

JUDICIAL REFORM

Achievements, Challenges
and the Way Forward

June 2024





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INTRODUCTION

In March 2024, it has been three years since the Vetëvendosje Movement, led by Prime Minister Albin Kurti, took office in the Government. This party, in coalition with the Guxo List, led by President Vjosa Osmani, had run under the "jobs and justice" election platform.

The Kurti 2 Government intended to continue the reforms started during the Kurti 1 Government. Therefore, the reform in justice was a continuation not only of that government, but also of the reforms that had been started in this sector by other governments.

The need to continue reforming the justice sector was also imposed by the weak performance of this sector. Likewise, the European Union (EU), in the annual report for 2020, called directly on the Government to continue addressing the deficiencies in the justice sector identified during the process of the Functional Review of the Rule of Law Sector.¹ The main expectations of the EU were to improve the capacity of judges, prosecutors and support staff, as well as improve the administration of justice, through the full functionalization of electronic systems which enable random allocation of cases and genuine generation of statistics. In addition to these, the Government was also expected to complete the Functional Review of the Rule of Law Sector and draft a Strategy on Rule of Law that would aim to strengthen the independence, impartiality, integrity, accountability and overall capacity of the judicial and prosecutorial system, with a specific focus on the fight against corruption and organized crime. Also, step up efforts to reduce the backlog of cases, using alternative dispute resolution tools and in particular mediation.²

In order to achieve these goals, in 2021, the new Government completed the Functional Review of the Rule of Law Sector, a process that had begun in March 2018. Based

on the findings, the Strategy on Rule of Law and the Action Plan 2021-2026 were drawn up.³ This Strategy listed four main objectives, 1) Strengthening the judicial and prosecutorial system; 2) Strengthening criminal justice; 3) Strengthening access to justice (5.3); and 4) Strengthening the fight against corruption.

In order to achieve these objectives, the Government in power, specifically the Ministry of Justice, would start a series of legal initiatives that included new draft laws and amendments to existing laws in force. The three main proposals were: a new vetting process in the justice sector, the creation of a State Bureau for Verification and Confiscation of Unjustified Assets, and reform of the Prosecutorial Council. Apart from those, changes were also proposed in other aspects aimed at reforms in justice and strengthening the rule of law. Such changes included the Law on the State Prosecutor and the Special Prosecution, the amendments in the Criminal Code and Criminal Procedure Code, the Law on Judicial Experts, the Law on Administrative Conflicts, the Civil Code, etc. In general, the reform includes a wide range of new laws and draft laws as well as supplements and amendments to existing laws, with a total of over 40 draft laws initiated, including international agreements.

This report deals extensively with the main justice reform initiatives, specifically vetting in the justice sector, the State Bureau and the reforms in the Prosecutorial Council, as initiatives that have produced the greatest political and social debates. The report also highlights the challenges and confrontations between the central actors of the Justice Reform process.

1 European Commission Country Report 2020 for Kosovo, p. 18, at https://neighbourhood-enlargement.ec.europa.eu/document/download/70ed56d2-f760-4aae-b68c-9fd8680e2466_en?filename=kosovo_report_2020.pdf

2 Ibid.

3 See "STRATEGY ON RULE OF LAW 2021-2026", at <https://md.rks-gov.net/desk/inc/media/6DC1CBD5-0DF1-46AE-9D1A-78C96146C7D0.pdf>

VETTING IN JUSTICE: CONDITIONED BY CONSTITUTIONAL AMENDMENTS IN THE ASSEMBLY

In the pre-election political program, LVV had listed the vetting in justice for the highest hierarchical levels of the justice system and not only, as a means to ensure an independent, impartial judiciary, with integrity and efficiency. Through this process, the aim would be to achieve judicial and prosecutorial integrity and to restore citizens' trust in justice institutions. Given the importance of the councils, the process of vetting would be initiated by the Judicial and Prosecutorial Councils.⁴ After the elections of 14 February 2021, LVV would lead with the Government, while Albulena Haxhiu was appointed to the post of minister, who had emphasized that as soon as the Government's program would be voted, they would start working on the issue of vetting in justice, which, according to her, had been suspended⁵ during the short governing coalition between LVV and LDK, in the period February-March 2020.

About two months after the Government took office, work began on 6 May 2021 to concretize the process of vetting in justice, with the establishment of the Working Group within the Ministry of Justice. This group, composed of representatives of the Ministry of Justice, KJC, KPC, other justice institutions, civil society organizations and experts, was mandated to draft the concept document for vetting in justice within a period of 4 months.⁶

The first workshop of the working group for drafting the concept document was held on 2 June, during which the first draft was completed and it was planned to be approved by the Government as a legislative initiative at the end of August.

However, the concept document was sent and approved to the Government with a delay of 1 month, on 13 October, while in the content there were five options for the conduct of vetting.

The Working Group had recommended pursuing option five, which proposed the establishment of the vetting mechanism as an external and independent body. The vetting would be conducted by three decision-making bodies for judges and two decision-making bodies for prosecutors. Whereas, all judges, prosecutors, officials in senior management positions within the prosecutorial and judicial system would be subject to vetting. The vetting would verify the personal integrity of the subjects, their professional and performance evaluation as well as the control of assets.⁷

However, the implementation of such an option would require the amendment of the Constitution and the drafting of a Law on Vetting. Thus, on 3 November 2021, the working group for the drafting and finalization of the legislation for the process of vetting in the justice system began its work. On 14 December, this group also held a workshop for this purpose, while in a conference held at the end of 2021, Minister Haxhiu had stated that the constitutional amendments and the Draft Law on vetting had already been drawn up. And that they were in constant communication with the Venice Commission regarding the opinion in relation to the vetting process in the country.⁸

This opinion from the Venice Commission was published after 6 months, specifically on 20 June 2022.⁹ In its opinion, the Venice Commission argued that in Kosovo there is a

presence of corruption and a lack of accountability, forcing immediate reforms to restore public confidence and ensure the integrity of the justice system. Regarding the options proposed by the Government, the Commission emphasized the importance of distinguishing between legal changes and constitutional amendments in the context of vetting. While legal changes could improve existing disciplinary mechanisms and strengthen integrity checks, constitutional amendments should be limited to integrity checks for top judicial officials only, while also noting the importance of ensuring that any vetting measure adopted in Kosovo respects constitutional rights, including the right to a fair trial and proceedings. Further on, the Venice Commission underlined the importance of engaging all stakeholders, including the Ministry of Justice, Judicial and Prosecutorial Councils, civil society and academics, in the vetting process. This is because stakeholder participation was considered important to ensure the legitimacy and efficiency of reform efforts.¹⁰

After this Venice Commission's Opinion, KJC and KPC spoke against the conduct of vetting with constitutional amendments and warned of a boycott of working groups aiming this version of vetting. They had declared in favour of justice reforms, but with legal changes and changes in the internal mechanisms of the functioning of the Councils.¹¹ This is what happened, while the Ministry decided to continue with Constitutional amendments for the implementation of vetting in justice.

Based on the recommendations of the Venice Commission, the Government decided to proceed with the option of constitutional amendments for the implementation of vetting only for the heads of the justice system. This option is more limited than what was originally thought, which included all justice officials.

On 4 September 2022, the Prime Minister and the Minister of Justice submitted to the Assembly the so-called Vetting File, which consisted of a concept document, draft amendments and the draft law on Vetting. For the examination of this documentation, the Assembly, on 9 December 2022, created an Ad-Hoc Committee which would be chaired by the opposition, specifically by LDK. This action was an attempt

to ensure consensus with the opposition, considering that in addition to the KPC and the KJC, the opposition parties had also opposed the Government's vetting model. Being aware that the amendment of the Constitution would require 2/3 of the votes of all MPs, including 2/3 of the votes of non-majority communities, reaching a broad political consensus was inevitable and necessary. The support of the parties of the non-majority communities was the main challenge in the approval of the constitutional amendments in the Assembly, since the Serbian List had been boycotting the proceedings of the Assembly for months.

After two months, the Ad-Hoc Committee had finalized the draft amendments and they were voted unanimously on 23 February 2023. According to the standard procedure, they were sent to the Constitutional Court by the Speaker of the Assembly on 2 March 2023. Although the process of the examination in the committee was followed by a constructive atmosphere and general agreement on the content, the opposition parties, specifically PDK, sent comments on the draft amendments to the Constitutional Court. Despite this, all the opposition parties had publicly expressed their commitment that if the amendments pass at the Constitutional Court, the opposition would vote in the Assembly.¹²

On 22 December of the same year, the Court published the decision which found minor remarks about the content and they should be addressed, thus giving the green light to the amendment of the Constitution for the implementation of vetting. Although the amendments were proceeded in the session of the Assembly on 15 February 2024, where 87 MPs were present and they expressed their willingness to support the amendments, there was not enough quorum for voting. This is because the presence and vote of 14 MPs from the non-majority communities was also needed, while in the session in question there were only eight.¹³ It is not clear why the Government proceeded with the amendments in the session, considering the situation with the boycott of the Assembly by the Serbian List. It also remains unclear what the Government's plan is to secure the votes of this parliamentary party. What is clear is that without a change in the current situation in the Assembly, where the boycott by the Serbian List continues, the approval of the amendments for vetting in justice is impossible.

4 See the political program of the LVV 2021-2025 at <https://www.vetevendosje.org/wp-content/uploads/2021/02/Programi-2021-LV.pdf>

5 Ministry of Justice, "Minister Haxhiu takes office: We will start the work we left here", 23 March 2021 at <https://md.rks-gov.net/page.aspx?id=1,15,2408>

6 Ibid.

7 Ibid.

8 Ibid.

9 See all Opinions about Kosovo on the official website of the Venice Commission at <https://www.venice.coe.int/webforms/documents/?country=243&year=all>

10 Ibid., Opinion on the concept document for Vetting, at [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2022\)011-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2022)011-e)

11 See the reaction of the KJC dated 27 July 2022, at <https://www.gjyqesori-rks.org/2022/07/29/qendrimii-i-keshillit-keshillit-te-kosoves-pas-opinionit-te-komisionit-te-venecias-per-ceshtjen-e-vetingut/>

12 See the statements of the parliamentary parties on Vetting in the KDI video documentary "Vetting in Justice", published on 21 December 2023 at <https://www.youtube.com/watch?v=uuYtjus9WUDU&t=136s>

13 See the session of 15 February 2023, where the constitutional amendments for vetting were discussed, at https://www.kuvendikosoves.org/Uploads/Data/SessionFiles/2024_02_15_ts_Seanca_ora10.00_WrunHy3aUW.pdf



PROGRESS OF VETTING IN JUSTICE

6 May 2021	2 June 2021	13 October 2021	3 November 2021	10 February 2022	18 May 2022	6 June 2022			4 September 2022	9 December 2022	23 February 2023	2 March 2023	22 December 2023	2 February 2024	15 March 2024
A Working Group is established in the MoJ for the drafting of the concept document for Vetting in Justice	The draft document is finalized by the MoJ Working Group	The concept document is approved in the Government	The Working Group of the MoJ for the drafting of constitutional amendments and the Draft Law on Vetting begins its work	The MoJ sends the draft amendments to the Venice Commission for consultation	The MoJ resends the draft amendments to the Venice Commission with some changes	The Venice Commission publishes the Opinion on the draft amendment			The Prime Minister and the Minister of Justice submit the so-called Vetting File to the Assembly of Kosovo	An Ad-Hoc Committee is established in the Assembly for the review of draft amendments and the Draft Law on Vetting	The Ad-Hoc Committee approves the draft amendments	The Speaker of the Assembly proceeds the amendments to the Constitutional Court for evaluation	The Court publishes the Judgment which paves the way for the approval of the amendments in the Assembly after addressing the remark	The Legislation Committee approves the draft amendments with changes	Amendments are proceeded in the session for voting. There is no quorum.
✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✗



REFORM IN THE PROSECUTORIAL COUNCIL: DISAGREEMENTS ABOUT THE NEW COMPOSITION

In addition to vetting, in August 2021 the Government started initiatives for reforms in the Prosecutorial Council.¹⁴ For this purpose, a Working Group was established in the Ministry of Justice to draft the amendments and supplements to the Law on the Kosovo Prosecutorial Council. The first meeting of this group, held on 25 October 2021, was boycotted by the representatives of the KPC who, before leaving the meeting, read a joint statement of the KPC and of the State Prosecutor, in which the cooperation of the KPC with the Ministry of Justice was conditioned. This action exposed the deep disagreements between the institutions regarding the reforms in the KPC. On the other hand, a better coordination seems to be with the Judicial Council, and on 18 February 2022, the Ministry of Justice, the KJC and the Supreme Court signed a Joint Declaration of Commitment through which the KJC and the Supreme Court pledged to contribute substantially to the process of reforms in the Judiciary by providing continuous professional contribution through competent representatives.¹⁵

Despite the disagreements with the KPC, but not only with them, since the opposition parties were also opposing the proposals for the changes in the KPC, the MoJ finalized the amendments to the Law and sent them for Opinion to the Venice Commission in October 2021. On 13 December 2021, the Venice Commission published the Opinion through which it argued that the initiated reform should guarantee balance within the KPC. While it was intended to address the issue of corporatism within the KPC by

reducing the number of prosecutorial members and increasing the share of non-prosecutor members in the KPC, this was to prevent the KPC from being subservient to the government majority on which the selection of non-prosecution members would depend. Furthermore, the Venice Commission emphasized the importance of clarifying the procedure for the selection of non-prosecutor members by a parliamentary committee to prevent manipulations. In this regard, the Venice Commission proposed alternative models, a proportional voting system, or appointments from independent institutions, to ensure a pluralistic composition of the KPC.

Regarding the termination of the mandates of the KPC by means of amendments and supplements to the Law, the Venice Commission pointed out that this posed a risk to the independence of the KPC. Such a thing had to be reviewed or better justified.¹⁶

After the Opinion of the Venice Commission, the MoJ proceeded to amend the Law for approval by the Government on 9 March 2022. According to the MoJ, the amendments and supplements were in line with what the Venice Commission had recommended. Thus, the reform provided for the reduction of the members of the KPC from 13 to 7 members, with the inclusion of 3 non-prosecutor members, where 2 would be elected by the Assembly of Kosovo and 1 would be delegated by the Ombudsperson, as well as other issues that had to do with transparent, competitive and merit-based recruitment.

The draft law was proceeded to the Assembly and was approved in the first reading on 14 April 2022, and about two months later, on 23 June, the draft law was approved in the second reading. It was not long before the two opposition parties, PDK and LDK, sent the Law to the Constitutional Court for evaluation in two separate cases.¹⁷

The Law on the KPC was declared invalid by the Constitutional Court in the judgment published on 5 April 2023, almost one year 1 after the request for evaluation.¹⁸ This decision caused a wide debate, especially due to the fact that the draft of the Draft Law was previously consulted with the Venice Commission. The court, in its reasoning, argued that some specific provisions of the contested law were considered incompatible with some articles of the Constitution. These claims focused on violations of constitutional principles regarding the separation of powers, the role and powers of the Ombudsperson, the independence of the KPC, the right to legal remedies, judicial protection of rights and equality before the law. Thus, the identified provisions of the law that were contrary to the Constitution rendered the law in its entirety completely invalid. This claim was based on the principle that partial invalidation would make the law difficult to be enforced effectively.

After the judgment, the MoJ began work to draft a new version of the Draft Law based on the Court's observations.

On 9 June 2023, the Working Group which would work on the new content of the Draft Law started its work. This version of the Draft Law was presented at the Government meeting on 12 July 2023. The new version proposed two points: a) The permanent composition of 7 members in the KPC (3 prosecutors, the Chief State Prosecutor and 3 non-prosecutor members) which would become effective as of January 2026, and b) The temporary composition/increase in the number of the members of the KPC from 13 members as provided by the law at present - to 19 members by January 2026, in order to ensure the balance of the composition until that time, and by the time the mandates

of the current members of the KPC expire, as well as some other elements related to additional criteria for members of the KPC, monitoring by civil society, the right to appeal the appointment of prosecutors to the Supreme Court, and measures against conflict of interest that were considered important for integrity and transparency in KPC.

After the distribution of the Draft Law in the Assembly, in August 2023, the Speaker turned to the Venice Commission for consultations. The opinion that came from the Venice Commission in December of the same year did not consider some of the Government's proposals in the new version of the Draft Law on the KPC to be appropriate. Regarding the temporary composition of the KPC with non-prosecutor members, the Venice Commission expressed concerns that this could increase politicization and undermine the stability and independence of the KPC. It also emphasized the possibility of politicization of the KPC, especially with the non-prosecutor members who would be elected by a simple majority of the Assembly, which could imply political influences and blockages in decision-making within the KPC.

After the opinion of the Venice Commission, the Ministry of Justice decided to return to the original position regarding the composition of the KPC of 7 members. Thus, a version of the previous draft law with the transitional composition has not yet been changed. It has been sent to the Assembly and passed the first reading, while the changes are planned to be made before the second reading. They are being prepared by the working groups created under the Joint Declaration of Commitment, which is dealt with in the following chapters. However, regarding the new composition of the KPC proposed in the new Draft Law, such a thing will be able to be implemented in practice from 2026 onwards, when the mandates of the current members of the KPC begin to expire.

14 Ministry of Justice, News, 24 August 2021.

15 Ibid., "Declaration of Commitment MoJ-KJC-SC signed", 18 February 2022.

16 See the Venice Commission's Opinion on amendments and supplements to the Law on the KPC dated 13 December 2021, at [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2021\)051-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2021)051-e)

17 Koha Net, "PDK and LDK send the Law on the KPC to the Constitution", 1 July 2022, at <https://www.koha.net/lajmet-e-mbremjes-ktv/332907/pdk-ja-e-ldk-ja-cojne-ne-kushtetuese-ligjin-per-kpk-ne/>

18 Judgment of the Constitutional Court on the Law on the Prosecutorial Council, 5 April 2023, at https://gjk-ks.org/wp-content/uploads/2023/04/ko_100_101_22_agj_shq.pdf



PROGRESS OF THE DRAFT LAW ON PROSECUTORIAL COUNCIL

25 October 2021	26 October 2021	13 December 2021	22 February 2022	9 March 2022	22 March 2022	14 April 2022	23 June 2022	July 2022	5 April 2023	9 June 2023	12 July 2023	30 July 2023	18 December 2023	7 March 2024	X
The Working Group for drafting supplements and amendments to the Law on the KPC begins its work	The Ministry of Justice sends the Draft Law for opinion to the Venice Commission	The Venice Commission publishes the Opinion on the Draft Law	The government amends the Draft Law and turns it again to the Venice Commission for an Opinion	The draft law is approved by the Government	The Venice Commission publishes its Opinion on the revised Draft Law	The draft law is approved in the Assembly in the first reading	The draft law is approved in the Assembly in the second reading	LDK and PDK separately send the Law on the KPC to the Constitutional Court for evaluation	The Constitutional Court publishes the judgment declaring the Law invalid.	The Working Group begins its work to draft a new version of the Law	The new version of the Draft Law is approved by the Government	After the distribution of the Draft Law in the Assembly, the Speaker of the Assembly sends it to the Venice Commission for consultation.	The Venice Commission publishes the Opinion on the new version of the Draft Law	The new version of the Draft Law is approved in the Assembly in the first reading.	Approval of the Draft Law in the Assembly in the second reading.
√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	X



THE LONG JOURNEY TOWARDS CIVIL CONFISCATION OF UNJUSTIFIED ASSETS

The Draft Law on the establishment of the State Bureau for the Verification and Confiscation of Unjustified Assets was approved by the Government in December 2021. This Draft Law focused on the assessment of the assets of public officials in relation to their incomes.

According to the Ministry of Justice, with the approval of this Draft Law, the legislation focusing on the fight against organized crime and corruption, namely the confiscation of assets that cannot be justified, would be completed.¹⁹

This proposal was followed by an extensive political and social debate, which revolved around three main arguments. The creation of a Bureau was seen by supporters as a good step in addressing unjustified assets. While from the opponents, the Bureau was seen as a tool of the people in power to target certain persons in the opposition parties who owned great assets. However, from the perspective of some law practitioners, this draft law, that would enable civil confiscation, unlike the criminal one in force, could be contrary to human rights. In addition, the criticism was also about the composition and operation of the Bureau in the manner as envisaged by the proposed Draft Law.

On 24 February 2022, this Draft Law was proceeded for voting in the Assembly session. But since it was opposed by the opposition as unconstitutional, in the same session, with 79 votes "in favour", it was decided to suspend

the deadlines set by the Regulation and to be sent for an opinion to the Venice Commission by the Speaker of the Assembly.²⁰ The latter fulfilled this promise on 4 March.

In the opinion published a few months later, on 20 June 2022, the Venice Commission raised concerns regarding the lack of clarity of the draft law regarding its main goals and the necessity of the proposed legislation. In this regard, the Venice Commission questioned whether the creation of a new body like the Bureau would really improve the fight against corruption, in the form proposed in the Draft Law, without clear guarantees for its independence and adequate resources to fulfil its mandate effectively. Furthermore, the draft law's vagueness about the initiation of verification procedures raised questions about when and how investigations would be initiated, potentially leading to arbitrary practices and human rights violations. Furthermore, the Venice Commission emphasized the need for clearer provisions to protect the rights of individuals under investigation, including by ensuring transparent communication of decisions and safeguards against self-incrimination.²¹

Regardless of the opinion of the Venice Commission, the ruling coalition decided to continue with voting the Draft Law in the first reading. Thus, on 14 July, the draft law was proceeded in the session and was approved. It was supported only by the MPs of the governing coalition with 53 votes "in favour" and 3 abstentions. The draft law was opposed by the opposition parties on the arguments that its

content was unconstitutional and that this was confirmed by the Venice Commission's Opinion. The Speaker of the Assembly, Glauk Konjufca, abstained during the vote, because, according to him, Venice Commission's remarks had not been addressed yet.²²

A few months after the vote, in November 2022, a new version of the Draft Law was again sent for Opinion to the Venice Commission, again by the Speaker of the Assembly, Glauk Konjufca.

The second opinion differed greatly from the first opinion. The working group of the Assembly, in cooperation with the Ministry of Justice, had largely addressed the concerns raised by the Venice Commission in the first opinion, thus modifying the content of the Draft Law.

Thus, in the second opinion published on 19 December 2022, the Venice Commission offered a detailed analysis of the revisions made to the initial draft of the Draft Law. It appreciated significant improvements in the second version, particularly in addressing human rights concerns and clarifying procedural aspects. However, the opinion also identified areas requiring further attention, such as the need for clearer definitions of unjustified assets and the establishment of a defined standard of proof for initiating proceedings. Despite these remaining challenges, the Venice Commission expressed its satisfaction with the progress made and reaffirmed its commitment to support the Kosovo authorities in the further refinement of the Draft Law.²³

Seven months after its first reading, on 9 February 2023, the Draft Law on the State Bureau was approved in the Assembly in the second reading. This time, the Draft Law was also supported by the opposition party, LDK, which argued its vote in favour by the fact that its content was positively evaluated in the second opinion of the Venice Commission.²⁴

Meanwhile, it was opposed by the other opposition party, PDK, which, a few days after its approval in the Assembly, sent the Draft Law in question to the Constitutional Court for evaluation.²⁵ The latter, even more than 1 year later, has not come out with a judgment related to this case.

In the meantime, alongside the Draft Law on State Bureau, in October 2022, the Ministry also initiated amendments to Law No. 05/L-049 on the Management of Sequestered and Confiscated Assets, based on the recommended option of the Concept Document on the Confiscation Fund.

Delays in handling the Draft Law on the State Bureau by the Constitutional Court put the implementation of this legal initiative on hold.

Whether a State Bureau for Verification and Confiscation of Unjustified Assets will be established depends directly on the judgement of the Constitutional Court. If the Law passes the Court's filter, it enters into force shortly after that, and begins to be implemented in practice. On the other hand, in the case of a decision similar to the one for the Draft Law on the Prosecutorial Council, the Draft Law on the State Bureau will return to the redrafting stages in the Government and Assembly.

19 Ministry of Justice, News, 29 December 2021.

20 Assembly of Kosovo, News, session held on 24 February 2022, at https://c6546prXwoVxyNfXjsIBVCzyuc_Lob-QvwIshqzMBFoO-aV-jSMysdyPSVjXN1TMaP

21 See the first Opinion of the Venice Commission published on 20 June 2022, at [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2022\)014-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2022)014-e)

22 Portal Kallxo, "Konjufca tells why he abstained from voting on the draft law for the State Bureau", 14 July 2022, at <https://kallxo.com/lajm/konjufca-tregon-se-perse-absteno-i-ne-votimin-e-projektligjit-per-shteterore/>

23 See the second Opinion of the Venice Commission published on 19 December 2022, at [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2022\)052-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2022)052-e)

24 See the transcript of the Assembly session of 9 February 2023, at https://www.kuvendikosoves.org/Uploads/Data/SessionFiles/2023_02_09_ts_Seanca_e9cUzpNVLF.pdf

25 Portal Kallxo, "PDK sends to the Constitutional Court the Law on the State Bureau on Confiscation of Assets", 21 February 2023, at <https://kallxo.com/lajm/pdk-e-dergon-ne-kushtetuese-ligjin-per-byrone-shteterore-per-konfiskim-te-pasurise/>



Progress of the Draft Law on the State Bureau for the Verification and Confiscation of Unjustified Assets

29 December 2021	March 2022	June 2022	14 July 2022	November 2022	December 2022	9 February 2023	21 February 2023	x
Draft Law on the State Bureau is approved by the Government	The Speaker of the Assembly, Glauk Konjufca, sends the Draft Law for assessment to the Venice Commission	The Venice Commission publishes the Opinion on the Draft Law	The draft law is approved in the Assembly in the first reading	The Speaker of the Assembly, Glauk Konjufca, sends it again to the Venice Commission for evaluation	The Venice Commission publishes the second Opinion	The Draft Law is approved in the Assembly in the second reading	PDK sends the Draft Law for evaluation to the Constitutional Court	Publication of the judgment by the Constitutional Court
✓	✓	✓	✓	✓	✓	✓	✓	x

JOINT DECLARATION OF COMMITMENT

As mentioned above, the justice reform in general, especially that of Vetting in Justice, has been accompanied by controversies between the MoJ, KJC and KPC. In an effort to find an agreement, on 9 February 2023, the KJC presented a proposal to the Ministry of Justice, the Prosecutorial Council of Kosovo, the Office of the Chief State Prosecutor and the Supreme Court.²⁶ It proposed the establishment of joint working groups for the evaluation, conceptualization and drafting of legal initiatives, with the aim of clarifying, amending and strengthening the legal framework, for aspects such as the evaluation of the performance of judges and prosecutors, their recruitment and appointment, the disciplinary system and verification, professional development, strengthening of mechanisms for declaration of assets, regulation of the status of judges and prosecutors, as well as strengthening of the fight against crime and corruption.

The Declaration emphasized the fact that this document did not prejudge the process of the Ad-Hoc Committee of the Assembly for Vetting, since the subjects of this Declaration had different positions about this process.

The KJC's proposal was accepted about a month later and thus, on 14 March 2023, the Declaration was signed by the actors with some changes in content. In addition to the issues originally proposed by the KJC, the drafting of the Law on Civil Servants in the Administration of Courts and Prosecution Offices was also added. As well other points and issues in the framework of justice reform were also added.²⁷

The first coordination meeting was held on 10 May 2023, in which it was decided that six working groups will be established as part of this reform initiative.²⁸ From this date

until 22 March 2024, a total of 5 discussion meetings of these groups were held. As a result, a total of six Draft Laws have been drafted that stem from the commitments of the Joint Declaration. Two of the Draft Laws are new, such as the Draft Law on recruitment, performance evaluation, integrity control, advancement and status of judges and prosecutors, as well as the Draft Law on civil servants in the administration of courts and prosecution offices;

However, four of them are draft amendments and supplements to the existing laws such as the Draft Law on the disciplinary liability of judges and prosecutors, the Draft Law on the Academy of Justice, the Draft Law on the Kosovo Judicial Council and the Draft Law on the Kosovo Prosecutorial Council. The latter has already passed the first reading in the Assembly, while the new proposed amendments are expected to be integrated before the second reading.

It is worth noting that even during the discussions of the working groups in the framework of the Joint Declaration, there were disagreements between the constituent institutions and at least in one case the representatives of the KJC and the KPC abandoned the meeting. In relation to this, the KPC has also issued a public response in which the Ministry of Justice was criticized for the inappropriate approach and content of the Draft Laws, which, according to them, were not previously agreed with the KPC.²⁹

This phenomenon is dealt with extensively in the next chapter, where both the case of the establishment of the Ad-Hoc Vetting Committee and the Joint Declaration highlight the fact that the consensus created initially was difficult to maintain in the later stages of the process.

²⁶ See the proposal for the Declaration of the KJC dated 9 February 2023, at <https://www.gjyqesori-rks.org/2023/02/09/propozimi-i-keshillit-gjyqesor-te-kosoves-per-ministrine-e-drejtise-keshillin-prokurorial-te-kosoves-dhe-zyren-e-kryeprokurorit-te-shtetit-lidhur-me-ceshtjen-e-reformave-ne-sistemine-drejtise/>

²⁷ See the Joint Declaration signed on 14 March 2023, at <https://www.gjyqesori-rks.org/2023/02/09/propozimi-i-keshillit-gjyqesor-te-kosoves-per-ministrine-e-drejtise-keshillin-prokurorial-te-kosoves-dhe-zyren-e-kryeprokurorit-te-shtetit-lidhur-me-ceshtjen-e-reformave-ne-sistemine-drejtise/>

²⁸ Ministry of Justice, News, 10 May 2023.

²⁹ See the reaction of the KPC dated 21 March 2024, at <https://prokuroria-rks.org/kpk/lajm/10967>



CONSENSUS ON PAPER

The three main legal initiatives within the above-mentioned Justice Reform, such as the Draft Law on the Prosecutorial Council of Kosovo, the Law on the State Bureau for the Verification and Confiscation of Unjustified Assets, and Vetting in the Justice Sector, have faced considerable opposition and criticism from opposition parties and the justice institutions themselves. From the beginning, this has reflected the complexity of reaching a broad consensus for the continuation of justice reforms.

Justice institutions and opposition parties have criticized the proposed Draft Laws, raising concerns about their constitutionality and possible impacts on the independence of the judicial system.

The Law on State Bureau, in particular, was seen by opposition parties, on the one hand, as a tool for political revenge rather than a genuine effort to fight corruption while, and, on the other hand, as a legal initiative that violated human rights. Meanwhile, the Draft Law on the KPC and the vetting process in the justice sector were perceived as an infringement on the independence of the prosecution and the courts.

In an effort to create consensus, the Ministry of Justice, in cooperation with the Speaker of the Assembly, referred the Draft Law on the State Bureau, the Draft Law on the Kosovo Prosecutorial Council and the amendments for the vetting for consultation to the Venice Commission several times in a row. This move was intended to seek external validation and recommendations from a respected international body, thereby addressing some of the internal criticism and concerns.

Following these efforts, a part of the opposition, specifically the Democratic League of Kosovo (LDK), voted in favour of the Law on the State Bureau. This support showed a partial success in the Ministry's efforts to build consensus.

On the other hand, the Democratic Party of Kosovo (PDK) remained against the Law on the State Bureau and, after the approval in the Assembly, sent the Law to the Constitutional Court, on the grounds that the Law was not in accordance with the Constitution. The Draft Law on the KPC also faced similar challenges. The two opposition parties, PDK and LDK, sent the Law to the Constitutional Court, questioning its constitutionality. Additionally, the KPC itself opposed the Draft Law, stressing concerns about its possible impact on the independence of the prosecution office and operational effectiveness.

As for the vetting process, the Ministry had agreed on the formation of an Ad Hoc Committee in the Assembly composed of all parliamentary parties and led by the opposition party LDK. This committee aimed to create a more comprehensive and cooperative environment for the discussion and drafting of amendments for the implementation of the vetting process for the heads of the justice sector.

Despite this, PDK's subsequent objections by sending contested comments to the Constitutional Court highlighted that the consensus reached was more formal than substantive. This underlined the need for deeper engagement and trust building between political actors.

Regarding vetting, resistance from within the justice sector was particularly pronounced, where both KPC and KJC saw the vetting process as an inappropriate reform that could paralyze the justice sector. This perception further complicated efforts to implement reforms.

In an effort to break the deadlock, the KJC proposed the Joint Declaration of Commitment, which envisioned a joint drafting process for the necessary reforms. This initiative resulted in the formation of working groups for the drafting of several draft laws. However, the process is being penalized by disagreements and conditions imposed

by the KPC and KJC, which highlight the challenges of reaching true consensus.

A next meeting of the working groups is scheduled for June 6 of this year, where the Ministry of Justice and justice institutions will try to finalize six draft laws drawn up by the joint working groups. The outcome of this meeting remains unclear, with a significant question mark as to whether the reforms will continue without the approval of the KPC and the KJC.

The justice reform process thus illustrates the complexity of enacting systemic change in a contentious political environment. It illustrates the interplay between political strategy, institutional resistance, and the challenges of building consensus in the face of diverse interests. The Ministry of Justice's strategic efforts, including seeking external validation and fostering inclusive dialogue, have brought some progress, but have also encountered persistent opposition and institutional resistance. Future developments will be critical in determining the trajectory of justice reform with implications for the rule of law and the efficiency of the justice system.

CITIZEN PARTICIPATION IN THE JUSTICE REFORM PROCESS

Citizen participation in justice reform is an essential component to ensure that the legal system is fair, transparent and representative of citizens' needs. Efforts to reform the justice sector have involved many actors, including the government, civil society organizations (CSOs), international bodies and legal experts. This chapter examines the processes through which citizens participated, directly and indirectly, in justice reform initiatives, focusing on the roles played by different entities and the effectiveness of their contributions.

Civil society organizations played an important role in the working groups established by the Government and the Assembly for the review of Draft Laws that fell within the framework of the justice reform. They offered a series of recommendations based on their experiences, research and engagement with the general public. Their participation was crucial in addressing issues related to human rights, transparency and accountability within the proposed draft laws.

Dozens of discussions by working groups in the Assembly were directly supported by civil society organizations and international organizations in terms of organization and support with expertise through parliamentary research. Two of them were supported by KDI, specifically for the Draft Law on the State Bureau for the Verification and Confiscation of Unjustified Assets³⁰ and for the draft amendments for vetting in the justice sector.³¹

In the May-December 2021 Work Plan, the Legislation Committee had planned to hold 5 public hearings. During this year, only one of them was held, i.e., the one for the Draft Law on the Commercial Court on 11 October 2021. Similarly, in the following year, 8 public hearings were planned in the work plan of this Committee, while only three were held, i.e., the one for the Draft Criminal Procedure Code on 17 January 2022 and for the Draft Law No. 08/L-121 on the State Bureau for the Verification and Confiscation of Unjustified Assets, on 23 September 2022, through the support of the KDI. Meanwhile, another public hearing was held for this draft law on 19 October 19, supported by UNDP.

During 2023, 5 public hearings were planned. With the support of the KDI, a public hearing was held regarding the draft constitutional amendments for Vetting in Justice on 3 February 2023. In the spring session of 2024, three public hearings were planned in the Work Plan. Until now, the Committee has held one of them, related to the Draft Law on the Prosecutorial Council, which has also been supported by the KDI.

Despite the active involvement of CSOs in the working groups of the Government and the Assembly, their influence was limited. The Ministry of Justice, which led the process for drafting the draft laws, has for the most part not incorporated substantial changes based on the recommendations provided by CSO representatives. This resistance to changing the proposed material can be attributed to the Ministry's preference to stick to its initial drafts, potentially due to the reason that for most of the draft -

laws within the framework of the Justice Reform, the Ministry has relied on the expertise of the Commission of Venice.³²

Once the Government, especially the Ministry of Justice, completes the review work of the draft laws, they are passed to the Parliamentary Committee for Legislation. This Committee then establishes its own working groups to develop further discussions and improvements. These working groups, usually led by the party in power, are responsible for reviewing draft laws and making the necessary adjustments before they proceed to Assembly sessions for approval.

While representatives of civil society have been invited to participate in these legislative working groups, their influence at this stage remained limited. The constant presence of Ministry of Justice officials in these discussions often meant that the draft laws deviated little from their original forms. This predominance of government perspectives in the legislative process highlighted the challenges CSOs face in bringing about significant change.

An obvious gap in the justice reform process in Kosovo was the lack of citizen participation. While NGOs, international organizations and judicial experts were involved to some extent, there was no engagement of the Government and of the Assembly directly with the general public, either in public discussions or informing them about the Draft Laws and Laws in the framework of the Justice Reform. This lack of direct citizen involvement means that reforms are less likely to fully capture the diverse concerns and aspirations of the wider population. The lack of citizen participation in the reform process has also been highlighted by several public opinion surveys conducted by KDI in the last three years. The purpose of these researches has been to assess public awareness and engagement in the legislative process and to identify gaps in communication and education that hinder citizen participation. These insights are essential for outreach strategies to increase public involvement and ensure that reforms in the justice sector reflect the needs and perspectives of citizens.

As a result, in the question posed to more than 1,000 respondents throughout the territory of Kosovo whether they are informed about their opportunities as citizens to participate in discussions during the drafting/review of draft laws for the reform of the justice sector, 77% of them answered saying that they were not informed.

This lack of awareness has highlighted the fact that many citizens are not fully aware of their rights and opportunities to contribute to legislative reforms that directly affect the justice system. The findings highlight the need for improved communication strategies and public engagement initiatives to ensure that citizens are better informed and more actively involved in the legislative process, especially in areas as vital as justice sector reforms.

However, although uninformed about the possibilities of participation, 71% of them believe that the reform in justice can be done and an approximately similar percentage have expressed support for vetting in justice and the establishment of the State Bureau.

On the other hand, 41% of them expect that the Reform will strengthen the rule of law, while they also expect improvements in the justice sector on average within the next 5 to 10 years. They see the Government and the justice institutions themselves as the main responsible for reforms in this sector.

Finally, the participation of civil society and citizens in the justice reform process is essential for the establishment of a fair, transparent and representative legal system. Despite the active involvement of civil society organizations (CSOs), the influence of these entities remained limited due to the dominance of government perspectives in the legislative process. On the other hand, the general public's lack of awareness of their opportunities to participate in the justice reform process is an important obstacle to achieving comprehensive reforms. The findings from public opinion surveys further emphasize the necessity for the improvement of communication strategies by the Government and the Assembly to ensure the inclusion of citizens in the important justice reform process.

30 KDI's Parliamentary Research "State Bureau for Verification and Confiscation of Unjustified Assets", October 2022, at <https://kdi-kosova.org/publikimet/byroja-pe%cc%88r-verifikimin-dhe-konfiskimin-e-pasurise%cc%88-se%cc%88-pajustificueshme/>

31 KDI's Parliamentary Research "Analysis on the draft constitutional amendments for the development of the transitional evaluation/vetting process", January 2023, at <https://kdi-kosova.org/publikimet/analize-rreth-projekt-amandamenteve-kushtetuese-per-zhvillimin-e-procesit-te-vleresimit-kalimtar-vetingu/>

32 See the KDI video documentary "Justice Reform: Civil Society Perspective" published on 29 May 2024, at https://www.youtube.com/watch?v=AEwCbn_Ilv8

CONCLUSION AND RECOMMENDATIONS

Following a general analysis of the justice reform process during these three years, it can be concluded that this process has faced political opposition, lack of consensus, and concerns about the independence and integrity of justice institutions.

After three years of leadership by the current Government, progress has been made in the drafting and approval of several legal initiatives for the continuation of reforms in justice. However, the challenges remain great in the approval of others, in implementation and in achieving practical results.

The need to continue the justice reform remains important, especially considering the insufficient performance of this sector and the demands of the European Union, and not only, for improving the capacities and efficiency of justice institutions.

A positive aspect of the Justice Reform process is the consultation of the Ministry and the Assembly with the Venice Commission during the drafting and review of legal initiatives. The Venice Commission has played an important role in improving the content of the Draft Laws, especially regarding the independence and balance within the justice institutions.

In the midst of controversies and criticisms, there have been efforts by the Government, specifically the Ministry of Justice, to include the main institutional and political actors and have the participation of civil society and international organizations in the Reform process. However, initiatives from the Government and the Assembly to encourage and ensure the active participation of citizens in this process have been lacking.

On the other hand, although a partial consensus has been reached with the opposition parties to approve the Law for the establishment of the State Bureau for the Verification and Confiscation of Unjustified Assets, the same has been sent by a part of the opposition for evaluation to the

Constitutional Court. The process for drafting this law has been accompanied by great political and social debate and concerns regarding independence, effectiveness and compliance with human rights standards. The implementation of this legal initiative in practice is directly related to the decision of the Court, which, for more than a year, has not published the judgement on this issue.

The process for drafting the Draft Law on Kosovo Prosecutorial Council was accompanied by similar challenges, the content of which was objected by the opposition parties but also by the justice institutions themselves. After the first version of the Draft Law was declared invalid by the Constitutional Court, a new version was approved only in the first reading in the Assembly. Whereas, the amendments before the second reading are still in the drafting process. They clearly differ from the Ministry's intention regarding the new composition of the KPC, and a reformation of this institution can see the first results only from 2026 onwards.

As for the vetting, although there have been attempts to start this process, the boycott of the Serbian List against the Assembly is preventing the approval of the constitutional amendments, which is necessary to enable the implementation of the vetting in justice. This situation represents a major obstacle in the implementation of this process, as it is intended, with constitutional amendments. Meanwhile, a new alternative related to this process has not yet been presented by the Government or the Ministry. However, the implementation of the vetting process plays an important role in improving the judicial system and the fight against corruption in Kosovo.

One thing is clear, without a successful reform in the justice sector, Kosovo will continue to be evaluated in EC Country Reports with the usual sentence stating 'is still at an early stage in developing a well-functioning judicial system'. Also, with the results so far, the country cannot progress towards membership in the European Union and secure the trust of the citizens in its institutions.

In order to achieve the goals of the justice reform in an effective and sustainable manner, it is important to continue the work towards building the broad political and institutional consensus, which is necessary for the adoption of the reforms and their implementation in practice.

Ultimately, the justice reform process will continue to be a complex challenge, but with commitment and broad cooperation, the goals for a more efficient justice system and strengthened rule of law can be achieved.

In order to achieve the necessary results, KDI provides the following recommendations:

- Regarding the process of vetting in justice, the Government and the Ministry must unveil Plan B for the implementation of this process, alongside the vetting with constitutional amendments, which remains conditioned by the approval in the Assembly.
- Regarding the Law on the State Bureau, the Constitutional Court has significantly delayed the judgment on this Law. Given its importance for addressing the issue of unjustified assets, it is essential that the Court issue a decision without further delay, to pave the way for the implementation of this Law or its eventual revision.
- Regarding the Draft Law on the Prosecutorial Council, given the delays that have been caused since the initial drafting of this draft law until now, it is important that the Ministry and the Assembly complete the process of drafting the amendments and the second reading in the optimal time in session, without any delays.
- In order to address the disagreements that hinder the implementation of justice reform, it is imperative that the Ministry of Justice, KPC and KJC maintain the consensus reached with the Joint Declaration of Commitments. Inter-institutional cooperation is essential for advancing justice reforms, ensuring that all actors are included in the decision-making process and have the

opportunity to contribute to the drafting and implementation of legislation.

- During the process of drafting and review of draft laws in the framework of the reform in justice, the Ministry and the Assembly must continue consultations with experts and international institutions such as the Venice Commission as well as civil society organizations, in order to reflect international recommendations and best practices in the field of justice.
- In addition to the work for the review of the Draft Laws in the framework of the justice reform, the Ministry of Justice and the Assembly must guarantee the participation of citizens in this process in terms of the inclusion of their requests and information about the process. Participation and information strengthen public trust in the justice system and ensures that reforms match their needs and expectations.

ANNEX: OTHER LAWS AND DRAFT LAWS OF THE JUSTICE REFORM 2021-2024

Laws passed	Date of approval
1. Law on supplementing and amending Criminal Procedure Code no. 04/L-123 amended and supplemented by Law no. 06/L-091 08/L-002	03.06.2021
2. Law on amending and supplementing Law no. 06/L-057 on disciplinary responsibility of judges and prosecutors 08/L-003	
3. Law on Commercial Court 08/L-015 Decree no. 60/2022	21.01.2022
4. Law on Amendments and Supplements to Law No. 04/L-017 on Free Legal Aid 08/L-035	09.02.2022
5. Law on amending and supplementing Law No. 05/L-049 on the administration of seized and confiscated property 08/L-034	03.03.2022
6. Law on international legal cooperation in civil matters 08/L-020	31.03.2022
7. Law on Amendment and Supplement to Law No. 04/L-213 on International Legal Cooperation in Criminal Matters 08/L-026	15.04.2022
8. Law on jurisprudence examination 08/L-033	14.06.2022
9. The law on the amendment and completion of Law no. 06/L-056 for the Kosovo Prosecutorial Council 08/L-136	23.06.2022
10. Law on the Agency for the Prevention of Corruption 08/L-017	01.07.2022
11. Criminal Procedure Code 08/L-032	14.07.2022
12. Law on declaration of origin and control of property and gifts 08/L-108	14.07.2022
13. Law on Probation Service of Kosovo 08/L-129	14.07.2022
14. Law on the Correctional Service of Kosovo 08/L-131	14.07.2022
15. Law on the execution of criminal sanctions 08/L-132	14.07.2022
16. Law on private international law 08/L-028	04.08.2022
17. Law on Compensation of Crime Victims 08/L-109	14.10.2022
18. Law on amending and supplementing Law no. 06/L-010 on notary 08/L-149	08.11.2022

19. Law on the State Bureau for the Verification and Confiscation of Unjustifiable Assets	09.02.2023
20. Law No. 08/L-167 on State Prosecutor	20.04.2023
21. Law No. 08/L-155 on targeted sanctions against foreign human rights violators	07.06.2023
22. Law No. 08/L-176 on amending and supplementing the laws containing special administrative procedures and their harmonization with Law No. 05/L-031 on general administrative procedure	15.06.2023
23. Law No. 08/L-102 on amending and supplementing the Law No. 04/L-139 on enforcement procedure amended and supplemented by Law No. 05/L-118	13.07.2023
24. Law No. 08/L-177 on the Institute of Crimes Committed during the War in Kosovo	13.07.2023
25. Law No. 08/L-191 on court experts	13.07.2023
26. Law No. 08/L-199 on amending and supplementing Law No. 05/L-060 on forensic medicine	13.07.2023
27. Law No. 08/L-185 on prevention and protection from domestic violence, violence against women and gender-based violence	21.09.2023
28. Law No. 08/L-168 on the Special Prosecution Office	26.10.2023
29. Law No. 08/L-187 on amending and supplementing the Criminal Procedure Code No. 08/L-032	26.10.2023
30. Law No. 08/L-188 on amending and supplementing the Criminal Code No. 06/L-074 of the Republic of Kosovo	26.10.2023
31. Law No. 08/L-194 on Central Criminal Records System of Kosovo	26.10.2023
32. Law No. 08/L-182 on administrative disputes	14.12.2023
33. Law No. 08/L-227 on the representation of state institutions in court proceedings, mediation and arbitration	14.12.2023



Draft Laws in procedure	Date of first reading approval
1. Constitutional Amendments for the Transitional Evaluation Process in the justice sector	x
2. Draft Law No. 08/L-107 on legal acts	04.08.2022
3. Draft Law No. 08/L-249 on amending and supplementing the Law No. 06/L056 on Kosovo Prosecutorial Council	07.03.2024
4. Draft Law No. 08/L-262 on amending and supplementing the laws containing special administrative procedures and their harmonization with Law No. 05/L-031 on general administrative procedure, second phase	22.02.2024
5. Draft Law No. 08/L-272 on amending and supplementing Law No. 06/L010 on notary, amended and supplemented by Law No. 08/L-149	22.02.2024
6. Draft Law No. 08/L-283 on harmonization of special laws with Law No. 05/L-087 on minor offences	16.05.2024
7. Draft Law No. 08/L-291 on the Administrative Court	04.04.2024

International agreements of Kosovo in the field of justice	Date of ratification
1. Law on the ratification of the Agreement for mutual legal assistance in civil matters between the Government of the Republic of Kosovo and the Government of the Republic of North Macedonia 08/L-106	22.02.2022
2. Law on the ratification of the Agreement between the Government of the Republic of Kosovo and the Council of Ministers of the Republic of Albania for mutual legal assistance in civil and commercial matters 08/L-130	11.05.2022
3. Law on the ratification of the Treaty on mutual legal assistance in criminal matters between the Government of the Republic of Kosovo and the Swiss Confederation 08/L-150	21.07.2022
4. Law No. 08/L-229 on the ratification of the agreement between the Republic of Kosovo and the Republic of Slovenia on mutual enforcement of judgments in criminal matters	08.06.2023
5. Law No. 08/L-230 on ratification of the agreement between the Republic of Kosovo and the Republic of Slovenia on extradition	08.06.2023
6. Law No. 08/L-231 on ratification of the agreement between the Republic of Kosovo and the Republic of Slovenia on mutual legal assistance in criminal matters	08.06.2023
7. Law No. 08/L-292 on the ratification of the agreement between the Republic of Kosovo and the European Union on the participation of Kosovo in the European Union program - Justice	16.05.2024
8. Law No. 08/L-307 on the ratification of the Treaty between the Republic of Kosovo and the Kingdom of Denmark on the use of the Correctional Facility in Gjilan for the purpose of the execution of Danish sentences	23.05.2024



Draft Laws proposed by the Joint Declaration of Commitment
1. Draft Law on amending and supplementing Law No. 05/L -095 on the Academy of Justice
2. Draft Law on amending and supplementing Law No. 06/L-055 on the Kosovo Judicial Council
3. Draft Law on amending and supplementing Law No. 06/L-056 on the Kosovo Prosecutorial Council
4. Draft Law on Civil Servants in the Administration of Courts and Prosecution Offices
5. Draft Law on amending and supplementing Law 06/L – 057 on Disciplinary Liability of Judges and Prosecutors
6. Draft Law on Recruitment, Performance Evaluation, Integrity Control, Advancement and Status of Judges and Prosecutors



