



**REPUBLIKA KOSOVA/ REPUBLIC OF KOSOVA  
KËSHILLI PROKURORIAL I KOSOVËS/ TUŽILAČKI SAVET KOSOVA/KOSOVO PROSECUTORIAL COUNCIL**

**A. Nr. 153/2011  
Dt. 05.12.2011**

**Based on article 4 of the Law on KPC and articles 27 and 28 of the Law on State Prosecutor, Kosovo Prosecutorial Council  
approves the following:**

**PLAN ON THE  
IMPLEMENTATION OF THE  
LAW ON STATE PROSECUTOR**

**Date 5 December 2011**

In order to implement the Law on State Prosecutor (Law nr. 03/L-225) and Law on Kosovo Prosecutorial Council (Law nr. 03/L-223), Kosovo Prosecutorial Council has started with the reforming of Prosecutorial system in the Republic of Kosovo.

From 1<sup>st</sup> of January 2013, when the Law on State Prosecutor enters into force, State Prosecutor will have a new organizational structure. The Prosecution Offices of the first instance shall be organized as Basic Prosecutions. The Appellate Prosecution established with this Law shall be the Prosecution Offices of the second instance.

In order to provide an unimpeded transition from the current organizational structure to the new one, Law on State Prosecutor among others gives to the Kosovo Prosecutorial Council (KPC) the responsibility to prepare and publish an Implementation Plan (now on in the text “Plan”) until the 1<sup>st</sup> of December 2012.

The Plan will provide detailed actions and deadlines for facilitating the transition from the current Prosecutorial system to the new one as foreseen by the Law on State Prosecutor. In accordance with article 28 of the Law, the Plan is organized in the following principle components:

1. Identification and registering of the cases that shall be transferred from a Prosecution Office to the respective Prosecution Office;
2. Identification of the needed number of the Prosecutors for each Prosecution Office;
3. Procedure for Prosecutors` transfer;
4. Assignment and Transfer of Prosecutors;
5. Identification of the current supporting staff and needed staff for each Prosecution Office and distribution of existing staff and identification of the needs for new staff;
6. Registering existing assets of Prosecution Offices, their distribution and identification of the needs for additional assets and their providing.

In order to facilitate the implementation of this Law until 31 December 2012, KPC and Office of Chief State Prosecutor shall undertake the following actions:

<b>Activity nr. 1</b>			
<b>Identification and registration of the cases that shall be transferred to the Prosecution Office that has territorial competence according the new Law</b>			
<b>Operational Objectives</b>	<b>Carriers</b>	<b>Deadline</b>	<b>Realized For not being realized mention the reasons</b>
1. The existing Prosecution Offices shall take the evidence in regard to the registered cases in the existing registries PP, PPN, PN, PP, PPM and AP that shall be transferred to another Prosecution Office that has a territorial competence and that:	<ul style="list-style-type: none"> <li>• Existing staff of Prosecution Offices;</li> <li>• Additional staff provided by donors or with payment for working overtime;</li> <li>• The Staff of the Office of Chief State Prosecutor; and</li> <li>• KPC Staff</li> </ul>	<b>01 January 2012</b>	
2. District Prosecution Office in Prishtina shall identify cases that shall be transferred to the Appellate Prosecution, Basic Prosecution in Ferizaj and Basic Prosecution in Gjilan	<b>Same carriers</b>	“	
3. Municipal Prosecution Office in Prishtina shall identify cases that shall be transferred to Basic Prosecution in Gjilan	<b>Same carriers</b>	“	
4. District Prosecution Office in Prizren shall identify cases that shall be transferred to the Appellate Prosecution and Basic Prosecution in Gjakova	<b>Same carriers</b>	“	
5. District Prosecution in Prizren shall identify cases that shall be transferred to the Regular Prosecution in Gjakova.	<b>Same carriers</b>	“	
6. District Prosecution in Peja shall identify cases that will be transferred to the Appellate Prosecution and Basic Prosecution in Gjakova.	<b>Same carriers</b>	<b>31 March 2012</b>	
7. District Prosecution in Mitrovica and Gjilan shall identify cases that shall be transferred to the Appellate Prosecution.	<b>Same carriers</b>	<b>31 March 2012</b>	

8. District Prosecution Offices and Municipal Prosecution Offices from 31 <sup>st</sup> of March 2012 shall start with identification of the cases that were received following this date and the same shall be transferred to the Prosecution Offices that have territorial competence as foreseen by the Law on SP.	Same carriers	1 April 2012 until 31 December 2012	
9. These Prosecution Offices shall carry special notes for each case in that way that they shall contain accurate data in regard to which cases are the ones that shall be transferred to the respective Prosecution Offices.	Same carriers	“	
10. All cases shall be transferred to the competent Prosecution Offices until	Same carriers	01 January 2013	
<b>Activity nr. 2</b>			
<b>Identification of the needed number of Prosecutors for each Prosecution Office according to the Law on SP</b>			
<b>Operational Objectives</b>	<b>Carriers</b>	<b>Deadline</b>	<b>Realized For not being realized mention the reasons</b>
1. Approval of the Regulations on defining working norms for Prosecutors.	KPC	31 January 2012	
2. Number of Prosecutors in Appellate Prosecution shall be defined based on number of the Judge in the Appeal Courts that will work on Appealed Cases from Criminal area, and the same shall be in the following ratio: 1 Prosecutor per 2 Judges	<ul style="list-style-type: none"> <li>• Supporting Staff of KPC and SP</li> <li>• Chief Prosecutors of District Prosecution Offices and Municipal Prosecution Offices</li> <li>• KPC</li> </ul>	30 June 2012	
3. Number of Prosecutors in Basic Prosecution Offices shall be defined based on the number of received cases and the Regulation on defining working norms for Prosecutors.	Same carriers	“	

<b>Activity 3</b>			
<b>Procedures for the transfer of Prosecutors</b>			
<b>Operational Objectives</b>	<b>Carriers</b>	<b>Deadline</b>	<b>Realized For not being realized mention the reasons</b>
1. Kosovo Prosecutorial Council based on article 22, paragraph 6 of the Law on KPC shall issue rules and Regulations on defining standards and procedures for transfer.	<b>KPC</b>	<b>30 June 2012</b>	
<b>Activity 4</b>			
<b>Assignment and Transfer of Prosecutors</b>			
<b>Operational Objectives</b>	<b>Carriers</b>	<b>Deadline</b>	<b>Realized For not being realized mention the reasons</b>
1. Assignment and Transfer of Prosecutors in the respective Offices and Positions shall be implemented based on the procedures and criteria that are defined by the Regulation and rules that are approved by the KPC.	<b>KPC</b>	<b>30 September 2012</b>	
<b>Activity 5</b>			
<b>Identification of the current supporting staff for each Prosecution Office and distribution of the existing staff and identification of the new needed staff</b>			
<b>Operational Objectives</b>	<b>Carriers</b>	<b>Deadline</b>	<b>Realized For not being realized mention the reasons</b>
1. In accordance with paragraph 2.3 of article 28 of the Law on KPC, KPC shall undertake all needed and necessary measures to plan assignment and re-assignment of the administration staff in the respective Offices of Prosecutions.	<b>KPC</b> <b>Office of Chief State Prosecutor</b> <b>Human Resources Offices</b>	<b>31 March 2012</b>	
2. Identification of the needed staff and drafting			

the Organizational Chart of the Offices of Prosecution based on the new organizational structure.	<b>Same carriers</b>	<b>15 October 2012</b>	
3. Human Resources Office shall announce 'expression of interest' for internal staff inside the new organizational structure for the needed staff for Appellate Prosecution and Basic Prosecution.	<b>Same carriers</b>	“	
4. Announcement of job vacancies for the new staff.	<b>Same carriers</b>	<b>15 October 2012</b>	
5. Hiring the new staff	<b>Same carriers</b>	<b>15 December 2012</b>	
<b>Activity 6</b>			
<b>Registering assets of Prosecution Offices and identification of the needs for new assets</b>			
<b>Operational Objectives</b>	<b>Carriers</b>	<b>Deadline</b>	<b>Realized For not being realized mention the reasons</b>
1. Office of General Services shall make the inventory of the assets for each Office.	<ul style="list-style-type: none"> <li>• Office of General Director</li> <li>• Office of General Services</li> <li>• KPC</li> </ul>	<b>30 June 2012</b>	
2. Identification of the needs for each Prosecution.	<b>Same carriers</b>	<b>30 September 2012</b>	
3. Providing new assets.	<b>Same carriers</b>	<b>30 November 2012</b>	
4. Distribution of the assets according to the needs for each Prosecution Office.	<b>Same carriers</b>	<b>15 December 2012</b>	

**Nr. 153/2011**

**Date: 05 December 2011  
Prishtina**

**Ismet Kabashi**

\_\_\_\_\_  
**President of Kosovo Prosecutorial Council**