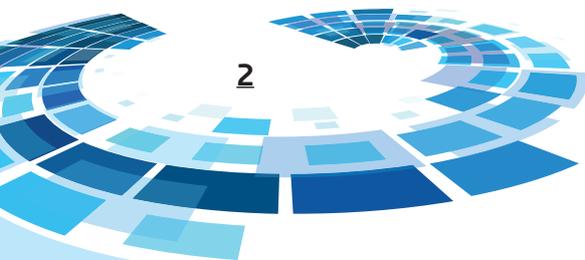


STRATEGIC PLAN

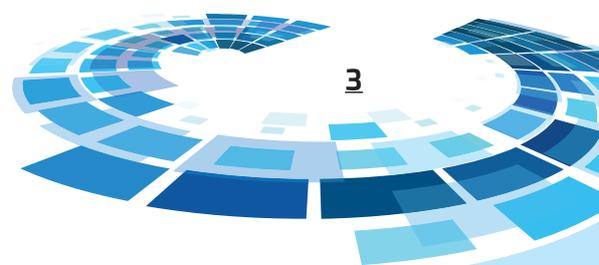
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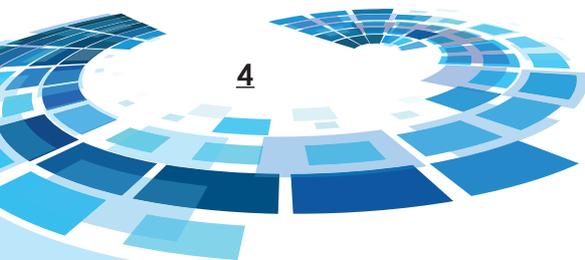
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Introduction

The Kosovo Prosecutorial Council is guided by the overarching Constitutional principle that all individuals within the borders of the nation shall have equal access to justice. Furthermore, the Council is guided by the Constitutional principles requiring it to act independently, professionally, and impartially while respecting the multi-ethnic nature of Kosovo and the right of gender equality.

The Council is pleased to publish its Strategic Plan for the period 2016 through 2018. A strategic plan is a leadership tool. The Council recognizes that the nation's justice institutions are still in the building process, and that careful planning of the next steps—and beyond—will be necessary in order to ensure that the high level of access to justice contemplated by the Constitution is achieved.

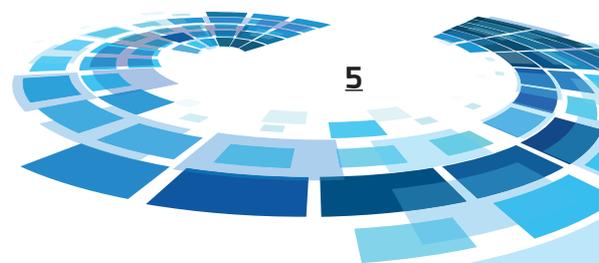
The Council provides oversight for the work of many people with different tasks and responsibilities. Each person is important to Kosovo's prosecutorial institution and to achieving the goals of this strategic plan. The Council knows that the prosecutorial institution of Kosovo depends upon its people. This is the Council's strategic plan, as opposed to the Office of the State Prosecutor's strategic plan, but in implementing its plan, the Council will take into account the involvement of the following groups: 1) members of the KPC (both prosecutor and non-prosecutor members); 2) prosecutors with managerial functions; 3) prosecutors without managerial functions; 4) support staff within the Performance Review Unit; and, 5) support staff within the Office of the State Prosecutor."

A strategic plan is not a substitute for key advisors, managers, supervisors, prosecutors, and support staff. This strategic plan acknowledges the mission assigned to it by the Constitution, reflects the vision of the Prosecutorial Council, led by the Chairman—as to how the mission will be accomplished. This strategic plan identifies key objectives for the Council's operations, which are grounded in a careful needs assessment, and the plan provides guidance from experts as to how to resolve those needs, which may also involve the favorable resolution of a challenge or risk.

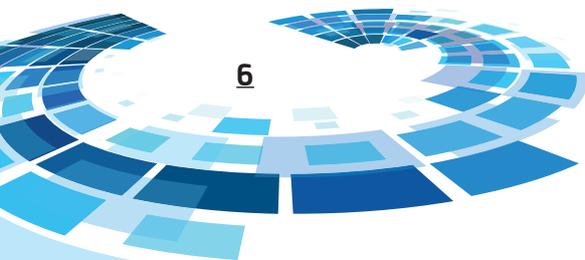
Objectives, of course, must be identified and categorized, and priorities must be set. The highest priorities are assigned to the achievement of essential and important objectives. An objective is considered to be essential whenever it is a reflection of a legal mandate, or because a major component of the institution will fail if the objective is not reached. An objective is considered to be important whenever it is a reflection of a best practice, or where accomplishment of the objective will substantially improve the efficiency and effectiveness of the institution, or because it is related to a future requirement, such as anticipating obsolescence or failure of equipment, or anticipated growth in personnel.

This submission is the result of the Council's deliberations over each of these strategic concerns, and presents viable solutions to every identifiable need, challenge, and risk, as well as a plan for the Council's fulfillment of its obligations under the Law. After making findings in connection with its needs assessment, the Council made determinations about the most efficient and effective means of achieving its identified objectives and resolving anticipated challenges, which led to the development of the vision and objectives expressed in this strategic plan.

In the final analysis, the strategic plan establishes benchmarks, and defines success in terms that are objectively measurable, and in a transparent format.¹ Most importantly, the Council has taken care to ensure that each objective identified in its strategic plan is achievable in terms of budget, resources, and practicality in the context of recognizable risks and assumptions. With this plan, the KPC will be equipped to discharge its responsibilities and exercise its discretion in a manner that is designed to



achieve the objectives set by the Kosovo Constitution and the statutory framework that applies to the Council and, relevant to the Council's oversight role, to the Office of the State Prosecutor. Of course, it will be the Council's monitoring and evaluation of the Strategic Plan, including the Action Plan for implementation of the strategy that will ensure achievement of the Council's strategic objectives over the long term, as well as the sustainability of those reforms—the Council's oversight will also inspire public confidence in the prosecutorial system.



Mission, Vision, Values, Assumptions, Risks and Challenges

1. Mission

The Council is committed to a standard of excellence in providing Kosovo citizens with the most effective and efficient investigation and prosecution of criminal offenders and providing innovative leadership for law enforcement. It will strive to enforce the laws fairly, impartially, and justly while treating all victims of crime with compassion and dignity.

2. Vision

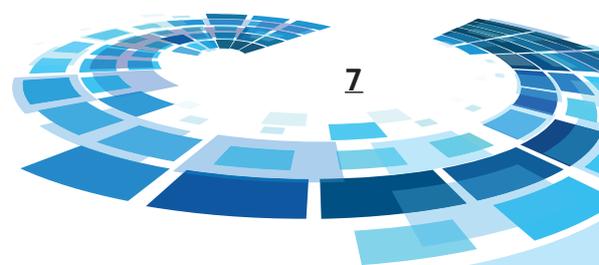
The Council has a vision for a Kosovo prosecutorial system that is independent, reflecting the multiethnic nature of the Republic of Kosovo, that provides access to justice for all individuals, and which is impartial, fair and efficient in its investigations and prosecutions, accountable for its performance, and functions with the highest standards of honesty, integrity, professionalism, and transparency.

3. Values

The Council has established boundaries for the behavior of its members, prosecutors, and support staff members, that have been expressed in Codes of Professional Ethics, because incorruptible and principled human resources are a necessary component to successful accomplishment of the mission of the prosecutorial institution. The Codes of Ethics require that Council members, prosecutors, and support staff members shall act at all times in a manner that promotes public confidence in the dignity, integrity, effectiveness, independence, and impartiality of the prosecutorial institution. In particular, Council members, and, with oversight from the Council, prosecutors, and support staff members shall:

- Observe high standards of professional and personal conduct.
- Respect and comply with the law.
- Perform all duties impartially and diligently.
- Avoid any conduct and situation that could lead to a questioning of the integrity or impartiality of the prosecutorial institution.
- Perform duties according to internationally recognized human rights standards and principles.
- Consider the public interest as the basis for all actions.
- Promote these principles during performance of competencies and discharge of responsibilities.

Moreover, each member of the Council recognizes that he/she has a duty to act in good faith when carrying out his/her competencies and responsibilities, and to respect facts and procedures in accordance with applicable laws or bylaws. Furthermore, members of the Council acknowledge that propriety, and the appearance of propriety, are essential to the performance of all of the activities of a member of the KPC. Finally, these values form the foundation for all tasks that the Council undertakes, and their fulfillment will inspire public confidence in the prosecutorial system.



4. Assumptions

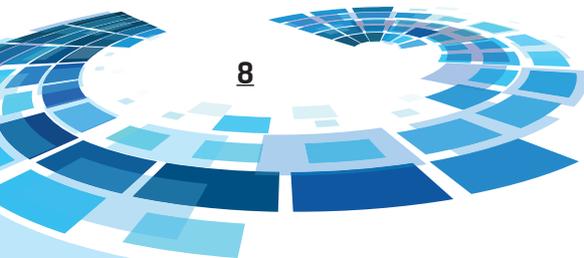
In the final analysis, the KPC's ability to forecast the viability of this strategic plan depends upon the validity of a number of assumptions, which include the following:

- The Kosovo Assembly is fully aware and supportive of the role of the Prosecutorial Council.
- There is a sufficient budget for the smooth and independent functioning of the Prosecutorial Council.
- There are sufficient skilled human resources motivated about the implementation of the Strategic Plan.
- There is sufficient readiness on the part of international donors and partners to support the functioning of the Prosecutorial Council.
- The Prosecutorial Council has a competent management team that is committed to jointly implementing all strategic measures and leading the Council to the accomplishment of its mission.
- The staff members of the Prosecutorial Council are motivated and willing to implement foreseen measures.
- There is a shared understanding about the Prosecutorial Council's needs and a strong commitment regarding the measures needed to implement the Strategic Plan.
- There is a strict application of monitoring and evaluation principles to ensure that specific assignments of implementation responsibilities are made, timelines and deadlines are set, regular progress reporting happens, and the Prosecutorial Council is diligent in its oversight of implementation of the Strategic Plan.

5. Risks and Challenges

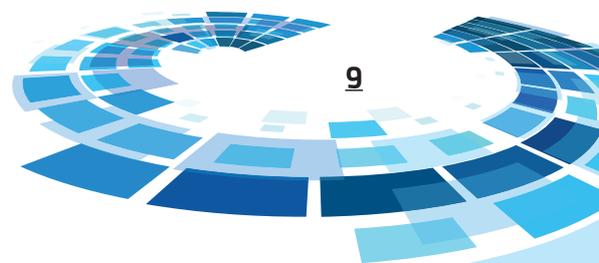
The Kosovo Prosecutorial Council recognizes that the prosecutorial institution will confront many challenges during the near future, including:

- Completing and enhancing the legal framework, namely through appropriate amendments to the laws on the Kosovo Prosecutorial Council, the Special Prosecution Office and the Office of State Prosecutor, and implementation of the law amendments that were enacted in 2015.
- Strengthening skills of prosecutors and the creation of specialized services within the Office of the State Prosecutor.
- Supporting experienced prosecutors to ensure that within a set timeframe, they can devote themselves more to mentoring and advisory functions so as to ensure the transition and transfer of know-how to less experienced prosecutors.
- Reinforcing the capacity of prosecutors to conduct more complex criminal investigations, particularly with respect to crimes committed during the exercise of public duties.
- Establishing mechanisms that promote regular communication and collaboration between the KPC and other relevant governmental bodies, including the Kosovo Police, Kosovo Judicial Council, Kosovo Anti Corruption Agency, Kosovo Intelligence Agency, Kosovo Ministry of Justice, Kosovo Ministry of Interior, and other relevant institutions.
- Providing training to Secretariat staff members, and to the support staff members of Prosecution Offices, so that they may fully accomplish their functions in the prosecutorial institution.
- Defining and implementing a computerized method of case management, and adopting a



unique file number methodology across all institutions for the identification of each criminal case.

- Disseminating details of the State Prosecutor's activities so as to reinforce public confidence in the prosecutorial system, and to eliminate any perception of impunity.



Glossary of Terms

EROL – USAID Effective Rule of Law Program

EU-Supported Program – EU-funded project “Support to the Kosovo Judicial Council and Kosovo Prosecutorial Council”

KJI – Kosovo Judicial Institute, or any successor-institution that is established to provide prosecutorial training.

KPC – Kosovo Prosecutorial Council

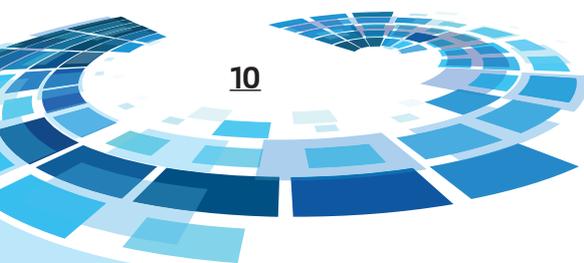
KP – Kosovo Police

Law – The Law on the Kosovo Prosecutorial Council, unless otherwise specified.

ODC – Office of Disciplinary Counsel

OSP – Office of the State Prosecutor

PPRU – Prosecutor Performance Review Unit



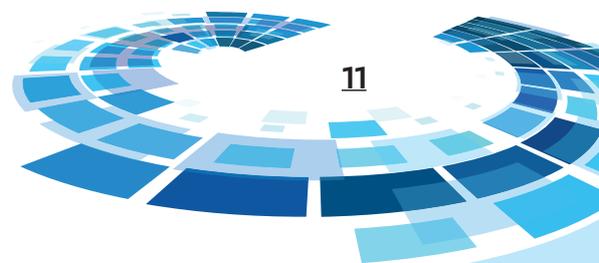
Strategic Pillars

The four strategic Pillars that constitute this Plan represent in a broad way the aspirations of the entire Kosovo justice community. The Plan also specifies Strategic Objectives that are designed to ensure that the goals of the Strategic Plan are achieved.

Plus, the information in Appendix 2 ensures that each Strategic Objective is accompanied by an outline of an Action Plan to accomplish the goals of the Strategic Objective.

The intention of the drafters of this document was to provide sufficient detail regarding a potential Action Plan framework within the Strategic Plan so as to facilitate the monitoring of progress toward achievement of each Strategic Objective.

The Plan also recognizes that a more detailed action plan, building on the outline contained in this document along with the matrix provided in Appendix 2, will be necessary to achieve each of the Strategic Objectives contained in this Strategic Plan.



Pillar I: Strengthen the Institutional Structure and Capacities of the Prosecutorial System

The administration of justice services performed by the prosecutorial system must be fair, accurate, timely, efficient, and effective, which requires careful planning, specific technical skills, efficient use of resources, monitoring, evaluation, and coordination among every individual and component of the system. To achieve success, every administrative aspect of the system must operate at optimum capacity, and in that regard improvements must be made where necessary in order to make the process more efficient and effective.

Strategic Objective 1.1 *Increase financial responsibility and upgrade the budgetary process²*

Article 13 of the Law provides that the Council “shall manage the annual budget for the Council and prosecution offices independently,” emphasizing that the Council “is responsible for overseeing expenditures, allocation of funds, maintaining of accurate and current accounts and financial audits.”

The Council will protect the investment of public monies in the prosecutorial system, and ensure that the budget is planned, executed, monitored, and evaluated properly, and perform those tasks in a way that promotes justice objectives while inspiring confidence in the institution’s management of public funds.

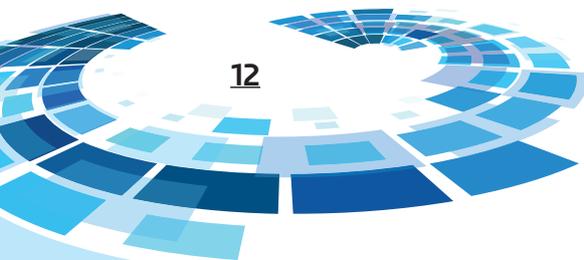
Proper budget and procurement procedures are fundamental to achieving the objectives of this Strategic Plan. Budget realities will affect the decisions made by the Council – in this respect the Council recognizes that it will need to make decisions as to how it will allocate its budget resources and prioritize activities in line with budgetary constraints. Accordingly, the Council will take steps to ensure adequate budgetary control in accordance with relevant laws.

Among other tasks in this regard, the Council will implement Article 13 of the amended Law, which provides that the Council will henceforth prepare an annual draft-budget and submit it directly to the Assembly for consideration and adoption. This is a new and significant responsibility. Previously, the Council was required to submit its draft budget proposal to the Government, after which the Minister of Finance and Economy would make a proposal to the Assembly.

Strategic Objective 1.2 *Establish an appointment process, composition, and status of the KPC that is consistent with European standards*

The Kosovo Prosecutorial Council plays a vital role in ensuring that the prosecution service is independent, professional, impartial, and reflects the ethnic and gender diversity of Kosovo. To perform this important role it needs to ensure that its decision-making is of the best possible quality, and that the process and infrastructure is consistent with European standards. Before the conclusion of the time period covered by this strategic plan, the KPC will be functioning in an independent, impartial, effective, and professional manner. It will make quality decisions on the basis of good knowledge of the facts, including the use of relevant reports and data in order to make good decisions. It will have a structure that supports the Council’s important functions. The KPC and its members will have the necessary support to assist them in performing their important functions. And, KPC members will have received appropriate training necessary to assist them in performing these important functions.

The Kosovo Prosecutorial Council performs a key role in relation to the prosecutorial service/system functions and it must maximize its deliberative capacity in order to perform this role. Toward that end, amendments to the Law enacted in 2015 strengthened to some degree the Council and its infrastructure in order to facilitate achievement of its objectives efficiently and effectively, and

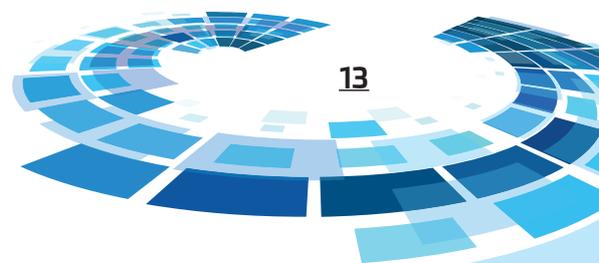


especially to maintain its role in providing independent oversight and guidance to the prosecutorial system. For example:

- Article 5 of the amended Law now provides for 13 members, 10 of whom must be prosecutors, including the Chief State Prosecutor *ex officio*, and the other 3 members must include a university law professor, a member of the Chamber of Advocates, and an independent member of civil society with a legal education and experience in relevant legal fields.
- Article 5A of the amended Law now provides for election of the Chair of the Council is from among the prosecutor members of the Council, indicating that the chair will not necessarily be the Chief State Prosecutor.
- In order to ensure the Council's ability to have a *quorum* in certain key instances, amended Article 12.2 enlarged the *quorum* from six to nine members. This is a key improvement in the Council's potential for efficiency. For example, the Council's Disciplinary Committee includes three Council members that cannot participate in the Council's deliberations on the Committee's disciplinary recommendations, and the Minister of Justice was an *ex officio* member of the Council and did not participate in disciplinary deliberations because of the potential for another role in the disciplinary process. Consequently, previously the Council could not make final decisions in disciplinary matters because only five members were available to deliberate, and six members were required for a *quorum* when the Council rendered a decision. In addition, there were instances in which a *quorum* could not be reached because Council members were unavailable.
- To ensure the independence of Council members, Article 10 of the amended Law provides that members shall not have criminal liability for the decisions, opinions, and actions that they take within the scope of their capacity as Council members.

Moreover, all KPC members perform their important roles as KPC members on a part-time basis while simultaneously performing other functions either within the prosecutorial service/system or elsewhere. Regardless of their part-time status, KPC members spend many hours performing their KPC duties, which often include service on the Council's committees, which is difficult because of the non-Council-related duties of the members. During 2014, the KPC met approximately once every two weeks, which required Council members to devote a considerable amount of time and resources to their Council duties, as well as to their permanent occupations. Furthermore, members of the Council are expected to prepare for meetings and perform other important duties such as serving on *ad hoc* or permanent committees or working groups. Article 8 of the amended Law makes new provisions for termination of a Council member's status as a member under various circumstances, including when a member fails to perform his/her duties and/or obligations, engages in misconduct, becomes ill and cannot return to duty within three months, does not attend Council sessions for three months, resigns, dies, and so forth. In that context, the Council will pay particular attention to a member's ability to fulfill his/her responsibilities.

Support services for the KPC and its members were previously provided for in the relevant laws in two separate ways: (a) the KPC Performance Evaluation Unit pursuant to Art. 15 of the Law on the KPC, and (b) administrative support provided by the Office of the Chief State Prosecutor's Secretariat pursuant to Article 12 of the Law on the State Prosecutor, and Articles 14 and 14A of the Law on the KPC. While the Chief State Prosecutor's Secretariat performed its shared responsibilities to the best of its capacity, it was a challenging environment because of resource concerns, and the mixed responsibilities may have caused a perception that the Council, which has oversight obligations



regarding the Office of State Prosecutor, is not sufficiently independent. However, Articles 14 and 14A of the amended Law provided for the establishment of an independent Secretariat, as well as the position of Secretariat Director, respectively.

The Council will take further steps to maintain the reality and the appearance of the Council's independence, objectivity, and impartiality, and to promote efficiencies. In that connection, and mindful of the Council's oversight responsibilities with regard to the Office of State Prosecutor, the Council will take steps to maintain its independence from the OSP, which will also avoid any appearance of conflict.

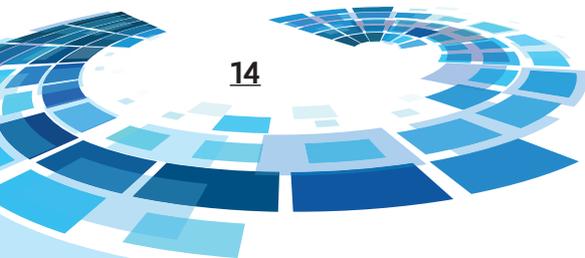
Article 8A of the amended Law provides for five permanent ("standing") committees: the Normative Matters Committee, the Committee on Budget, Finances and Personnel, the Prosecution Offices Administration Committee, the Disciplinary Committee, and the Prosecutor's Performance Assessment Committee, as well as for the establishment of other temporary (*ad hoc*) or permanent committees when circumstances require such action, which imposes additional responsibilities and time burdens on members. Because of the nature and extent of the Council's responsibilities, and the enormous workload burden on Council members, which prevents the KPC from functioning at maximum potential levels of efficiency and effectiveness, the Council will take steps to improve the capacity of its permanent and *ad hoc* committees, and to strengthen support staff capabilities.

Finally, the Council will improve its own internal workings in an effort to facilitate its efficiency and effectiveness, and focus on the implementation of the requirements imposed by the amended Law.

Strategic Objective 1.3 *Revision of the role and the organizational structure of the Secretariat*

Although the Secretariat for the Office of State Prosecutor provided support to the Council, Articles 14 and 14A of the amended Law established an independent Council Secretariat and Secretariat Director, respectively, with the responsibility to:

- Assist and implement the rules, regulations and policies of the Council related to management, budget, and administration of the prosecution offices.
- Develop and propose to the Council for adoption administrative rules necessary to implement the Council's orders.
- Propose to the Council new policies, rules and regulations whenever they are necessary for the efficient and effective administration of the prosecution offices.
- Report on a regular basis to the Council on the work of the prosecution offices, and provide recommendations for improvement.
- Pursuant to instructions from the Council and its Committee on Budget, Finance and Personnel, prepare a consolidated budget for the prosecution offices, and administer the adopted budget for the prosecution offices.
- Pursuant to instructions from the Council and its Committee on Budget, Finance and Personnel, manage the administrative and support staff of the prosecution offices, including the allocation of administrative and support staff to prosecution offices based upon workload, maintain personnel records, maintain a performance assessment system, and ensure proper disciplining of staff members in prosecution offices, as well as the protection of the employment rights of prosecution offices staff members.



- Within budgetary limitations and per the instructions of the Council, ensure that the prosecution offices are properly supplied with materials necessary for the efficient and effective performance of those offices.
- Provide administrative support to the Council and its committees, and undertake other duties and powers pursuant to instructions from the Council.
- Develop and adopt regulations related to the organizational structure and functioning of the Secretariat.

The Director is accountable to the Council for the efficient and effective management of the Secretariat and the prosecution offices, and reports directly to the Council Chair. The Director has the responsibility to attend all Council meetings and to respond to all Council requests for information. With that as background and pursuant to Article 14A of the amended Law, the Council must appoint (and, if necessary, dismiss) the Secretariat Director in accordance with procedures, criteria and qualifications developed and adopted by the Council through regulations that are consistent with Constitutional obligations and personnel regulations.

To the extent that the Council decides to order the decentralization of certain Secretariat responsibilities in the interest of administrative efficiency and effectiveness, the Council will take steps that will ensure an efficient implementation of the decentralization plan.

Accordingly, the Council will implement and sustain the administrative changes mandated by the amended Law, and pursue all other appropriate steps to achieve the administrative efficiencies and effectiveness that are consistent with this objective.

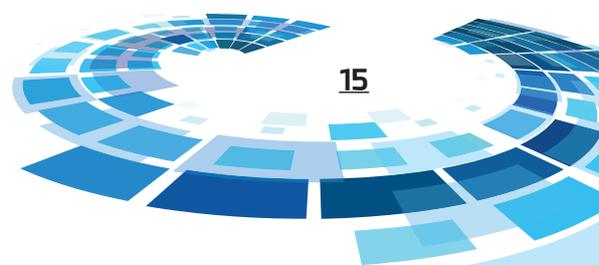
Strategic Objective 1.4 *Enhancing Policy Planning*

It is evident that the Council has limited actual capacities in the field of policy and planning development, which is a centerpiece of the responsibilities of the Council, its committees, and the Secretariat. The Performance Evaluation Unit acts under the direction of the Council and is a key tool of the KPC to assist it in monitoring and evaluating the performance of the prosecution service.³ However, there is no specific office or official within the KPC structure with responsibilities for policy coordination, planning, or research. Accordingly, the Council will take steps to establish such a function.

In line with its policy and planning development activities, the Council will promote best prosecutorial administration best practices through reliance on a strategic plan, implemented by an action plan that is closely monitored by a working group, subjected to functional reviews by the Chair and the Council, and, as appropriate, coordinated with the Manager of Finance & Budget.

Strategic Objective 1.5 *Adopt best practice processes that the KPC will use for drafting and approving regulations and other sub-legal acts*

The Council must ensure that its sub-legal acts provide, in conjunction with the Kosovo Constitution and relevant laws, for every important aspect of its operations in order to provide consistent and correct guidance to the Council, the State Prosecutor and all who work within the prosecution service. In particular, the obligation to develop and adopt necessary and appropriate sub-legal acts includes such sub-legal acts as are necessary for the measures outlined in this Strategic Plan. Accordingly,



the Council will take steps that are in line with this goal, including strengthening the capacity of the permanent and temporary committees contemplated by Article 8A of the amended Law. Furthermore, the Council will take steps to ensure that these processes are guided by best practices to be identified or developed by the individual or unit responsible for policy coordination, planning and research.

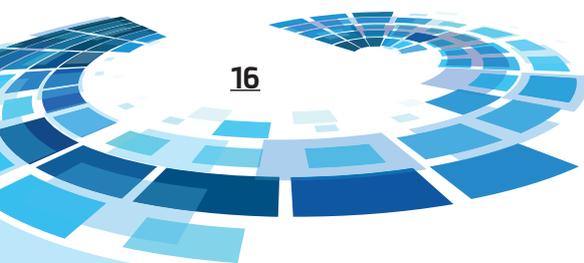
Strategic Objective 1.6 *Improve coordination among the KPC, KPC Secretariat, and Prosecution Offices*

The Council must have an internal communications mechanism in order to manage its units and employees so that the institution moves toward accomplishment of its objectives in a coordinated, effective, efficient manner. Accordingly, the Council will take appropriate steps to establish such a mechanism.

Strategic Objective 1.7 *Improve coordination of actions with international and national bodies (Ministry of Justice, Kosovo Judicial Institute, Kosovo Police, Chamber of Advocates)*

It is obvious that in order to successfully achieve its objectives, the Council must have a productive relationship with international and national counterpart institutions and organizations. Accordingly, the KPC will engage in the various continuing activities and/or take other steps to maintain those productive relationships.

To the extent that it is appropriate, the Council will improve its collaboration with international donors in order to identify, adopt, and sustain best practices in its oversight of Kosovo's prosecutorial system.



Pillar II: Promoting Competence and Professionalism

Trust and confidence in the prosecutorial system are essential to maintaining an orderly democratic society, including by means of independent prosecutors. Specifically, the prosecutorial institution must be perceived as fair, impartial and independent in seeking justice and resolution of suspected criminal offenses. Moreover, the prosecutorial institution must not only be perceived in this way, it must actually practice the principles of fairness, impartiality, and independence in every aspect of its work. Furthermore, accountability achieved through checks and balances is a fundamental principle of governance that was specifically adopted by the Republic of Kosovo. In particular, the people of Kosovo declared when ratifying their Constitution that “Kosovo is a democratic Republic based on the principle of separation of powers and the checks and balances among them as provided in [the] Constitution.” The Kosovo Prosecutorial Council is a custodian of these important principles, and as a public institution, the prosecutorial system must therefore be accountable for its actions, which will inspire public trust and confidence.

Effective administration of justice depends upon respect for the prosecutorial institution, and the competence, professionalism, and civility of those who are employed as prosecutors and prosecutorial support staff. Prosecutors, prosecutorial support staff, and members of the public are entitled to respectful and professional conduct from all participants in the justice system. Prosecutors and prosecutorial support staff must be well trained and receive the support necessary to achieve excellence, and to meet the needs of the public.

Strategic Objective 2.1 *Enhancing the stability of the mandate of prosecutors*

In general, applicable laws assign the power to propose candidates for reappointment, transfer, and promotion to the Council, but an amendment to the Law on the KPC with a clarification of the Council’s power to admit candidates to initial employment would enhance the prosecutorial system’s ability to function. In that connection, the Council will take steps to support the Ministry of Justice’s consideration of such an amendment.

The Constitution foresees appointment of prosecutors for an initial term, and there are mechanisms in place to ensure that reappointment decisions are made on the basis of examinations administered during the initial training and performance evaluations issued during the initial term. However, the Council will consider whether lengthy probationary appointments are appropriate in the long term because of the potential for an appearance, or reality, of interference with prosecutorial functions and prosecutorial independence.

Strategic Objective 2.2 *Establishment of transparent criteria and recruitment processes for processes for prosecutors, ensuring necessary professional competencies*

The Council will develop and implement a proactive and merits-based approach to recruitment designed to find and appoint a workforce that strives to achieve excellence and to meet high standards of ethical behavior.

Strategic Objective 2.3 *Revise the status of prosecutorial and KPC personnel*

Support staff members of the prosecutorial system, including the Council’s support staff, are civil servants, which means that the Council, Chief Prosecutors, and Secretariat managers have very limited supervisory authority over those employees. Reassigning support staff to a special category



that places them under the supervisory umbrella of the Council, Chief Prosecutor, and/or Secretariat management staff will greatly improve the efficiency and effectiveness of the institution, particularly with respect to the Council's ability to guide the institution toward accomplishment of the objectives set by the Strategic Plan. Accordingly, the Council will take appropriate steps to accomplish this goal.

Strategic Objective 2.4 *Enhance gender and ethnic diversity in the recruitment of prosecutors and administrative staff*

The Kosovo Prosecutorial Council has a legal obligation to ensure that workforce retained by the Office of the State Prosecutor reflects the multiethnic nature of Kosovo. Accordingly, the Council will take appropriate steps to accomplish this goal.

Strategic Objective 2.5 *Establish clear career pathways within the prosecutorial institution*

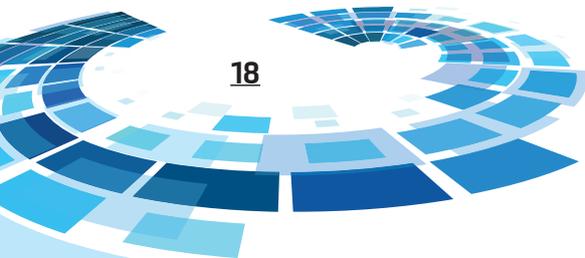
The Council recognizes that enabling prosecutors and support staff members to pursue a career pathway that takes advantage of their skills, education, and career interests will simultaneously facilitate the overall goals and objectives of the prosecutorial system because it will motivate those employees to perform successfully and efficiently. Accordingly, the Council will take appropriate steps to accomplish that goal.

Strategic Objective 2.6 *Strengthen human resource management and planning*

The human resources of the prosecution service (excluding the KPC) include a number of different groups of people: (1) prosecutors with managerial functions; (2) prosecutors without managerial functions; (3) support staff within the Performance Review Unit; and (4) support staff within the Office of the State Prosecutor. All groups are important to ensuring an effective, efficient and impartial prosecution service. It is therefore important that the Kosovo Prosecutorial Council, with the assistance of the Secretariat (pursuant to Article 14.1.6 of the amended Law), ensure that the State Prosecutor allocates its human resources responsibly so that its mission will be accomplished efficiently and effectively through the assignment of the optimum combination of skills, experience, and other considerations — including numbers of prosecutors and support staff — to a particular geographic location, type of criminal offense, or a specific prosecutorial matter on a temporary or permanent basis. In short, the right people need to be working in the right places in order to ensure an effective and efficient prosecution service. In conjunction with Chief Prosecutors and support staff, the Council will develop and implement systems to ensure responsible human resource allocation that leads to effective and efficient prosecution. Accordingly, the Council will take appropriate steps to accomplish that goal.

Strategic Objective 2.7 *Establish high ethical standards for prosecutors and prosecutorial support personnel*

In 2012, the Council adopted Codes of Ethics for KPC Members, prosecutors and support staff. Commentaries to those Codes were prepared, and a group of ethics trainers were prepared to assist in the implementation of the Codes. The Codes are in addition to other legal obligations of KPC Members, prosecutors and support staff to maintain high ethical standards, including under the Law on the Declaration and Origin and Control of Property and Gifts of Senior Public Officials (Law 04/L-050) and the Law on the Prevention of Conflict of Interests (Law 04/L-051). Accordingly, the Council will take steps to enforce high ethical standards for prosecutors and prosecutorial support personnel.



Strategic Objective 2.8 *Introduce measurable performance indicators for prosecution offices (for institutional components, prosecutors, as well as support staff)*

The Council shall rely upon performance standards for members of the KPC support staff, as well as Chief Prosecutors, prosecutors, and administrative support staff for two essential purposes that are related to accomplishing the institution's mission.

- First, performance standards are a means of establishing goals for individual employees of the prosecutorial institution, thereby distributing specific responsibility for parts of the institution's work plan to the individuals responsible for their implementation. The goals of a performance standard are also structured so as to provide specific achievable benchmarks of success, and give the individuals a roadmap of their next steps.
- Second, performance standards serve as a mechanism for evaluating individual employees, for rewarding sustained superior performance and discrete accomplishments, as a basis for correcting poor performance, and for disciplinary purposes.

Accordingly, during the time period covered by this strategic plan, the Council will take steps to accomplish those goals. Those steps will include establishment of the Prosecutors Performance Assessment Committee pursuant to the requirements of Articles 21.4 and 21.5 of the amended Law, which will require the Council to enact a regulation providing for performance standards that will be used when completing periodic performance assessments of prosecutors during their initial mandate, and pursuant to Article 14B, which provides for the Council's adoption of a regulation that will guide the Prosecutors Performance Assessment Committee's utilization of criteria and methods for the evaluation of prosecutors for the purposes of the Council's deliberations over the promotion, demotion, or dismissal of prosecutors.

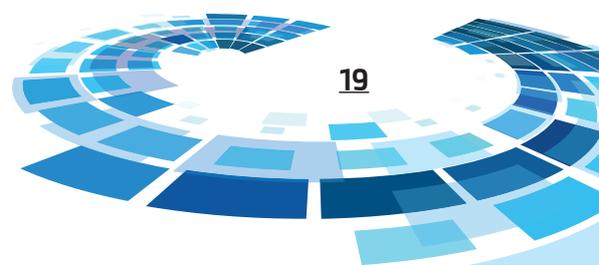
Similarly, the Council shall rely upon performance standards for its institutional components and those of the Office of State Prosecutor, including Prosecution Offices, administrative departments of the Office of State Prosecutor, and administrative departments of the Council. The same performance standard purposes apply to institutional components as the Council applies to individual employees. Performance standards provide a very useful framework that will guide the prosecutorial service toward measurable success, as follows:

- First, performance standards set important goals for institutional units, and distribute specific responsibility for parts of the institution's work plan to the components responsible for their implementation. This provides achievable benchmarks of success, and gives managers of the units a roadmap of next steps.
- Second, performance standards serve as a mechanism for evaluating units, for rewarding sustained superior performance of units and discrete accomplishments by units, and as a basis for correcting poor performance.⁴

Accordingly, during the time period covered by this strategic plan, the Council will take steps to accomplish those goals as well.

Strategic Objective 2.9 *Strengthen the evaluation process for prosecutors and prosecutorial staff*

In its oversight role and in order to build up the public's trust and confidence in the prosecutorial system, the Council will take steps to monitor and evaluate the productivity, efficiency, and effectiveness of prosecution offices, prosecutors, and support staff.



Steps taken by the Council will involve consideration of ways to improve the performance of individuals and ensure that poor performance can be effectively addressed at the earliest stage possible and good performance recognized. The Council recognizes that the effective operation of a performance evaluation system may require that individuals receive training to resolve performance concerns. The Council will actively take steps to ensure that training is targeted towards improvements in the performance of individuals and the prosecution service in general.

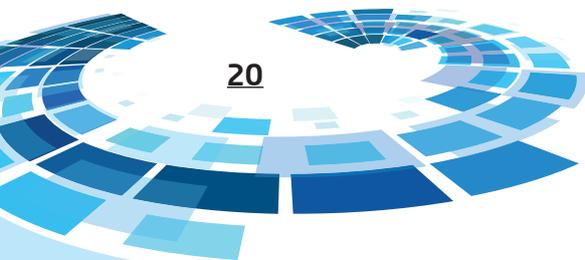
The Council will consider the use of appropriate performance standards that serve as a mechanism for evaluating individual prosecutors and support staff employees, for rewarding sustained superior performance, as well as discrete accomplishments, as a basis for correcting poor performance, and for disciplinary purposes. Furthermore, the Council will establish goals for individual performance, thereby distributing specific responsibility for parts of the institution's work plan to the individuals responsible for their implementation. The goals of a performance standard are also structured so as to provide specific achievable benchmarks of success, and give the individuals a roadmap of their next steps. Accordingly, during the time period covered by this Strategic Plan, the Council will take steps to establish effective performance standards, including pursuant to Articles 21.4 and 21.5 of the amended Law, which requires the Council to adopt a regulation that establishes performance standards to be used for periodic evaluations of prosecutors during their initial mandates, and pursuant to Article 14B, which provides for the Council's adoption of a regulation that will guide the Prosecutors Performance Assessment Committee's utilization of criteria and methods for the evaluation of prosecutors for the purposes of the Council's deliberations over the promotion, demotion, or dismissal of prosecutors.

Strategic Objective 2.10 *Strengthen the disciplinary system for prosecutors and prosecutorial staff*

The Council, in cooperation with other bodies, is responsible for carrying out disciplinary proceedings regarding complaints made against prosecutors, which are investigated by the Office of Disciplinary Counsel.⁵ Disciplinary proceedings are guided by principles that must be established by law, which include the principles of legality, equality before the law, presumption of innocence, *in dubio pro reo*, proportionality, independence and impartiality, publicity, and confidentiality.

If an individual susceptible to the Code of Ethics understands the purposes and provisions of the Code, that knowledge will assist the individual in resolving ethical challenges. This approach involves positive discipline, and it involves self-control. It also reflects leadership, dedication, motivation, and other very positive qualities. If, on the other hand, the individual ignores the applicable Code of Ethics—or disregards his or her duty to understand and implement the Code—the Code can become a sword that may damage the prosecutor's or support staff member's career as a result of the natural consequences of the disciplinary process. This step involves negative discipline, and it is grounded in the potential for punishment. The Council's responsibilities for negative discipline are discharged by a Disciplinary Committee composed of three Council Members operating under a regulatory framework that requires review and revision.

Accordingly, the Council will take steps to strengthen the disciplinary system for prosecutors and support staff, including pursuant to the amendments to disciplinary procedures provisions of the Law, which (in Article 23) provides for a new composition of the Disciplinary Committee, (in Article 25.3) provides for a statute of limitations for disciplinary complaints, and (in Articles 29.5 and 29.6) provides the Council with dispositional options for appeals of Disciplinary Committee decisions and



for cases in which there is a delay in the Disciplinary Committee's receipt of a case from the Office of Disciplinary Prosecutor that triggers the statute of limitations.

Strategic Objective 2.11 *Provision of specific trainings for prosecutors*

Pursuant to Article 40 of the Law, the Council is responsible for determining policies, standards and directives by which the training for prosecutors and prosecutorial staff are regulated.

The Council recognizes that the career development of prosecutors and support staff is important for both the individuals and the institution because it increases levels of professionalization, and assists in succession planning since retirements, resignations, and end-of-mandate departures would otherwise leave gaps in the human resource infrastructure. The Council will take appropriate steps to ensure that professionalization and succession planning efforts are made.

The Council recognizes that, to a large degree, successful prosecutions and supportable decisions will result from good legal reasoning and writing skills demonstrated by prosecutors in the course of their work. Accordingly, the Council will take appropriate steps to ensure the strengthening of such skills.

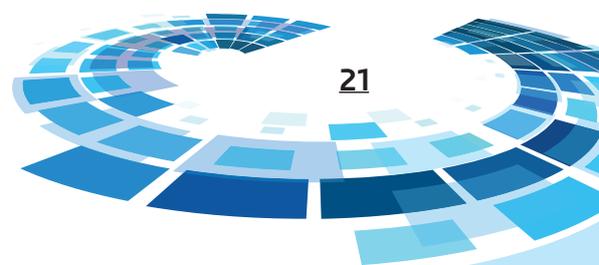
Strategic Objective 2.12 *Provision of joint trainings for prosecutors and administrative staff*

The Council recognizes that technology is the backbone of the administrative and legal work of a modern prosecutorial system, and, in particular, that technology skill development and/or improvement is vitally important to the successful achievement of the goals and objectives of Kosovo's prosecutorial system. Accordingly, the Council will take appropriate steps to ensure the strengthening of these skills.

Moreover, the Council shares a responsibility for the training of prosecutors and support staff with the Kosovo Judicial Institute (prosecutors) and the Ministry of Public Administration (support staff). In particular, that shared responsibility includes developing, implementing, monitoring, and evaluating training programs that will result in increasing the levels of professionalization in the prosecutorial workforce. The Council recognizes that a professional and effective prosecution service requires professional and effective individual members of a workforce. The Council will therefore ensure a program of systematic, continuous professionalization of the KPC and Office of State Prosecutor workforce, and it will ensure that good performance is recognized and poor performance improved. Professionalization goals include: a high level of knowledge and skill within the prosecution service, effective and appropriate training and use of support staff to relieve prosecutors of duties, and effective performance management systems to encourage good performance.

In order to ensure a professional, impartial and independent prosecution service, each prosecutor and support staff member must be aware not just of his or her work duties, but also of more generalization obligations regarding confidentiality and the protection of personal data, ethics, and professional conduct (including under the relevant Codes of Conduct and Laws such as, but not limited to, the Law on Declaration of Assets and the Law on Conflict of Interests).

Professionalization efforts will be rooted in training programs that focus on the operational needs of the prosecution as well as individual career development and institutional succession planning. In terms of methodology, training will include not only classroom activities, but also "job shadowing," on-the-job training and professional mentoring.



Pillar III: Enhancing Outreach and Public Relations

As a nation, Kosovo is committed to providing quality justice services to all members of its communities. It is well known that physical, economic, language, and other differences can serve as barriers to justice. Consequently, understandable information and appropriate services must be provided to every individual in order to provide a climate of open access to justice, and to improve public confidence in the prosecutorial system.

Strategic Objective 3.1 *Promote public trust and confidence through public outreach*

Public awareness about the prosecution system and its activities remains at a low level. The educational level of the population and conservative attitudes of communities limit the access to justice of vulnerable groups. Women and young girls often find it difficult to report a crime. An integrated approach to crime prevention and investigation, which brings together all justice institutions (including the police), civil society and community groups, is progressing slowly.

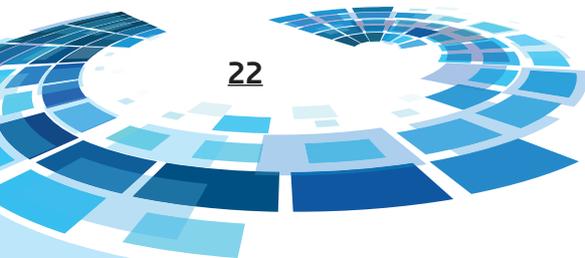
A prosecution system cannot be considered successful if it does not provide fair, impartial, non-discriminatory investigation and prosecution to citizens who need it, using reliable, transparent, effective and sustainable mechanisms for dispute resolution and to protect rights, including the punishment of crimes and compensation to victims. It is therefore essential to continue to implement more effectively awareness and information campaigns on laws and rights of citizens so that the population understands and demands the protection of its rights.

In its capacity as overseer of the prosecution system, the Council recognizes that some of the main challenges in accessing the prosecution system are related to:

- Ensuring that the awareness of gender and sensitivity to children's rights are incorporated in the programs and activities of the prosecution sector.
- Increasing the level of public awareness of laws, rights and the mechanisms available to enforce rights, particularly among women and young girls.
- Increasing the capacity of the institutions in the sector to provide the services and handle legal cases quickly and effectively in order to increase the public's confidence in the prosecution system and reduce the perception of impunity.
- Enhancing other alternative non-jurisdictional dispute resolution mechanisms, for example, mediation and arbitration.
- Enhancing an integrated and effective system of legal aid and judicial support, especially for the disadvantaged and vulnerable population, mainly through the reinforcement of the role of the lawyers and the implementation of protection systems for witnesses and vulnerable persons (for e.g., hidden identity, shelters), but also through exemption of fees and charges, payment of travel expenses, and so forth.

Accordingly, during the time period covered by this strategic plan, the Council will take steps to improve public confidence in the prosecutorial system and to increase public awareness of the degree to which the prosecutorial system promotes public access to justice services.

The prosecution system will be transparent and communicate effectively both with members of the media and public (including all sectors of Kosovo society) in order to promote public trust and confidence. In this respect, the KPC will ensure that the prosecution service provides the public with appropriate information about the prosecution of individual cases and the work of the prosecution



service through outreach activities, media and other activities.

This is a critically important objective because public awareness of the prosecution and criminal justice system remains low. While individual prosecutors and the prosecution system receive negative comments in the press, there is little coverage of their successes or the successes of the prosecution service as a whole. This situation contributes to public perception of a limitation on access to justice. The Council will strengthen its public outreach activities in order to strengthen public confidence in the prosecutorial system.

Currently, the public's access to the Council's electronic identity is through a link posted on the website of the Office of the State Prosecutor, which raises a perception of a lack of independence between the two institutions, while the Constitution and the Laws require independent action. Accordingly, in order to maintain its independence and to have a forum in which to inform the public for general purposes, but also to improve public confidence in the prosecutorial system, the Council will take the following steps:

Strategic Objective 3.2 *Provide public access to reports and records regarding prosecutorial data*

In relation to the performance of prosecution offices and prosecutors, the KPC Performance Evaluation Unit has taken steps to develop a database that will enable the capture of accurate information about the work of prosecution offices and prosecutors.

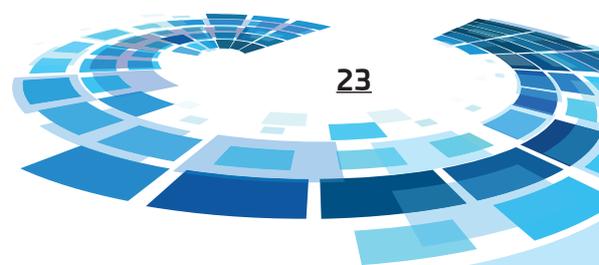
The Council's Performance Evaluation Unit will assess the means by which it collects information about the work conducted by the prosecution service, including by prosecution offices. It will improve the analysis and presentation of that information to ensure that key points can be easily understood, and that performance is improved as appropriate.

Strategic Objective 3.3 *Ensuring the confidentiality of information to the extent required by Kosovo law*

In fulfilling its responsibility to increase access to public documents created by the Council and other information, the prosecutorial institution will safeguard information that is protected under Kosovo privacy laws. The transparency and communications efforts of the prosecution system will at the same time respect and protect the need for privacy in relation to on-going investigations as well as the privacy, health and well-being of witnesses, victims, defendants as well as prosecutors and other persons involved.⁶ By law, the Kosovo Prosecutorial Council and State Prosecutor must protect the security of all personal data for which it has responsibility. This includes all data relating to living or dead persons who can be identified (including prosecution files, personnel records, and so forth). Accordingly, the Council will take steps to ensure the confidentiality of information to the extent required by Kosovo law.

Strategic Objective 3.4 *Facilitate access to justice by ethnic minorities and vulnerable groups*

The Constitution recognizes that Kosovo is a multi-lingual and multi-ethnic society, and it requires fair treatment of all individuals. Consequently, the Council, the Office of State Prosecutor, and individual Prosecution Offices must continuously assure that minority groups have total access to services provided by the prosecutorial system. Accordingly, the Council will take appropriate steps to facilitate access to justice by ethnic minorities and vulnerable groups.



Pillar IV: Improving Facilities and Technology

The effort to increase empowerment and functionality of the prosecutorial system clearly would be assisted by improvements in the physical infrastructure, equipment, and information technology, including case management systems and databases.

Strategic Objective 4.1 *Establish an adequate information and technology infrastructure*

The Council recognizes that a solid, dependable information technology infrastructure is a key to the efficiency of the administrative and legal functions of the prosecutorial system. Accordingly, the Council will take appropriate steps to establish an adequate information and technology infrastructure.

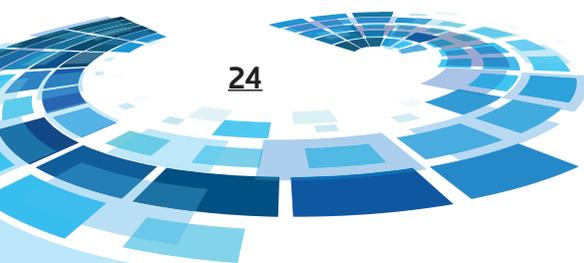
Strategic Objective 4.2 *Ensure the adequacy of prosecutorial facilities*

The Council recognizes that functional prosecutorial facilities are a key to the successful accomplishment of the goals and objectives of the prosecutorial system. Accordingly, the KPC will take appropriate steps to ensure the adequacy of existing prosecutorial facilities.

During the period of this Strategic Plan, the State Prosecutor may develop and move to a number of new office buildings. In order to ensure the continuity and efficiency of prosecutorial services, the Council has a role in ensuring that the physical infrastructure of any new buildings or offices of the Council or the State Prosecutor is adequate. Accordingly, the Council will take appropriate steps to ensure the adequacy of new prosecutorial facilities.

Strategic Objective 4.3 *Ensure adequate security for prosecutors, prosecution office personnel, and prosecutorial facilities*

The security and safety of all persons who work in the prosecution system is critically important to the Council. Similarly, the Council places a high value on the protection of confidential data, evidence, and other items in the custody of the prosecutorial system. Accordingly, the Council will take appropriate steps to ensure adequate security for prosecutors, prosecution office personnel, and prosecutorial facilities.



Implementing and Monitoring the Strategic Plan

In the final analysis, it will be the monitoring and evaluation of the strategic and action plans that will ensure the sustainability of strategic goals and objectives over the long term.

Accordingly, the KPC will create and fill a position within the Secretariat with the competency to monitor progress towards strategic goals, and it will develop a protocol for progress reporting and Council-level oversight that is facilitated by the use of a monitoring and evaluation tool that provides for the assignment of specific implementation responsibilities to particular individuals, establishment of specific timelines and deadlines, progress reporting, and other organizational futures.

The KPC will use the matrix in Appendix I to develop more detailed work plans for achieving each strategic goal and objective based on an instruction that will be adopted by the Council.



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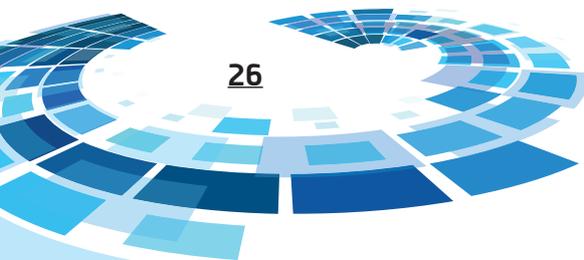
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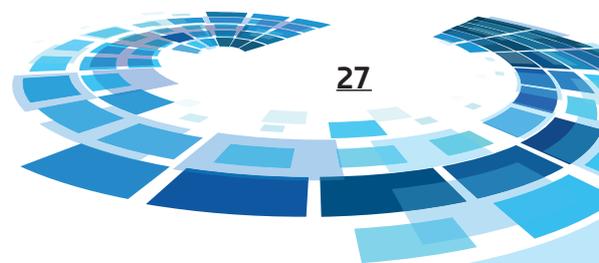
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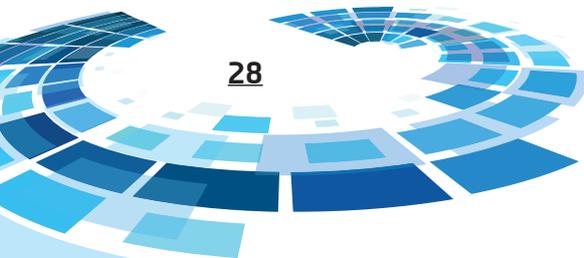
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Pillar I: Strengthen the Institutional Structure and Capacities of the Prosecutorial System

Strategic Objective 1.1 *Increase financial responsibility and upgrade the budgetary process*

- Pursuant to Article 13 of the amended Law, the Council will establish all appropriate mechanisms to manage its responsibility to prepare and submit the annual draft-budget to the Assembly for consideration and adoption, and then to administer the budget, including oversight of expenditures, allocation of funds, maintenance of accurate and current accounts, and financial audits.
- The Council will seek a delegation of the power to administer the budget of the Office of Disciplinary Counsel to the ODC Secretariat, and to review the approved internal financial delegations of the KPC as a Budget Organization.
- The Council will improve the circulation of internal budget regulations and timetables to the Prosecution Offices, Departments and Units on which the Finance Manager relies for detailed budget information, which is then consolidated into the KPC budget by the Secretariat. Moreover, the Council will develop standard operating procedures for relevant aspects of the budget-setting process, such as setting goals, objectives, and performance indicators. Finally, the Council will ensure that a training needs assessment is conducted in this regard, and that appropriate training is conducted.
- The Council will establish a mechanism that will ensure constant budget monitoring and to increase the capacity for quarterly and annual financial reporting. It will also improve the content of the budget presentation, as well as the process of presenting financial reports to the KPC Budget & Finance Committee. Furthermore, the Council will work to increase the awareness and importance of audit report content, material issues arising for Board-level review and appropriate action, and conduct necessary follow up activities based upon audit findings, such as reports from the Office of Auditor General and internal auditors.
- The Council will increase the awareness and understanding of its members, as well as members of the KPC Budget & Finance Committee, regarding their responsibility to ensure that there is accountability for the setting, approval, and monitoring and oversight of the KPC budget. The KPC Budget & Finance Committee will improve the forward planning of the Council's standing agenda items with a specific focus on the timetable for the annual budget-setting process, mid-year revision of the budget, presentation of outturn figures, and consideration of and responses to internal and external audit report findings.
- The Council will take steps to build the capacity of non-financial managers who provide financial input to the budget planning, execution, and monitoring process in order to improve the effectiveness and efficiency of that process. Similarly, the Council will take steps to build the capacity of financial officers in prosecution offices in order to make the KPC's budget planning, execution, and monitoring process.
- The Council will adopt or improve internal budget regulations and timetables that apply to the Prosecution Offices, Departments and Units on which the Finance Manager relies for detailed budget information, and which is then consolidated into the KPC budget by its administrative officers.
- The Council will develop and adopt standard operating procedures regarding specific documentation that is required as part of the budget-setting process, which will include, for example, specific goals, objectives, and performance indicators.



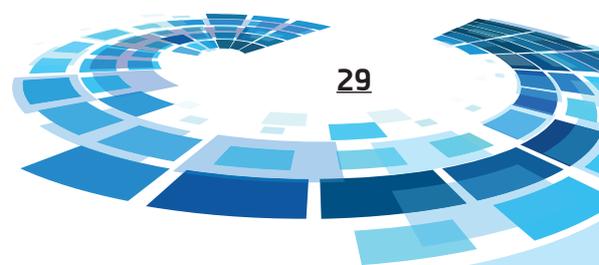
- The Council will take steps to improve the content of the budget presentation, as well as the process for presenting financial reports to the KPC Budget & Finance Committee.
- The Council will conduct periodic assessments of the effectiveness of budgetary and procurement controls, including with respect to findings and recommendations reflected in reports prepared by the Auditor General.
- The Council will develop, monitor, and make necessary revisions to a strategy for budgetary and procurement controls that will be consistent with findings and recommendations reflected in reports prepared by the Auditor General.
- The Council will take steps to increase the awareness and importance of audit report content, as well as to create a process to address material issues that require Board-level review, action and follow-up resulting from audit findings by the Office of Auditor General and internal auditors.⁷
- The Council will establish a mechanism to ensure constant budget monitoring, and to increase the capacity of quarterly and annual financial reporting.

Strategic Objective 1.2 *Establish an appointment process, composition and status of the KPC that is consistent with European standards*

- The Council will take any and all implementing steps pursuant to provisions of the amended Law that relate to the appointment process, composition and status of the KPC, including, among others, Articles 5, 5A, 10, 14, and 14A.
- Prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended to establish the position of Deputy Chair of the Council, with a description of the specific responsibilities of the Deputy Chair.
- The Council will maintain and continue to publish online a current separate organigram reflecting the KPC's independence from the OSP.
- The Council will monitor and continue to improve as necessary its internal structure by:
 - Enhancing its permanent Committee on Budget, Finances and Personnel as necessary.
 - Enhancing its permanent Committee on Normative Acts as necessary.
 - Enhancing its permanent Prosecution Offices Administration Committee as necessary.
 - Enhancing its permanent Disciplinary Committee as necessary.
 - Enhancing its Prosecutors Performance Assessment Committee as necessary.
 - Establishing other permanent and *ad hoc* committees as needed to improve its work.

The existence and competencies of the Council's committees will have a basis in the Law, with the flexibility to establish permanent and *ad hoc* committees as necessary.

- Except for the Disciplinary Committee, the Council will ensure that no committee has decisive power, and that all committees will be required to provide the Council with a explanatory report and other documentation supporting a decision recommended by the Committee.
- To protect the integrity, efficiency, and effectiveness of the Council's committees, the Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation an amendment to the Law on the KPC or take other steps that will

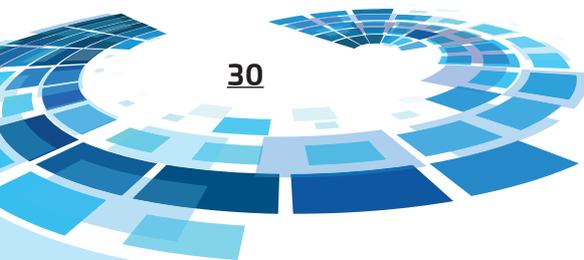


reflect basic rules on the composition of committees, and which would provide for the following:

- Providing for a sufficiently large number of committee members to allow a broad discussion, but yet a sufficiently low number of members to allow for smooth work.
- Providing that if representatives of other professions are members of a committee, the number of prosecutors on the committee should be a majority.
- Providing for basic rules of replacement in case of a conflict of interest or for other situations, and the rules shall be in compliance with the Law on Preventing Conflict of Interest in Exercising Public Functions.
- Providing for some basic rules of committee procedure, such as quorum, casting votes, solutions for situations in which there are equal votes, and so forth.
- Prohibiting the KPC Chair from serving on a committee because of the nature of the Chair's duties.

The Council will take all necessary steps to ensure that committee members are freed from other tasks to the extent that it is necessary so that the responsibility to prepare draft decisions and engage in deliberations regarding the committee's work. In particular, a rotation principle will be utilized to compose the Disciplinary Committee, and a system of alternating rapporteurs will be utilized in order to share the workload.

- Conduct a needs assessment in order to determine the minimum number of support staff necessary to support the Council, and regarding other improvements needed for support to KPC members.
- Conduct a needs assessment for the provision of appropriate training to assist KPC members in performing oversight and other responsibilities. The Council will prepare training plans as useful and implement appropriate training for KPC members. The Council will establish an *ad hoc* Training Committee, which will coordinate with the Kosovo Judicial Institute, to carry out specific responsibilities of this function.
- Increase capacity building activities in order to prepare support staff members for delivery of responsible, professional, and efficient assistance to the functioning of the Council. Particular attention will be paid to the capacity building of Legal Secretaries assigned to Committees, as well as the heads of units and offices in the Secretariat and Performance Evaluation Unit, including regarding (a) establishing proper documentation of all decisions, including indexing, (b) file maintenance and communications with parties to the KPC's work, (c) ensuring the unified application of the law, and (d) improving the legal research capacity of the Council.⁸ In this regard, the Council will also provide continuous joint training to support staff members regarding the recruitment, evaluation, and disciplinary activities of the KPC and its committees, and other issues that will provide a full understanding of the role of the support staff in these processes, all of which will be conducted in order to create a cooperative, coordinated environment that will facilitate achievement of institutional objectives.
- The Council will adopt and follow annual work plans, action plans, and other planning documents to achieve the outcomes in this Strategic Plan. In particular, the Council will ensure that annual work plans, action plans, and other work plans are in synchronization with the Strategic Plan so that all efforts are directed toward accomplishment of the goals



and objectives that were prioritized by the deliberative process that resulted in the adoption of the Strategic Plan.

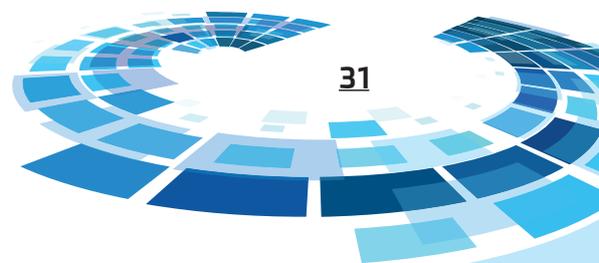
- The Council will establish a monitoring and evaluation process to ensure accomplishment of goals set by work plans, strategic plans, and other planning documents, which shall include employment of a specialist that will coordinate the monitoring and evaluation materials. The monitoring and evaluation coordinator will, among other things, obtain and consider reports, based on a set timetable, from the KPC Performance Evaluation Unit, KPC Committees, and other mechanisms and sources of information in order to assist the Council in performing its deliberations that are conducted on the basis of evidence. As examples, the subject matters of those activities will include:
 - ✓ Updates from the Budget Committee.
 - ✓ The functioning of Prosecution Registries.
 - ✓ Progress in achieving the objectives of the Strategic Plan on Inter-Institutional Cooperation in the Fight Against Organized Crime.
 - ✓ Progress toward meeting its commitments under the National Anti-Corruption Strategy and Action Plan.
 - ✓ Progress in achieving the objectives of this Strategic Plan.
 - ✓ Other reports as needed.
- The KPC will consider the potential for improving the Council's efficiency through reliance on less frequent and/or longer sessions.

Strategic Objective 1.3 *Clarify the role and organizational structure of the Secretariat*

- The Council will implement Articles 14 and 14A of the amended Law regarding the establishment of the Council's Secretariat and the appointment of the Director of the KPC Secretariat.
- The Council will highlight its institutional independence as it carries out its responsibility to provide oversight of the Office of the State Prosecutor, and in that regard it will make any adjustments as may be necessary to ensure the independence of the Council, and to indicate that independence by publication of a separate organigram of the Council's framework.
- The Council will perform a management decentralization study to determine which, if any, Secretariat tasks should be transferred, or shared, with individual Prosecution Offices in order to improve efficiencies in the administration of the prosecutorial system.
- Based on the results of the decentralization study, the Council will adopt such changes in management proceedings as are justified by the study.
- The Council will ensure that prosecutors and support staff affected by any decentralization decisions will receive training in the subject matter of the new structure, particularly including budget and finance functions, which will be designed to maintain maximum efficiency.

Strategic Objective 1.4 *Enhance policy planning*

- The Council will establish a Strategic Planning Office, or, at a minimum, designate officers, to conduct policy research, support the Council's planning activities, and to otherwise



help improve prosecutorial administration best practices.

Strategic Objective 1.5 *Adopt processes that the KPC will use for drafting and approving regulations and other sub-legal acts*

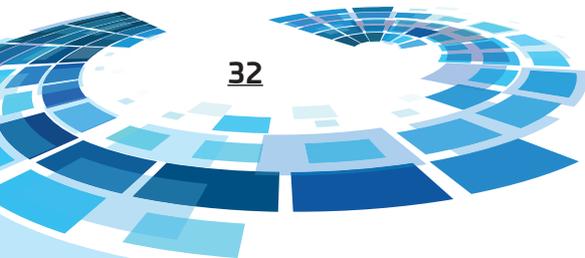
- The Council shall prepare a concept paper for submission to the Ministry of Justice supporting a recommendation appropriate amendments to laws and, as necessary, the Constitution in order for it to achieve stability of its infrastructure, including the following considerations:
 - The necessity of a constitutional amendment, an amendment to the Law, or a legal interpretation that would clarify the Council's power to issue regulations, and grant authority to the Constitutional Court to review such regulations because it appears that the Constitution currently foresees only reviews of regulations issued by the executive branch.
 - The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended to specifically describe the type of normative acts that the Council is empowered to enact, including regulations (including amendments to regulations), decisions (directed at one or more individuals), and instructions (including general instructions or circulars directed at one or more individuals).
 - The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC explicitly identify where public decisions, or other public documents, of the KPC should be published.
- Within the scope of its competencies, the Council will adopt a rule regarding publication of KPC decisions if the Law on the KPC is not amended so as to require publication.
- Within the scope of its competencies, the Council will adopt a rule that will refer in their regulations and decisions to the date of publication as the date upon which the respective act enters into force, and such documents will also specify the date of publication.

Strategic Objective 1.6 *Improve coordination among the KPC, KPC Secretariat and Prosecution Offices*

- The Council will ensure that the existing mechanism for internal communications is assessed, that communications needs are assessed, and that steps are taken to improve existing internal communications. This will involve the preparation and implementation of an internal communications plan or strategy. Those steps must ensure that all persons working within the prosecution service have access to the information in their respective language that they need to carry out their duties professionally, effectively and efficiently, and are aware of key developments that affect their work.

Strategic Objective 1.7 *Improve coordination of actions with international and other national bodies, such as the Ministry of Justice, the Kosovo Judicial Institute, the Kosovo Police, and the Chamber of Advocates*

- Without compromising the independence of the judiciary from the functions of the prosecutorial system, the Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Laws on the KPC and KJC be



amended to establish an inter-Council coordination and cooperation mechanism in order to improve interaction between the KJC and KPC, which may include observations of Council activities by a Member of the corresponding Council, mandatory regular meetings between corresponding Secretariat Directors and department heads.

- To the extent that it is appropriate, the Council will improve its liaison with the Ministry of Justice because it is necessary to ensure that Laws impacting the prosecutorial system are proposed or revised so that relevant issues are resolved.
- The Council will continue to collaborate closely with the Kosovo Judicial Institute in order to meet its oversight obligation to ensure that training efforts meet the professionalization expectations of this Strategic Plan.
- So long as support staff members of the prosecutorial system are employees of the Ministry of Public Administration, the Council will collaborate closely with the MPA training office in order to meet its oversight obligation to ensure that training efforts meet the professionalization expectations of this Strategic Plan. In addition, if support staff members of the prosecutorial system become employees of the prosecutorial system, the Council will collaborate with appropriate offices in order to continue to meet its oversight obligation to ensure that training efforts meet the professionalization expectations of this Strategic Plan.
- To the extent that it is appropriate, the Council will improve its liaison with the Kosovo Police because the KP supports prosecutions conducted by the prosecutorial system, and such liaison is necessary to ensure that prosecutions are efficient and effective.
- To the extent that it is appropriate, the Council will improve its collaboration with the Chamber of Advocates in order to maintain efficient and effective rules, procedures, and other activities related to the administration of justice.

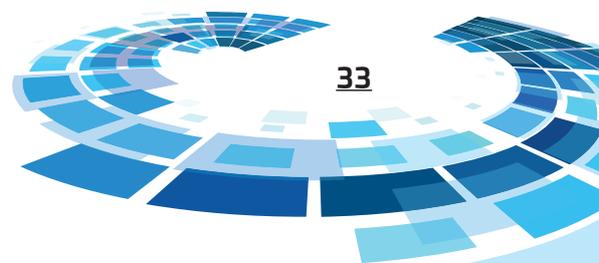
Pillar II: Promoting Competence and Professionalism

Strategic Objective 2.1 *Enhance the stability of the mandate of prosecutors*

- Prepare a concept paper for submission to the Ministry of Justice supporting an amendment to the Law on the KPC that would assign the power to admit prosecutor candidates to the initial stage of employment to the Council.
- If, after monitoring the situation, the Council concludes that there are problems with this procedure, it will submit a concept paper to the Ministry of Justice that would support an amendment to the Constitution that will introduce additional safeguards, including perhaps a requirement of written and reasoned decisions, and a right to judicial review of non-reappointment decisions.
- In the meantime, the Council will submit a concept paper to the Ministry of Justice in support of an amendment to the Law on the KPC that would establish an administrative appeal procedure for non-reappointment decisions.

Strategic Objective 2.2 *Establish transparent criteria and recruitment processes for prosecutors, ensuring necessary professional competencies*

- The Council will develop and implement a proactive and merits-based approach to



recruitment designed to find and appoint a workforce that strives to achieve excellence and to meet high standards of ethical behavior.

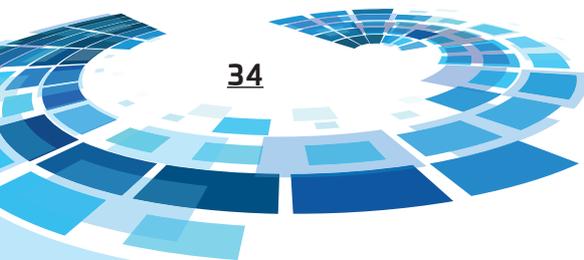
- The Council will prepare a concept paper that will support amendments to the Law on the KPC providing for utilization of a training, examination, and mentoring process that will be employed during the initial training period of prosecutor candidates that will promote excellence of performance.
- The Council will use a recruitment process that is clear and transparent.
- The Council will ensure the recruitment of a workforce that represents the ethnic and gender diversity of Kosovo.
- The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended so that the KPC will have the competence for determining the number of prosecutors who will be admitted to the initial training.
- The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended so as to specify the criteria for admission of candidates to initial training for prosecutors, which should include competitive, written, and anonymous examinations, and other sources of information (such as results of previous examinations and evaluations).
- The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended so as to provide a process for admission of candidates to initial training that would indicate that the trainees will have a high probability of final appointment as prosecutors.
- The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended so as to provide for adoption of a procedure in which juries of all written and oral examinations must be composed of prosecutors and other persons of recognized merit in the areas or subjects under evaluation.

Strategic Objective 2.3 *Revise the status of prosecutorial and KPC personnel*

- The Council will develop a concept paper that provides a justification for changing the status of support staff members of the prosecutorial institution, including the Council, from civil servants to employees of the Council or the Office of State Prosecutor, as appropriate.
- The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation an amendment to relevant laws so that the change of employment status of support staff members can be accomplished.
- The Council will include the basis of its proposed change of employment status of support staff members in its annual report to the Assembly.

Strategic Objective 2.4 *Enhance gender and ethnic diversity in the recruitment of prosecutors and administrative staff*

- The Council will develop and implement a transparent,⁹ proactive recruitment strategy dedicated to find and hire a diverse workforce that is consistent with Constitutional and



statutory objectives. The strategy will represent a proactive and merits-based¹⁰ approach to recruitment designed to find and hire a total workforce that will strive to achieve individual and institutional excellence, and to meet high standards of ethical behavior, and to comply with the multi-ethnic, gender-diverse goals set by the Constitution.

- The Council will periodically assess the productivity of its recruitment efforts, and make such adjustments to its strategy as may be necessary to maximize a beneficial outcome.

Strategic Objective 2.5 *Establish clear career pathways within the prosecutorial institution*

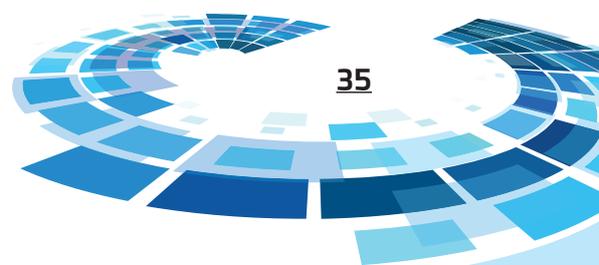
- The Council will consider the needs of the prosecution service and career development goals of prosecution service employees, and adopt an overall career development strategy, revising the plan as necessary when prosecution service needs change. The plan will include succession planning and cross-training features.
- The Council will ensure that the career development strategy is monitored, and that the strategy is revised as institutional needs change.

Strategic Objective 2.6 *Strengthen human resource management and planning*

- The KPC will develop and implement management information systems to identify the short term and long term human resource needs of each prosecution office, and the KPC will review these needs on a regular basis.
- As part of a succession planning process, the Council will implement, and, if necessary, prepare a concept paper supporting amendments to the Law on the KPC providing for implementation of clear rules regarding retirement, information collection procedures regarding retirement and end-of-mandate dates, a clear policy on position vacancy announcements, and the impact of forecasted training needs, especially in the long term.
- The Council will develop and implement management information systems to enable it to identify the human resource needs of each prosecution office (prosecutors and support staff) and to review these needs on a regular basis.

Strategic Objective 2.7 *Establish high ethical standards for prosecutors and prosecutorial support personnel*

- The Council will take steps to ensure that members of the KPC, and all persons working within the KPC and prosecution service, are fully aware of their ethical obligations under the Codes and the laws, including by means of comprehensive training programs (including induction training of new Council Members, prosecutors, and support staff employees).
- The Council will take steps to ensure that all persons working in the prosecution service are able to obtain neutral and professional advice if they face ethical dilemmas. Such steps may include ethics advisors, the provision of information through on-line resources about ethical decisions reached in disciplinary cases or other steps.
- The Council will periodically assess the effectiveness of its approach to accountability goals, and it will make such improvements as may be necessary to maximize a beneficial outcome.

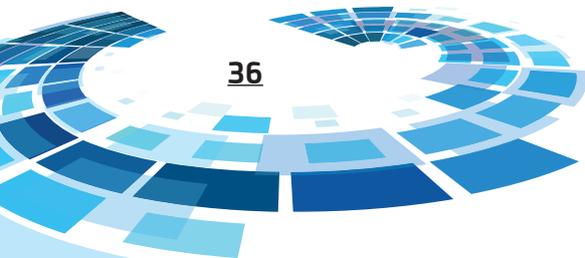


Strategic Objective 2.8 *Introducing measurable performance indicators for prosecution offices (for institutional components, prosecutors, as well as support staff)*

- The Council will implement the requirements of Article 14B of the amended Law concerning the establishment of the Prosecutors Performance Assessment Committee, including its utilization of criteria and methods for the evaluation of prosecutors for the purposes of the Council's deliberations over the promotion, demotion, or dismissal of prosecutors.
- The Council will implement the requirements of Articles 21.4 and 21.5 of the amended Law, which mandate the Council to enact a regulation providing for performance standards that will be used when completing periodic performance assessments of prosecutors during their initial mandate.
- The Council will review its performance standards for individual employees, and then make appropriate adjustments to ensure that the standards provide relevant guidance to employees.
- The Council will ensure that the performance standards are in sync with the overarching objectives of the institution's strategic plan.
- The Council will periodically assess the effectiveness of its performance standards as compared to their purposes, and make such adjustments to its strategy as may be necessary to maximize a beneficial outcome.
- The Council will review its performance standards for units of the institution, and then make appropriate adjustments to ensure that the standards provide relevant guidance to employees.
- The Council will ensure that the performance standards are in sync with the overarching objectives of the institution's strategic plan.
- The Council will periodically assess the effectiveness of its performance standards as compared to their purposes, and make such adjustments to its strategy as may be necessary to maximize a beneficial outcome.
- Because the PPRU has an important role in assessing the performance of components of the prosecutorial system, the Council will ensure that performance standards provide a reliable basis for measuring the progress of each institutional component toward achievement of strategic goals and objectives.

Strategic Objective 2.9 *Strengthen the evaluation process for prosecutors and prosecutorial staff*

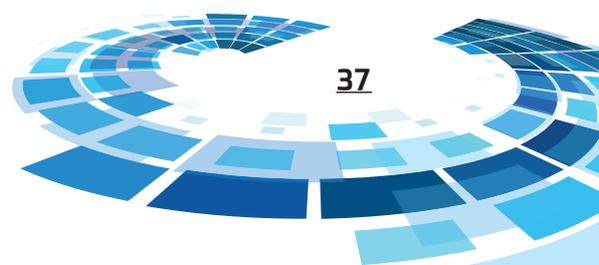
- Evaluation of Prosecution Offices. The Council's monitoring and evaluation effort with respect to prosecution offices will have at least three elements:
 - To the extent that it is necessary, the Council will ensure that Chief Prosecutors improve their capacity to make useful reports on the performance of their respective prosecution office at regular intervals, and to propose improvements for the Council's consideration.
 - The Performance Evaluation Unit will conduct evaluations of prosecution offices as requested by the KPC in order to monitor progress of the prosecution service in line with this Strategic Plan and generally so that the Council can evaluate reports of the



- Chief Prosecutors, and to assist the Council in relevant deliberations.
- The Council will take significant steps to enhance its capacity to monitor and evaluate prosecution offices using effective tools, and its ability to deliberate over appropriate follow-up activities to its findings with respect to the prosecution offices. In addition, the Council will adopt a mechanism enabling the Council to track progress on the resolution of problems that have been identified through its monitoring and evaluation activities, and to recognize successes achieved by prosecution offices.
 - Evaluation of Individual Prosecutors. The Council will take steps to ensure proper performance evaluations are conducted of all prosecutors working within the prosecution service, which will involve considerations of independence, integrity, and impartiality,¹¹ among other factors. In doing this, the Council will take account of different groups of people who work within the prosecution service. The KPC is responsible for developing performance evaluation systems for prosecutors and Chief Prosecutors (Art. 21 of the Law on the KPC), which should provide an assurance of impartiality and independence from outside influences.
 - Evaluations of Support Staff. The Council is also responsible for overseeing the administration of each prosecution office and its personnel to ensure performance evaluations of civil service staff are undertaken in a manner that contributes to the KPC's strategic objectives.
 - Review existing performance standards for individuals, and make appropriate adjustments to ensure that the standards are designed to achieve the objectives of this Plan and that they provide relevant guidance to prosecutors and support staff employees.
 - Thereafter, the Council will periodically assess the effectiveness of its performance evaluation system and any performance standards, and make such adjustments as may be necessary to maximize a beneficial outcome.

Strategic Objective 2.10 *Strengthen the disciplinary system for prosecutors and prosecutorial staff*

- The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation for appropriate amendments of the Law on the KPC, and other relevant laws, that will incorporate best disciplinary practice principles into disciplinary proceedings initiated by the Council.
- The Council will implement as appropriate the including pursuant to the amendments to disciplinary procedures provisions of the Law, which (in Article 23) provides for a new composition of the Disciplinary Committee, (in Article 25.3) provides for a statute of limitations for disciplinary complaints, and (in Articles 29.5 and 29.6) provides the Council with dispositional options for appeals of Disciplinary Committee decisions and for cases in which there is a delay in the Disciplinary Committee's receipt of a case from the Office of Disciplinary Prosecutor that triggers the statute of limitations.
- The Council will conduct a needs assessment that will facilitate development of a disciplinary strategy with at least five elements.
 - First, the strategy will distinguish performance issues from misconduct, and provide a plan for remedial training and other appropriate measures when performance must be

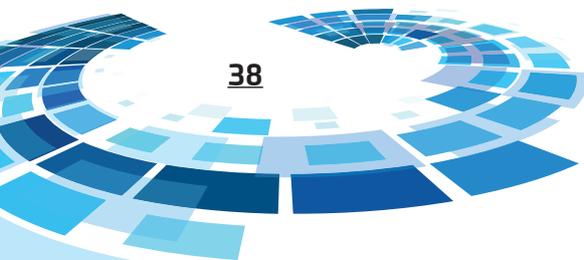


improved. A “performance issue” arises when a prosecutor or support staff employee fails to meet job performance expectations, whereas misconduct happens whenever a prosecutor or support staff employee fails to follow an unwritten or written (preferably, written) workplace rule. In some cases, a prosecutor or support staff employee’s negligence may be categorized as misconduct.

Performance problems may occur in situations where a prosecutor or support staff employee is not qualified for his/her position, or due to a lack of training, because of emergent personal circumstances, or because of working conditions. An employer’s response to a performance problem typically involves performance improvement counseling, training, reassignment to duties for which the prosecutor or support staff employee is more suitable, and/or similar measures. A prosecutor or support staff employee’s inability to perform at an adequate level after counseling, training, reassignment, or similar measures may result in disciplinary sanctions, including termination of employment under extreme circumstances.

On the other hand, misconduct generally involves a failure to follow a workplace rule under circumstances in which a prosecutor or support staff employee’s conduct involves willful or deliberate action within the prosecutor’s or support staff employee’s control. Typically, a prosecutor or support staff employee can be described as having committed misconduct when he/she acted deliberately or willfully while being aware of the consequences of his/her actions, and/or after having been warned orally or in writing against engaging in the misconduct, and so forth. Depending on the severity of the offensive conduct, managers will often engage in a progressive disciplinary process in which repeated misconduct is treated with increasing levels of sanctions, with the most serious violations or the most incorrigible employees receiving the most substantial sanctions.

- Second, the strategy will provide for due process of law when the Disciplinary Committee resolves a disciplinary complaint. In other words, an adverse decision by the Disciplinary Committee must be supported by specific facts and citations to legal authority, and specifically demonstrate that the Office of Disciplinary Prosecutor met its burden to prove to the degree required by the standard of proof that the respondent violated a particular law, regulation, or rule under circumstances in which the respondent knew, or should have known, that the conduct was wrongful.
- Third, the strategy will provide for training and management approaches designed to deter misconduct and poor performance.
- Fourth, the strategy will provide a plan for avoiding delays in the resolution of disciplinary cases.
- Fifth, the strategy will provide for review and appropriate revision of the Council’s regulation on disciplinary procedure in accord with the aforementioned concepts.
- The Council will conduct a review of its disciplinary strategy against the considerations described above, and against other relevant standards, and make such adjustments to the strategy as are necessary to adopt and implement the best disciplinary practices.
- The Council will periodically assess the productivity of its disciplinary strategy, and make such adjustments to its strategy as may be necessary to maximize a beneficial outcome.

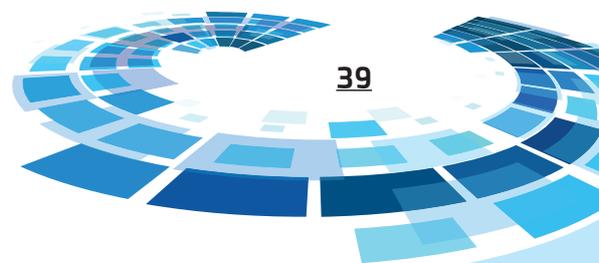


Strategic Objective 2.11 *Provision of specific trainings for prosecutors*

- Career Development and Succession Planning: The plan should be designed to allow for career development that is in the interest of the individual and the institution, including succession planning. The plan will also provide for cross training in order to account for foreseeable contingencies, and to give designated employees progressive experience in a particular field so as to increase capacity of the institution. While wider-ranging training should not be discouraged (indeed, it should be encouraged), a prosecutor or support staff employee's current work assignments must be given the highest priority when making professionalization efforts.
- Monitoring and review: The effectiveness of targeted training and the overall training plan will be reviewed on a regular basis, including through the performance evaluation system.
- The Council will collaborate with the Kosovo Judicial Institute in ensuring that each prosecutor successfully completes basic, intermediate, and advanced classes in legal reasoning and writing that are focused on the particular type of case work that the prosecutors handle.
- The effectiveness of legal reasoning and writing training and the overall training plan will be reviewed on a regular basis, including through the performance evaluation system.

Strategic Objective 2.12 *Provision of joint trainings for prosecutors and administrative staff*

- The Council will ensure that an assessment of the level of training needed by individual prosecutors and support staff members is conducted.
- The Council will ensure that an appropriate level of information technology training is provided to individual prosecutors and support staff members.
- Monitoring and review: The effectiveness of information technology training and the overall training plan should be reviewed on a regular basis, including through the performance evaluation system.
- Training needs assessments: Effective training needs assessments will be conducted in order to assess real training needs in order to increase professional skills and enable all persons working within the prosecution service to perform their tasks impartially, effectively and efficiently in light of operational needs.
- Development of overall training plans: The Kosovo Prosecutorial Council will consider the training needs of the prosecution service bearing in mind the operational needs in the short-term and long-term. The plan should contemplate strengthening every type of skill—from specialization in the investigation and prosecution of particular types of criminal offenses, to administrative skills related to efficient case management, to legal skills and legal writing skills necessary for effective investigation and prosecution of cases, to courtroom-related skills necessary to superior performance in legal proceedings, to leadership and management skills for prosecutors and support staff with a managerial role. The plan should also contemplate knowledge required in relation to confidentiality, data protection ethics and compliance with laws such as the Law on Declaration of Assets and the Law on Conflict of Interests, as well as regarding the appointment, evaluation, and discipline of prosecutors, and the details of amended Laws. Particular consideration will be paid to the development of induction training for prosecution and support staff, and the development of a structured curriculum. In order to implement training plans, there will



be collaboration and coordination with training partners, including the Kosovo Judicial Institution and the Ministry of Public Administration, as appropriate.

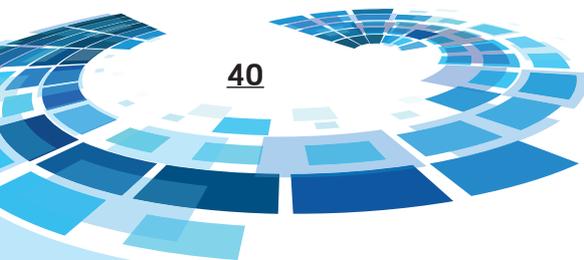
In its oversight role, the Council will ensure that training opportunities are available to all prosecutors (at all levels of the prosecutorial system), that all prosecutors (at all levels of the prosecutorial system) are kept up-to-date with relevant legal developments (and other applicable issues), including by means of mandatory training programs, with training attendance being considered for evaluation purposes.¹² Similarly, the Council will ensure that there is a culture of continuous training in the prosecutorial system, and that financial resources, time, and so forth are made available to prosecutors participating in training activities, which will be provided by means of a system that is established so that the KPC will be able to monitor the system to ensure that training is attended by those who need the particular education offered in specific training programs.

- **Monitoring and review:** The Council will ensure that the effectiveness of training and the overall training plan is reviewed on a regular basis, including by means of a performance evaluation system.

Pillar III: Enhancing Outreach and Public Relations

Strategic Objective 3.1 *Promote public trust and confidence in the prosecutorial system through public outreach*

- The Council will perform a needs assessment with respect to external communications, and then prepare and implement a responsive strategy in order to improve public confidence in the prosecutorial system and to increase public awareness of the degree to which the prosecutorial system promotes public access to justice services. The strategy must include at least three elements.
 - **First**, it must provide for a strengthening of relations between the prosecutorial institution and the news media.
 - **Second**, it must provide for a public outreach campaign that will acquaint the public with the nature and extent of the institution's responsibilities and accomplishments, build public respect for the institution, encourage the public to rely upon prosecutorial resources for appropriate dispute resolution, and to otherwise improve relations between the public and the institution.
 - **Third**, it must provide for a Web site that will serve as a mode of direct communication between the institution and the public.
- The Council will periodically assess the effectiveness of its external communications strategy, and make such adjustments to the strategy as may be necessary to maximize a beneficial outcome.
- The Council, except as limited by data production rules, will arrange for publication of Council meeting minutes on the KPC website.
- The Council will establish a Public Relations Committee and/or designate a trained public spokesperson in order to implement the public communications objectives of the prosecutorial system in its role as overseer of the system.



- The KPC will develop and maintain public outreach campaigns to inform the public of the nature and extent of the responsibilities and accomplishments of the KPC and the State Prosecutor, build public respect and trust, and to otherwise improve relations with the public. The KPC will periodically assess the effectiveness of the program, and make necessary revisions to the public outreach strategy.
- During the time period covered by this Strategic Plan, the Council will assess and take steps to improve the external communications of the Council and the State Prosecutor. This will include the preparation and implementation of an external communications strategy. The steps taken must include: (a) strengthening relations between the prosecution service and the media, (b) appointing and training media spokespersons, (c) developing a user-friendly web portal and web site to provide direct communication with the public, (d) developing public outreach campaigns as appropriate to inform the public of the nature and extent of the responsibilities and accomplishments of the Council and the State Prosecutor, build public respect and trust and to otherwise improve relations with the public, and, (e) developing media guidelines and clear guidance for media spokespersons and relevant persons about what information must generally be given to the media and what should remain confidential.
- The Council shall take all necessary steps to ensure compliance with legislation on data protection and access to official information. In taking steps to improve its external communications, the Council shall ensure that care is taken to protect the privacy and confidentiality of persons involved in prosecutions, including victims, witnesses and others.
- The Council will periodically assess the effectiveness of its external communications and make such adjustments as may be necessary to maximize a beneficial outcome.
- The KPC will develop and maintain a user-friendly Web portal and Web site in order to facilitate direct communications with the public regarding the performance of the prosecution service from the perspective of the Council.

Strategic Objective 3.2 *Provide public access to reports and records regarding prosecutorial data*

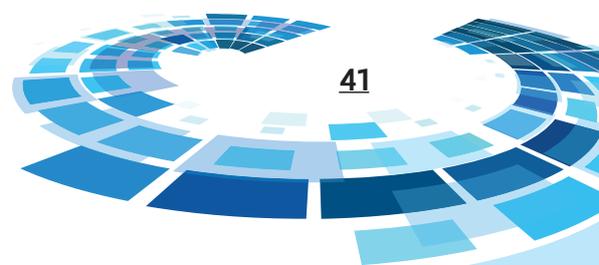
- The Council's Performance Evaluation Unit will assess the means by which it collects information about the work conducted by the prosecution service, including by prosecution offices.
- Based on the assessment results, the Performance Evaluation Unit will improve the analysis and presentation of work performance information in order to ensure that key points can be easily understood, and that performance is improved as appropriate.

Strategic Objective 3.3 *Ensuring the confidentiality of information, where required by Kosovo law*

The Council will conduct an assessment of data protection obligations, and take steps to ensure that it and the State Prosecutor comply with legal obligations regarding data protection and confidentiality – including that the workforce knows about and complies with the legal obligations.

Strategic Objective 3.4 *Facilitate access to justice by ethnic minorities and vulnerable groups*

- The Council will approve a minority outreach plan that will be implemented as part of the public relations aspect¹³ of its communications strategy.



Pillar IV: Improving Facilities and Technology

Strategic Objective 4.1 *Establish an adequate information and technology infrastructure*

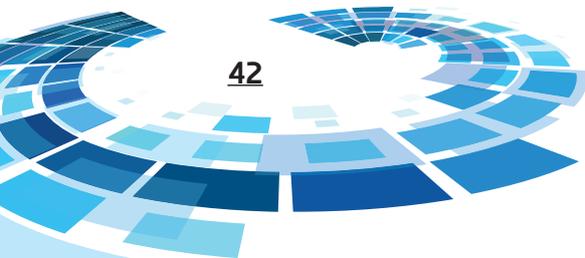
- The Council will ensure that periodic information technology needs assessments are conducted and will review them, including (among other considerations) an accounting for: budget implications, hardware infrastructure, software applications, IT security, IT methodology development (e.g., case management systems, case presentation technology, IT resources for case development), and IT-related capabilities for HR management.
- The Council will ensure that an information technology strategy is developed to resolve those needs.
- The Council will assess and monitor the information technology strategy, make such adjustments as may be necessary to maximize a beneficial outcome and monitor its implementation.

Strategic Objective 4.2 *Ensure the adequacy of prosecutorial facilities*

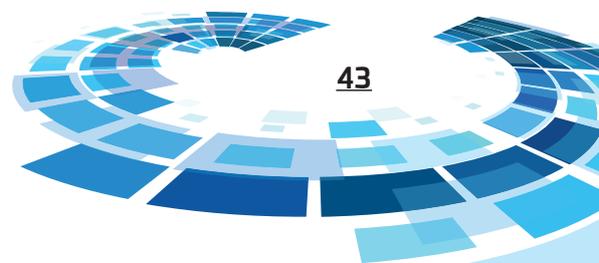
- The Council will periodically perform a needs assessment regarding the prosecutorial system's buildings and facility infrastructure. Considerations will include security, file and evidence storage capacity, capacity for meeting confidentiality requirements, availability of adequate office and conference space, future space needs, contingency planning (including arrangements for temporary staffing), and so forth.
- After considering the physical infrastructure needs assessment, the Council will resolve any concerns that are presented by the assessment.
- The Council will confirm that newly opened prosecution offices meet with applicable requirements established by the Council, and that the transfer to the new offices does not interfere with prosecutorial functions.

Strategic Objective 4.3 *Ensure adequate security for prosecutors, prosecution office personnel, and prosecutorial facilities*

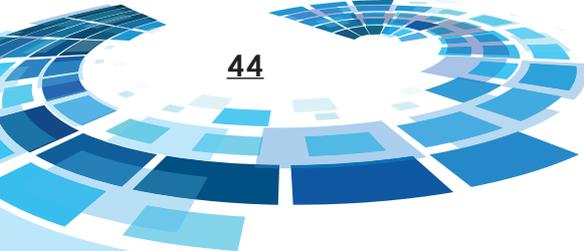
- The KPC will conduct periodic risk management assessments, considering personnel security, primary and backup plans, emergency responses (e.g., responses to fires, natural disasters, armed intruders, terrorism), premises security (including physical security, security of confidential documents and information, and evidence security), physical security plans and backup plans, building structure issues (including structural problems), contingency plan, and cyclical security and safety audits (including regarding necessary equipment and training interventions required for emergency responders).
- The Council will adopt an emergency safety plan, including provisions for emergency response, as a demonstration of its intention to resolve security issues in order to protect the lives of employees, as well as equipment, documents and other property that requires safeguarding.
- The Council will ensure that appropriate employees are trained to implement and conduct periodic evaluations of safety plan implementation, and it will take whatever steps are necessary to resolve challenges arising from the assessment, including adoption of any necessary sub-legal acts.
- The KPC will conduct periodic assessments of data protection obligations, and the level



- of compliance of the prosecution service with legal obligations regarding data protection.
- The KPC will monitor, evaluate, and revise as necessary all security strateg



appendix 2 – action plan KPC

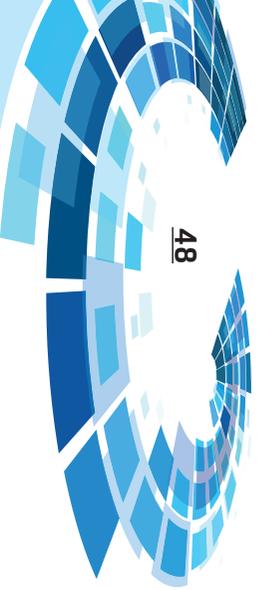


Strategic Objectives	Activities	Department in charge	Indicators	Deadline
Strategic Objective 1.1 <i>Increasing Institutional accountability and update of the budgetary process.</i>	Activity 1.1.1: Pursuant to Article 13 of the amended Law, the Council will establish all appropriate mechanisms to manage its responsibility to prepare and submit the annual draft-budget to the Assembly for consideration and adoption, and then to administer the budget, including oversight of expenditures, allocation of funds, maintenance of accurate and current accounts, and financial audits.	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Committee for Budget, Finances and Staff ▪ SKPC 	<ul style="list-style-type: none"> ▪ Regulations ▪ Decisions ▪ Administrative Directives ▪ Budgetary Requests ▪ KPC Budget 	December 2017
	Activity 1.1.2: The Council will seek a delegation of the power to administer the budget of the Office of Disciplinary Counsel to the ODC Secretariat, and to review the approved internal financial delegations of the KPC as a Budget Organization.	<ul style="list-style-type: none"> ▪ KPC ▪ ODP 	<ul style="list-style-type: none"> ▪ Decisions with recommendations for MoJ ▪ Decisions 	December 2017
	Activity 1.1.3: The Council will improve the circulation of internal budget regulations and timetables to the Prosecution Offices, Departments and Units on which the Finance Manager relies for detailed budget information, which is then consolidated into the KPC budget by the Secretariat. Moreover, the Council will develop standard operating procedures for relevant aspects of the budget-setting process, such as setting goals, objectives, and performance indicators. Finally, the Council will ensure that a training needs assessment is conducted in this regard, and that appropriate training is conducted.	<ul style="list-style-type: none"> ▪ Committee for Budget and Finances and Staff ▪ SKPC 	<ul style="list-style-type: none"> ▪ Standard Operating Procedures 	December 2017
	Activity 1.1.4: The Council will establish a mechanism that will ensure constant budget monitoring and to increase the capacity for quarterly and annual financial reporting. It will also improve the content of the budget presentation, as well as the process of presenting financial reports to the KPC Budget & Finance Committee. Furthermore, the Council will work to increase the awareness and importance of audit report content, material issues arising for Board-level review and appropriate action, and conduct necessary follow up activities based upon audit findings, such as reports from the Office	<ul style="list-style-type: none"> ▪ KPC ▪ Committee for Budget and Finances and Staff ▪ SKPC 	<ul style="list-style-type: none"> ▪ Standard Operating Procedures 	December 2017



of Auditor General and internal auditors.			
Activity 1.1.5: The Council will increase the awareness and understanding of its members, as well as members of the KPC Budget & Finance Committee, regarding their responsibility to ensure that there is accountability for the setting, approval, and monitoring and oversight of the KPC budget. The KPC Budget & Finance Committee will improve the forward planning of the Council’s standing agenda items with a specific focus on the timetable for the annual budget-setting process, mid-year revision of the budget, presentation of outturn figures, and consideration of and responses to internal and external audit report findings.	<ul style="list-style-type: none"> ▪ KPC ▪ Committee for Budget, Finances and Staff ▪ SKPC 	<ul style="list-style-type: none"> ▪ KPC Meetings/Roundtables Agendas ▪ KPC Meetings/Roundtables Reports 	September 2017
Activity 1.1.6: The Council will take steps to build the capacity of non-financial managers who provide financial input to the budget planning, execution, and monitoring process in order to improve the effectiveness and efficiency of that process. Similarly, the Council will take steps to build the capacity of financial officers in prosecution offices in order to make the KPC’s budget planning, execution, and monitoring process.	<ul style="list-style-type: none"> ▪ Committee for Budget, Finances and Staff ▪ SKPC 	<ul style="list-style-type: none"> ▪ Training Program ▪ Guideline ▪ Trainings Agendas and reports 	December 2018
Activity 1.1.7: The Council will adopt or improve internal budget regulations and timetables that apply to the Prosecution Offices, Departments and Units on which the Finance Manager relies for detailed budget information, and which is then consolidated into the KPC budget by its administrative officers.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ Committee for Budget, Finances and Staff 	<ul style="list-style-type: none"> ▪ Regulations ▪ Decisions ▪ Action Plans 	December 2018
Activity 1.1.8: The Council will develop and adopt standard operating procedures regarding specific documentation that is required as part of the budget-setting process, which will include, for example, specific goals, objectives, and performance indicators.	<ul style="list-style-type: none"> ▪ SKPC ▪ Committee for Budget, Finances and Staff 	<ul style="list-style-type: none"> ▪ Standard Operating Procedures 	December 2017
Activity 1.1.9: The Council will take steps to improve the content of the budget presentation, as well as the process for presenting financial reports to the KPC Budget & Finance Committee.	<ul style="list-style-type: none"> ▪ SKPC ▪ Committee for Budget, Finances and Staff 	<ul style="list-style-type: none"> ▪ Guidelines on planning, presentation and reporting 	December 2017

Strategic	<p>Activity 1.1.10: The Council will conduct periodic assessments of the effectiveness of budgetary and procurement controls, including with respect to findings and recommendations reflected in reports prepared by the Auditor General.</p>	<ul style="list-style-type: none"> ▪ Committee for Budget, Finances and Staff ▪ SKPC Director 	<ul style="list-style-type: none"> ▪ KPC Action Plan ▪ IAU Audit Plan ▪ Reports 	December 2018
	<p>Activity 1.1.11: The Council will develop, monitor, and make necessary revisions to a strategy for budgetary and procurement controls that will be consistent with findings and recommendations reflected in reports prepared by the Auditor General.</p>	<ul style="list-style-type: none"> ▪ Committee for Budget, Finances and Staff ▪ SKPC (Audit Unit, Procurement and other Units of SKPC) 	<ul style="list-style-type: none"> ▪ Plan regarding Implementation of the Recommendations of the General Auditor ▪ Evaluation of the implementation of the recommendations regarding the budget and procurement 	December 2018
	<p>Activity 1.1.12: The Council will take steps to increase the awareness and importance of audit report content, as well as to create a process to address material issues that require Board-level review, action and follow-up resulting from audit findings by the Office of Auditor General and internal auditors.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Committee for Budget, Finances and Staff ▪ SKPC (Audit Unit) 	<ul style="list-style-type: none"> ▪ Minutes of regular meetings of KPC ▪ KPC Decisions 	December 2017
	<p>Activity 1.2.1: The Council will take any and all implementing steps pursuant to provisions of the amended Law that relate to the appointment process, composition and</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts 	<ul style="list-style-type: none"> ▪ Regulation on the 	March 2016



Objective 1.2

Establish an appointment process, composition and status of the KPC that is consistent with European standards

<p>status of the KPC, including, among others, Articles 5, 5A, 10, 14, and 14A</p>	<ul style="list-style-type: none"> ▪ Committee SKPC 	<p>Organizing and Functioning of KPC</p> <ul style="list-style-type: none"> ▪ Regulation on Election of KPC Members; ▪ Regulation on Election of the Chairman and Deputy Chairman; ▪ Vacancy Announcement for KPC members 	
<p>Activity 1.2.2: Prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended to establish the position of Deputy Chair of the Council, with a description of the specific responsibilities of the Deputy Chair.</p>	<ul style="list-style-type: none"> ▪ SKPC, ▪ Normative Acts Committee of KPC 	<ul style="list-style-type: none"> ▪ Document with recommendations for MoJ 	<p>December 2017</p>
<p>Activity 1.2.3: The Council will maintain and continue to publish online a current separate organigram reflecting the KPC’s independence from the OSP.</p>	<ul style="list-style-type: none"> ▪ KPC Secretariat 	<ul style="list-style-type: none"> ▪ Regulation on the Organizing and Functioning of KPC ▪ Regulation on Internal Organizing of SP ▪ KPC 	<p>March 2016</p>

		Organizational Chart	
Activity 1.2.4: The Council will monitor and continue to improve as necessary its internal structure by enhancing its permanent Committee on Budget, Finances and Personnel as necessary.	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ Committee for Budget, Finances and Staff ▪ SKPC 	<ul style="list-style-type: none"> ▪ Regulation on the Organizing and Functioning of KPC ▪ Regulation on the Committee for Budget and Finances ▪ Regulation on SKPC 	March 2017
Activity 1.2.5: The Council will monitor and continue to improve as necessary its internal structure by enhancing its permanent Committee on Normative Acts as necessary.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Regulation on the Organizing and Functioning of KPC ▪ Regulation on the Normative Acts Committee 	March 2016
Activity 1.2.6: The Council will monitor and continue to improve as necessary its internal structure by enhancing its permanent Prosecution Offices Administration Committee as necessary.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Regulation on the Organizing and Functioning of KPC ▪ Regulation on the Committee 	June 2017



			<ul style="list-style-type: none"> for Administration of Prosecution Offices ▪ KPC Decision on Establishment of the Committee for Administration of Prosecutions 	
<p>Activity 1.2.7: The Council will monitor and continue to improve as necessary its internal structure by enhancing its permanent Disciplinary Committee as necessary.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Regulation on the Organizing and Functioning of KPC ▪ KPC Decision on establishment of the Disciplinary Committee. 	March 2016	
<p>Activity 1.2.8: The Council will monitor and continue to improve as necessary its internal structure by enhancing its Prosecutors Performance Assessment Committee as necessary.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Regulation on the Organizing and Functioning of KPC ▪ KPC Decision on the 	March 2016	

			establishment of the Committee for Prosecutors' Performance Evaluation	
	Activity 1.2.9: The Council will monitor and continue to improve as necessary its internal structure by enhancing establishing other permanent and ad hoc committees as needed to improve its work.	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ KPC Decisions on establishment of ad hoc Committees 	December 2018
	Activity 1.2.10: The Council will monitor and continue to improve as necessary its internal structure by ensuring that the existence and competencies of the Council's committees will have a basis in the Law, with the flexibility to establish permanent and <i>ad hoc</i> committees as necessary.	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ KPC Decisions ▪ Legal Reports and Analysis 	December 2018
	Activity 1.2.11: Except for the Disciplinary Committee, the Council will ensure that no committee has decisive power, and that all committees will be required to provide the Council with a explanatory report and other documentation supporting a decision recommended by the Committee.	<ul style="list-style-type: none"> ▪ KPC ▪ Committee for Disciplinary Cases 	<ul style="list-style-type: none"> ▪ KPC Decisions ▪ Committees' Report 	December 2018
	<p>Activity 1.2.12: To protect the integrity, efficiency, and effectiveness of the Council's committees, the Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation an amendment to the Law on the KPC or take other steps that will reflect basic rules on the composition of committees, and which would provide for the following:</p> <p>Providing for a sufficiently large number of committee members to allow a broad discussion, but yet a sufficiently low number of members to allow for smooth work.</p> <p>Providing that if representatives of other professions are members of a committee, the number of prosecutors on the committee should be a majority.</p>	<ul style="list-style-type: none"> ▪ KPC Normative Acts Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Document with recommendat ions for MoJ 	December 2017



<p>Providing for basic rules of replacement in case of a conflict of interest or for other situations, and the rules shall be in compliance with the Law on Preventing Conflict of Interest in Exercising Public Functions.</p> <p>Providing for some basic rules of committee procedure, such as quorum, casting votes, solutions for situations in which there are equal votes, and so forth.</p> <p>Prohibiting the KPC Chair from serving on a committee because of the nature of the Chair's duties.</p>	<p>Activity 1.2.13: The Council will take all necessary steps to ensure that committee members are freed from other tasks to the extent that it is necessary so that the responsibility to prepare draft decisions and engage in deliberations regarding the committee's work. In particular, a rotation principle will be utilized to compose the Disciplinary Committee, and a system of alternating rapporteurs will be utilized in order to share the workload.</p>	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ Regulations ▪ KPC Decisions 	<p>December 2018</p>
<p>Activity 1.2.14: Conduct a needs assessment in order to determine the minimum number of support staff necessary to support the Council, and regarding other improvements needed for support to KPC members.</p> <p>Activity 1.2.15: Conduct a needs assessment for the provision of appropriate training to assist KPC members in performing oversight and other responsibilities. The Council will prepare training plans as useful and implement appropriate training for KPC members. The Council will establish an <i>ad hoc</i> Training Committee, which will coordinate with the Kosovo Judicial Institute, to carry out specific responsibilities of this function.</p>	<p>Activity 1.2.14: Conduct a needs assessment in order to determine the minimum number of support staff necessary to support the Council, and regarding other improvements needed for support to KPC members.</p> <p>Activity 1.2.15: Conduct a needs assessment for the provision of appropriate training to assist KPC members in performing oversight and other responsibilities. The Council will prepare training plans as useful and implement appropriate training for KPC members. The Council will establish an <i>ad hoc</i> Training Committee, which will coordinate with the Kosovo Judicial Institute, to carry out specific responsibilities of this function.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ Ad hoc Committee established by KPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Needs Assessment ▪ Regulation on the organizational structure of SKPC ▪ Decision on establishment of the Committee ▪ Document regarding training needs assessment ▪ Training Programme 	<p>December 2016</p> <p>March 2017</p>

<p>Activity 1.2.16: Increase capacity building activities in order to prepare support staff members for delivery of responsible, professional, and efficient assistance to the functioning of the Council. Particular attention will be paid to the capacity building of Legal Secretaries assigned to Committees, as well as the heads of units and offices in the Secretariat and Performance Evaluation Unit, including regarding (a) establishing proper documentation of all decisions, including indexing, (b) file maintenance and communications with parties to the KPC's work, (c) ensuring the unified application of the law, and (d) improving the legal research capacity of the Council. In this regard, the Council will also provide continuous joint training to support staff members regarding the recruitment, evaluation, and disciplinary activities of the KPC and its committees, and other issues that will provide a full understanding of the role of the support staff in these processes, all of which will be conducted in order to create a cooperative, coordinated environment that will facilitate achievement of institutional objectives.</p>	<ul style="list-style-type: none"> ▪ PPEU and SKPC in cooperation with KJI and KPC Partners 	<ul style="list-style-type: none"> ▪ Needs Assessment ▪ Training Programme ▪ Training Reports 	December 2018
<p>Activity 1.2.17: The Council will adopt and follow annual work plans, action plans, and other planning documents to achieve the outcomes in this Strategic Plan. In particular, the Council will ensure that annual work plans, action plans, and other work plans are in synchronization with the Strategic Plan so that all efforts are directed toward accomplishment of the goals and objectives that were prioritized by the deliberative process that resulted in the adoption of the Strategic Plan.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Committees ▪ SKPC and ▪ PPEU 	<ul style="list-style-type: none"> ▪ Annual Action Plans ▪ Action Plans 	December 2018
<p>Activity 1.2.18: The Council will establish a monitoring and evaluation process to ensure accomplishment of goals set by work plans, strategic plans, and other planning documents, which shall include employment of a specialist that will coordinate the monitoring and evaluation materials. The monitoring and evaluation coordinator will, among other things, obtain and consider reports, based on a set timetable, from the KPC Performance Evaluation Unit, KPC Committees, and other mechanisms and sources of information in order to assist the Council in performing its deliberations that are conducted on the basis of evidence. As examples, the subject matters of those activities will include:</p> <p>Updates from the Budget Committee.</p> <p>The functioning of Prosecution Registries.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Committees ▪ SKPC and ▪ PPEU 	<ul style="list-style-type: none"> ▪ KPC Decisions ▪ Regulation on SKPC ▪ Annual Action Plans ▪ Action Plans 	December 2018



	<p>Progress in achieving the objectives of the Strategic Plan on Inter-Institutional Cooperation in the Fight Against Organized Crime.</p> <p>Progress toward meeting its commitments under the National Anti-Corruption Strategy and Action Plan.</p> <p>Progress in achieving the objectives of this Strategic Plan.</p> <p>Other reports as needed.</p>			
	<p>Activity 1.2.19: The KPC will consider the potential for improving the Council’s efficiency through reliance on less frequent and/or longer sessions.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Committees ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Regulation on the Organizing and Activity of KPC ▪ KPC Decisions ▪ KPC Action Plans 	<p>December 2018</p>
<p>Strategic Objective 1.3</p> <p><i>Clarify the role and organizational structure of the Secretariat</i></p>	<p>Activity 1.3.1: The Council will implement Articles 14 and 14A of the amended Law regarding the establishment of the Council’s Secretariat and the appointment of the Director of the KPC Secretariat.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Decision on Appointment of the SKPC Director ▪ Regulation on the organizing of the SKPC 	<p>December 2016</p>
	<p>Activity 1.3.2: The Council will highlight its institutional independence as it carries out its responsibility to provide oversight of the Office of the State Prosecutor, and in that regard it will make any adjustments as may be necessary to ensure the independence of the Council, and to indicate that independence by publication of a separate organogram of the Council’s framework</p>	<ul style="list-style-type: none"> ▪ KPC ▪ OCHSP 	<ul style="list-style-type: none"> ▪ Regulation on the Activity and Organizing of KPC ▪ Regulation on the Organizing 	<p>December 2016</p>

			<ul style="list-style-type: none"> and Activity of SP ▪ Regulation on SKPC 	
	<p>Activity 1.3.3: The Council will perform a management decentralization study to determine which, if any, Secretariat tasks should be transferred, or shared, with individual Prosecution Offices in order to improve efficiencies in the administration of the prosecutorial system.</p>	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ Analysis regarding decentralization of services in the prosecutorial system 	December 2017
	<p>Activity 1.3.4: Based on the results of the decentralization study, the Council will adopt such changes in management proceedings as are justified by the study.</p>	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ KPC Decision regarding the analysis outcomes on decentralization of services in the prosecutorial system 	December 2017
	<p>Activity 1.3.5: The Council will ensure that prosecutors and support staff affected by any decentralization decisions will receive training in the subject matter of the new structure, particularly including budget and finance functions, which will be designed to maintain maximum efficiency.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SP ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Needs Assessment ▪ Training Programme 	December 2018
<p>Strategic Objective 1.4</p> <p><i>Enhance policy planning</i></p>	<p>Activity 1.4.1: The Council will establish a Strategic Planning Office, or, at a minimum, designate officers, to conduct policy research, support the Council's planning activities, and to otherwise help improve prosecutorial administration best practices.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Decision ▪ SKPC Regulation 	January 2017



Strategic Objective 1.5

Adopt processes that the KPC will use for drafting and approving regulations and other sub-legal acts

Activity 1.5.1: The Council shall prepare a concept paper for submission to the Ministry of Justice supporting a recommendation appropriate amendments to laws and, as necessary, the Constitution in order for it to achieve stability of its infrastructure, including the following considerations:

The necessity of a constitutional amendment, an amendment to the Law, or a legal interpretation that would clarify the Council’s power to issue regulations, and grant authority to the Constitutional Court to review such regulations because it appears that the Constitution currently foresees only reviews of regulations issued by the executive branch.

The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended to specifically describe the type of normative acts that the Council is empowered to enact, including regulations (including amendments to regulations), decisions (directed at one or more individuals), and instructions (including general instructions or circulars directed at one or more individuals).

The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC explicitly identify where public decisions, or other public documents, of the KPC should be published.

Activity 1.5.2: Within the scope of its competencies, the Council will adopt a rule regarding publication of KPC decisions if the Law on the KPC is not amended so as to require publication.

Activity 1.5.3: Within the scope of its competencies, the Council will adopt a rule that will refer in their regulations and decisions to the date of publication as the date upon which the respective act enters into force, and such documents will also specify the date of publication.

<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Document with recommendations 	December 2017
<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ Regulation on the organizing and activity of KPC 	March 2016
<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Administrative Directive on setting timeframe regarding the entry into 	December 2017

			force of KPC normative acts	
<p>Strategic Objective 1.6</p> <p><i>Improve coordination among the KPC, KPC Secretariat and Prosecution Offices</i></p>	<p>Activity 1.6.1: The Council will ensure that the existing mechanism for internal communications is assessed, that communications needs are assessed, and that steps are taken to improve existing internal communications. This will involve the preparation and implementation of an internal communications plan or strategy. Those steps must ensure that all persons working within the prosecution service have access to the information in their respective language that they need to carry out their duties professionally, effectively and efficiently, and are aware of key developments that affect their work.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Office of KPC for Communication with the Public ▪ Office of OCHSP for Communication with the Public 	<ul style="list-style-type: none"> ▪ Regulation on Communication with the Public ▪ KPC Plan for Communication with the Public ▪ OCHSP Plan for Communication with the Public 	March 2017
<p>Strategic Objective 1.7</p> <p><i>Improve coordination of actions with international and other national bodies, such as the Ministry of Justice, the Kosovo Judicial Institute, the Kosovo Police, and the Chamber</i></p>	<p>Activity 1.7.1: Without compromising the independence of the judiciary from the functions of the prosecutorial system, the Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Laws on the KPC and KJC be amended to establish an inter-Council coordination and cooperation mechanism in order to improve interaction between the KJC and KPC, which may include observations of Council activities by a Member of the corresponding Council, mandatory regular meetings between corresponding Secretariat Directors and department heads.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Document with recommendations for MoJ 	December 2017
	<p>Activity 1.7.2: To the extent that it is appropriate, the Council will improve its liaison with the Ministry of Justice because it is necessary to ensure that Laws impacting the prosecutorial system are proposed or revised so that relevant issues are resolved.</p>	<ul style="list-style-type: none"> ▪ Normative Acts Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Decisions ▪ Recommendations Document 	December 2017



of Advocates	<p>Activity 1.7.3: The Council will continue to collaborate closely with the Kosovo Judicial Institute in order to meet its oversight obligation to ensure that training efforts meet the professionalization expectations of this Strategic Plan.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ PPEU ▪ SKPC 	<ul style="list-style-type: none"> ▪ Recommendations Document 	December 2017
	<p>Activity 1.7.4: So long as support staff members of the prosecutorial system are employees of the Ministry of Public Administration, the Council will collaborate closely with the MPA training office in order to meet its oversight obligation to ensure that training efforts meet the professionalization expectations of this Strategic Plan. In addition, if support staff members of the prosecutorial system become employees of the prosecutorial system, the Council will collaborate with appropriate offices in order to continue to meet its oversight obligation to ensure that training efforts meet the professionalization expectations of this Strategic Plan.</p>	<ul style="list-style-type: none"> ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Training Plan for the supporting staff 	December 2018
	<p>Activity 1.7.5: To the extent that it is appropriate, the Council will improve its liaison with the Kosovo Police because the KP supports prosecutions conducted by the prosecutorial system, and such liaison is necessary to ensure that prosecutions are efficient and effective.</p>	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ Memorandum of Understanding with Kosovo Police 	July 2016
	<p>Activity 1.7.6: To the extent that it is appropriate, the Council will improve its collaboration with the Chamber of Advocates in order to maintain efficient and effective rules, procedures, and other activities related to the administration of justice.</p>	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ Memorandum of Understanding with Kosovo Chamber of Advocates 	July 2016
	<p>Activity 2.1.1: Prepare a concept paper for submission to the Ministry of Justice supporting an amendment to the Law on the KPC that would assign the power to admit</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee 	<ul style="list-style-type: none"> ▪ Recommendations Document 	December 2017
Strategic				

Objective 2.1 <i>Enhance the stability of the mandate of prosecutors</i>	<p>prosecutor candidates to the initial stage of employment to the Council.</p>	<ul style="list-style-type: none"> ▪ SKPC 		
	<p>Activity 2.1.2: If, after monitoring the situation, the Council concludes that there are problems with this procedure, it will submit a concept paper to the Ministry of Justice that would support an amendment to the Constitution that will introduce additional safeguards, including perhaps a requirement of written and reasoned decisions, and a right to judicial review of non-reappointment decisions.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Recommendations Document 	December 2017
	<p>Activity 2.1.3: In the meantime, the Council will submit a concept paper to the Ministry of Justice in support of an amendment to the Law on the KPC that would establish an administrative appeal procedure for non-reappointment decisions.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Recommendations Document 	December 2017
Strategic Objective 2.2 <i>Establish transparent criteria and recruitment processes for prosecutors, ensuring necessary professional competencies</i>	<p>Activity 2.2.1: The Council will develop and implement a proactive and merits-based approach to recruitment designed to find and appoint a workforce that strives to achieve excellence and to meet high standards of ethical behavior.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Recruitment Committee ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Regulation on the Recruitment, Examination, Appointment and Reappointment of Prosecutors ▪ KPC Decisions 	December 2018
	<p>Activity 2.2.2: The Council will prepare a concept paper that will support amendments to the Law on the KPC providing for utilization of a training, examination, and mentoring process that will be employed during the initial training period of prosecutor candidates that will promote excellence of performance.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee 	<ul style="list-style-type: none"> ▪ Recommendations Document 	December 2017



	<p>Activity 2.2.3: The Council will use a recruitment process that is clear and transparent.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Recruitment Committee 	<ul style="list-style-type: none"> ▪ Regulation on the Recruitment, Examination, Appointment and Reappointment of Prosecutors ▪ KPC Decisions ▪ Report on Recruitment Process 	<p>December 2018</p>
	<p>Activity 2.2.4: The Council will ensure the recruitment of a workforce that represents the ethnic and gender diversity of Kosovo.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Recruitment Committee ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Regulation on the Recruitment, Examination, Appointment and Reappointment of Prosecutors; ▪ Regulation on Recruitment of Prosecutors from non-majority communities; ▪ KPC Decisions 	<p>December 2018</p>
	<p>Activity 2.2.5: The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended so that the KPC will have the competence for determining the number of prosecutors who will be</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee 	<ul style="list-style-type: none"> ▪ Law on KPC ▪ Regulation on the 	<p>March 2016</p>

	admitted to the initial training.	<ul style="list-style-type: none"> SKPC 	Recruitment, Examination, Appointment and Reappointment of Prosecutors	
	Activity 2.2.6: The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended so as to specify the criteria for admission of candidates to initial training for prosecutors, which should include competitive, written, and anonymous examinations, and other sources of information (such as results of previous examinations and evaluations).	<ul style="list-style-type: none"> KPC Normative Acts Committee 	<ul style="list-style-type: none"> Recommendations Document 	December 2017
	Activity 2.2.7: The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation that the Law on the KPC be amended so as to provide a process for admission of candidates to initial training that would indicate that the trainees will have a high probability of final appointment as prosecutors.	<ul style="list-style-type: none"> KPC Normative Acts Committee 	<ul style="list-style-type: none"> Recommendations Document 	December 2017
Strategic Objective 2.3 <i>Revise the status of prosecutorial and KPC personnel</i>	Activity 2.3.1: The Council will develop a concept paper that provides a justification for changing the status of support staff members of the prosecutorial institution, including the Council, from civil servants to employees of the Council or the Office of State Prosecutor, as appropriate.	<ul style="list-style-type: none"> KPC Normative Acts Committee SKPC 	<ul style="list-style-type: none"> Recommendations Document 	December 2017
	Activity 2.3.2: The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation an amendment to relevant laws so that the change of employment status of support staff members can be accomplished.	<ul style="list-style-type: none"> KPC Normative Acts Committee SKPC 	<ul style="list-style-type: none"> Recommendations Document 	December 2017



	<p>Activity 2.3.3: The Council will include the basis of its proposed change of employment status of support staff members in its annual report to the Assembly.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Annual Report 	<p>March 2018</p>
<p>Strategic Objective 2.4</p> <p><i>Enhance gender and ethnic diversity in the recruitment of prosecutors and administrative staff</i></p>	<p>Activity 2.4.1: The Council will develop and implement a transparent, proactive recruitment strategy dedicated to find and hire a diverse workforce that is consistent with Constitutional and statutory objectives. The strategy will represent a proactive and merits-based approach to recruitment designed to find and hire a total workforce that will strive to achieve individual and institutional excellence, and to meet high standards of ethical behavior, and to comply with the multi-ethnic, gender-diverse goals set by the Constitution.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Recruitment Committee ▪ SKPC ▪ Committee for Administrative Staff Recruitment 	<ul style="list-style-type: none"> ▪ Regulation on the Recruitment, Examination, Appointment and Reappointment of Prosecutors ▪ SKPC Regulation ▪ KPC Decisions ▪ SKPC Decisions 	<p>December 2018</p>
	<p>Activity 2.4.2: The Council will periodically assess the productivity of its recruitment efforts, and make such adjustments to its strategy as may be necessary to maximize a beneficial outcome.</p>	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ KPC Reports ▪ Document on Strategy Reviewing 	<p>December 2018</p>
<p>Strategic Objective 2.5</p> <p><i>Establish clear career pathways within the prosecutorial institution</i></p>	<p>Activity 2.5.1: The Council will consider the needs of the prosecution service and career development goals of prosecution service employees, and adopt an overall career development strategy, revising the plan as necessary when prosecution service needs change. The plan will include succession planning and cross-training features.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Recruitment Committee ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Plan on Career Development in the prosecutorial system 	<p>December 2017</p>
	<p>Activity 2.5.2: The Council will ensure that the career development strategy is monitored, and that the strategy is revised as institutional needs change.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Monitoring Group 	<ul style="list-style-type: none"> ▪ Monitoring Plan 	<p>June 2018</p>

Strategic Objective 2.6 <i>Strengthen human resource management and planning</i>	Activity 2.6.1: The KPC will develop and implement management information systems to identify the short term and long term human resource needs of each prosecution office and the KPC will review these needs on a regular basis.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Plan on Human Resources Information Management System 	December 2018
	Activity 2.6.2: As part of a succession planning process, the Council will implement, and, if necessary, prepare a concept paper supporting amendments to the Law on the KPC providing for implementation of clear rules regarding retirement, information collection procedures regarding retirement and end-of-mandate dates, a clear policy on position vacancy announcements, and the impact of forecasted training needs, especially in the long term.	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Plan on career development in the prosecutorial system 	December 2017
	Activity 2.6.3: The Council will develop and implement management information systems to enable it to identify the human resource needs of each prosecution office (prosecutors and support staff) and to review these needs on a regular basis.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Plan on Human Resources Information Management System 	December 2018
Strategic Objective 2.7 <i>Establish high ethical standards for prosecutors and prosecutorial support personnel</i>	Activity 2.7.1: The Council will take steps to ensure that members of the KPC, and all persons working within the KPC and prosecution service, are fully aware of their ethical obligations under the Codes and the laws, including by means of comprehensive training programs (including induction training of new Council Members, prosecutors, and support staff employees).	<ul style="list-style-type: none"> ▪ SKPC ▪ PPEU ▪ Training Office (Support from KJI) 	<ul style="list-style-type: none"> ▪ Trainings needs assessment ▪ Training programme ▪ Training Report 	December 2018
	Activity 2.7.2: The Council will take steps to ensure that all persons working in the prosecution service are able to obtain neutral and professional advice if they face ethical dilemmas. Such steps may include ethics advisors, the provision of information through on-line resources about ethical decisions reached in disciplinary cases or other steps.	<ul style="list-style-type: none"> ▪ KPC Disciplinary Committee; ▪ SKPC Disciplinary Committee; ▪ ODP. 	<ul style="list-style-type: none"> ▪ Guideline on implementation of the Code of Ethics ▪ Trainings for 	December 2018



			Prosecutors and administrative staff	
	Activity 2.7.3: The Council will periodically assess the effectiveness of its approach to accountability goals, and it will make such improvements as may be necessary to maximize a beneficial outcome.	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Disciplinary Committee ▪ SKPC Disciplinary Committee 	<ul style="list-style-type: none"> ▪ Annual Report of Committees and ODP with recommendations for KPC 	December 2018
Strategic Objective 2.8 <i>Introducing measurable performance indicators for prosecution offices (for institutional components, prosecutors, as well as support staff)</i>	Activity 2.8.1: The Council will implement the requirements of Article 14B of the amended Law concerning the establishment of the Prosecutors Performance Assessment Committee, including its utilization of criteria and methods for the evaluation of prosecutors for the purposes of the Council’s deliberations over the promotion, demotion, or dismissal of prosecutors.	<ul style="list-style-type: none"> ▪ KPC ▪ Prosecutors’ Performance Evaluation Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Regulation on Prosecutors’ Performance Evaluation ▪ Reviewed Evaluation Forms ▪ Annual Plan on Prosecutors’ Performance Evaluation 	June 2017
	Activity 2.8.2: The Council will implement the requirements of Articles 21.4 and 21.5 of the amended Law, which mandate the Council to enact a regulation providing for performance standards that will be used when completing periodic performance assessments of prosecutors during their initial mandate.	<ul style="list-style-type: none"> ▪ KPC 	<ul style="list-style-type: none"> ▪ Regulation on Performance Evaluation 	December 2016
	Activity 2.8.3: The Council will review its performance standards for individual employees, and then make appropriate adjustments to ensure that the standards provide relevant guidance to employees.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Reviewed Performance Evaluation Forms ▪ KPC Annual 	December 2018

			<ul style="list-style-type: none"> ▪ Plans ▪ Individual Action Plans (standard) 	
	Activity 2.8.4: The Council will ensure that the performance standards are in sync with the overarching objectives of the institution's strategic plan.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ KPC Action Plans ▪ Individual Action Plans (standard) 	December 2018
	Activity 2.8.5: The Council will periodically assess the effectiveness of its performance standards as compared to their purposes, and make such adjustments to its strategy as may be necessary to maximize a beneficial outcome.	<ul style="list-style-type: none"> ▪ KPC ▪ Performance Evaluation Committee ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Assessment Reports with recommendations regarding continuous professional upgrade 	December 2018
	Activity 2.8.6: The Council will review its performance standards for units of the institution, and then make appropriate adjustments to ensure that the standards provide relevant guidance to employees.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Reviewed Evaluation Forms 	June 2017
	Activity 2.8.7: Because the PPEU has an important role in assessing the performance of components of the prosecutorial system, the Council will ensure that performance standards provide a reliable basis for measuring the progress of each institutional component toward achievement of strategic goals and objectives.	<ul style="list-style-type: none"> ▪ KPC ▪ Prosecutors' Performance Evaluation Committee ▪ PPEU 	<ul style="list-style-type: none"> ▪ Reviewed Evaluation Forms ▪ Programme for professional capacities increasing of PPEU and PPEC 	December 2018
Strategic Objective 2.9 <i>Strengthen the</i>	Activity 2.9.1: (Evaluation of Prosecution Offices) The Council's monitoring and evaluation effort with respect to prosecution offices will have at least three elements: To the extent that it is necessary, the Council will ensure that Chief Prosecutors improve	<ul style="list-style-type: none"> ▪ KPC ▪ Office of Chief State Prosecutor ▪ SKPC 	<ul style="list-style-type: none"> ▪ Programme for further development of 	December 2018



evaluation process for prosecutors and prosecutorial staff

their capacity to make useful reports on the performance of their respective prosecution office at regular intervals, and to propose improvements for the Council’s consideration.

The Performance Evaluation Unit will conduct evaluations of prosecution offices as requested by the KPC in order to monitor progress of the prosecution service in line with this Strategic Plan and generally so that the Council can evaluate reports of the Chief Prosecutors, and to assist the Council in relevant deliberations.

The Council will take significant steps to enhance its capacity to monitor and evaluate prosecution offices using effective tools, and its ability to deliberate over appropriate follow-up activities to its findings with respect to the prosecution offices. In addition, the Council will adopt a mechanism enabling the Council to track progress on the resolution of problems that have been identified through its monitoring and evaluation activities, and to recognize successes achieved by prosecution offices.

Activity 2.9.2: (Evaluation of Individual Prosecutors) The Council will take steps to ensure proper performance evaluations are conducted of all prosecutors working within the prosecution service, which will involve considerations of independence, integrity, and impartiality, among other factors. In doing this, the Council will take account of different groups of people who work within the prosecution service. The KPC is responsible for developing performance evaluation systems for prosecutors and Chief Prosecutors (Art. 21 of the Law on the KPC), which should provide an assurance of impartiality and independence from outside influences.

Activity 2.9.3: (Evaluations of Support Staff) The Council is also responsible for overseeing the administration of each prosecution office and its personnel to ensure performance evaluations of civil service staff are undertaken in a manner that contributes to the KPC’s strategic objectives.

Activity 2.9.4: Review existing performance standards for individuals, and make appropriate adjustments to ensure that the standards are designed to achieve the

<ul style="list-style-type: none"> ▪ PPEU 	<p>professional capacities of Chief Prosecutors, PPEC, PPEU, SKPC and administrative staff</p>	
<ul style="list-style-type: none"> ▪ KPC ▪ PPEC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Regulation on Prosecutors’ Performance Evaluation ▪ Performance Evaluation Forms 	<p>December 2018</p>
<ul style="list-style-type: none"> ▪ KPC ▪ SKPC ▪ Chief Prosecutors and Administrators of respective Prosecutions 	<ul style="list-style-type: none"> ▪ Reviewed Performance Evaluation Forms ▪ Performance Evaluation Reports 	<p>December 2018</p>
<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Reviewed Performance 	<p>December</p>

	objectives of this Plan and that they provide relevant guidance to prosecutors and support staff employees.	<ul style="list-style-type: none"> ▪ PPEU ▪ Chief Prosecutors and Administrators of respective Prosecutions 	<ul style="list-style-type: none"> ▪ Evaluation Forms ▪ Performance Evaluation Reports 	2018
	Activity 2.9.5: Thereafter, the Council will periodically assess the effectiveness of its performance evaluation system and any performance standards, and make such adjustments as may be necessary to maximize a beneficial outcome.	<ul style="list-style-type: none"> ▪ KPC ▪ Performance Evaluation Committee ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Periodic Reports with recommendations 	December 2018
Strategic Objective 2.10 <i>Strengthen the disciplinary system for prosecutors and prosecutorial staff</i>	Activity 2.10.1: The Council will prepare a concept paper for submission to the Ministry of Justice supporting a recommendation for appropriate amendments of the Law on the KPC, and other relevant laws, that will incorporate best disciplinary practice principles into disciplinary proceedings initiated by the Council.	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Disciplinary Committee ▪ SKPC ▪ SKPC Disciplinary Committee 	<ul style="list-style-type: none"> ▪ Recommendations Document 	December 2017
	Activity 2.10.2: The Council will implement as appropriate the amendments to the disciplinary procedures provisions of the Law, which (in Article 23) provides for a new composition of the Disciplinary Committee, (in Article 25.3) provides for a statute of limitations for disciplinary complaints, and (in Articles 29.5 and 29.6) provides the Council with dispositional options for appeals of Disciplinary Committee decisions and for cases in which there is a delay in the Disciplinary Committee's receipt of a case from the Office of Disciplinary Prosecutor that triggers the statute of limitations.	<ul style="list-style-type: none"> ▪ KPC ▪ Normative Acts Committee ▪ KPC Disciplinary Committee ▪ SKPC 	<ul style="list-style-type: none"> ▪ Amended Law ▪ Regulation on KPC ▪ Regulation on KPC Disciplinary Committee 	December 2018
	Activity 2.10.3: The Council will conduct a needs assessment that will facilitate development of a disciplinary strategy with at least five elements. First, the strategy will distinguish performance issues from misconduct, and provide a plan for remedial training and other appropriate measures when performance must be improved. A "performance issue" arises when a prosecutor or support staff employee	<ul style="list-style-type: none"> ▪ KPC ▪ KPC Disciplinary Committee ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Needs Assessment ▪ A guideline setting the distinguishing 	December 2018



fails to meet job performance expectations, whereas misconduct happens whenever a prosecutor or support staff employee fails to follow an unwritten or written (preferably, written) workplace rule. In some cases, a prosecutor or support staff employee’s negligence may be categorized as misconduct.

Performance problems may occur in situations where a prosecutor or support staff employee is not qualified for his/her position, or due to a lack of training, because of emergent personal circumstances, or because of working conditions. An employer’s response to a performance problem typically involves performance improvement counseling, training, reassignment to duties for which the prosecutor or support staff employee is more suitable, and/or similar measures. A prosecutor or support staff employee’s inability to perform at an adequate level after counseling, training, reassignment, or similar measures may result in disciplinary sanctions, including termination of employment under extreme circumstances.

On the other hand, misconduct generally involves a failure to follow a workplace rule under circumstances in which a prosecutor or support staff employee’s conduct involves willful or deliberate action within the prosecutor’s or support staff employee’s control. Typically, a prosecutor or support staff employee can be described as having committed misconduct when he/she acted deliberately or willfully while being aware of the consequences of his/her actions, and/or after having been warned orally or in writing against engaging in the misconduct, and so forth. Depending on the severity of the offensive conduct, managers will often engage in a progressive disciplinary process in which repeated misconduct is treated with increasing levels of sanctions, with the most serious violations or the most incorrigible employees receiving the most substantial sanctions.

Second, the strategy will provide for due process of law when the Disciplinary Committee resolves a disciplinary complaint. In other words, an adverse decision by the Disciplinary Committee must be supported by specific facts and citations to legal authority, and specifically demonstrate that the Office of Disciplinary Prosecutor met its burden to prove to the degree required by the standard of proof that the respondent violated a particular law, regulation, or rule under circumstances in which the respondent knew, or should have known, that the conduct was wrongful.

between performance matters and misconduct

- Relevant trainings

	<p><u>Third</u>, the strategy will provide for training and management approaches designed to deter misconduct and poor performance.</p> <p><u>Fourth</u>, the strategy will provide a plan for avoiding delays in the resolution of disciplinary cases.</p> <p><u>Fifth</u>, the strategy will provide for review and appropriate revision of the Council's regulation on disciplinary procedure in accord with the aforementioned concepts.</p>			
	<p>Activity 2.10.4: The Council will conduct a review of its disciplinary strategy against the considerations described above, and against other relevant standards, and make such adjustments to the strategy as are necessary to adopt and implement the best disciplinary practices.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Disciplinary Committee ▪ SKPC ▪ PPEU ▪ ODP 	<ul style="list-style-type: none"> ▪ Reviewed disciplinary system 	December 2018
	<p>Activity 2.10.5: The Council will periodically assess the productivity of its disciplinary strategy, and make such adjustments to its strategy as may be necessary to maximize a beneficial outcome.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ Disciplinary Committee ▪ SKPC ▪ PPEU ▪ ODP 	<ul style="list-style-type: none"> ▪ Reviewed disciplinary system ▪ Reviewed Regulations 	December 2018
<p>Strategic Objective 2.11</p> <p><i>Provisions on specific trainings for prosecutors</i></p>	<p>Activity 2.11.1: (Career Development and Succession Planning) The plan should be designed to allow for career development that is in the interest of the individual and the institution, including succession planning. The plan will also provide for cross training in order to account for foreseeable contingencies, and to give designated employees progressive experience in a particular field so as to increase capacity of the institution. While wider-ranging training should not be discouraged (indeed, it should be encouraged), a prosecutor or support staff employee's current work assignments must be given the highest priority when making professionalization efforts.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with the support of KJI) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Training Needs Assessment ▪ Comprehensive Training Programme 	December 2018
	<p>Activity 2.11.2: (Monitoring and review) The effectiveness of targeted training and the overall training plan will be reviewed on a regular basis, including through the performance evaluation system.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with the KJI support) ▪ SKPC 	<ul style="list-style-type: none"> ▪ Comprehensive Training Programme 	December 2018



<p>Strategic Objective 2.12</p> <p><i>Provision on joint trainings for prosecutors and administrative staff</i></p>	<p>Activity 2.11.3: The Council will collaborate with the Kosovo Judicial Institute in ensuring that each prosecutor successfully completes basic, intermediate, and advanced classes in legal reasoning and writing that are focused on the particular type of case work that the prosecutors handle.</p>	<ul style="list-style-type: none"> ▪ PPEU 	<ul style="list-style-type: none"> ▪ Performance Evaluation 		
	<p>Activity 2.11.3: The Council will collaborate with the Kosovo Judicial Institute in ensuring that each prosecutor successfully completes basic, intermediate, and advanced classes in legal reasoning and writing that are focused on the particular type of case work that the prosecutors handle.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Training Needs Assessment ▪ KPC Proposition regarding the Training Programme ▪ KJI Training Programme 		December 2018
	<p>Activity 2.11.4: The effectiveness of legal reasoning and writing training and the overall training plan will be reviewed on a regular basis, including through the performance evaluation system.</p>	<ul style="list-style-type: none"> ▪ KPK and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Comprehensive Training Programme ▪ Performance Evaluations 		December 2018
	<p>Activity 2.12.1: The Council will ensure that an assessment of the level of training needed by individual prosecutors and support staff members is conducted.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Training Needs Assessment 		December 2018
	<p>Activity 2.12.2: The Council will ensure that an appropriate level of information technology training is provided to individual prosecutors and support staff members.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Training Needs Assessment ▪ KPC Proposition regarding the Training 		December 2018

			Programme	
			<ul style="list-style-type: none"> ▪ KJI Training Programme 	
	<p>Activity 2.12.3: (Monitoring and review) The effectiveness of information technology training and the overall training plan should be reviewed on a regular basis, including through the performance evaluation system.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Comprehensive Training Programme ▪ Performance Evaluation 	December 2018
	<p>Activity 2.12.4: (Training needs assessments) Effective training needs assessments will be conducted in order to assess real training needs in order to increase professional skills and enable all persons working within the prosecution service to perform their tasks impartially, effectively and efficiently in light of operational needs.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Training Needs Assessment ▪ KPC Proposition for training programme ▪ KJI Training Programme 	December 2018
	<p>Activity 2.12.5: (Development of overall training plans) The Kosovo Prosecutorial Council will consider the training needs of the prosecution service bearing in mind the operational needs in the short-term and long-term. The plan should contemplate strengthening every type of skill—from specialization in the investigation and prosecution of particular types of criminal offenses, to administrative skills related to efficient case management, to legal skills and legal writing skills necessary for effective investigation and prosecution of cases, to courtroom-related skills necessary to superior performance in legal proceedings, to leadership and management skills for prosecutors and support staff with a managerial role. The plan should also contemplate knowledge required in relation to confidentiality, data protection ethics and compliance with laws such as the Law on Declaration of Assets and the Law on Conflict of Interests, as well as regarding the appointment, evaluation, and discipline of prosecutors, and the details of amended Laws. Particular consideration will be paid to the development of induction</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Training Needs Assessment ▪ KPC proposition regarding the comprehensive training programme for Prosecutors and 	December 2018



	<p>training for prosecution and support staff, and the development of a structured curriculum. In order to implement training plans, there will be collaboration and coordination with training partners, including the Kosovo Judicial Institution and the Ministry of Public Administration, as appropriate.</p> <p>In its oversight role, the Council will ensure that training opportunities are available to all prosecutors (at all levels of the prosecutorial system), that all prosecutors (at all levels of the prosecutorial system) are kept up-to-date with relevant legal developments (and other applicable issues), including by means of mandatory training programs, with training attendance being considered for evaluation purposes. Similarly, the Council will ensure that there is a culture of continuous training in the prosecutorial system, and that financial resources, time, and so forth are made available to prosecutors participating in training activities, which will be provided by means of a system that is established so that the KPC will be able to monitor the system to ensure that training is attended by those who need the particular education offered in specific training programs.</p>		<p>administrative staff;</p> <ul style="list-style-type: none"> ▪ Comprehensive Training Programme 	
	<p>Activity 2.12.6: (Monitoring and review) The Council will ensure that the effectiveness of training and the overall training plan is reviewed on a regular basis, including by means of a performance evaluation system.</p>	<ul style="list-style-type: none"> ▪ KPC and State Prosecutor (with KJI support) ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Comprehensive Training Programme ▪ Performance Evaluation 	<p>December 2018</p>
<p>Strategic Objective 3.1</p> <p><i>Promote public trust and confidence in the prosecutorial system through public outreach</i></p>	<p>Activity 3.1.1: The Council will perform a needs assessment with respect to external communications, and then prepare and implement a responsive strategy in order to improve public confidence in the prosecutorial system and to increase public awareness of the degree to which the prosecutorial system promotes public access to justice services. The strategy must include at least three elements.</p> <p><u>First</u>, it must provide for a strengthening of relations between the prosecutorial institution and the news media.</p> <p><u>Second</u>, it must provide for a public outreach campaign that will acquaint the public with the nature and extent of the institution’s responsibilities and accomplishments, build public respect for the institution, encourage the public to rely upon prosecutorial</p>	<ul style="list-style-type: none"> ▪ KPC ▪ State Prosecutor ▪ SKPC ▪ Office of KPC and OCHSP for Communication with the Public 	<ul style="list-style-type: none"> ▪ Needs Assessment (Analysis) ▪ Drafting the Strategy for Communication with the Public ▪ Reviewed Normative Acts ▪ Staff 	<p>December 2017</p>

resources for appropriate dispute resolution, and to otherwise improve relations between the public and the institution. <u>Third</u> , it must provide for a Web site that will serve as a mode of direct communication between the institution and the public.		<ul style="list-style-type: none"> ▪ Recruitment Professional capacities development 	
Activity 3.1.2: The Council will periodically assess the effectiveness of its external communications strategy, and make such adjustments to the strategy as may be necessary to maximize a beneficial outcome.	<ul style="list-style-type: none"> ▪ KPC ▪ OCHSP ▪ SKPC 	<ul style="list-style-type: none"> ▪ Periodic Reports with recommendations 	December 2018
Activity 3.1.3: The Council, except as limited by data production rules, will arrange for publication of Council meeting minutes on the KPC website.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Publishing transcripts on the official website of KPC 	December 2018
Activity 3.1.4: The Council will establish a Public Relations Committee and/or designate a trained public spokesperson in order to implement the public communications objectives of the prosecutorial system in its role as overseer of the system.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Spokespersons recruited as per the Strategy 	December 2017
Activity 3.1.5: The KPC will develop and maintain public outreach campaigns to inform the public of the nature and extent of the responsibilities and accomplishments of the KPC and the State Prosecutor, build public respect and trust, and to otherwise improve relations with the public. The KPC will periodically assess the effectiveness of the program, and make necessary revisions to the public outreach strategy.	<ul style="list-style-type: none"> ▪ KPC ▪ SP ▪ SKPC ▪ Office of KPC and OCHSP for Communication with the Public 	<ul style="list-style-type: none"> ▪ Annual Action Plans of the Offices of KPC and OCHSP for Communication with the Public ▪ Accomplished campaigns ▪ KPC Opened meetings 	December 2018
Activity 3.1.6: During the time period covered by this Strategic Plan, the Council will assess and take steps to improve the external communications of the Council and the State Prosecutor. This will include the preparation and implementation of an external	<ul style="list-style-type: none"> ▪ KPC ▪ State Prosecutor ▪ SKPC 	<ul style="list-style-type: none"> ▪ Needs Assessment (Analysis) 	December 2017



	<p>communications strategy. The steps taken must include: (a) strengthening relations between the prosecution service and the media, (b) appointing and training media spokespersons, (c) developing a user-friendly web portal and web site to provide direct communication with the public, (d) developing public outreach campaigns as appropriate to inform the public of the nature and extent of the responsibilities and accomplishments of the Council and the State Prosecutor, build public respect and trust and to otherwise improve relations with the public, and, (e) developing media guidelines and clear guidance for media spokespersons and relevant persons about what information must generally be given to the media and what should remain confidential.</p>	<ul style="list-style-type: none"> ▪ Office of KPC and OCHSP for Communication with the Public 	<ul style="list-style-type: none"> ▪ Drafting the Strategy for Communication with the Public ▪ Reviewed Normative Acts ▪ Staff Recruitment ▪ Professional Capacities Development 	
	<p>Activity 3.1.7: The Council shall take all necessary steps to ensure compliance with legislation on data protection and access to official information. In taking steps to improve its external communications, the Council shall ensure that care is taken to protect the privacy and confidentiality of persons involved in prosecutions, including victims, witnesses and others.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ State Prosecutor ▪ SKPC ▪ Office of KPC and OCHSP for Communication with the Public ▪ Officer for Access to Public Documents 	<ul style="list-style-type: none"> ▪ Drafting the Strategy for Communication with the Public ▪ Reviewed and drafted Normative Acts ▪ Professional Capacities Development 	<p>December 2017</p>
	<p>Activity 3.1.8: The Council will periodically assess the effectiveness of its external communications and make such adjustments as may be necessary to maximize a beneficial outcome.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ State Prosecutor ▪ SKPC ▪ Office of KPC and OCHSP for Communication with the Public 	<ul style="list-style-type: none"> ▪ Periodic Reports with recommendations 	<p>December 2018</p>
	<p>Activity 3.1.9: The KPC will develop and maintain a user-friendly Web portal and Web site in order to facilitate direct communications with the public regarding the</p>	<ul style="list-style-type: none"> ▪ KPC ▪ State Prosecutor ▪ SKPC 	<ul style="list-style-type: none"> ▪ Redesigned and updated official 	<p>December 2017</p>

	performance of the prosecution service from the perspective of the Council.	<ul style="list-style-type: none"> Offices of KPC and OCHSP for Communication with the Public 	websites of KPC and SP	
Strategic Objective 3.2 <i>Provide public access to reports and records regarding prosecutorial data</i>	Activity 3.2.1: The Council's Performance Evaluation Unit will assess the means by which it collects information about the work conducted by the prosecution service, including by prosecution offices.	<ul style="list-style-type: none"> KPC PPEU 	<ul style="list-style-type: none"> Periodical Statistical Reports Analytical Reports 	December 2018
	Activity 3.2.2: Based on the assessment results, the Performance Evaluation Unit will improve the analysis and presentation of work performance information in order to ensure that key points can be easily understood, and that performance is improved as appropriate.	<ul style="list-style-type: none"> KPC PPEU 	<ul style="list-style-type: none"> Further corrected analytical and statistical reports PPEU Professional capacities increasing 	December 2018
Strategic Objective 3.3 <i>Ensuring the confidentiality of information, where required by Kosovo law</i>	Activity 3.3.1: The Council will conduct an assessment of data protection obligations, and take steps to ensure that it and the State Prosecutor comply with legal obligations regarding data protection and confidentiality – including that the workforce knows about and complies with the legal obligations.	<ul style="list-style-type: none"> KPC State Prosecutor SKPC 	<ul style="list-style-type: none"> Analysis Guideline on preserving confidentiality in accordance with legal obligations Adequate trainings 	December 2018



<p>Strategic Objective 3.4</p> <p><i>Facilitate access to justice by ethnic minorities and vulnerable groups</i></p>	<p>Activity 3.4.1: The Council will approve a minority outreach plan that will be implemented as part of the public relations aspect of its communications strategy.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ State Prosecutor ▪ SKPC ▪ Offices of KPC and OCHSP for Communication with the Public 	<ul style="list-style-type: none"> ▪ Inclusion plan of non-majority communities within the strategy of communication with the public 	<p>January 2018</p>
<p>Strategic Objective 4.1</p> <p><i>Establish an adequate information technology infrastructure</i></p>	<p>Activity 4.1.1: The Council will ensure that periodic information technology needs assessments are conducted and will review them, including (among other considerations) an accounting for: budget implications, hardware infrastructure, software applications, IT security, IT methodology development (e.g., case management systems, case presentation technology, IT resources for case development), and IT-related capabilities for HR management.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SP ▪ SKPC ▪ PPEU 	<ul style="list-style-type: none"> ▪ Information Technology Strategy of the prosecutorial system 	<p>December 2018</p>
	<p>Activity 4.1.2: The Council will ensure that an information technology strategy is developed to resolve those needs.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Information Technology Strategy of the prosecutorial system 	<p>December 2017</p>
	<p>Activity 4.1.3: The Council will assess and monitor the information technology strategy, make such adjustments as may be necessary to maximize a beneficial outcome and monitor its implementation.</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Periodic Reports on implementation of the Information Technology strategy 	<p>December 2018</p>
<p>Strategic Objective 4.2</p> <p><i>Ensure the</i></p>	<p>Activity 4.2.1: The Council will periodically perform a needs assessment regarding the prosecutorial system’s buildings and facility infrastructure. Considerations will include security, file and evidence storage capacity, capacity for meeting confidentiality requirements, availability of adequate office and conference space, future space needs,</p>	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Situation analysis ▪ Plan for ensuring infrastructure 	<p>March 2017</p>

<i>adequacy of prosecutorial facilities</i>	contingency planning (including arrangements for temporary staffing), and so forth.		for State Prosecutor	
	Activity 4.2.2: After considering the physical infrastructure needs assessment, the Council will resolve any concerns that are presented by the assessment.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Plan on providing adequate infrastructure 	December 2018
	Activity 4.2.3: The Council will confirm that newly opened prosecution offices meet with applicable requirements established by the Council, and that the transfer to the new offices does not interfere with prosecutorial functions.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Plan on providing adequate infrastructure 	December 2018
Strategic Objective 4.3 <i>Ensure adequate security for prosecutors, prosecution office personnel, and prosecutorial facilities</i>	Activity 4.3.1: The KPC will conduct periodic risk management assessments, considering personnel security, primary and backup plans, emergency responses (e.g., responses to fires, natural disasters, armed intruders, terrorism), premises security (including physical security, security of confidential documents and information, and evidence security), physical security plans and backup plans, building structure issues (including structural problems), contingency plan, and cyclical security and safety audits (including regarding necessary equipment and training interventions required for emergency responders).	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Risks (Challenges) Plan ▪ Prevention Plans 	December 2018
	Activity 4.3.2: The Council will adopt an emergency safety plan, including provisions for emergency response, as a demonstration of its intention to resolve security issues in order to protect the lives of employees, as well as equipment, documents and other property that requires safeguarding.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Emergency Security Plan 	March 2017
	Activity 4.3.3: The Council will ensure that appropriate employees are trained to implement and conduct periodic evaluations of safety plan implementation, and it will take whatever steps are necessary to resolve challenges arising from the assessment, including adoption of any necessary sub-legal acts.	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Capacities increasing for the purposes of implementing emergency security plan 	June 2017
	Activity 4.3.4: The KPC will conduct periodic assessments of data protection obligations and the level of compliance of the prosecution service with legal obligations	<ul style="list-style-type: none"> ▪ KPC ▪ SKPC 	<ul style="list-style-type: none"> ▪ Periodic Reports 	December 2018



	regarding data protection.			
	Activity 4.3.5: The KPC will monitor, evaluate, and revise as necessary all security strategies.	<ul style="list-style-type: none">▪ KPC▪ SKPC	<ul style="list-style-type: none">▪ Periodic Monitoring and evaluation of the Safety Strategy	December 2018