EFFECTIVENESS OF THE JUSTICE SYSTEM IN PROSECUTING AND ADJUDICATING CORRUPTION CASES

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Content

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1. Executive summary

Kosovo continues to face the phenomenon of corruption. According to the European Commission's Report for Kosovo, the country remains between an early stage of preparation and a certain level of readiness in combating corruption, having made only limited progress. The report, among other points, emphasizes that Kosovo must adopt a National Anti-Corruption Strategy, make better use of existing legislation, and continue strengthening the quality of investigations in high-level corruption cases. This report presents the findings of KLI's monitoring and research regarding the handling of cases during 2024 and 2025.

Based on KLI's monitoring, with respect to prosecution and in terms of caseload, it appears that the State Prosecution has regressed in this area, with an increase in the number of unresolved cases. In 2024, the State Prosecution filed 293 indictments related to corruption cases, while in the first nine months of 2025 it filed 151.

Of the total 444 individuals indicted in 2024 and 2025, only 11 were high-profile officials—just 2.47%. Thus, the data demonstrates that over these two years, the prosecution was not significantly focused on high-profile corruption. Moreover, of these 11 cases, only three (3) individuals were indicted while still holding their official position, whereas all others were indicted after completing the function for which they are accused. Consequently, the findings indicate that high-profile indictments were predominantly filed after the individuals had left office, rather than while they still exercised their official duties.

Regarding the indictments filed in 2024, KLI finds a substantial number of cases in which indictments were issued many years after the alleged criminal offense occurred. For example, in three cases, indictments were raised for offenses suspected to have been committed in 2016. In contrast, indictments filed in 2025 reflect higher efficiency by the State Prosecution. Concerning the alleged damage, KLI identifies as problematic the fact that in a large number of indictments, the claimed damage is not specified at all. Failing to determine the amount of damage complicates the trial, particularly when the sum constitutes a qualifying element of the criminal offense. This deficiency also complicates decisions regarding property-legal claims and the imposition of supplementary penalties for compensation of loss or damage.

An analysis of indictments from 2024–2025 shows that the main proposed evidence continues to be decisions, witnesses, reports, and statements, while an increase in the use of electronic communications has been noted. Covert measures and cooperating witnesses were applied in only four cases each. A strong reliance on statements, contracts, decisions, and official minutes makes investigations resemble administrative proceedings more than criminal investigations for corruption. For this reason, the State Prosecution must shift its investigative focus by seeking and examining evidence more suitable for the criminal nature of corruption offenses, ensuring that criminal investigations do not resemble administrative inquiries.

During 2024–2025, of the 36 indictments analysed, the State Prosecution requested the seizure or confiscation of property derived from criminal acts in only 19% of cases, while in 81% such requests were absent. This situation is exacerbated by the failure to implement the Law on Extended Powers for Confiscation of Assets, which, although in force since 2019, has been applied in only nine cases and by only four prosecution offices. This approach demonstrates serious negligence in combating corruption through asset confiscation.

Regarding the adjudication of corruption cases, KLI finds progress in the judiciary in terms of reducing unresolved cases. However, the classification of corruption cases as priority cases has not been reflected in practice. Beyond legally prescribed deadlines, KLI identified corruption cases still active in court despite indictments having been filed in 2017—approximately eight years earlier. Additionally, five (5) cases currently in trial proceedings involve indictments raised in 2018, about seven years ago.

The Court of Appeals has achieved near-complete efficiency in addressing corruption cases. Despite this progress, the issue of returning cases for retrial remains a persistent problem in the Court of Appeals' decision-making. In 2024, 12.5% of corruption cases were returned for retrial, and this percentage increased to 13.63% in the first nine months of 2025.

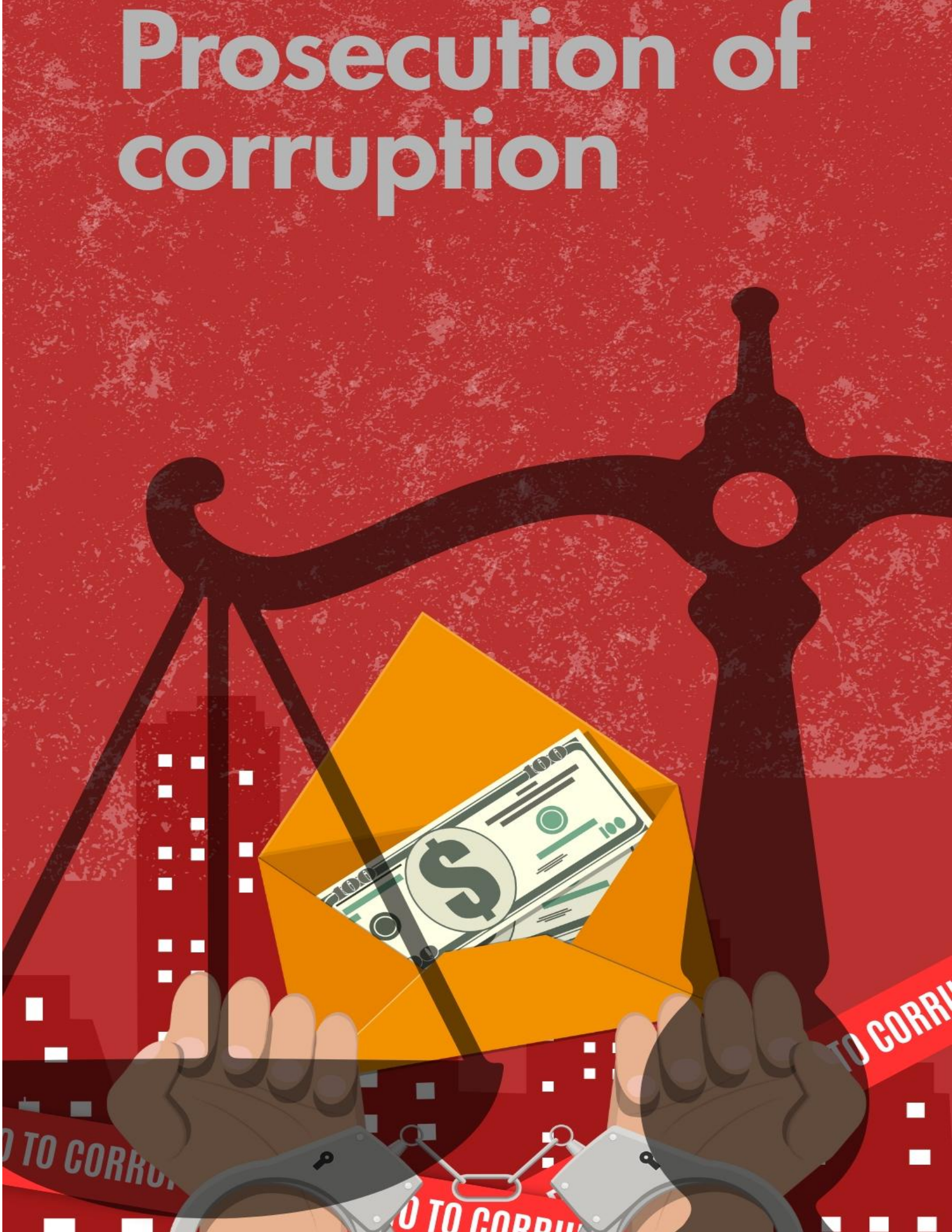
In corruption adjudication, sentencing policy remains problematic, being oriented primarily toward fines and suspended sentences. According to judicial statistics, in 2024 only 32.7% of sentences involved imprisonment, while the remainder consisted of fines (47.5%) and suspended sentences (19.6%). Based on KJC statistics, sentencing policy was even more lenient in the first nine months of

2025, with imprisonment imposed in only 10.8% of cases. Meanwhile, 23.9% of sentences were suspended, and a full 65.2% consisted of fines.

An analysis of judgments for 2024–2025 reveals that courts continue to inconsistently apply the Supreme Court's Sentencing Policy Guidelines, often citing aggravating and mitigating circumstances without detailed reasoning and frequently duplicating circumstances. Courts routinely mention general principles without providing concrete evaluation and justification.

The non-application of supplementary penalties in corruption cases also remains a problematic aspect. Although such penalties are mandatory in corruption cases under the Criminal Code, KLI's analysis finds that they were imposed in only 47.5% of cases in 2024 and merely 11.69% in 2025.

Prosecution of corruption



2. Corruption Case Caseload within the Prosecutorial System

As in 2024, the State Prosecution in 2025 again failed to resolve as many cases as it received, thereby increasing the number of unresolved cases at the end of the reporting period.

According to data from the State Prosecution, in 2024 a total of 583 corruption cases were carried over, and an additional 575 new cases were received. During this period, 386 cases were resolved. Consequently, the number of unresolved cases at the end of 2024 reached 953.

	INHERITED	RECEIVED	RESOLVED	UNRESOLVED
CASES	583	575	386	953
PERSONS	1650	1324	933	2438

Table 1: Caseload of the State Prosecution for the year 2024[1].

A similar situation is observed in 2025. During the first nine months of 2025, the State Prosecution again failed to resolve as many cases as it received. Out of 338 cases received, the State Prosecution managed to resolve only 259, thus increasing the number of unresolved cases at the end of the reporting period.

	INHERITED	RECEIVED	RESOLVED	UNRESOLVED
CASES	704	338	259	880
PERSONS	1864	722	564	2232

Table 2. Caseload of the State Prosecution for the year 2025[2].

In terms of caseload, this situation represents a regression in the efficiency of the State Prosecution's handling of corruption cases. According to the State

[1] Annual Report of the Ad-Hoc Supervisory Commission: 2024. On the Implementation of the Strategic Plan and Action Plan for Combating Corruption and Economic Crimes. (See link:: 76997d70-6bfb-4475-a649-bcd3f4fc831f_Raporti-vjetor-i-mekanizmit-percjelles-nderinstitucional-per-veprat-penale-karakteristike-per-vitin-2024.pdf) (Last accessed December 1, 2025).

[2] Ad-Hoc Supervisory Commission on Corruption and Economic Crimes. (2025). Report January–June 2025. (See link: 4adbe794-f513-4b79-88a6-44a36c9ae928_Raporti i Komisionit Mbikëqyrës Janar-Qershor 2025 - Nr.1798.2025.pdf). (Last accessed December 1, 2025).

Prosecution's statistics, the institution began 2024 with 583 cases, involving a total of 1,650 individuals. By the end of the first nine (9) months of 2025, the number of cases had increased to 880, involving 2,232 individuals.

3. **Indictments filed**

Based on the 2024 annual report on characteristic criminal offenses[3], it appears that during 2024 the State Prosecution filed a total of 293 indictments in corruption cases. The largest number of accused individuals comes from the cases of the Special Prosecution of Kosovo (SPRK), with 91 persons. In contrast, the smallest number of accused in corruption cases comes from the indictments of the Basic Prosecution of Gjilan, with 15 persons.

Prosecution	Number of persons accused
SPRK	91
BP Pristina	58
BP Mitrovica	39
BP Prizren	26
BP Ferizaj	25
BP Peja	23
BP Gjakova	16
BP Gjilan	15
Total	293

Table 3: Indictments filed by the 2024

While in 2024 the largest number of accused individuals came from indictments filed by the Special Prosecution of Kosovo (PSRK), this prosecution ranks last in terms of the number of accused in the first nine (9) months of 2025,[4] with only 3

[3] "*Annual Report 2024 on Characteristic Criminal Offenses.*" *p. 36. Kosovo Prosecutorial Council. Prishtina, February 2025. (See link*: f7f67497-f065-4518-9442-5e99469a8b6a_Raporti-Vjetor-per-vitin-2024-i-Mekanizmit-Percjelles-Nderinstitucional.pdf).

[4] **Written responses from the Basic Prosecutions:** Prishtina – October 31, 2025; Ferizaj – October 10, 2025; Gjilan – October 20, 2025; Mitrovica – October 13, 2025; Prizren – October 13, 2025; Gjakova – October 17, 2025; Peja – October 8, 2025).

individuals indicted. During this period, the Basic Prosecution in Prishtina leads, having filed corruption indictments against a total of 56 persons.

Prosecution	Number of persons accused
BP Pristina	56
BP Prizren	46
BP Peja	13
BP Gjakova	11
BP Gjilan	10
BP Ferizaj	7
BP Mitrovica	5
SPRK	3
Total	151

Table 4: Indictments filed by State Prosecution during 2025

4. Profile of the accused

KLI also monitored the profile of the accused in corruption cases. The assessment of high-level corruption was made based on the criteria set out in Article 3.1.1.4 of Law No. 08/L-168 on the Special Prosecution.

Out of a total of 444 accused individuals, only 11 were high-profile officials, representing 2.47%.

YEAR	OFFICIALS	FORMER OFFICIALS	CITIZENS
2024	293	7	2.38%
2025	151	4	2.64%
GJITHSEJ	444	11	2.4%

Thus, these data indicate that during 2024 and 2025, criminal prosecution of corruption was not strongly focused on officials who fall into the category of high-level corruption.

5. Prosecution of former senior officials

In December 2019, KLI published the report *"Integrity of the Justice System in Combating Corruption"*. This report emphasized that "KLI's findings demonstrate that high-profile indictments almost always occur only after senior public officials have left their positions and no longer hold significant political influence."[5]

For the purposes of drafting this report, KLI analysed 22 corruption indictments filed in 2024 (involving 83 individuals) and 14 indictments of this nature filed in 2025 (involving 36 individuals). Regardless of the profile of the accused, during 2024 and the first nine months of 2025, the majority of persons indicted were officials.

When excluding individuals categorized as "citizens," the percentages show that in 2024, 54.7% of individuals were indicted as officials, while 45.3% were former officials. In contrast, the proportion of persons indicted as officials compared to former officials increased significantly in the first nine months of 2025, where almost all individuals were charged as officials. Specifically, out of 24 accused, 23 were officials, representing 95.8%.

YEAR	OFFICIALS	FORMER OFFICIALS	CITIZENS
2024	35	29	19
2025	23	1	12

Table 5. Distribution of (former) officials against whom indictments were filed in 2024/25.

However, with respect to high-profile cases, this pattern does not hold. Of the 11 high-profile accused, only three were indicted while holding their positions, while the others were indicted for offices they no longer held. Expressed in percentages, in high-level corruption cases, only 27.2% of individuals were indicted while in office, whereas 72.7% were indicted only after leaving their positions.

Specifically, of the seven (7) individuals accused of high-profile corruption in 2024, none were indicted while holding the official position for which they are charged;

[5] Miftaraj, E./ Musliu, B./ Mehmeti, H. "*Integrity of the Justice System in Combating Corruption."* Kosovo Law Institute. Prishtina, December 2018, p. 4. (See link: KLI-Raporti-SHQIP-FINAL.pdf).

all were indicted as former officials. In contrast, this pattern changed in the first nine months of 2025, where out of four officials accused, only one was indicted as a former official, while the remaining three (3) were indicted while still holding the position for which they are charged.

Overall, based on the monitoring results from 2024 and the first nine months of 2025, it appears that the State Prosecution has predominantly filed high-profile indictments after the individuals had completed their official duties, rather than while they were still exercising them.

When analysed by year, the situation is almost diametrically opposite: in 2024, all individuals were indicted as former officials, whereas in 2025, three (3) out of four accused were indicted while still in office.

6. Time of the commencement of criminal offenses for which indictments were filed

For effective and efficient combat against corruption, it is essential that both prosecution and adjudication of corruption cases are carried out efficiently. Timely detection of corruption reflects a swift institutional response to this phenomenon, which in turn enables more effective prevention and adjudication.

Based on the indictments analysed for the purposes of drafting this report, efficiency—defined as filing indictments in relation to the time the offenses are suspected to have been committed—was lower in 2024 and higher in 2025.

Regarding indictments filed in 2024, KLI finds that a significant number of cases were indicted several years after the alleged offenses occurred. For example, in three cases, indictments were filed for offenses suspected to have been committed in 2016, and in four cases for offenses suspected to have been committed in 2018. The largest number of indictments, based on the year the offense is suspected to have occurred, concerns offenses allegedly committed in 2021, involving 17 accused individuals

YEAR OF THE ALLEGED OFFENSE	NUMBER OF ACCUSED
2016	3
2018	4
2018 CONTINUED	16
2019	4
2020	2
2021	17
2021 CONTINUED	8
2022	12
2023	15
2024	2

Table 6. Number of accused individuals, by year of the alleged offense, based on indictments filed in 2024

Regarding the indictments of 2025, based on the analyzed cases, the response of the State Prosecution was faster. The majority of the indictments filed relate to offenses suspected to have been committed in 2022, while six accused individuals are linked to offenses suspected to have been committed in 2021.

YEAR OF THE ALLEGED OFFENSE	NUMBER OF ACCUSED
2021	6
2022	9
2023	8
2024	7
2025	6

Table 7. Number of accused individuals, by year of the alleged offense, based on indictments filed in 2025

7. Damage according to indictments

Regarding the alleged damage resulting from corrupt criminal offenses for which the State Prosecution has filed indictments, based on the analysed cases for the purposes of this report, the dominant range of claimed damage is between €100,000 and €500,000. The case with the highest alleged damage concerns the former CEO of the Kosovo Energy Corporation, Nagip Krasniqi, in which the State Prosecution claims that the damage caused amounts to approximately €37 million.

Concerning the alleged damage, in relation to a total of 34 accused individuals, the State Prosecution did not specify the claimed amount of damage in the indictment at all

Alleged damage	Number of persons
0 – 5.000	2
5.000 -10.000	2
10 – 60.000	3
100.000-500.000	22
600.000-900.000	16
3.000.000-5.000.000	1
Over 37.000.000	3
Damage not specified	34

Table 8. Specified damage according to corruption indictments filed in 2024

In 2025, based on the analysed indictments, six individuals are accused of causing damage ranging from €100,000 to €500,000. The same number of individuals are accused of damage valued between €1 million and €3 million. However, the phenomenon of unspecified damage in indictments persisted in 2025, with the damage not specified at all for 17 accused individuals.

Alleged damage	Number of persons

0 – 5.000	/
5.000 -10.000	2
10.000-50.000	4
60.000-90.000	1
100.000-500.000	6
1.000.000-3.000.000	6
30.000.000 +	/
Damage not specified	17

Table 9. Specified damage according to corruption indictments filed in 2025

Failure to specify the amount of alleged damage in an indictment complicates the adjudication of a given case, particularly because, in certain circumstances, the amount of damage constitutes an aggravating element of the criminal offense. Moreover, not specifying the damage makes it more difficult for the court to decide on property-related claims and to impose supplementary penalties, such as an "order for compensation of loss or damage." For this reason, in every case, the Prosecution should ensure that the alleged amount of damage is accurately determined during the investigation phase and included as an integral element of the indictment.

8. Prosecution evidence

To identify the types of evidence on which the State Prosecution based its corruption indictments, KLI analysed 36 such indictments filed by the State Prosecution during 2024 and 2025.

Proposed evidence	Number of indictments in which the evidence was proposed
Other evidence	35
Court decisions	29
Witness testimony	26

Other reports	25
Party statements	25
Witness statements	19
Official minutes	18
Contracts	17
Photographs and video recordings	16
Electronic communications	14
Police reports	13
Expert opinions	8
Certificates	6
Verifications of temporary seizure of items	5
Payment orders and payment authorizations	5
Cooperating witnesses	4
Conversation transcripts	4
Covert measures	4
Tender files	1
Opinions	/
Verifications	/
Plea agreements	/

Table 10. State Prosecution Evidence in Corruption Cases

Based on the analysis of the evidence proposed in the indictments filed in 2024 and 2025, the types of evidence were primarily court decisions, witnesses, reports, party statements, witness statements, and similar. Compared to the past, there has been an increase in the use of electronic communications as evidence, which were proposed in a total of 14 cases. Covert measures and cooperating witnesses were applied in only four cases each.

The filing of indictments based primarily on party statements, contracts, court decisions, police reports, official minutes, and similar evidence resembles an administrative investigation more than a criminal investigation into corruption offenses. As emphasized by KLI in the previous report on the handling of corruption cases: "Given that corruption, especially high-level corruption, is a complex category of criminal offenses and is assumed to be carried out with significant planning, this criminal category cannot be addressed with the same types of evidence used in other cases.".[6]

For this reason, in order to increase efficiency in the prosecution and adjudication of corruption cases, the State Prosecution must shift the focus of its investigation in terms of the types of evidence it seeks and examines during a criminal procedure. This is to ensure that corruption investigations do not devolve into procedures that more closely resemble administrative investigations.

It should also be noted that the application of special investigative techniques in corruption cases is defined in the United Nations Convention against Corruption.[7]

9. Seizure and confiscation

During the period 2024–2025, out of a total of 36 indictments filed by the State Prosecution and analysed for the purposes of drafting this report, a request for seizure or confiscation of property obtained through criminal activity was made in only seven (7) cases, while no such request was made in 29 cases. Expressed in percentages, only **19%** of the indictments included a request for seizure or confiscation of property obtained through criminal activity, whereas **81%** of the indictments were filed without such a proposal.

[6] Makshana, L. "*Prosecution and Adjudication of Corruption 2023."* Kosovo Law Institute. p. 17. Prishtina, December 2023. (See link: https://kli-ks.org/ndjekja-dhe-gjykimi-i-korrupsionit-2023/). (Last accessed 01.12.2025).

[7] "United Nations Convention Against Corruption." 2004, Article 50. (See link: https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf). (Last accessed November 28, 2025).

TOTAL NUMBER OF INDICTMENTS	CASES WITH A REQUEST FOR SEIZURE/CONFISCATION	CASES WITHOUT A REQUEST FOR SEIZURE/CONFISCATION
36	7	29

Table 11. Seizure and confiscation of property according to the prosecution's request

This approach indicates that the State Prosecution does not devote sufficient attention to combating corruption through the seizure and confiscation of property obtained unlawfully. If the State Prosecution does not include a request for confiscation in the indictment, it loses the opportunity to address this matter before the court, since confiscation is not included as part of the charges. Such an approach not only weakens the effectiveness of criminal prosecution but also creates a real risk that property obtained through criminal activity will not be subjected to any measure, thereby reducing the overall effectiveness of anti-corruption efforts.

This issue is further compounded by the non-application of Law No. 06/L-087 on Expanded Competences for the Confiscation of Property. According to this law, once a defendant is convicted of a criminal offense, including corruption cases, the State Prosecution may file a request for property verification with the court that issued the judgment. This verification can be requested within a five-year period after the judgment becomes final, as stipulated by the Criminal Code of the Republic of Kosovo. In such proceedings, the burden of proof for the State Prosecution is to establish a reasonable suspicion, while the remainder of the proof rests with the defendant.

This law came into force in January 2019. To date, seven years after its entry into force, only nine (9) cases have been initiated under this law, and these were filed by only four prosecutors. The Basic Court in Peja holds the highest number of cases applying this law. Accordingly, there are four (4) first-instance prosecutors who have not applied this law in a single case.

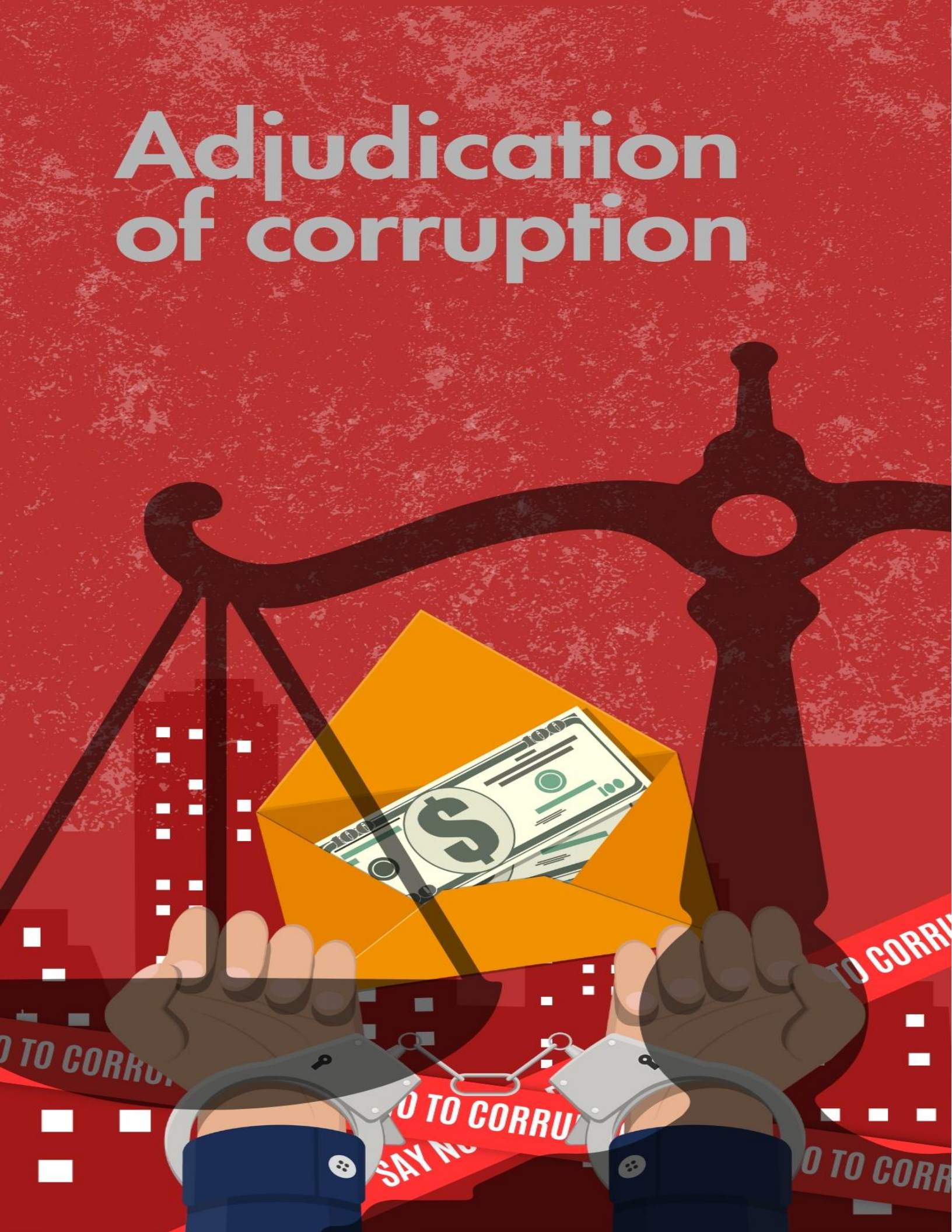
SPRK	2 cases
BP Pristina	**1 case**
BP Prizren	**1 case**
BP Peja	**5 cases**

Table 12. Implementation of the Law on Extended Powers of Confiscation

Thus, the failure to propose the confiscation of assets in the indictments filed, as well as the lack of implementation of the Law on Extended Powers for Confiscation of Assets, indicates a neglect in combating corruption through the confiscation of unlawfully acquired assets. Such an approach undermines the effectiveness of criminal prosecution and allows illicit gains to remain untouched.

Recognizing the crucial role that confiscation plays in the prevention and fight against criminality, particularly corruption in the field of public procurement, KLI calls on the justice system to shift its approach by increasing its focus on the confiscation of assets obtained through criminal offenses. This should be achieved both by incorporating requests for confiscation in submitted indictments and by ensuring full implementation of the Law on Extended Powers for Confiscation of Assets.

Adjudication of corruption



10. Adjudication of corruption cases in the first instance

Based on data from the judicial system[8], the courts have recorded progress in reducing the number of corruption cases. While at the beginning of 2024 the number of corruption cases stood at 251, by the end of the first nine months of 2025 this number had decreased to 176 cases. This reduction resulted from the fact that, in both periods, during 2024 and the first nine months of 2025, judges resolved more cases than they received.

TIMEFRAME	INHERITED	TË PRANUARA	RECEIVED	RESOLVED
2024	251 CASES	134 CASES	163 CASES	222 CASES
1 JANUARY – 30 SEPTEMBER 2025	222 CASES	91 CASES	108 CASES	176 CASES

Table 13. Caseload of first instance courts with corruption cases during 2024

Thus, KLI finds that during 2024-2025 marked progress has been achieved regarding the efficiency of handling corruption cases in the courts.

11. Backlog of active cases in the judiciary

The classification of corruption cases as matters of absolute priority has not been reflected in practice. Despite this formal designation, KLI identifies instances in which courts have failed to resolve such cases within the legally prescribed deadlines.

Beyond the statutory time limits, KLI's monitoring has revealed corruption cases that remain active in court even though the indictments were filed in 2017, approximately eight years ago. Likewise, there are five (5) additional cases still under trial where indictments were filed in 2018, meaning roughly seven (7) years have passed. According to KLI's monitoring, these cases continue to remain active and unresolved by the courts.

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[8] Written response from the Kosovo Judicial Council (7 November 2025, 10 November 2025)

Number of active cases during 2024/25 according to KLI monitoring	Yeat of indictment filed
1	2017
5	2018
1	2019
5	2020
5	2021
5	2022
3	2023
22	2024
13	2025

Table 14. Active corruption cases in courts by year of indictment

12. Adjudication of corruption cases in the second instance

The Court of Appeals has achieved near-complete efficiency in handling corruption cases. Progress is also evident in the number of cases resolved by this court. At the beginning of 2024, the Court of Appeals had 27 corruption cases. By resolving 80 cases while receiving 62 new cases, only nine (9) cases remained unresolved at the end of 2024. Similarly, during the first nine months of 2025, the Court of Appeals resolved a total of 22 corruption cases, the same number it received, leaving only nine (9) unresolved cases at the end of the reporting period.

TIMEFRAME	INHERITED	TË PRANUARA	RECEIVED	RESOLVED
2024	27 CASES	62 CASES	80 CASES	9 CASES

Table 15. Caseload of corruption cases at the Court of Appeals during 2024.

Regarding decision-making, the majority of rulings by the Court of Appeals uphold the judgments of the first-instance courts. In cases where the Court has modified only the sentence, there is a relative balance: in seven (7) cases the sentence was increased, while in five (5) cases it was reduced.

Despite this progress, the issue of remanding cases for retrial remains a challenge in the Court of Appeals' decision-making. Of the 80 corruption cases decided by the Court of Appeals in 2024, 10 were remanded for retrial. This represents 12.5% of corruption cases. During the first nine months of 2025, this percentage increased to 13.63%.

TIMEFRAME	INHERITED	TË PRANUARA	RECEIVED	RESOLVED
2024	64 CASES	1 CASE	5 CASES	10 CASES
1 JANUARY – 30 SEPTEMBER 2025	13 CASES	6 CASES	0 CASES	3 CASES

Table 16. Court of Appeals decisions in corruption cases during 2024

The retrial of cases poses a persistent challenge in the administration of corruption cases. Sending cases back for retrial delays the handling of corruption cases and placed additional burdens on the justice system. Retrials can be interpreted either as evasion of responsibility of the Court of Appeals judges regarding the merits of their decisions or as a failure by the first-instance court to prevent essential procedural violations, thereby compelling the Court of Appeals to annul the first-instance judgment.

13. Sentencing policy in corruption cases

One of the ongoing issues identified in the adjudication of corruption cases is the application of a lenient sentencing policy. The European Commission's 2025 report on Kosovo also emphasizes that a lenient sentencing approach remains a persistent challenge in the handling of corruption cases.[9]

[9] **European Commission Report on Kosovo, 2025**, p. 30. (See link: 127563ea-4c03-44a4-b56c-2d569afd86a5_en). (Last accessed on 28 November 2025).

To address sentencing policy, the Supreme Court has adopted a series of guidelines aimed at harmonizing sentencing practices and ensuring that court decisions regarding the type and severity of punishment are appropriate. In 2018, the Court adopted the **Sentencing Policy Guide in Kosovo**[10], in 2020, it adopted the Special Guideline on Imposing Fines as Criminal Sanctions; in 2021, it issued the Special Guideline on Official Corruption and Offenses Against Official Duties[11] and in 2024, it updated the Sentencing Assessment Guide.[12]

Despite the adoption of these guidelines, KLI reports have consistently highlighted their lack of implementation in practice.[13] The failure to apply these guidelines has exposed Kosovo to criticism for pursuing a lenient sentencing policy, a finding confirmed by the results of this report.

According to KJC statistics, in 2024, fines were the most frequently imposed sentences (29 individuals), followed by imprisonment (20 individuals) and suspended sentences (12 individuals). Expressed in percentages, only 32.7% of corruption cases resulted in imprisonment, while the remainder were fines (47.5%) or suspended sentences (19.6%).

Viti 2024						
Prison sentence	**Fines**	**Suspended sentence**	**Other sentences**	**Acquittals**	**Dismissed verdicts**	**Resolved otherwise**
13 cases	25 cases	9 cases	0	12 cases	2 cases	1 case
20 persons	29 persons	12 persons	0	17 persons	9 persons	4 persons

[10] "**Sentencing Policy Guide"**, Supreme Court of the Republic of Kosovo, Pristina, 2018. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/Udhezues%20per%20Politiken%20ndeshkimore_Shkurt%202018.pdf). (Last accessed on 28 November 2025

[11]Special Guideline: Official Corruption and Criminal Offenses Against Official Duty (Prishtina) 2021 (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/98248_UDHEZUESI%20PER%20VEPRAT%20E%20KORRUPSIONIT-10%20qershor%202021.pdf). (Last accessed November 28, 2025).

[12] General Guideline on Sentencing, 2nd Edition, (Prishtina) 2024 (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/337_Udhezuesi%20per%20matjen%20e%20denimit_Nentor%202024.pdf (Last accessed November 28, 2025).

[13]Shala,G. "Sentencing Policy in Kosovo". Kosovo Law Institute. Pristina, November 2019. (See link: "Politika-ndeshkimore-ALB-final-2.pdf); Krasniqi, Z. "Fines – Permission to carry weapons". Kosovo Law Institute. Pristina, February 2024. (See link: https://kli-ks.org/denimet-me-gjobe-lejeper-armembajtje/); Zekaj, E. "Non-Declaration of Assets: Crime on Paper, Offense in Practice." Kosovo Law Institute. Prishtina, December 2023. (See link: https://kli-ks.org/mos-deklarimi-i-pasurise-krim-ne-leter-kundervajtje-ne-praktike/); Krasniqi,Z./ Smajli,F. "Sentencing Policy in Special Crimes." Kosovo Law Institute. Prishtina, December 2024. (See link: https://kli-ks.org/politika-ndeshkimore-ne-krimet-speciale/).

Table 17. Sentencing Policy in Corruption Cases during 2024

On the other hand, according to statistics from the Kosovo Judicial Council (KJC), the sentencing policy remained even more lenient during the first nine months of 2025. Out of a total of 46 sentences, only five (5) were prison sentences, 11 were suspended sentences, and 30 were fines. In percentage terms, this means that in corruption cases, only 10.8% of sentences were prison sentences, 23.9% were suspended, and as many as 65.2% were fines. In other words, nearly two-thirds of all sentences imposed in corruption cases during the first nine months of 2025 were fines.

Year 2025						
Prison sentence	**Fine**	**Suspended sentence**	**Other sentences**	**Acquittals**	**Dismissed verdicts**	**Resolved otherwise**
5 cases	24 cases	11 cases	0	6 cases	1 case	0
5 persons	30 persons	11 persons	0	11 persons	1 person	0

Table 18. Sentencing Policy in Corruption Cases during 2025

Without entering into an assessment of the merits of judicial decisions in corruption cases, KLI emphasizes that it is clear that the sentencing policy applied by the courts in such cases does not send a clear message to individuals who might potentially commit similar offenses. The imposition of lenient sentences, as highlighted both by the European Commission Report and the findings of this report, is not aligned with Kosovo's needs in the fight against corruption. Such a sentencing approach fails to achieve the objectives of punishment, particularly in terms of deterring corrupt practices. Moreover, this lenient approach sends a negative signal to the public, fostering the perception that corruption goes unpunished.

Regarding sentencing policy, KLI has consistently raised concerns about the inadequate approach applied in these cases. Although there are ongoing convictions for corruption—even if not targeting high-profile individuals, the prevalence of corruption remains evident in Kosovo. Corruption cases, in addition to their high-risk nature, often involve significant aggravating circumstances, which in practice are frequently overlooked. The absence of adequate sentences undermines the full achievement of punishment objectives and contributes to fostering a culture of impunity, which further exacerbates this

phenomenon. For this reason, KLI calls on the Kosovo Judicial Council and the courts to go beyond merely adopting the sentencing guideline and to engage actively and proactively in its implementation in practice.

Application of Mitigating and Aggravating Circumstances and Implementation of the Supreme Court Sentencing Guideline

Failure to adhere to the Supreme Court Sentencing Guideline in corruption cases represents a fundamental problem in ensuring a consistent and fair criminal justice policy. It is crucial that courts accurately and thoroughly reference mitigating and aggravating circumstances, providing clear reasoning for each applied circumstance and clarifying the objectives achieved through its application.[14]

KLI analysed 30 judgments for the period 2024–2025 regarding the implementation of the Supreme Court Guideline on Sentencing. This analysis shows that in most cases, the courts identified mitigating and aggravating circumstances but did not provide detailed explanations or support them with concrete evidence from the case.

1. Application of mitigating and aggravating circumstances in the SCD during 2024

During the review of 13 judgments from the Serious Crimes Department for 2024, in three cases a double application of circumstances was observed. In addition to the admission of guilt, which the court treated as a mitigating circumstance, remorse and regret were also considered. The Supreme Court Guideline[15] clearly states that special care should be taken to avoid double counting of circumstances, as such a practice may result in a sentence that is lighter than merited or a harsher sentence when aggravating circumstances are double-counted.

Furthermore, the Supreme Court Guideline on Official Corruption Crimes stipulates that the admission of guilt should be given particular weight, depending on the procedural stage in which the defendant makes the admission. When the admission occurs in the early stages of proceedings, it contributes to streamlining

[14] Sentencing Policy Guideline." Supreme Court of the Republic of Kosovo. Pristina, 2018. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/Udhezues%20per%20Politiken%20ndeshkimore_Shkurt%202018.pdf). (Last accessed on 28 November 2025). pg.10.
[15] Ibid, 31

the judicial process and avoiding unnecessary costs, justifying a more significant reduction in the sentence. Conversely, an admission in the advanced stages, particularly after evidence has been presented, when the defendant is fully aware of the high likelihood of conviction, significantly reduces the mitigating effect of this circumstance.

In accordance with the Guideline, circumstances related to the personal aspects of the offender should carry minimal weight in sentencing and should not be equated with the weight of circumstances related to the damage caused and the offender's responsibility for the criminal act.[16]

Additionally, even in cases where the court considered the personal circumstances of the offender, it did not provide a detailed justification for why these circumstances were considered important, merely listing them as a mitigating factor.[17] This circumstance was applied to seven individuals in the judgments analysed.

Another circumstance frequently applied by the courts is the proper behaviour of the offender. This presents a fundamental confusion, as it should not be treated as a mitigating circumstance. The Supreme Court Guideline on Corruption Crimes clarifies that attendance in court, not disrupting order during proceedings, and treating others with minimal respect are basic obligations of every citizen and do not justify a reduction in the sentence.[18] Nevertheless, this circumstance was applied to six individuals in the judgments analysed for 2024

In the 2024 judgments, courts applied aggravating circumstances such as the degree of criminal responsibility, the motives behind the offense, the level of risk to the protected value, the context in which the offense was committed, the prior behaviour of the offender, as well as the offender's personal circumstances and

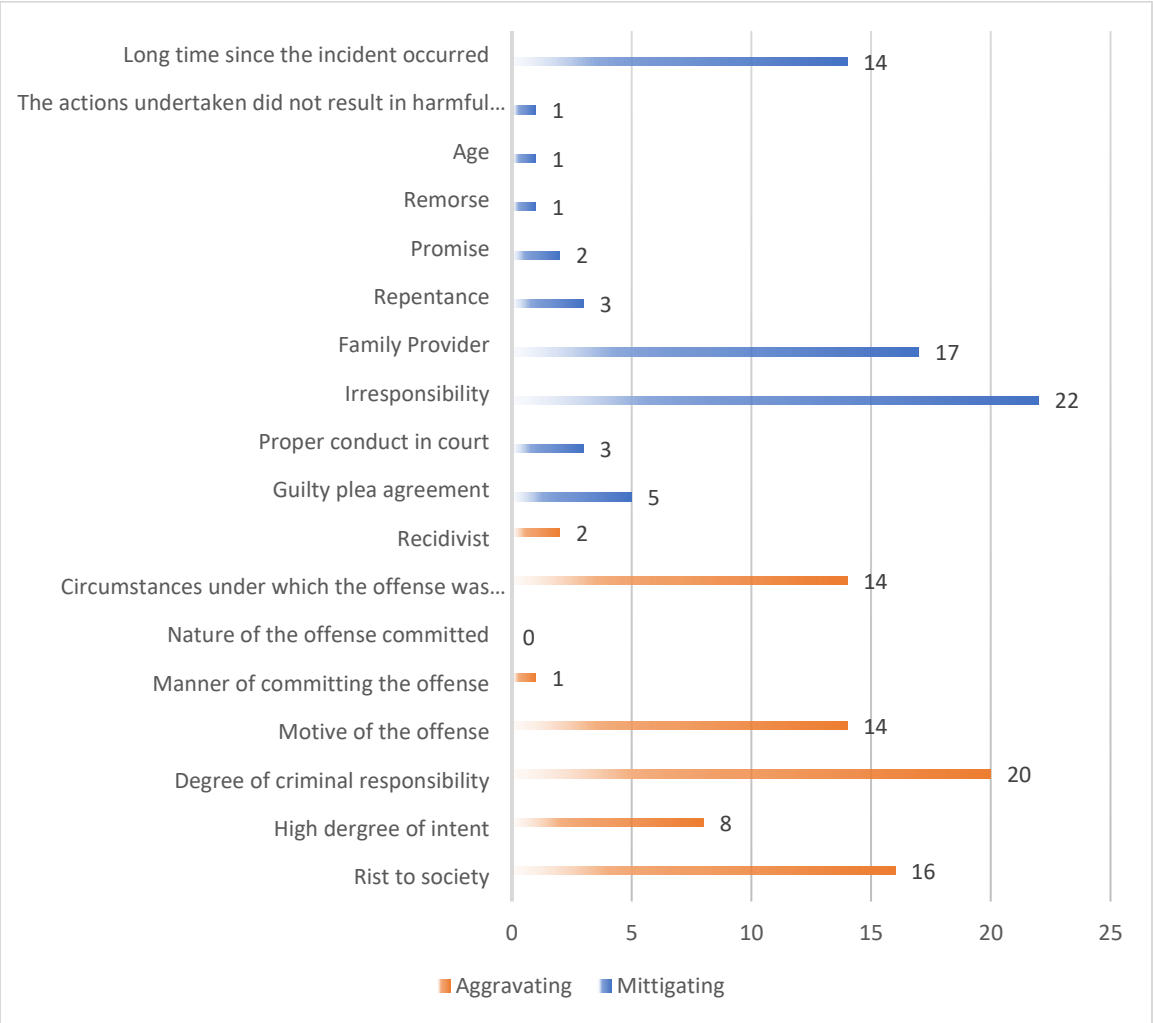
[16] Special Guideline: Official Corruption and Crimes Against Official Duty. Pristina, 2021. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/98248_UDHEZUESI%20PER%20VEPRAT%20E%20KORRUPSIONIT-10%20qershor%202021.pdf). (Last accessed 28 November 2025). pg.42.

[17] Sentencing Policy Guideline". Supreme Court of the Republic of Kosovo. Pristina 2018.(See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/Udhezues%20per%20Politiken%20ndeshkimore_Shkurt%202018.pdf). (Last accessed 28 November 2025). pg.10.

[18] Special Guideline: Official Corruption and Criminal Offenses Against Official Duty." Prishtina, 2021. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/98248_UDHEZUESI%20PER%20VEPRAT%20E%20KORRUPSIONIT-10%20qershor%202021.pdf). (Last access 28 November 2025). pg.44.

conduct following the offense. These represent the guiding principles for the application of aggravating factors.[19]

However, in practice, courts did not properly apply these aggravating circumstances. In most cases, they merely referenced the general principles that should guide their application, without providing a substantive assessment of how each circumstance influenced the sentence.



Graph 1. Mitigating and Aggravating circumstances during 2024

[19] Sentencing Policy Guideline". Supreme Court of the Republic of Kosovo. Pristina 2018. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/Udhezues%20per%20Politiken%20ndeshkimore_Shkurt%202018.pdf). (Last access 28 November 2025). pg.38.

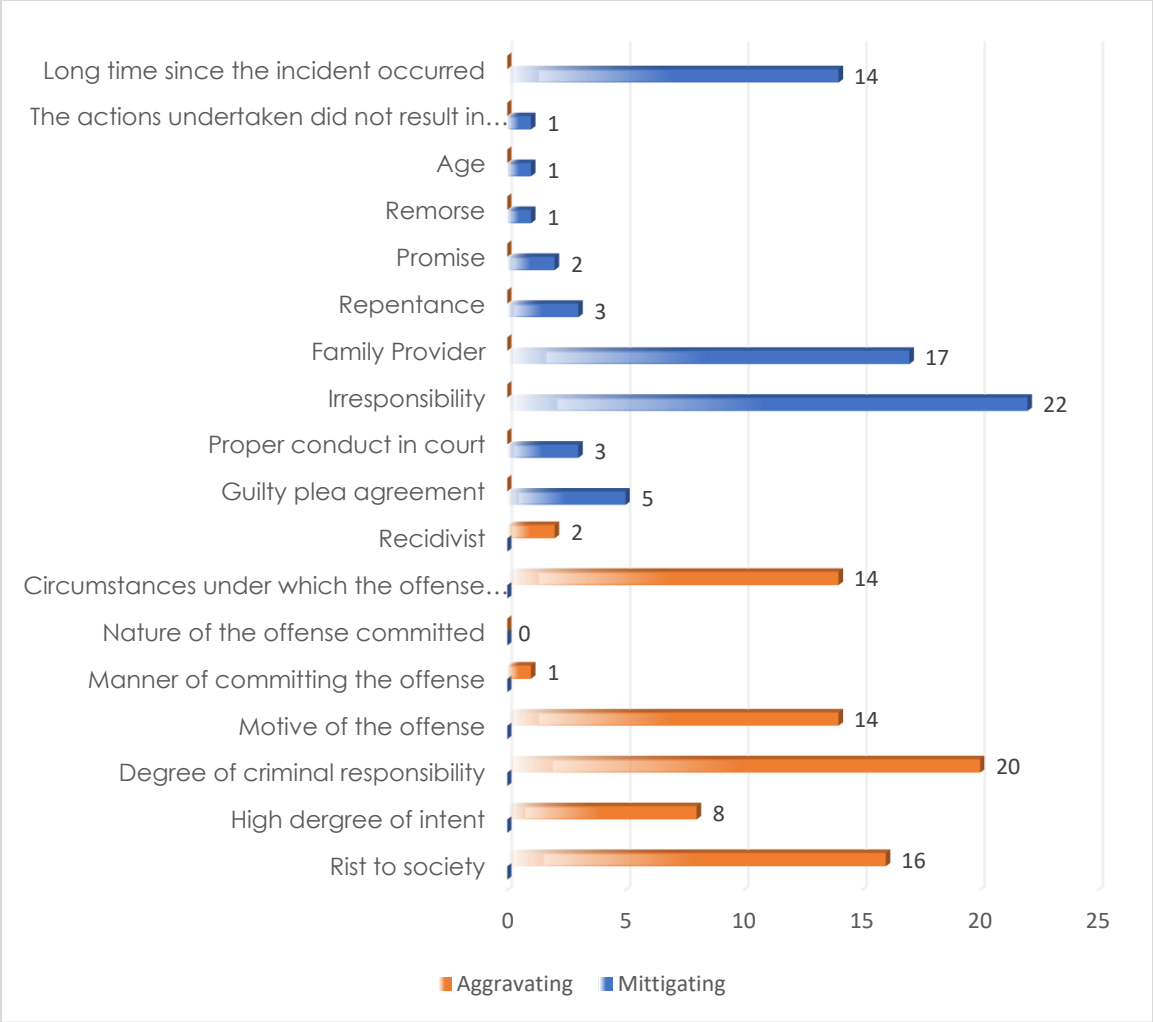
2. Application of Mitigating and Aggravating circumstances in SCD during 2025

In analysing 13 judgments of the Department for Serious Crimes during 2025, a situation similar to that of the previous year was observed. KLI identified two cases in which two offenders were subject to a double application of mitigating circumstances. Although the defendants had reached plea agreements, the court, in addition to treating the agreement as a mitigating circumstance, also separately considered remorse and regret. However, according to the Supreme Court's Sentencing Guidelines[20], a guilty plea inherently implies an expression of remorse and regret for the commission of the crime and, as such, these cannot be applied as separate mitigating circumstances. Consequently, their individual inclusion constitutes a double counting of mitigating circumstances, which is inconsistent with the standards established by the Supreme Court.

The same issue arises regarding the application of proper behaviour in court. As noted earlier, correct conduct before the court represents a legal obligation rather than a discretionary act and, therefore, cannot be considered a mitigating circumstance in determining the type and severity of the sentence.

In the judgments analysed for 2025, two cases were also identified in which the offenders were repeat offenders. In one case, the offender had previously been convicted twice for other criminal offenses, while in the current case they were sentenced to a fine of 2,000 euros.[21] In the other case, the defendant had a prior conviction for another criminal offense and was sentenced to a fine of 1,500 euros in the current matter.[22]

[20] General Sentencing Guidelines, 2nd Edition. Pristina 2024. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/337_Udhezuesi%20per%20matjen%20e%20denimit_Nentor%202024.pdf (Last accessed 28 November 2025). pg.87.
[21] Judgment PKR.nr.17/25
[22] Judgment PKR.nr.68/24



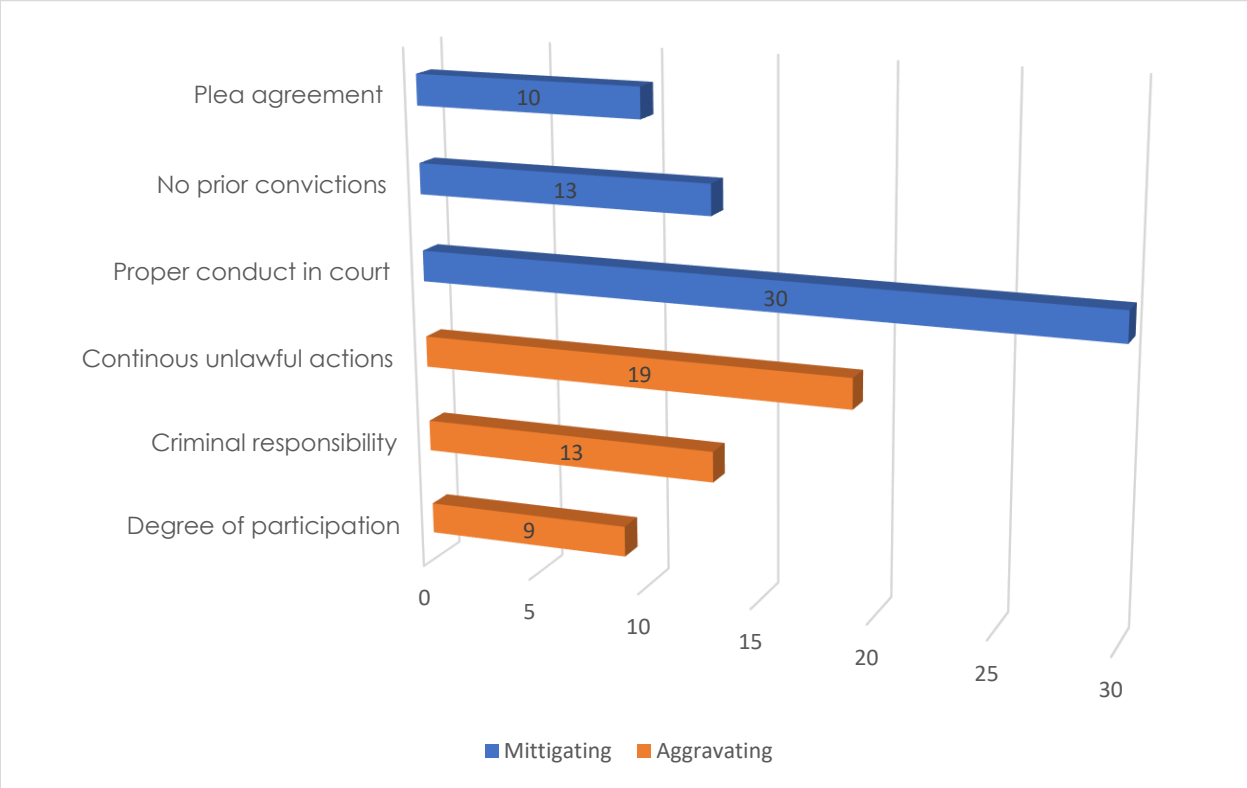
Graph 2. Mitigating and Aggravating circumstances during 2025

Regarding the application of aggravating circumstances, the majority of the judgments analysed for 2025 exhibit the same trend: only the general principles on which the application of aggravating circumstances should be based were mentioned, without any detailed elaboration of these circumstances.

3. Application of Mitigating and Aggravating Circumstances in the Special Department for the 2024/25 Period

With regard to the analysis of the application of mitigating and aggravating circumstances in the Special Department of the Basic Court in Prishtina, a total of four judgments were reviewed. Concerning the application of mitigating circumstances, the court, in three cases involving 30 perpetrators, applied the

circumstance of proper conduct during the trial. However, as noted above, proper conduct in court should not be considered a mitigating circumstance.[23]



Graph 3. Mitigating and Aggravating circumstances during 2024/25

Similarly, this Department has applied aggravating circumstances in an almost identical manner, where in the majority of cases only the general principles were mentioned. Among other factors, the court considered the degree of criminal responsibility as an aggravating circumstance, even though this is provided as a general principle on the basis of which the application of aggravating circumstances[24], should be considered. These rules are also stipulated in the Criminal Code No. 06/L-074 of the Republic of Kosovo.[25]

[23] Special Guideline: Official Corruption and Criminal Offenses Against Official Duty. Pristina 2021. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/98248_UDHEZUESI%20PER%20VEPRAT%20E%20KORRUPSIONIT-10%20qershor%202021.pdf). (Last accessed 28 November 2025). pg.44.

[24] Sentencing Policy Guideline". Supreme Court of the Republic of Kosovo. Pristina 2018. (See link: https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/Udhezues%20per%20Politiken%20ndeshkimore_Shkurt%202018.pdf). (Last accessed 28 November 2025). pg.38.

[25] Criminal Code of the Republic of Kosovo No. 06/L-074, article 69.3

Overall, the analysis of the judgments shows that the application of mitigating circumstances has predominated over aggravating circumstances, reflecting a softer approach in the individualization of sentences.

14. Non-Application of Supplementary Penalties

Supplementary penalties should be one of the main tools of the judiciary for an effective fight against corruption. Unfortunately, these penalties continue to not be applied to corruption offenses, even though, according to the applicable legislation, their application is mandatory and non-discretionary.[26]

However, in practice, based on the analysis of 40 published sentencing judgments in 2024 and 48 published sentencing judgments in 2025, KLI finds that the courts have not imposed the supplementary penalty "Prohibition from holding positions in public administration or public service" in even half of the cases. Of the 40 convicted individuals in 2024, whose judgments were analysed for the purposes of this report, KLI finds that supplementary penalties were imposed on 19 of them. Expressed as a percentage, supplementary penalties were applied in 47.5% of the cases, while they were not applied in 52.5% of the cases.

The number and percentage of these supplementary penalties further declined in the first nine months of 2025. Among the 77 convicted individuals whose judgments were analysed for this report, the supplementary penalty "Prohibition from holding positions in public administration or public service" was applied in only 9 cases. This means that courts imposed supplementary penalties in only 11.69% of cases, while they failed to apply them in 88.31% of cases

Non-application of supplementary penalties		
Year	Convicted persons	Supplementary penalty
2024	40	19

[26] Criminal Code of the Republic of Kosovo No. 06/L-074, article 62.3.; Official Corruption and Criminal Offenses Against Official Duty. Pristina 2021. (See link:https://supreme.gjyqesori-rks.org/wp-content/uploads/legalOpinions/98248_UDHEZUESI%20PER%20VEPRAT%20E%20KORRUPSIONIT-10%20qershor%202021.pdf). (Last accessed 28 November 2025). f.50.

2025	77	9

Table 19. Comparison of the imposition of supplementary penalties by Basic Courts in 2024 and 2025.

KLI has consistently urged, through its annual court monitoring reports, that courts impose supplementary penalties in corruption cases. Unfortunately, this negative practice has persisted, with courts failing to apply these penalties and, in doing so, neglecting their obligations under the Criminal Code.[27]

The failure to impose such penalties, which would prohibit perpetrators from holding positions in public administration, severely undermines public trust both in the judiciary and in public administration. Perpetrators of these criminal acts, after serving their sentences, may return to occupy public functions, thereby compromising accountability. Above all, this practice reflects a clear non-compliance with the law on the part of the courts.

15. Statute of limitations in corruption cases

During monitoring, KLI identified a corruption case that reached the statute of limitations in 2025. The indictment in this case had been filed in June 2020, but the court failed to bring the case to a conclusion for several years, until the statutory period expired. Although the statute of limitations technically expired in 2024, the determination of its expiration was only officially recognized in March 2025.

This case involved the criminal offense of bribery. The accused in this particular instance also held the status of a cooperating witness, and for this reason, the case against them reached the statute of limitations. However, the indictment continues to be processed with respect to another accused person charged with receiving a bribe.[28]

[27] Criminal Code of the Republic of Kosovo No. 06/L-074, Article 62.3.
[28] I parashkruhet vepra të akuzuarit për dhënie ryshfeti, Gjykata merr aktgjykim refuzues ndaj tij - Betimi për Drejtësi