.

- In this regard, KPC through the adoption of the new regulation will create and achieve the following objectives:
  - The appointment process will be governed by the KPC itself and will avoid practices that such an important task is delegated to the evaluation commissions;
  - The drafting of the Regulation will be conducted in a closed consultation with specialized NGO – s in rule of law, Bar Association and academics;
  - Chief Prosecutor’s appointment process will be based in rules, objective, clear and transparent criteria;

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- The appointment process should be open to public scrutiny and be fully and properly documented;
- The appointment process should be undertaken according to published criteria;
- The appointment should only be merit-based;
- The appointment process should promote diversity, while avoiding discrimination;
- The appointment process should provide an independent appeals procedure;
- The appointment procedures should be characterized by a high level of publicity and transparency.

- The independence and integrity of state prosecutors are of legitimate interest to the general public. They should be protected from attacks which are likely to prevent them carrying out their duties independently or which damage public confidence in them and in the office they hold. The decision on the appointment of the head of the prosecution service is of particular interest and may prove to be even more sensitive than in case of the judges.

- Regarding to the appointment of the Chief State Prosecutor and Chief Prosecutor of the SPRK, it is not sufficient for a candidate for such a high office to be subject to the general qualification requirements that exist for any other prosecutorial position. Powers of the Chief State Prosecutor and SPRK Chief Prosecutor require special competencies and experience. In this regard, the KPC during the adoption of the regulation should take these into consideration while designing the qualification requirements.

- In order to make the appointment process more transparent and open, based on the Venice Commission, OSCE/ODIHR and the CCPE/DGI it is recommended to be proposed not one but several candidates to the position of Chief Prosecutor, and then the Prosecutorial Council selects one of them. In this regard, KPC shall take into consideration those candidates who score approximately same scoring to have the opportunity to be part of the voting process by the KPC.

- KLI considers that KPC in line with its constitutional and legal mandate in no circumstances shall delegate the selection process of the chief prosecutors to the evaluation committees, as happened in the past with the selection process of Basic Prosecution Offices Chief Prosecutors, Appeal Chief Prosecutor and SPRK Chief Prosecutor. The last selection process of the SPRK Chief Prosecutor is also an argument where the Evaluation Committee was not in position to understand and interpret the Regulation as its was foreseen by KPC.

- KPC shall take the full responsibility in fulfilling its constitutional and legal mandate in selecting and appointing Chief Prosecutors. KPC members shall play active role during all phases of such important processes, first through adoption of the regulation in line with the above standards and second through transparent and impartial process of selection of the best candidates based on their merit, having regard to qualifications, integrity, ability and efficiency.

- An autonomous KPC that guarantees the independence of the prosecutorial system does not imply that prosecutors may be self-governing. The management of the administrative organization of the prosecution system should not necessarily be entirely
in the hands of prosecutors. Although, KPC is composed out of 13 members, currently in its composition are only ten members, all of them prosecutors. Unfortunately, KPC members from the law faculty, civil society and Kosovo Bar Association still are not selected. Non-representation of non-prosecutor members in KPC does not enable proper checks and balances and decreases transparency of the prosecution system towards public at large. Therefore, the selection process of the chief prosecutors without the representation of the non-prosecutor members is concerning. Notably, in one of its opinions the Venice Commission noted that “the balance proposed for the Council, in which prosecutors have a slight majority but which contains a significant minority of eminent lawyers […] seems appropriate”.

KPC while drafting regulation it is necessary to have formal consultations with external independent stakeholders, such as the Bar Association, civil society and academics.