

ANNUAL REPORT 2020

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FOREWORD BY THE PRESIDENT OF THE CONSTITUTIONAL COURT

2020 was a difficult year for all citizens and institutions of the Republic of Kosovo. It was a year of extraordinary circumstances and conditions for work, but also of intensive work and new achievements.

As a result of the restrictions imposed by the pandemic situation (COVID-19) in the country and unlike previous years, the Constitutional Court concluded 2020 with fewer official activities, workshops and study visits, but with a solid number of requests received and reviewed.

In addition to the one-year work of each department and organizational unit of the Court, the Annual Work Report contains more detailed statistical data on budget expenditures and procurement activities, conferences and workshops organized, visits made in the country and abroad, and for the number of cases received and reviewed.

Regarding the number of cases, the Court in 2020 has received 195 referrals/cases, while 197 of them have been carried over from previous years. Of the total number of referrals filed during 2020, 161 referrals were submitted by individuals, while 34 referrals were submitted by public authorities. Meanwhile, 183 decisions were published on the Court's website, of which 20 were judgments and 138 resolutions on inadmissibility.

From all the referrals submitted, in which the Court found a violation of the right to fair and impartial trial, I would like to emphasize:

Referral KI56/18, submitted by Ahmet Frangu, who requested the constitutional review of Judgment ARJ. UZVP. no. 67/2017 of the Supreme Court of the Republic of Kosovo. The Court found that in the Applicant's case, the regular courts, as well as the Civil Registration Agency and the Municipality of Prishtina, violated the Applicant's fundamental rights and freedoms, guaranteed by Articles 36 and 54 of the Constitution, in conjunction with Articles 8 and 13 of the European Convention on Human Rights (ECHR), due to non-registration of his son's death in the Principal Death Register.

Another important referral, which was the referral with case number KI193/18, filed by Agron Vula, who requested the constitutional review of Judgment Ac. no. 227/18 of the Court of Appeals of 18 September 2018, regarding the non-enforcement of Decision A 02 158/07 of the Independent Oversight Board for the Civil Service of Kosovo (IOBCSK) of 25 February 2008. In this case, the Court found that the non-enforcement of the Decision of the IOBCSK by the Municipality of Gjakova, especially after several decisions of the regular courts that allowed its enforcement, caused violations of Articles 31, 32 and 54 of the Constitution, as well as Articles 6 and 13 of the ECHR.

In relation to the referrals submitted by the institutions authorized under Article 113 of the Constitution, the Court in 2020 also considered the case KO54/20, Referral submitted by the President of the Republic of Kosovo, requesting the constitutional review of Decision no. 01/15 of the Government of the Republic of Kosovo, of 23 March 2020. The Court found that the challenged decision of the Government is not in compliance with Articles 55, 35, 36 and 43 of the Constitution of the Republic of Kosovo, in conjunction with Articles 8 and 11 of the ECHR, as well as Article 2 of Protocol no. 4 of the ECHR.

Another important case that the Court reviewed regarding the referrals submitted by the institutions authorized under Article 113 of the Constitution, was the referral with case number KO219/19, submitted by the Ombudsperson, requesting the constitutional review of the Law on Salaries in Public Sector, no. 06/L-111. The Court found that the challenged law is not in compliance with Articles 4, 7, 102, 103 (1), 108, 109, 110, 115, 132, 136, 139 and 141 of Chapter XII of the Constitution of the Republic of Kosovo.

For more details about other important judgments, but also other resolutions and decisions rendered in 2020, the readers can also refer to the official website of the Constitutional Court: www.gjk-ks.org.

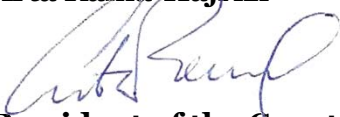
Last year, the Constitutional Court also held various activities in the form of official visits inside and outside the country, as well as participation in professional training, although many of them took place distantly and through video conferences due to restrictions imposed by the COVID-19 pandemic.

With the support of international donors, the Court in 2020 managed to initiate and implement many new projects, which aim at continuously increasing the professional and technological capacity of our institution.

I take this opportunity to express my special gratitude for the support provided last year by the Council of Europe Office in Prishtina, in order to more effectively implement European standards in dealing with individual complaints and drafting a new strategic plan of the Court.

For their professional work and for the contribution given to the achievements of the Constitutional Court, I would like to express a special thanks to all the judges, the Secretary General, the constitutional-legal advisors and other officials of the administration.

Arta Rama-Hajrizi



President of the Constitutional Court of the Republic of Kosovo

INTRODUCTORY NOTE BY THE SECRETARY GENERAL

I have the special honor to present the Annual Work Report 2020 about the work of the Secretariat of the Court, a mechanism that supports the Constitutional Court and ensures an efficient and effective functioning of the Court administration.

Same as the previous annual reports, this annual report provides an overview of activities of the Court during the previous year, on the work and results of each department and unit of the administration of the Constitutional Court.

The Secretariat was committed in reaching the work objectives and successfully concluding projects foreseen by the Work Plan 2020, as well as in the full implementation of the Strategic Plan of the Court for the period 2018-2020, despite the challenges created by the pandemic COVID-19 during 2020.

The Secretariat was in particular focused on training and further development of professional capacity of staff and on further development, drafting and implementation of work rules and procedures, with the aim of ensuring a higher performance of the Secretariat, within the scope of its responsibilities.

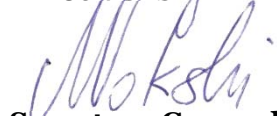
The accomplishment of the identified objectives is a result of the team work of the Secretariat personnel, therefore, just like in the past years, I take this opportunity to express my gratitude to all the staff of the Secretariat for the given contribution and for the results achieved in the implementation of the work plans, and in ensuring efficient and effective functioning of the Court.

Special thanks are given to donors, who during 2020 as well, with their assistance had an effect on the achievement of the general success of the Court.

In particular, on my behalf and on behalf of the Secretariat staff, I thank the judges and the President of the Court, Mr. sc. Arta Rama-Hajrizi for the encouragement, support and professional support they have given in overcoming the challenges.

The Secretariat will remain committed also in 2021 to implementing the Work Plan and the Strategic Plan for the period 2021-2025.

Milot Vokshi



Secretary General

ANNUAL REPORT OF THE CONSTITUTIONAL COURT FOR 2020

The Constitutional Court of the Republic of Kosovo is the final authority in the Republic of Kosovo for interpretation of the Constitution and for compliance of laws with the Constitution, and is fully independent in exercising its responsibilities.

In 2020, the Constitutional Court received 195 new referrals.

From the Referrals filed with the Court in 2020, it decided on 206 referrals, whereas it published in the website of the Court and served 190 decisions on the parties.

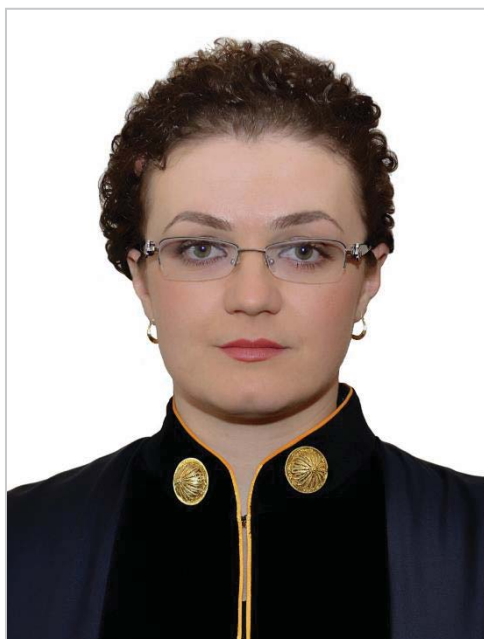
All decisions of the Court were published in the Official Gazette of the Republic of Kosovo.

In compliance with Article 115.2 of the Constitution and, in accordance with Rule 16 (3) i) of the Rules of Procedure of the Constitutional Court of Kosovo, the Constitutional Court approved its annual report 2019, in the administrative session held on 1 march 2021.

In compliance with Article 115.2 of the Constitution of the Republic of Kosovo and, in accordance with Rule 18 of the Rules of Procedure of the Constitutional Court of Kosovo 01/2018, the Secretariat in 2020 the Secretariat organized 1 (one) administrative session. In this administrative session 3 (three) decision were rendered.

The Constitutional Court of the Republic of Kosovo during 2020, was composed of:

Arta Rama-Hajrizi, President
Bajram Ljatifi, Deputy President
Bekim Sejdiu, Judge
Selvete Gërxhaliu-Krasniqi, Judge
Gresa Caka-Nimani, Judge
Safet Hoxha, Judge
Radomir Laban, Judge
Remzije Istrefi-Peci, Judge
Nexhmi Rexhepi, Judge



Arta Rama-Hajrizi
President



Bajram Ljatifi
Deputy President



Bekim Sejdiu
Judge



Selvete Gerxhaliu
Krasniqi
Judge



Gresa Caka Nimani
Judge



Safet Hoxha
Judge



Remzije Istrefi Peci
Judge



Radomir Laban
Judge



Nexhmi Rexhepi
Judge

SECRETARIAT OF THE CONSTITUTIONAL COURT

The Secretariat of the Constitutional Court of the Republic of Kosovo, pursuant to Article 12 of the Law on the Constitutional Court and in accordance with Rule 18 of the Rules of Procedure 01/2018, performed administrative work supporting the functioning of the Constitutional Court.

The Secretariat is managed by the Secretary General, who pursuant to Article 12.4 is responsible for the organization and management of the Secretariat. The organizational structure of the Secretariat consists of:

- Office of the Secretary General;
- Department of Administration and Human Resources (DAHR);
- Department for Case Registration, Statistics and Archive (DCRSA);
- Department of Professional Support (DPS);
- Department of Budget and Finance (DBF);
- Communication and Information Office (CIO);
- Internal Audit Unit (IAU);
- Procurement Unit (PU); and
- Information Technology, Communication and Multimedia Unit (ITCMU).

In the accomplishment of the objective of the Strategic Plan of the Constitutional Court for the period 2018-2020, out of the **136** activities envisaged for development in 2020, **108** of them have been successfully implemented.

The functioning of the Legal Unit (LU), which includes the positions of constitutional-legal advisors and other legal staff, as well as its structure and organization, are regulated by Regulation no. 03/2019 for Legal Unit. Constitutional-legal advisors support the professional work of judges.

In 2020, the Secretariat has accomplished these following objectives:

- Implementation of Strategic Plan 2018-2020;
- Drafting the Mid-Term Expenditure Framework for the 2018-2020;
- Designing the Risk Register for 2020.

In the past year, the Secretariat of the Constitutional Court also published:

- Annual working report for 2019;
- Newsletter no. 9 (July-December 2019);
- Newsletter no. 10 (January-June 2020);
- Bulletin of case law 2019, in three languages.

**LEGAL UNIT
(LU)**

LEGAL UNIT (LU)

The Constitutional Court of the Republic of Kosovo, based on the Law on the Constitutional Court and the Rules of Procedure of the Constitutional Court, has established the Legal Unit (LU) as a separate organizational structure that directly reports to the President and performs its duties in support of the professional work of judges.

The primary role of the Legal Unit is to provide professional support to the judges of the Court in the process of drafting preliminary reports; final decisions of the Court; as well as all other legal material necessary for the work of the Court. In this regard, the Legal Unit is responsible for assisting the Court in ensuring a high quality of decision-making and consistency of the case law. For such purposes, the Legal Unit conducts exhaustive legal research at the level of national law of the Republic of Kosovo; regional and international constitutional law; international and comparative law; opinions, recommendations and best practices announced under the auspices of the Council of Europe and the Venice Commission; the case law of the European Court of Human Rights and the European Court of Justice; and, where appropriate, other international courts.

Other important functions of the Legal Unit are: (i) meeting with the parties and assisting the Secretariat in receiving referrals and additional documents; (ii) filtering all new referrals filed with the Court and drafting an initial filtering report regarding the submitted referral; (iii) identifying the referrals with interim measure and other urgencies that a referral may present depending on the nature of the case; (iv) maintaining and updating databases such as: the database of the type of referrals and raised allegations; database for the implementation of Court decisions; a database to monitor the status of each case from the beginning until its publication. All decisions of the Court are filtered by the Legal Unit prior to publication on the website of the Court in order to provide easier scientific, professional and academic search for all citizens of the Republic of Kosovo and the legal community.

The Legal Unit is composed of: Chief Constitutional Legal Advisor; Juristconsult; Deputy Chief Constitutional Legal Advisors; Senior Constitutional Legal Advisors; Constitutional Legal Advisors and Senior Legal Advisor for Administration of Referrals. Secretaries. Currently, the Legal Unit is composed of 14 members and is managed by the Chief Constitutional Legal Advisor and his/her two Deputy Chief Constitutional Legal Advisors. All three, including Juristconsult, are elected by the judges of the Court from among senior constitutional legal advisors. The Chief Constitutional Legal Advisor acts in a liaison capacity between the President of the Court and the Secretary-General and is responsible for the smooth operation of the Legal Unit. He/she assists and advises the Court in the performance of its functions and supervises and supports all members of the Legal Unit in performing their duties. The position of Juristconsult is a new role in the Legal Unit created in 2019. His main role is to advise the Court and to notify it about various matters related to the Court's own case law, with a view to ensuring the consistency of case law. In coordination with Chief Constitutional Legal Advisor, Juristconsult assists in the process of ensuring the high quality of decision-making and the consistency of case law; and, in this respect, proposes relevant recommendations aimed at the consistency and quality of the Court's decision-making.

The members of the Legal Unit have specific roles designed for the needs of the Court. They have the status of full-time employees and are not civil servants. Specific working conditions and precise descriptions of their duties are established in the Law on the Court, the Rules of Procedure and the Regulation on the Legal Unit. In terms of the advice they provide, they are independent and free to express their professional opinion on any referral in which they work.

The Legal Unit holds regular meetings to discuss various legal and constitutional issues, to monitor the status of cases, to review the possibility of the internal acts of the Court and to

hold consultations on the Court's own case law and of the ECtHR. The Legal Unit also prepares various materials for discussion during professional sessions held with judges and advisors of the Court.

An important factor in ensuring effective legal decision-making and improving the drafting of reports and decisions, is the professional training of Court's staff in the field of constitutional, international and human rights law. In the framework of the activities of the Court, the members of the Legal Unit participate in professional workshops throughout the year. A full list of activities of legal advisors can be found in Section X of this report (Court Activities).

Throughout 2020, despite the tremendous difficulties posed by the COVID-19 pandemic, the Legal Unit has managed to fulfill all its tasks towards providing support to judges in handling cases that have been submitted to the Court. Despite these difficulties, the work has continued smoothly through the organization of work on-duty in the office and through the online platform - depending on the recommendations given by public health experts. During this year, a large number of cases have been handled in which the Legal Unit has made a continuous contribution to the process of analyzing cases, preparing legal research and drafting decisions, based on the decision-making of judges of the Court.

The Legal Unit continues to be committed to enhancing its professionalism, through the implementation of various projects, provided and enabled by the strategic partners of the Constitutional Court. Consistently and throughout the year, the Constitutional Court is open to offer meetings with students or the primary and secondary school pupils, even in the online format, with an aim of notifying all concerned about the work of the Constitutional Court, its role defined by the Constitution, and the Referrals filed with it.

**DEPARTMENT OF ADMINISTRATION AND HUMAN RESOURCES
(DAHR)**

DEPARTMENT OF ADMINISTRATION AND HUMAN RESOURCES (DAHR)

I. Human resources and capacity building

In 2020, Department of Administration and Human Resources (DAHR) in implementation of the work plan, supported the smooth running of the work of the Secretariat through various services. Considering that 2020 started with a delay in approving the budget for 2020, followed by the global pandemic COVID-19, the DAHR work was organized based on priorities and necessity. Most of the activities foreseen by the annual plans were prolonged and that the work during the 9 months of the year was carried out with essential staff, on-duty and through the online platform.

During this period, in accordance with personnel records, these activities were undertaken:

- Organizing one (1) external vacancy for filling one (1) position: Translator from Albanian into languages: English and Serbian and vice versa; the selected candidate is expected to start work on 1 February 2021;
- Organizing two (2) promotion procedures, through internal vacancies to fill the positions: Director of the Procurement Unit, and Training and Career Development Officer;
- Two (2) CCK officials terminated their employment with the CCK, namely, one (1) decision to terminate employment upon reaching retirement age from the position of Officer for Statistics and Session Preparation, and one (1) decision to terminate the employment upon resignation from the position of Translator of the Turkish language;
- At the end of the probation period, three (3) constitutional legal advisors and one (1) official of the Secretariat successfully passed the one-year probation period. As a result, all employment contracts and appointments of CCK staff have been updated, as well as in the payroll have been forwarded and executed all changes within the year by the Ministry of Public Administration (MPA);
- Sixteen (16) CCK officials completed ten (10) years of uninterrupted work in the Constitutional Court during 2020 and were rewarded with the jubilee salary;
- Certificates of proof of employment have been prepared and provided as required by officials. Staff attendance has been regularly recorded and annual and medical leave records were updated;;
- During this year, regarding special holidays two (2) officials of the CCK used parental leave, with 70% of salary and one (1) official appointed to public office continues to exercise the right to an agreed suspension of employment;
- Regarding the implementation of the Strategic Plan 2018-2020, two workshops were held. The fourth and concluding workshop for 2019 together with the Risk Register, including the period of the first quarter of 2020, as well as the second workshop related to the activities carried out for the period April-September 2020;

- During this period two workshops were also held and several meetings with experts engaged in relation to the Development of the new Strategy of the Court for the next five-year period 2021-2025;
- At the end of this period, the process of annual performance evaluations for all constitutional administrative staff has been completed;
- Out of the total number of 70 (seventy) employees allowed under the 2020 budget, at the end of this period, the total number of employees in the payroll is 65, of which, 34 are males, or 52.3%, while 31 females, namely 47.69%, whereas in terms of ethnicity 59 are Albanians (90.77%), 3 Serbs (4.62%), 2 Bosnians (3.08%) and 1 Montenegrin (1.54%). This number also includes the former President of the CCK and the three officials appointed by him under applicable law.

Figure no. 1: Number of employees by ethnicity:

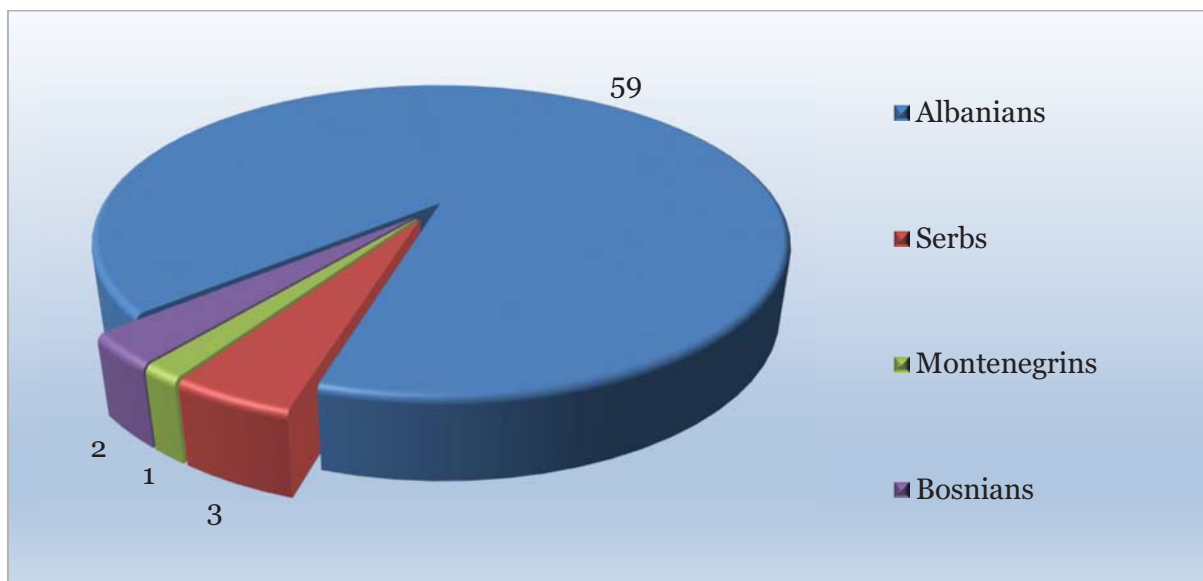
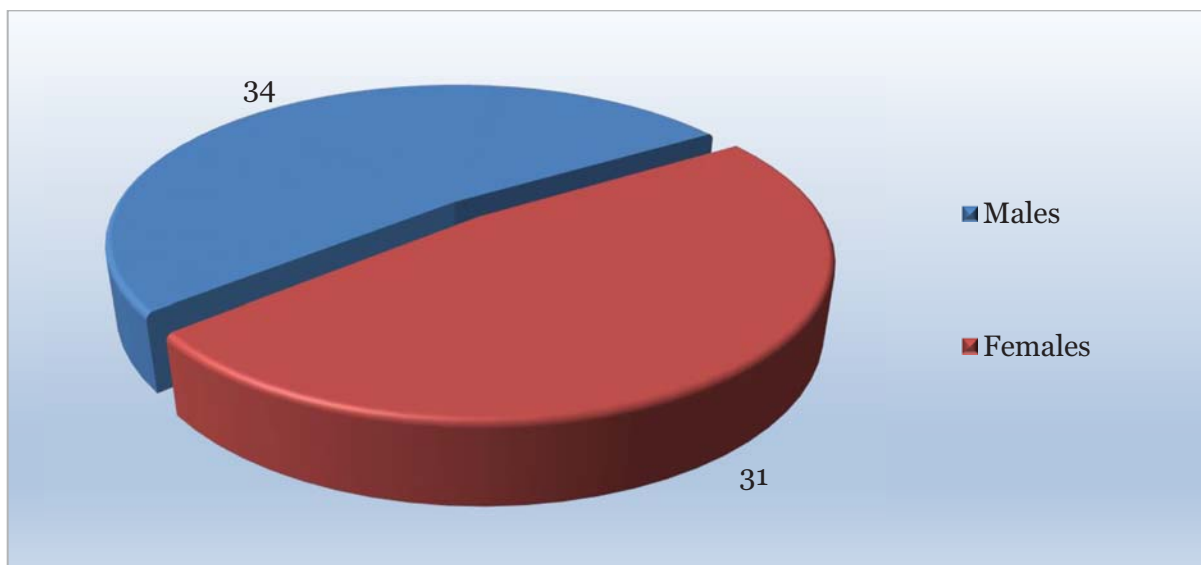


Figure no. 2: Number of employees by gender:



II. Capacity building (training and career development)

In 2020, the DAHR drafted the capacity building plan for the constitutional administrative staff, based on the identification of the needs of officials from the individual training plans, as well as continuously updated and identified all staff activities during this year.

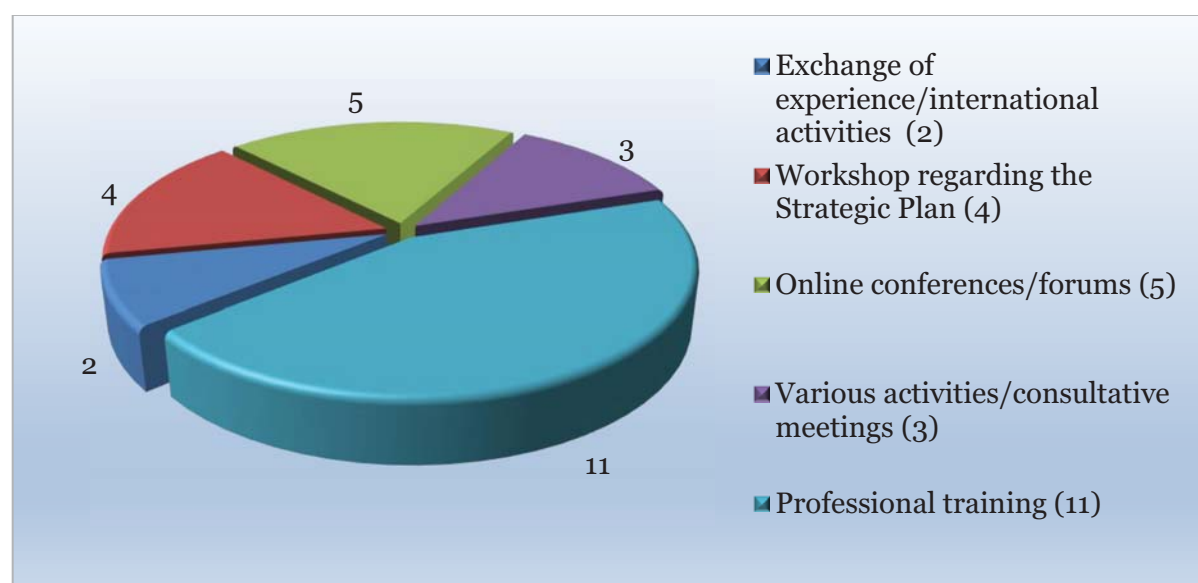
In 2020, a total of 25 activities were carried out. As a result of the pandemic situation with COVID-19, the realization of the training plan was made impossible and that most of the activities in the last nine months were realized through online platforms. Following are the data related to the activities taken:

- 1 (one) exchange of experience;
 - 1 (one) international activity;
 - 3 (three) different activities/lectures;
 - 4 (four) workshops related to the Strategic Plan;
 - 5 (five) online conferences/forums, and
 - 11 (eleven) professional trainings;
-
- On 1 February to 31 March 2020, in the framework of the project for exchange of experience in the Strasbourg Court for the acquisition of European judicial practices and their implementation in the constitutional judiciary of Kosovo, an advisor from the Court completed a 2-month training;
 - On 19-21 February 2020, in Tirana was held an International Activity on the topic: “Concrete steps for drafting the Strategic Plan of the Constitutional Court of Albania for the period 2020 – 2023”, with two participants of the Court;
 - On 29-30 January 2020, in Prishtina, an official participated in the training on the “Code of Ethics, rights and responsibilities in the Civil Service”, organized by the Kosovo Institute for Public Administration;
 - On 5-6 March 2020, in Prishtina, an official participated in the training on “Planning, management and development of Human Resources”, organized by the Kosovo Institute for Public Administration (KIPA);
 - On 9-10 March 2020, the fourth Workshop for the implementation of the Strategic Plan 2018-2020 was organized in Prishtina, with 18 participants of the Court;
 - On 10-11 March 2020, from the Diplomatic Academy of Kosovo, a training was organized on the topic “Protocol and Ethics”, which was attended by two officials from the Court;
 - On 16-17 April 2020, supported by the Office of the Council of Europe in Prishtina, a training was held through the online platform on “Article 15 of the Convention on Human Rights” with a total of 13 participants from the Legal Unit;
 - On 11 and 12 June 2020, supported by the Office of the Council of Europe in Prishtina, a round table was held through the online platform on “The right to a fair trial” with a total of 13 participants from the Legal Unit;
 - On 22 July 2020, in cooperation with the organization “Youth Initiative for Human Rights – Kosovo” (YIHR KS), in the framework of the project “Youth for Justice”, an advisor to the Constitutional Court held a lecture and conversation with students of the third edition of the Alternative School for Human Rights in Kosovo, regarding the role and function of the Constitutional Court in relation to other institutions within the justice system in the country;

- On 14-15 September 2020, a consultative meeting was held through video conference, with the team of rapporteurs appointed by the Venice Commission regarding the preparation of the Commission’s opinion on the Draft Law on Public Gatherings, requested by the Government of the Republic of Kosovo, which was attended by the Chief Advisor of the Constitutional Court;
- On 1-2 October 2020, the Constitutional Court of the Republic of Kosovo, with the assistance of the Council of Europe, organized the “First Workshop on the Development of the new Strategic Plan of the Constitutional Court for the period 2021-2025”, through the online platform, with 30 participants each.
- On 8 October 2020, “The second workshop related to the implementation of the Strategic Plan 2018-2020” was organized for the reporting period April-September 2020, conducted with physical presence in the Court building, with 14 participants;
- On 8 October 2020, a virtual video conference in the field of finance was held on the topic “Cash management reform and budget execution: Cash flow plan for Budget Organizations”, organized by the Treasury, within the Ministry of Finance (MF) , with one participant from the Constitutional Court;
- On 14 October 2020, in Prishtina was conducted the training through the online platform on the topic “Strategic planning, performance indicators, administrative instructions in the field of budget planning and budget changes”; organized by KIPA in cooperation with MF, which was attended by an official from the Court;
- On 15 October 2020, the training was held through the online platform on the topic “Budget Development and Management System (BDMS)”, organized by KIPA and MF, which was attended by an official from the Court;
- On 16-17 October 2020, in Prishtina, a forum on the topic: “Seventh Regional Rule of Law Forum for Southeast Europe”, was held organized by The AIRE Centre and the Civil Rights Defenders, with 4 participants from the Court;
- On 12 November 2020, with the assistance of the Council of Europe, an online discussion was organized with the former Legal Advisor of the European Court of Justice, Mr. Early Lawrence, with 14 participants;
- On 23 November 2020, the Conference was organized through the online platform, on the topic “70 years of our Convention”, by the Council of Europe, with 22 participants from the Court;
- On 16 November-10 December 2020, in Prishtina, a 10-day training in the field of public procurement was held, organized by KIPA, in cooperation with the Public Procurement Regulatory Commission (PPRC), with one participant from the Court;
- On 2-4 December 2020, the training was held through the online platform on the topic “Courtesy and Protocol” organized by the Academy of Justice, with one participant from the Court;
- On 3 December 2020, with the assistance of the European Center and the United Kingdom it was enabled to participate in the Conference through the online platform on the topic “Towards practice: using the jurisprudence of the Strasbourg Court at the local level, with 14 participants from the Court;

- On 7 December 2020, the training was held through the online platform on the topic “Cash Management” organized by the Treasury, with a participant from the Court;
- On 7-9 December 2020, the training was held through the online platform on the topic “Strategic Communication” organized by the Academy of Justice, with one participant from the Court;
- On 18 December 2020, the Constitutional Court of the Republic of Kosovo, with the assistance of the Council of Europe, organized the “Second Workshop on the Development of the new Strategic Plan of the Constitutional Court for the period 2021-2025”, through the Zoom platform, with 30 participants from the Court.

Figure no. 3: Participation of Constitutional Court staff in study visits, conferences and summer schools abroad, conferences/workshops in the country and abroad, training in the country and abroad, foreign language courses:



III. Administrative and logistic support

- The regular maintenance and servicing of vehicles of the Court was supervised, and monthly reports regarding the expenditure of fuel were timely compiled;
- The control of incoming and outgoing office materials and IT equipment, as well as its registration in the E-asset Information Management System was made;
- A number of 240 invoices were registered in Free Balance System, after supply with the office materials and IT equipment and services for the work needs of the Court;
- A series of compiled documents addressed to the various institutions involved with the execution of various administrative requirements, and provision of services for the needs of the Court.

IV. Library of the Court (Library’s services)

In the library field, these activities were carried out, namely this literature was received and registered:

- The annual membership of the Constitutional Court of Kosovo with the Association of Electronic Libraries of Kosovo (ABEK) has continued, through which access to these electronic resources is provided.: Cambridge Journals Online, Edward Elgar Publishing, IMF- International Monetary Fund, Open Edition Journals, ASTM-Compass;
- The annual subscription of the Constitutional Court to the electronic resources of the Oxford University Gazette, through which access to these electronic resources is provided, has continued.: Max Planck Encyclopedia of International Law, ORIL - International Human Rights Law, ORIL - International Law in European Courts, Oxford Constitutions of the World;
- The International Coalition of Library Consortia has enabled free access to a wide list of electronic resources, mainly in the academic field, during the COVID-19 period;
- Judges and staff of the Court were served with physical and electronic literature, according to their requests, and articles in the field of law were downloaded, according to their importance.;
- As for the new titles, during 2020 the Court Library has received and registered these titles:
 - ICL Journal: Vienna Journal on International Constitutional Law, volume 12, issue 2;
 - ICL Journal: Vienna Journal on International Constitutional Law, volume 13;
 - Thomas Jefferson: Law Review, volume 36. Number 1, The “S Word” and Security Council: The Role and Powers of the United Nations Security Council in the Creation of New States, author Qerim Qerimi;
 - Le Conseil constitutionnel, 2010, French magazine;
 - Andreas Sajó & Renata Uitz: The constitution in private relations, 2005;
 - Toby Mendel: Freedom of Expression, published by Council of Europe, 2014;
 - Gea Suumann: 15 years of constitutional review in the supreme court of Estonia, 2009;
 - Jeremy McBride: European Convention on Human Rights and Criminal Procedure;
 - Luan Omari, Aurela Anastasi: Constitutional Law, 2010, by the publishing house ABC;
 - Kadri Kryeziu : Election Right, 2013, by the publishing house Vertigo;
 - Kadri Kryeziu : Prizren, 2013, by the publishing house Vertigo;
 - Murat Azakli: Constitutional Justice in Asia;
 - Jorg Gerkrath: Les 20 ans de la cour constitutionnelle;
 - ICL Journal: Vienna Journal on International Constitutional Law, volume 14;
 - Covid-19 and impact on Human Rights, 2020, published by AIRE Centre.
- Publications by the Office for the Publication of the Official Gazette were received and registered with three copies each,
 - Official Gazette no. 01 /2020, March 2020;
 - Official Gazette no. 02 /2020, August 2020;
 - Official Gazette no. 05 /2020, October 2020;
 - Official Gazette no. 06 /2020, November 2020.
- In the electronic cataloging system “Koha” a total of 23 books were accommodated, which were physically organized according to the respective field number.

**DEPARTMENT OF CASE REGISTRATION,
STATISTICS AND ARCHIVE (DCRSA)**

DEPARTMENT OF CASE REGISTRATION, STATISTICS AND ARCHIVE (DCRSA)

Status of cases in the Department of Case Registration, Statistics and Archive (DCRSA)

In 2020, the Court has processed a total of 392 referrals/cases, of which 195 are received in 2020 and 197 were carried over from the past years:

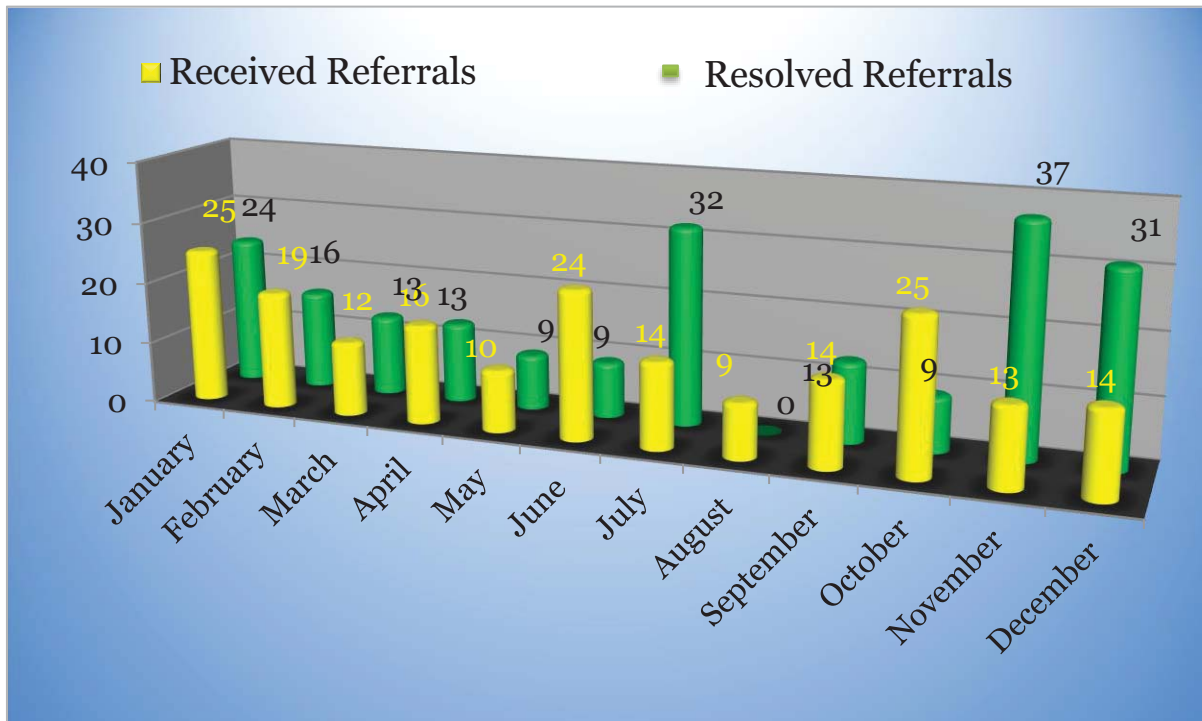
- 18 referrals carried over from 2018, of which 17 are resolved while 1 is in the process;
- 179 referrals carried over from 2019, of which 126 are resolved while 53 are in the process;
- 195 referrals were received in 2020, of which 63 were resolved and 132 referrals are in the process.

In total, in 2020 206 referrals were decided (52.6%) out of 392 processed, whereas 185 referrals (47.4%) were carried over in 2021.

In this period, 183 decisions were published on the Court’s webpage and served on the parties, while, 23 other referrals are in the process of preparation and serving.

During this period, 16.2 referrals were received on average per month while 17,4 were decided. the monthly dynamics of the referrals received and resolved is as follows:

Graph no. 1: Dynamics of referrals by months (01 January - 31 December 2020)



Filing of referrals

The jurisdiction and authorized parties to submit a referral to the Constitutional Court are determined by the Constitution and the Law on the Constitutional Court of Kosovo.

The trust of citizens in the Constitutional Court has increased significantly as a result of efficient, effective and impartial work. The Department for the Registration of Cases, Statistics and Archives has received in 2020 195 new referrals.

The structure of the filed referrals is as follows:

- 161 referrals were filed by individuals (natural persons), or 82,56%, whereas
- 34 referrals were filed by other public authorities (legal persons), or 17,44%.

Allocation of referrals

In accordance with Article 22 of the Law on the Constitutional Court, the DCRSA has processed all submitted Referrals to the Court in accordance with Article 113 of the Constitution.

The allocation of Referrals/Cases to Judge Rapporteurs was done in accordance with Rules 8 and 34 of the Rules of Procedure of the Court. An exception to this rule is the distribution of Referrals for the imposition of interim measures, which Referrals are processed pursuant to Rule 55 of the Rules of Procedure of the Constitutional Court, and ad hoc cases, which represent a conflict of interest, pursuant to Article 18 of the Law on Courts and Rule 7 of the Rules of Procedure.

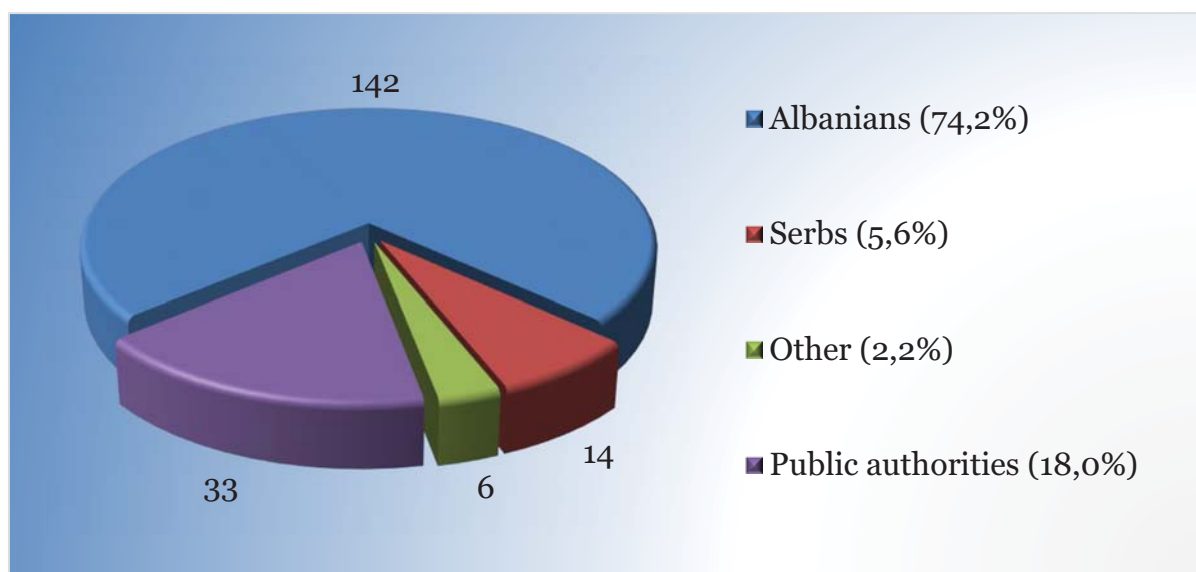
Access to the Court and public trust in the work of the Court

All Kosovo citizens, regardless of ethnic, religious or other background, have equal access to the Constitutional Court.

The ethnic access of individuals is indicated as follows:

- 142 Referrals by Albanians, or 72,8 %;
- 14 Referrals by the Serb community, or 7,2 %;
- 6 Referrals by other ethnicities, or 3,1 %; and
- 33 Referrals were submitted by public authorities (legal persons), or 16,9%.

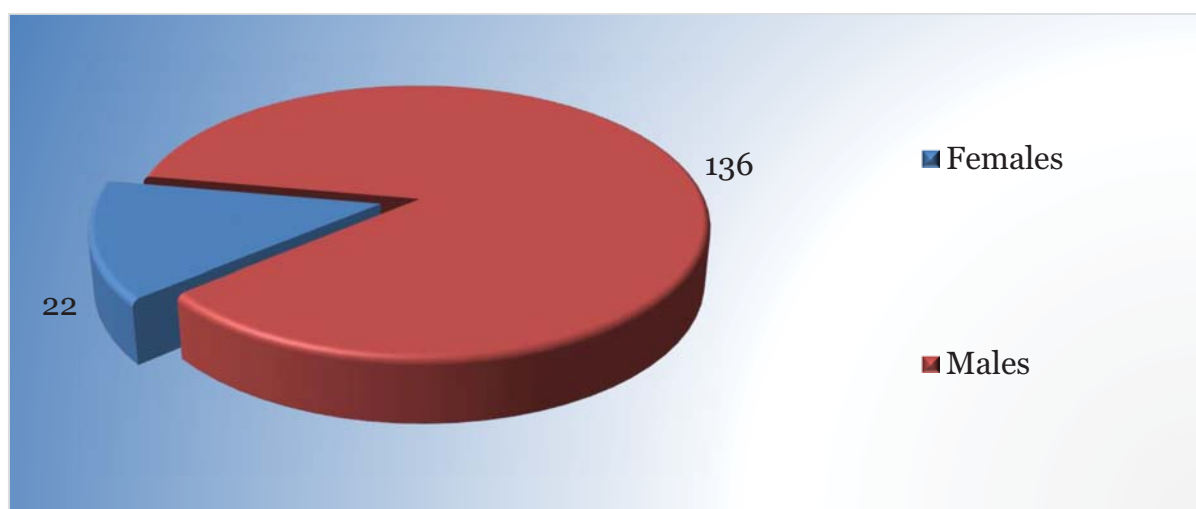
Graph no. 2 Ethnic structure of the Applicants (01 January - 31 December 2020)



The gender structure of the Applicants is indicated as follows:

- 136 Referrals submitted by males, or 69,7%;
- 22 Referrals submitted by females, or 11,3%;

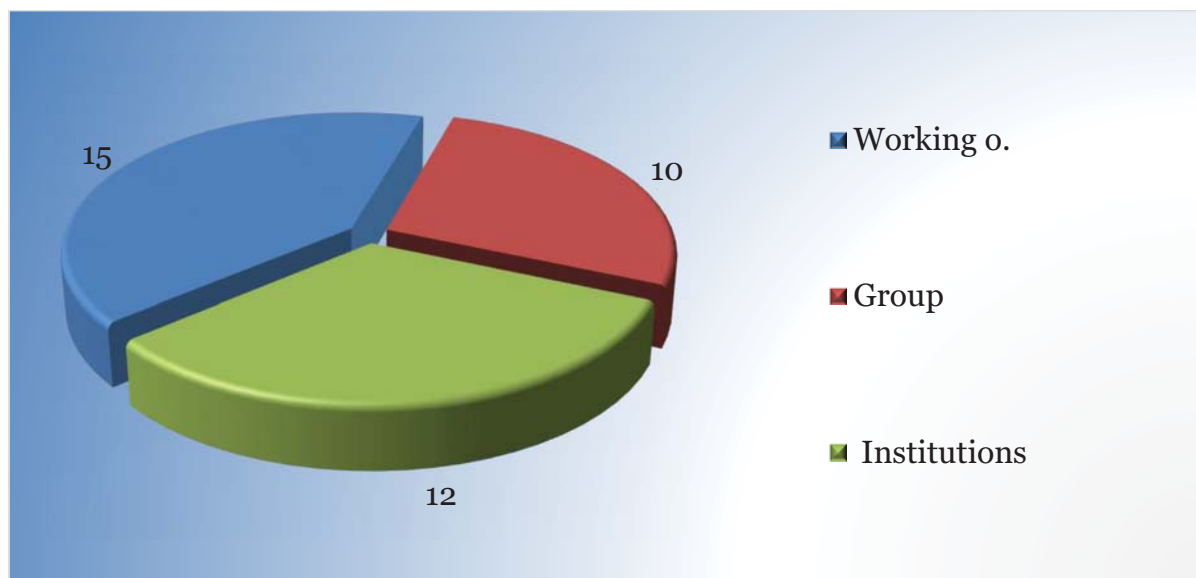
Graph no. 3 Gender structure of the Applicants (01 January – 31 December 2020)



Percentage of Applicants, by groups, working organizations and Institutions:

- 10 referrals submitted by groups, or 5,1%;
- 15 referrals submitted by working organizations, or 7,7%; and
- 12 referrals submitted by institutions, or 6,2%.

Graph no. 4 Percentage of group submissions, working organizations and Institutions

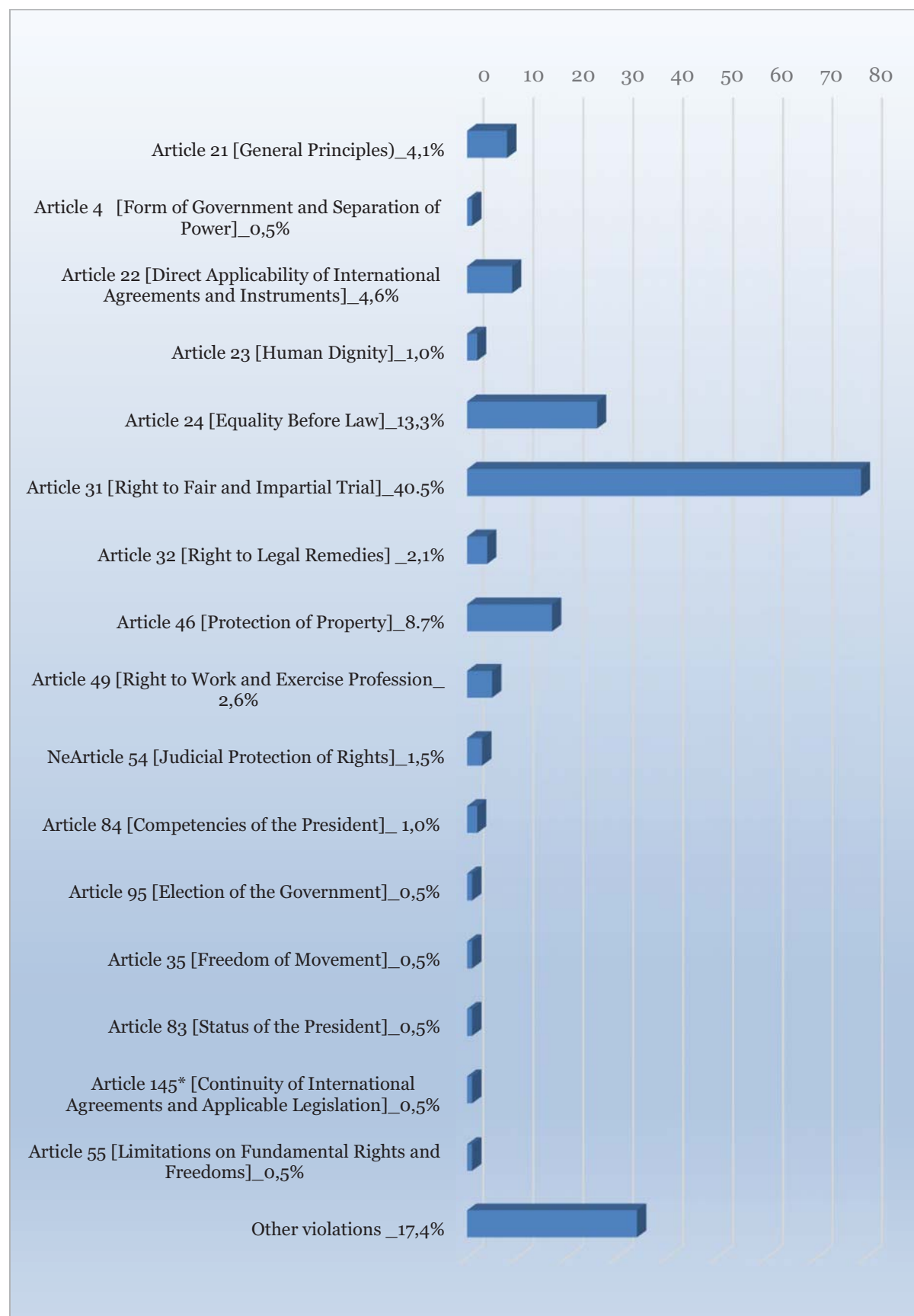


Alleged violations by type

Types of alleged violations from 195 referrals received during period 1 January – 31 December 2020, is as follows:

- Article 21 [General Principles), 3 cases or 1,2%;
- Article 4 [Form of Government and Separation of Power] 1 case or 0.9%
- Article 22 [Direct Applicability of International Agreements and Instruments], 16 cases or 6,6 %;
- Article 23 [Human Dignity], 4 cases or 1,6%
- Article 24 [Equality Before Law], 59 cases or 24,3 %;
- Article 31 [Right to Fair and Impartial Trial], 89 cases or 36,6%;
- Article 32 [Right to Legal Remedies], 4 cases or 1,6%
- Article 46 [Protection of Property], 18 cases or 7,4%;
- Article 49 [Right to Work and Exercise Profession], 8 cases or 3,3%;
- Article 54 [Judicial Protection of Rights], 13 cases or 5,3%;
- Article 84 [Competencies of the President] 2 cases or 1.9%
- Article 95 [Election of the Government] 1 case or 0.9%
- Article 35 [Freedom of Movement] 1 case or 0.9%
- Article 83 [Status of the President] 1 case or 0.9%
- Article 145* [Continuity of International Agreements and Applicable Legislation] 1 case or 0.9%
- Article 55 [Limitations on Fundamental Rights and Freedoms] 1 case or 0.9% and
- Other violations, 26 cases or 10,7 %.

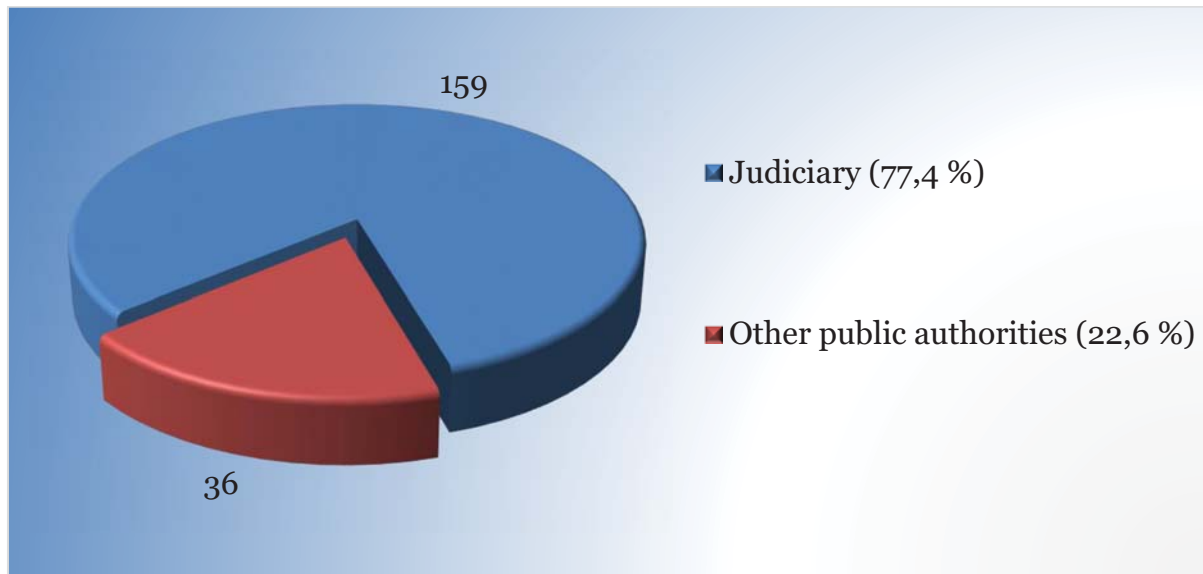
Graph no. 5 Typology of alleged violations of articles of the Constitutional Court (1 January - 31 December 2020)



Alleged authorities of violation of rights

- 159 Referrals or 81,5 % of them refer to regular courts' decisions;
- 36 Referrals or 18,5 % of referrals refer to other public authorities.

Graph no. 6 Alleged violators of rights (01 January - 31 December 2020)

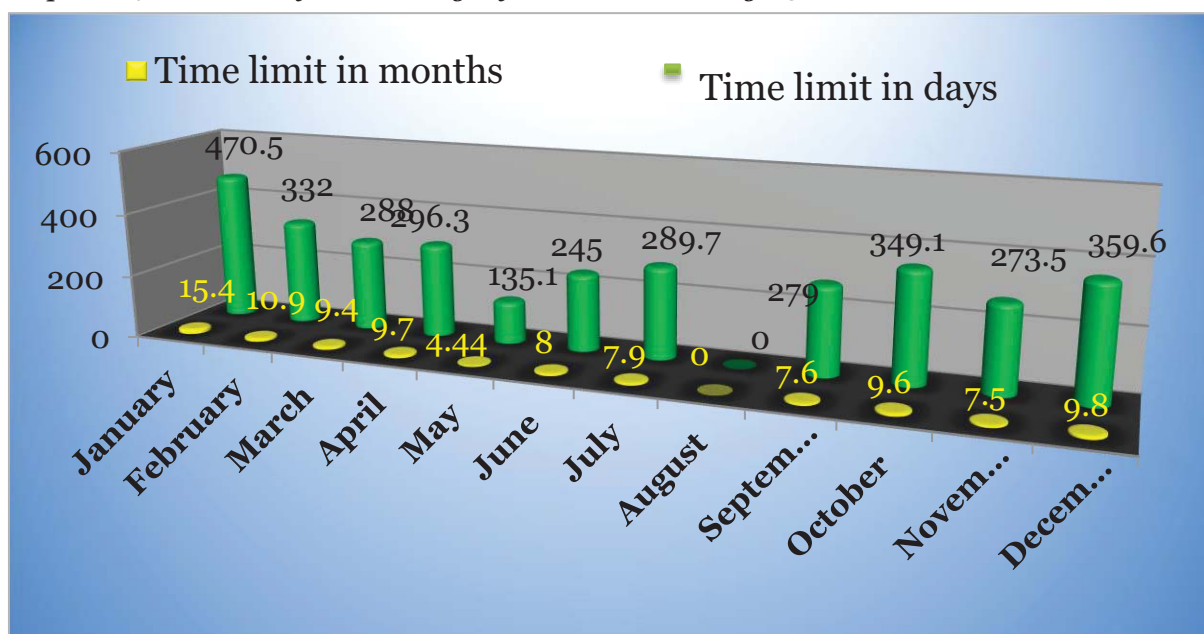


Time limit of resolving referrals

In 2020, the Constitutional Court has published 183 decisions.

The following graph reflects the dynamics of the deadline for resolving referrals in months and days.

Graph no. 7 Time limit for resolving referrals (01 January - 31 December 2020)



Sessions and Review Panels

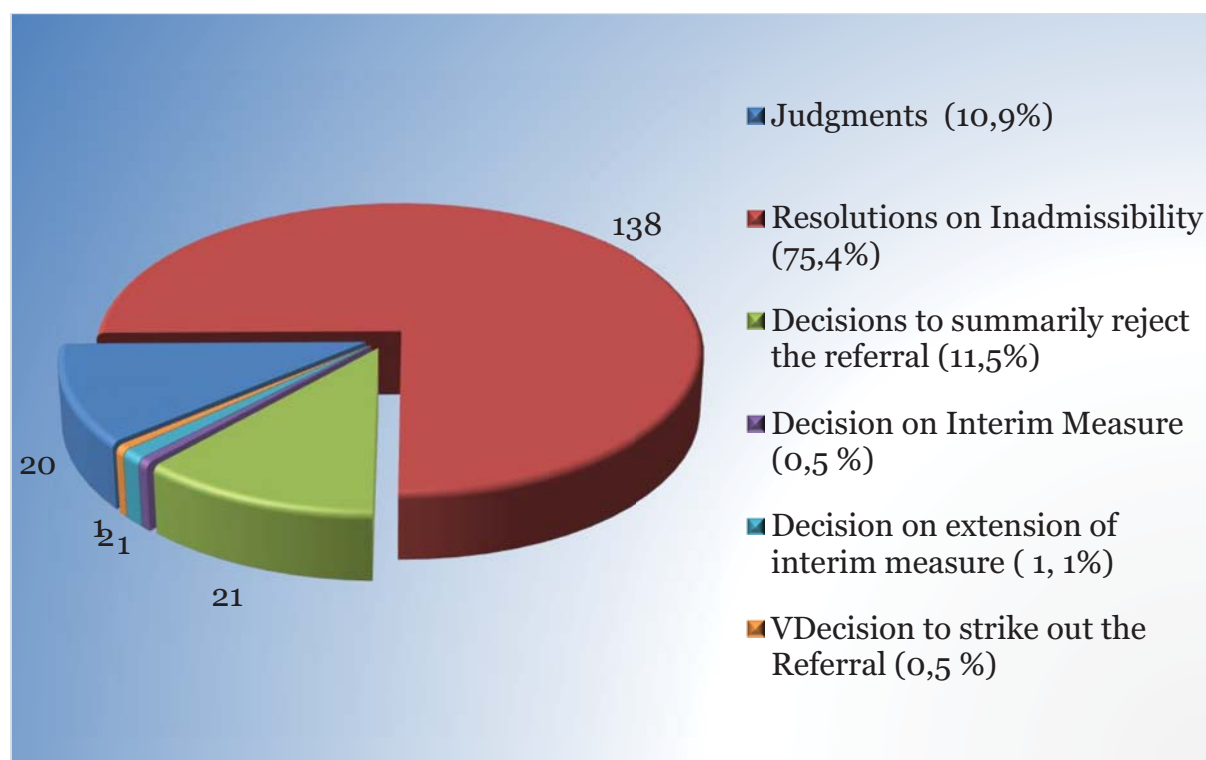
In 2020, the Constitutional Court held 42 plenary sessions, with 217 review panels and 2 public sessions.

The cases reviewed were resolved by judgments, resolutions, and decisions to dismiss the referral and decisions to summarily reject the referral. In this period, there is 1 dissenting opinion (in Judgment KO61/20).

The structure of 183 published decisions is as follows:

- 20 Judgments;
- 138 Resolutions on Inadmissibility;
- 21 Decisions to summarily reject the referral;
- 2 Decision to strike out the Referral;
- 1 Decisions on Interim Measure; and
- 1 Decision on extension of interim measure.

Graph no. 8 Structure of published decisions (01 January - 31 December 2020)



In 2020, the Constitutional Court has published 20 judgments:

- Judgment in case KI14/18, Applicant Hysen Kamberi. Constitutional review of Judgment PML. No. 41/2017 of the Supreme Court of Kosovo, of 5 December 2017;
- Judgment in case KI07/18, Applicant “Çeliku Rollers” l.l.c. Constitutional review of Judgment E. Rev. No. 14/2017 of the Supreme Court of Kosovo, of 14 September 2017;

- Judgment in case KI35/18, Applicant “Bayerische Versicherungsverband”. Constitutional review of Judgment E. Rev. No. 18/2017 of the Supreme Court of Kosovo, of 4 December 2017;
- Judgment in case KO54/20, Applicant President of the Republic of Kosovo. Constitutional review of Decision No. 01/15 of the Government of the Republic of Kosovo, of 23 March 2020;
- Judgment in case KO61/20, Applicant Uran Ismaili and 29 other deputies of the Assembly of the Republic of Kosovo. Constitutional review of Decision [No. 214/IV/2020] of 12 April 2020 of the Ministry of Health, for declaring the Municipality of Prizren a “quarantine zone”; and Decisions [No. 229/IV/2020], [No. 238/IV/2020], [No. 239/IV/2020] of 14 April 2020 of the Ministry of Health, for the prevention, fight and elimination of the contagious disease COVID-19 in the territory of the Municipalities of Prizren, Dragash and Istog;
- Judgment in case KI193/18, Applicant Agron Vula. Constitutional review of Decision Ac. No. 227/18 of the Court of Appeals, of 18 September 2018, regarding the non-enforcement of Decision A 02 158/07 of the Independent Oversight Board of Kosovo, of 25 February 2008;
- Judgment in case KO72/20, Applicant Rexhep Selimi 29 other deputies of the Assembly of the Republic of Kosovo. Constitutional review of Decree No. 24/2020 of the President of the Republic of Kosovo, of 30 April 2020;
- Judgment in case KI123/19, Applicant “SUVA Rechtsabteilung”. Constitutional review of Judgment Ae. No.146/17 of the Court of Appeals of Kosovo, of 26 February 2019;
- Judgment in case KO203/19, Applicant the Ombudsperson. Constitutional review of certain articles of Law no. 06/L-114 on Public Officials;
- Judgment in case KO219/19, Applicant the Ombudsperson. Constitutional review of Law No. 06/L-111 on Salaries in Public Sector;
- Judgment in case KI56/18, Applicant Ahmet Frangu. Constitutional review of Judgment ARJ.UZVP. No. 67/2017 of the Supreme Court of Kosovo, of 22 December 2017;
- Judgment in case KI38/19, Applicant Avdi Mujaj. Constitutional review of Judgment Rev. No. 285/2018 of the Supreme Court of Kosovo, of 1 October 2018;
- Judgment in case KI214/19, Applicant Murteza Koka. Constitutional review of Decision Rev. No. 195/2019 of the Supreme Court of Kosovo, of 23 July 2019;
- Judgment in case KI27/20, Applicant VETËVENDOSJE Movement. Constitutional review of Judgment [A.A-U.ZH. No. 16.2019] of 10 October of the Supreme Court of the Republic of Kosovo;
- Judgment in case KI209/19, Applicant Memli Krasniqi. Constitutional review of Judgment Ka. No. 664/2019 of the Court of Appeals of Kosovo, of 5 August 2019;
- Judgment in case KI80/19, Applicant Radomir Dimitrijević. Constitutional review of Decision AC-I-18-0547-A0001 of the Appellate Panel of the Special Chamber of the Supreme Court on Privatization Agency of Kosovo Related Matters, of 21 February 2019;

- Judgment in case KI227/19, Applicant N.T. “Spahia Petrol”. Constitutional review of Judgment ARJ.UZVP. No. 94/2019 of the Supreme Court of Kosovo of 1 August 2019;
- Judgment in case KI145/19, KI146/19, KI147/19, KI149/19, KI150/19, KI151/19, KI152/19, KI153/19, KI154/19, KI155/19, KI156/19, KI157/19 and KI159/19, Applicant Et-hem Bokshi and Others. Constitutional review of Judgment AC-I-13-0181-A0008 of the Appellate Panel of the Special Chamber of the Supreme Court on Privatization Agency of Kosovo Related Matters, of 29 August 2019;
- Judgment in case KI224/19, Applicant Islam Krasniqi. Constitutional review of Decision AC-I-19-0114 of the Appellate Panel of the Special Chamber of the Supreme Court on Privatization Agency of Kosovo Related Matters, of 19 September 2019;
- Judgment in case KI193/19, Applicant Salih Mekaj. Constitutional review of Judgment Pml. nr. 36/2019 of the Supreme Court, of 5 June 2019.

DEPARTMENT OF PROFESSIONAL SUPPORT (DPS)

DEPARTMENT OF PROFESSIONAL SUPPORT (DPS)

The Department of Professional Support (DPS) is responsible for providing professional services of translation, editing, proofreading, transcription and harmonization of terminology in all documents of the Constitutional Court and in the working languages of the CCK.

The DPS organized, managed and supervised the work of translation (in Albanian, Serbian and English and, for official webpage of the Court, in Turkish language), editing and proofreading (in Albanian and in Serbian language), and simultaneous interpretation. Thus, the DPS processed over 27760 pages of letters, various documents, judgments, resolutions, decisions on striking out referrals, preliminary reports and other documents in Albanian, Serbian, English and Turkish.

Translators provided 177 hours of simultaneous interpretation in regular meetings, Court sessions, administrative sessions, in interviews of candidates for the positions announced by the CCK, and in other occasional meetings.

In coordination with DCRSA, the DPS prepared the necessary documentation for meetings of judges and for Court deliberations and administrative sessions.

The DPS facilitated the processing of cases in Albanian, Serbian and English. At the same time, it contributed to the publication of decisions in the Albanian, Serbian, English and Turkish languages.

Objectives

DPS achieved the following objectives:

- Standardization of all official documents and all decisions that have the stamp of the Constitutional Court;
- Elimination of inconsistencies in judgments, resolutions, preliminary reports and in other documents of the Court;
- Promoting the improvement of human and organizational capacity to put in practice the management and planning with direct participation and to increase cooperation between the departments;

Cooperation with the economic operator, in terms of translation (outside and inside the Court); and

- Successful implementation of all objectives that emerged for 2019 from the Strategic Plan of the CCK, 2018-2020.

DEPARTMENT OF BUDGET AND FINANCE (DBF)

DEPARTMENT OF BUDGET AND FINANCE (DBF)

In 2020, the Department of Budget and Finance (DBF) has managed the financial resources for the Constitutional Court. The funds allocated from the Kosovo Consolidated Budget for the Constitutional Court approved for 2020 according to Law No. 07/L-001 on budget allocations for the budget of the Republic of Kosovo are **1,835,354.00€**.

After the approval of the Law on supplementing and amending Law No. 07 /L-014 on budget allocations for the Budget of the Republic of Kosovo, the budget of the Constitutional Court

Wages and salaries	Goods and services	Utilities	Capital investments	Subsidies and transfers	Total
1,172,237.00€	391,117.00€	4,000.00€	268,000.00€	0.00€	1,835,354.00€

has been reduced in economic categories such as Goods and Services (€ 25,000), Utilities (€ 1,000) and Capital Investments (€40,732).

The budget of the Constitutional Court of Kosovo after the review is presented as follows:

On 26 October 2020, the Constitutional Court of the Republic of Kosovo addressed a request

Wages and salaries	Goods and services	Utilities	Investime Kapitale	Subsidies and transfers	Total
1,172,237.00€	366,117.00€	3,000.00€	227,268.00€	0.00€	1,768,622.00€

with Ref. no. SP-1826/20/mv to the Ministry of Finance for budget change, where from the category of capital investments (30) with a code 15556 in the amount of 11,972.00€ as well as from the economic category of utilities (14) in the amount of 447.00 € to transfer/reallocate in the economic category of goods and services (13) in a total amount of €12,419.00, and on this occasion has made harmonization/change of existing budget.

On 4 November 2020, the Constitutional Court of the Republic of Kosovo received from the Ministry of Finance the letter Ref. no. MF-1992 ““Conclusion of fiscal year 2020, and potential savings from Budget Organizations in all spending categories”, and in this case the Constitutional Court for the fiscal year 2020 had no free means to save, but requested (ref. no. SP -1895/20/mv) from the Ministry of Finance regarding the budget adjustment to allocate funds funds in th category Wages and Salaries (code 111), to cover the deficit for salaries for the whole Court for December 2020.

The final budget of the Constitutional Court of Kosovo after the changes introduced in KFMIS for 2020, from the Kosovo Budget is presented as follows:

Wages and salaries	Goods and services	Utilities	Capital investments	Subsidies and transfers	Total
1,290,540.94€	378,570.00€	2,552.90€	215,296.00€	0.00€	1,886,960.00€

APPROVED BUDGET FOR 2020, ALLOCATION AND EXECUTION FOR JANUARY–DECEMBER

Allocation of resources from Kosovo Budget according to the cash flow for January – December 2020

In the general budget, the participation of allocation for the fiscal year 2020 was 378,536.00 € and indicated in percentage 100 %.

	Approved budget 2020 (A) €	Allocations January- December (B) €	Executions January- December (C) €	% (C/A) €	% (C/B) €
Wages and salaries	1,290,540.94	1,290,540.94	1,290,540.94	100	100
Goods and services	378,536.00	378,536.00	378,504.67	99.99	99.99
Utilities	2,552.90	2,552.90	2,463.72	96.50	96.50
Subsidies and transfers	0,00	0,00	0.00	0.00	0.00
Capital investment	215,296.00	215,296.00	215,296.00	100	100
Donations	0,00	0,00	0,00	0.00	0.00
Total	1,886,925.84	1,886,925.84	1,886,805.33	99.99	99.99

Budget execution for January-December 2020

Budget execution based on allocation for the fiscal year 2020 was 1,886,805.33 € indicated in percentage 99.99%.

Budget execution is presented as follows:

	January- September	October	November	December	Total	%
Wages and salaries	969,812.53	105,590.28	107,671.23	107,466.90	1,290,540.94	100
Goods and services	320,837.74	15,093.09	27,512.09	15,093.08	378,536.00	100
Utilities	2,499.95	-280.35	166.65	166.65	2,552.90	100
Subsidies and transfers	0.00	0,00	0.00	0.00	0.00	0.00
Capital investment	227,268.00	0.00	0.00	0.00	215,296.00	100
Donations	0.00	0.00	0.00	0.00	0.00	0.00
Total	1,520,418.22	108,431.02	135,349.97	122,726.63	1,886,925.84	100

	Allocations January – December (A) €	Execution January – December (B) €	Balance (C) €	% (B/A) €
Wages and salaries	1,290,540.94	1,290,540.94	0.00	100
Goods and services	378,536.00	378,504.67	31.33	99.99
Utilities	2,552.90	2,463.72	89.18	96.50
Subsidies and transfers	0.00	0.00	0.00	0.00
Capital investment	215,296.00	215,296.00	0.00	100
Donations	0.00	0.00	0.00	0.00
Total	1,886,925.84	1,886,805.33	120.51	99.99

Budget execution for wages and salaries January-December 2020

Execution of wages and salaries per month:

Month	Number of staff	Budget	Execution	Balance
January	67	108,752.97	108,752.97	0.00
February	67	107,467.00	107,467.00	0.00
March	67	107,479.66	107,479.66	0.00
April	66	107,925.65	107,925.65	0.00
May	66	107,413.77	107,413.77	0.00
June	66	109,931.39	109,931.39	0.00
July	66	107,413.77	107,413.77	0.00
August	66	106,372.54	106,372.54	0.00
September	66	107,055.78	107,055.78	0.00
October	65	105,590.28	105,590.28	0.00
November	65	107,671.23	107,671.23	0.00
December	65	107,466.90	107,466.90	0.00
Total		1,290,540.94	1,290,540.94	0.00

Budget execution for goods and services January-December 2020

Execution of the budget in the category of goods and services for 2020 allocated per month:

Month	Budget	Allocation	Execution	Balance
January	40,975.17	40,975.17	40,029.35	945.82
February	40,975.17	40,975.17	39,739.94	1,235.22
March	40,975.17	40,975.17	55,494.89	-14,519.72
April	24,211.00	24,211.00	34,317.91	-10,106.91
May	24,211.00	24,211.00	9,799.82	14,411.18
June	44,211.00	44,211.00	24,570.98	19,640.02
July	25,093.05	25,093.05	54,995.82	-29,902.74
August	55,093.08	55,093.08	48,118.23	6,974.85

September	25,093.08	25,093.08	6,747.76	18,345.32
October	15,093.09	15,093.09	42,063.87	-26,970.78
November	27,512.09	27,512.09	15,901.24	11,610.85
December	15,093.08	15,093.08	6,724.86	8,368.22
Total	378,536.00	378,536.00	378,504.67	31.33

Budget allocated for capital investments as per project codes

Projects	Project codes	Approved budget€	Execution €	Execution €
Over-construction to the existing building of the Constitutional Court of Kosovo	15556	215,296.00	215,296.00	0.00
Total:		215,296.00	215,296.00	0.00

Budget execution for utilities January-December 2020

Execution of the budget in the category of utilities for 2020 allocated per month:¹

Month	Budget	Allocation	Execution	Balance
January	333.34	333.34	205.77	127.56
February	333.33	333.33	201.04	132.29
March	333.33	333.33	201.03	132.30
April	333.33	333.33	216.86	116.47
May	333.33	333.33	197.83	135.50
June	333.34	333.34	199.04	134.30
July	166.65	166.65	202.45	-35.80
August	166.65	166.65	202.03	-35.38
September	166.65	166.65	201.01	-34.36
October	-280.35	-280.35	207.76	-488.11
November	166.65	166.65	205.80	-39.15
December	166.65	166.65	223.10	-56.45
Total	2,552.90	2,552.90	2,463.72	89.18

¹Utilities of the Constitutional Court of Kosovo include only the land line phone code, since electricity and waste collection expenses are covered by the Ministry of Public Administration.

PROCUREMENT UNIT (PU)

PROCUREMENT UNIT (PU)

In support of the final procurement plan for 2020, the Procurement Unit (PU) has initiated and developed a total of 19 (nineteen) procurement activities and 22 (twenty two) contracts (tri procedures divided into 2 Lots).

Based on the Law on Public Procurement, we have classified the procurement activities by type, value and procedure, and we present the following:

- a. Minimum value procedure (up to 1000 euro)**
- b. Procedure of quotation of prices (small value)**
- c. Open procedure (medium value)**
- d. Open procedure (high value)**

a) Minimum value procedure

In 2020, a total of 9 (nine) activities were initiated and conducted and 9 (nine) contracts were signed.

1. Installation of roller blinds and Venetian blinds in the new offices in the over-structured building of the CCK;
2. Professional supervision and consulting services;
3. Supply with small IT equipment;
4. Casco insurance services in the EU, TPL and TPL + for three official vehicles;
5. Supply and repair of cape (mantles) of CCK judges;
6. Supply and installation of security cameras;
7. Servicing and maintenance of the elevator in the CCK facility;
8. Conceptual project for the renovation of the courtroom;
9. Supply with partitions for sessions and borrowing of lighting.

b) Procedure of quotation of prices (small value)

In 2020, a total of 3 (three) activities were initiated and developed, and 3 (three) contracts were signed.

1. Supply with toners;
2. Supply and installation of fire alarm detectors;
3. Utilization of sensor equipment for hand spraying with disinfectant, disinfection tunnel and general disinfection services of the facility.

c) Open procedure (medium value)

In 2020, a total of 6 (six) activities have been initiated and developed, two of them divided into two Lots and 8 (eight) contracts have been signed, in the following we present:

1. Additional works for the over-construction project in the existing CCK facility;
2. Interior design and supply of inventory in the President's office;
3. Purchase of Laptop PC, UPS and LED TV;
4. Servicing and maintenance of server system - LOT 1 and servicing and maintenance of IT equipment - Lot 2;

5. Servicing and maintenance of the vehicle Mercedes C - Lot 1 and servicing and maintenance of the vehicle Peugeot 308 - Lot 2;
6. Maintenance and cleaning services of CCK premises and facilities.

d) Open procedure (high value)

In 2020, a total of 1 (one) activity was initiated and developed in two Lots and 2 (two) contracts were signed, in the following we present:

1. Written and oral translation services, from Albanian into English, Serbian, other languages as needed and vice versa, for the needs of the CCK, Lot I and II.

Tabular presentation of all payments made in 2020 as well as supplies, services and works for signed contracts.

Payments of supplies, services and works for the contracts signed in 2020	Total amount and payment in 2020
Amount of contracts, including all taxes etc.	62,363.30€
Amount paid for contracts	84,491.62€
Total amount	146,854.92€

INFORMATION TECHNOLOGY AND MULTIMEDIA UNIT (ITMU)

INFORMATION TECHNOLOGY AND MULTIMEDIA UNIT (ITMU)

The Information Technology, Communication and Multimedia Unit (ITMU), is responsible for providing professional care services and general infrastructure of information technology in the Constitutional Court.

In 2020, the ICU and Multimedia Unit has accomplished projects and tasks according to its plan and responsibilities, creating a sustainable and professional system with advanced technological equipment, in accordance with the strategic plan of the Constitutional Court.

Accomplished projects

- Based on the situation created in the country by the COVID-19 virus, during 2020, the Court has decided that the regular sessions will be continued through online platforms. The ICT unit is committed to provide support with other technology platforms to enable accomplishment of duties and responsibilities for the staff of the Court. The license for the Zoom platform for holding online sessions has been secured, by managing and configuring online sessions according to the schedule set by the cabinet, a total of 69 online sessions were held during 2020;
- Accomplishment of project Virtual Private Network (VPN), to facilitate the work for Court staff to work on internal systems from home. The project is funded by the Council of Europe in cooperation with the company engaged in the supply and configuration of equipment;
- Preparation and configuration of equipment in the courtroom for holding the online session for the Public Hearing in case KO95 20 - held on 02.12.2020;
- Completion and installation of the last dhe CDMS version with recent changes upon request by users, training was provided to all judges on the use of recent changes;
- Configuration and installation of the Antivirus (Sophos) console on Court servers, and application of new Microsoft updates to all computers;
- In 2020, a total of 7 procurement processes were initiated for the purchase of various IT equipment, software and accompanying parts according to the plan foreseen for this year.

Conducted activities

- Managing and organizing technical and operational duties within the ICT Unit, providing the necessary support for the best performance of Information Technology equipment and systems within the Court;
- Controlling and maintaining the domain system of the Court and creating security policies in Court servers;
- Monitoring and controlling security network within the Court and update of new versions for all devices, with the approval and installation by the System Administrator;

- Advancement in establishing Windows 10 operating systems and other application software;
- Mounting, installing, and configuring new computers and registration in the CCK domain and transfer of data;
- The supply of cables, channels and other accompanying equipment for the connection and installation of computers in the offices built in the additional building has been made;
- Caring and maintaining voice equipment and translation system in Courtroom during the sessions;
- In 2020, 190 decisions on the webpage in three official languages were published and their categorization based on the filtering list;
- Publication of videos on the website, 10th anniversary of the Constitutional Court;
- Caring for and providing services for the maintenance of information technology and communication systems and equipment;
- Maintaining copies (back-up) of the database.

INTERNAL AUDIT UNIT (IAU)

INTERNAL AUDIT UNIT (IAU)

Based on the annual plan for 2020, the Internal Audit Unit (IAU) has finished in time all planned audits, such as:

- Monitoring the implementation of recommendations during 2019;
- Management of staff;
- Management of expenditures in CCK;
- Management of archive;
- Management of procurement.

The IAU has also drafted and submitted within the set time limit:

- Strategic plan of IAU for period 2021-2023; and
- Annual Plan of IAU for 2021.

All internal audits were conducted pursuant to the applicable legislation and with the purpose of accomplishing the objectives of the institution and of the IAU related to the internal control and improvement of work efficiency, in order to avoid possible mistakes, increasing value and reporting irregularities and mistakes, keeping the control to offer security to the management in efficient functioning of the respective departments.

Continuous follow-up visits were made in order to ensure the efficiency of the management system and internal control functioning, and to implement the recommendations by the Internal Auditor and by the General Auditor.

The management has evaluated the work of auditors and took care of implementing the recommendations made by both, the internal auditor and general auditors, and this has contributed to increasing the quality of activities and performance of the institution.

Although a state of emergency (pandemic), the IAU has implemented the plan for 2020 and has followed the implementation of the recommendations.

1. Internal Audit Committee

The Internal Audit Committee (IAC)- an independent advisory body - in the Constitutional Court of the Republic of Kosovo, and it functions based on:

- Administrative Instruction on Establishment and Functioning of the Audit Committee in Public Sector;
- Statute of IAC;
- Good practices; and
- International auditing standards.

The Internal Audit Committee in 2020 held 4 meetings and provided oversight of the plans, reports and the implementation of the recommendations made by auditors.

2. External Audit

On 17 June 2020, the Audit Report of the Annual Financial Statements of the Constitutional Court of the Republic of Kosovo was received, on behalf of the National Audit Office.

The report presents an unmodified Opinion of the Auditor General, which states that the Annual Financial Statements for the year ended on 31 December 2019, present a true and fair view in all material respects, in accordance with International Accounting Standards for the Public Sector.

In 2019, the CCK spent almost 100% of the final budget and that from all tested samples no findings were found and no recommendations were given to the management of the Constitutional Court.

COMMUNICATION AND INFORMATION OFFICE (CIO)

COMMUNICATION AND INFORMATION OFFICE (CIO)

The scope of the responsibilities and duties of the Communication and Information Office (CIO) includes: information and communication with media/public, media monitoring, publication of notifications on the Court's website regarding visits/activities and sessions/decisions, publication of the Court's Newsletter, publication of the Court Book and other leaflets/ information brochures, communication with the parties/citizens, protocol, requests for access to official documents of the Court, as well as cooperation with the Venice Commission.

In 2020, the Communication and Information Office carried out these activities:

I. Media monitoring

- 109 daily media reports were compiled;
- 47 weekly media reports were compiled;
- The annual media report for 2019 was published;
- Physical and electronic archiving of printed media reports (139 articles) and of electronic media (1 258 articles) regarding the work of the Court.

II. Communication with the media/public

- Submitted responses to 372 questions submitted by the print and electronic media, and to 288 questions/requests by citizens and institutions;
- 11 notifications were published regarding the visits and activities of the Court;
- 12 notifications with statistical information on the sessions and decisions of the Court have been published;
- 36 notifications with summary information on the Court's decisions following the deliberations were published.

III. Publication of leaflets/brochures and other information materials:

- Number 9 and 10 of the Court's Newsletter have been published;;
- A video animation made with the support of the Council of Europe Office in Prishtina has been published on the Court's website: "*The Constitutional Court and submission of the Referral* " ;
- With the support of the Council of Europe Office in Prishtina, a quarterly promotional campaign was organized in May on local media and social media of the video animation: "*The Constitutional Court and submission of the Referral*".

IV. Protocol activities

- The protocol tasks related to 3 official visits to the Court were finished, 2 official visits abroad, 2 workshops/conferences organized in the country, 1 workshop/conference organized abroad, 15 workshops/conferences organized through video-conference and 2 public hearings;
- 15 congratulation letters and 2 thank-you letters were prepared for local and international institutional leaders.

V. Request for access to official documents

- In 2020, a total of 19 requests for access to official documents of the Court were received. All requests have been approved by the Court;
- Four quarterly reports on requests for access to official documents of the Court have been submitted;
- Annual Report on requests for access to the Court's official documents during 2019 was submitted.

VI. Communication with parties/citizens

In 2020, the reception of the Court registered and processed:

- 308 citizens;
- 29 institutional representatives.

VII. Cooperation with the Venice Commission

- The Court's answers to 57 questions submitted through the Venice Commission Forum were sent by 9 constitutional and supreme courts of the member states (*through 15 requests*);
- 3 four-month reports were submitted, together with the most important decisions of the Court during this period, for publication in the Bulletins of the Venice Commission;
- 3 requests with questions from the Court were submitted to the Forum of Constitutional and Supreme Courts of the member states of the Venice Commission.

ACTIVITIES OF THE CONSTITUTIONAL COURT

ACTIVITIES OF THE CONSTITUTIONAL COURT

I. Official travels

18 - 20 February 2020

At the invitation of the American organization “Federalist Society for Law and Public Policy Studies” and as part of the delegation of the European Network of Judges, the President of the Constitutional Court of the Republic of Kosovo, Mrs. Arta Rama-Hajrizi, and Judge of the Constitutional Court, Ms. Gresa Caka-Nimani, stayed for a several-day working visit to the United States.

19 - 21 February 2020

At the invitation of the Constitutional Court of the Republic of Albania, a delegation of the Constitutional Court of the Republic of Kosovo consisting of the Chief Constitutional Legal Advisor and the Director of the Communication and Information Office, participated in the workshop on drafting the Strategic Plan of the Constitutional Court of Albania (2020 - 2023) in Korça.

II. Official visits at the Constitutional Court /Other activities

3 February 2020

Within the project supported by the Council of Europe Office in Prishtina, “*Improving the Protection of European Human Rights Standards by the Constitutional Court*”, a constitutional-legal advisor of the Constitutional Court stayed for a two-month study visit to the European Court of Human Rights (ECHR) in Strasbourg.

2 March 2020

The President of the Constitutional Court of the Republic of Kosovo, Mrs. Arta Rama-Hajrizi, received the former judge of the European Court of Human Rights (ECtHR) from Albania, Mr. Ledi Bianku, who stayed for one week working visit to the Constitutional Court with the support of the Council of Europe Office in Prishtina.

9 - 10 March 2020

The next workshop was held in Prishtina regarding the Action Plan of the Strategic Plan of the Constitutional Court (2018 – 2020).

16 - 17 April 2020

Within the project supported by the Council of Europe Office in Prishtina, “*Improving the Protection of European Human Rights Standards by the Constitutional Court*” and with the support of international human rights experts, a video conference was held on the topic: “*Article 15 of the European Convention on Human Rights: Derogation in exceptional circumstances*”.

11 - 12 June 2020

Within the project supported by the Council of Europe Office in Prishtina, “*Improving the Protection of European Human Rights Standards by the Constitutional Court*” and with the support of international human rights experts, was held the workshop organized through video conference, on the topic: “*The right to an impartial trial*”.

22 July 2020

in cooperation with the organization “Youth Initiative for Human Rights – Kosovo” (YIHR KS), in the framework of the project “Youth for Justice”, constitutional legal advisors of the Constitutional Court held a lecture and conversation with students of the third edition of the Alternative School for Human Rights in Kosovo, regarding the role and function of the Constitutional Court in relation to other institutions within the justice system in the country

20 - 24 September 2020

Three judges of the Constitutional Court of the Republic of Kosovo and the chairpersons of the Working Groups of the Strategic Plan of the Constitutional Court (2018 - 2020) held consultative meetings through video conference with experts engaged by the Office of the Council of Europe in Pristina regarding the drafting of the Strategic new of the Constitutional Court (2021 – 2023).

1 - 2 October 2020

Judges of the Constitutional Court of the Republic of Kosovo and chairpersons of the Working Groups of the Strategic Plan of the Constitutional Court (2018 - 2020) held consultative meetings through video conference with experts engaged by the Council of Europe Office in Prishtina regarding the drafting of strategic goals and objectives of the new Strategic Plan of the Constitutional Court (2021 – 2023).

8 October 2020

The next workshop was held in the Court for the implementation of the Strategic Plan of the Constitutional Court (2018-2020), for the third quarter of 2020 and the planning of activities for the fourth quarter.

16 - 17 October 2020

Judges of the Constitutional Court of the Republic of Kosovo participated in the Seventh Regional Forum on the Rule of Law for Southeast Europe, on the topic: “*COVID-19 and the rights protected by the European Convention on Human Rights*”, organized via video conference by “Qendra AIRE” and organization “Civil Rights Defenders”, with the support of the Ministry of Foreign Affairs of the United Kingdom, the Government of Sweden and the German Foundation “Konrad Adenauer”.

29 October 2020

Judges and constitutional-legal advisors of the Constitutional Court of the Republic of Kosovo participated in the International Conference on the topic: “*The Right to a Fair Trial and Covid-19 - Lessons Learned and Best Practices for the Future*”, organized through a video

conference by the Council of Europe Office in Pristina, on the occasion of the 70th anniversary of the adoption of the European Convention on Human Rights.

3 November 2020

Judges of the Constitutional Court of the Republic of Kosovo and chairpersons of the Working Groups of the Strategic Plan of the Constitutional Court (2018 - 2020) held consultative meetings through video conference with experts engaged by the Council of Europe Office in Prishtina regarding the drafting of strategic goals and objectives of the new Strategic Plan of the Constitutional Court (2021 – 2023).

12 - 13 November 2020

Judges and constitutional-legal advisors of the Constitutional Court of the Republic of Kosovo held a meeting organized through a video conference with the former Legal Advisor of the European Court of Human Rights, Mr. Lawrence Early.

7 December 2020

The President of the Constitutional Court of the Republic of Kosovo, Mrs. Arta Rama-Hajrizi, received in a meeting the new ambassador of the Swiss Confederation in Kosovo, Mr. Thomas Kolly.

18 December 2020

Judges of the Constitutional Court of the Republic of Kosovo and chairpersons of the Working Groups of the Strategic Plan of the Constitutional Court (2018 - 2020) held consultative meetings through video conference with experts engaged by the Council of Europe Office in Prishtina regarding the drafting of strategic goals and objectives of the new Strategic Plan of the Constitutional Court (2021 – 2023).

24 December 2020

The President of the Constitutional Court, Mrs. Arta Rama-Hajrizi, received in a meeting the new Ambassador of North Macedonia in Kosovo, Mrs. Shpresa Jusufi.

APPENDIX I

APPENDIX I

Note.	2020			2019			2018		
	Treasury single account		Payments from third parties	Treasury single account		Payments from third parties	Treasury single account		Payments from third parties
	KCB	OSR		KCB	OSR		KCB	OSR	
	€	€	€	€	€	€	€	€	€
Receipts									
General Fund Appropriations Own source revenues	1,886,805.3			1,957,335.8			1,697,491.74		
Special Purpose Fund Appropriations Designated Donor Grants Fund of Loans Other receipts	3			2					
Total receipts	1,886,805.3	-	-	1,957,335.8	-	-	1,697,491.74	-	-
Payments									
Operations									
Wages and salaries	2	1,290,540.9		1,288,021.5			1,137,566.66		
Goods and Services	3	378,504.67		420,473.40			512,153.66		
Utilities	4	2,463.72		2,652.28			3,246.63		
		<u>1,671,509.3</u>		<u>1,711,147.26</u>			<u>1,653,296.95</u>		
		3							
Transfers									
Transfers and subsidies	5								
Capital expenditures									
Property Building and equipment	6	215,296.00		246,188.56			44,194.79		
Loan returns	7								
Other payments	8								
Total payments		1,886,805.3	-	1,957,335.8	-	-	1,697,491.74	-	-

Summary of accounts of the Constitutional Court for 2020 Statement of Cash Receipts and Payments

Report on budget execution

Notes	2020				2019	2018
	Original Budget (Appropriate)	Final Budget (Appropriate)	Execution	Difference	Execution	Execution
	A	B	C	D=C-B	E	F
	€	€	€	€	€	€
Cash inflows into Treasury Accounts						

Tax revenues	9
Non-tax revenues	10
Dedicated revenues	11
Grants and Assistance	12
Loans	13
Other	14

Total KCB Receipts Collected		-	-	-	-	-	-
Cash Outflows from Treasury Accounts							
Wages and salaries	2	1,172,237	1,290,541	1,290,541	0	1,288,022	1,137,867
Goods and Services	3	391,117	378,570	378,505	(65)	420,473	512,184
Utilities	4	4,000	2,533	2,464	(69)	2,652	3,247
Subsidies and Transfers	5						
Capital Expenditures	6	268,000	215,296	215,296	0	246,189	44,195
Privatization Fund	7						
Other	8						
Total Paymnts made through KCB		1,835,354	1,886,960	1,886,805	(155)	1,957,336	1,697,491

General Fund Appropriations for 2020

Economic Classification	2020			2019	2018
	BKK	THV	Totali		
	€	€	€	€	€
Wages and salaries	1,290,541		1,290,541	1,288,022	1,137,867
Goods and Services	378,505		378,505	420,473	512,184
Utilities	2,464		2,464	2,652	3,246
Subsidies and Transfers					
Capital Expenditures	215,296		215,296	246,189	44,195
	1,886,805	-	1,886,805	1,957,336	1,697,491

ORGANIZATIONAL CHART



REPUBLIKA E KOSOVËS - РЕПУБЛИКА КОСОВО - REPUBLIC OF KOSOVO

ГЈКАТА КУШТЕТУЕСЕ УСТАВНИ СУД CONSTITUTIONAL COURT

