

GODIŠNJI IZVEŠTAJ 2020.

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PREDGOVOR PREDSEDNICE USTAVNOG SUDA

Protekla 2020. godina bila je godina izazova za sve građane i institucije Republike Kosovo. Bila je to godina vanrednih okolnosti i uslova za rad, ali ujedno i godina intenzivnog rada i novih dostignuća.

Kao rezultat ograničenja nametnutih pandemijskom situacijom (COVID-19) u zemlji i za razliku od proteklih godina, Ustavni sud je zaključio 2020. godinu sa manje zvaničnih aktivnosti, radionica i studijskih poseta, ali sa solidnim brojem primljenih i razmotrenih zahteva.

Pored podataka o jednogodišnjem radu svakog departmana i organizacione jedinice Suda, Godišnji izveštaj o radu sadrži i detaljnije statističke podatke o budžetskim rashodima i aktivnostima nabavke, organizovanim konferencijama i radionicama, posetama realizovanim u zemlji i inostranstvu, kao i o broju primljenih i razmotrenih predmeta.

Što se tiče broja predmeta, Sud je tokom 2020. godine primio 195 zahteva/predmeta, dok je njih ukupno 197 preneseno iz prethodnih godina. Od ukupnog broja zahteva koji su podneti tokom 2020. godine, 161 zahtev su podneli pojedinci, dok su 34 zahteva podneli javni organi. Na sajtu Suda su objavljene 183 odluke, od kojih su njih 20 bile presude, a 138 rešenja o neprihvatljivosti.

Među svim zahtevima koji su podneti, u kojima je Sud utvrdio povredu prava na pravično i nepristrasno suđenje, želela bi da izdvojim:

Zahtev KI56/18 koji je podneo Ahmet Frangu, koji je tražio ocenu ustavnosti presude Vrhovnog suda Republike Kosovo ARJ. UZVP. br. 67/2017. Sud je ocenio da su u slučaju podnosioca zahteva, redovni sudovi, kao i Agencija za civilnu registraciju i opština Priština, povredili osnovna prava i slobode podnosioca zagarantovana članovima 36. i 54. Ustava u vezi sa članovima 8. i 13. Evropske konvencije o ljudskim pravima (EKLJP) zbog neupisivanja smrti njegovog sina u matičnu knjigu umrlih.

Sledeći važan zahtev bio je i zahtev sa brojem predmeta KI193/18, koji je podneo Agron Vula, koji je tražio ocenu ustavnosti presude Apelacionog suda Ac. br. 227/18 od 18. septembra 2018. godine, u vezi sa neizvršenjem odluke Nezavisnog nadzornog odbora za civilnu službu Kosova (NNOCSK), A 02 158/07 od 25. februara 2008. godine. U tom slučaju, Sud je utvrdio da je neizvršenjem rešenja NNOCSK-a od strane opštine Đakovica, a posebno nekoliko odluka redovnih sudova koji su dozvolili njeno izvršenje, došlo do povrede članova 31, 32. i 54. Ustava, kao i članova 6. i 13. EKLJP.

Što se tiče zahteva koje su podnele ovlašćene institucije na osnovu člana 113. Ustava, Sud je tokom 2020. godine razmotrio slučaj KO54/20, u kojem je zahtev podneo predsednik Republike Kosovo, koji je tražio ocenu ustavnosti odluke Vlade Republike Kosovo br. 01/15 od 23. marta 2020. godine. Sud je utvrdio da osporena odluka Vlade nije u saglasnosti sa članovima 55, 35, 36. i 43. Ustava Republike Kosovo u vezi sa članovima 8. i 11. EKLJP, kao i sa članom 2. Protokola br. 4 EKLJP.

Sledeći važan slučaj koji je Sud razmotrio kada su u pitanju zahtevi koje su podnele ovlašćene institucije na osnovu člana 113. Ustava, bio je i zahtev sa brojem predmeta KO219/19, koji je podneo ombudsman, koji je tražio ocenu ustavnosti Zakona o platama u javnom sektoru br. 06/L-111. Sud je utvrdio da osporeni zakon nije u saglasnosti sa članovima 4, 7, 102, 103 (1), 108, 109, 110, 115, 132, 136, 139. i 141. iz Poglavlja XII Ustava Republike Kosovo.

Za više detalja o drugim važnim presudama, ali i o drugim rešenjima i odlukama donetim tokom 2020. godine, čitaoci mogu posetiti i zvanični sajt Ustavnog suda: www.gjk-ks.org.

Protekle godine su u Ustavnom sudu održane i razne aktivnosti koje su realizovane u vidu zvaničnih poseta u zemlji i inostranstvu, kao i učešća u stručnim obukama, iako su mnoge od njih održane na distanci i putem video-konferencije zbog ograničenja koja su bila nametnuta usled pandemije COVID-19.

Uz podršku međunarodnih donatora, Sud je tokom 2020. godine uspeo da pokrene i sprovede i mnoge nove projekte koji imaju za cilj kontinuirano podizanje profesionalnih i tehnoloških kapaciteta naše institucije.

Koristim priliku da u tom pogledu izrazim svoju zahvalnost na podršci koju je prošle godine pružila Kancelarija Saveta Evrope u Prištini u cilju delotvornije primene evropskih standarda u razmatranju individualnih žalbi i izradi novog strateškog plana Suda.

Posebnu zahvalnost bih želela da izrazim i svim sudijama, generalnom sekretaru, ustavno-pravnim savetnicima i drugim službenicima administracije na njihovom profesionalnom radu i doprinosu koji su pružili u realizaciji dostignuća Ustavnog suda.

Arta Rama-Hajrizi



Predsednica Ustavnog suda Republike Kosovo

REČ GENERALNOG SEKRETARA

Posebno mi je zadovoljstvo da predstavim Godišnji izveštaj o radu Sekretarijata Suda za 2020. godinu, kao mehanizma koji podržava Ustavni sud i obezbeđuje efikasno funkcionisanje administracije Suda.

Isto kao i prethodni godišnji izveštaji i ovaj izveštaj pruža pregled aktivnosti Suda tokom prošle godine, sa posebnim fokusom na radu i rezultatima svakog departmana i svake jedinice administracije Ustavnog suda.

Sekretarijat je bio posvećen postizanju ciljeva rada i uspešnom završetku projekata koji su bili predviđeni u Planu rada za 2020. godinu, kao i potpunom sprovođenju Strateškog plana Suda za period 2018-2020, uprkos izazovima koji su se tokom 2020. godine javili usled pandemije COVID-19.

Sekretarijat je posebno bio usredsređen na dalje osposobljavanje i podizanje stručnih kapaciteta osoblja, kao i na dalji razvoj, izradu i sprovođenje pravila i procedura rada, kako bi osigurao što veći učinak Sekretarijata, u okvirima odgovornosti koje ima.

Ispunjenje identifikovanih ciljeva je plod timskog rada osoblja Sekretarijata, i stoga, kao i proteklih godina, koristim priliku da izrazim zahvalnost svim zaposlenima Sekretarijata na datom doprinosu i postignutim rezultatima u sprovođenju radnih planova, kao i obezbeđivanju visokoefikasnog funkcionisanja Suda.

Posebnu zahvalnost zaslužuju donatori, koji su i tokom 2020. godine, svojom pomoći, uticali na postizanje sveukupnog uspeha Suda.

Posebno se u svoje ime i u ime osoblja Sekretarijata zahvaljujem predsednici Suda, mr. sc. Arta Rama-Hajrizi i sudijama na ohrabrenju, profesionalnoj podršci i pomoći koju su nam pružali u prevazilaženju izazova.

Sekretarijat će i u 2021. godini ostati posvećen sprovođenju Plana rada i Strateškog plana za period 2021-2025.

Milot Vokshi



Generalni sekretar

GODIŠNJI IZVEŠTAJ USTAVNOG SUDA ZA 2020. GODINU

Ustavni sud Republike Kosovo je konačna vlast u Republici Kosovo za tumačenje Ustava i saglasnosti zakona sa Ustavom i potpuno je nezavisan u vršenju svojih odgovornosti.

Tokom 2020. godine, Ustavni sud je primio 195 novih zahteva.

Od ukupnog broja zahteva koji su mu podneti tokom 2020. godine, Sud je odlučio o 206 zahteva i objavio na sajtu Suda i dostavio strankama 190 odluka.

Sve odluke Ustavnog suda objavljene su u Službenom listu Republike Kosovo.

U skladu sa članom 115.2 Ustava i u saglasnosti sa pravilom 16 (3) (i) Poslovnika o radu Ustavnog suda Kosova 01/2018, Ustavni sud je usvojio svoj Godišnji izveštaj za 2020. godinu na administrativnoj sednici održanoj 1 marta 2021.

U skladu sa članom 115.2 Ustava Republike Kosovo i u saglasnosti sa pravilom 18. Poslovnika o radu Ustavnog suda Republike Kosovo 01/2018, Sekretarijat je tokom 2020. godine organizovao nesmetano održavanje 1 (jedne) administrativne sednice. Na toj administrativnoj sednici donete su 3 (tri) odluke.

Tokom 2020. godine, sastav Ustavnog suda Republike Kosovo je bio sledeći:

Arta Rama-Hajrizi, predsednica
Bajram Ljatifi, zamenik predsednika
Bekim Sejdiu, sudija
Selvete Gërxhaliu-Krasniqi, sudija
Gresa Caka-Nimani, sudija
Safet Hoxha, sudija
Radomir Laban, sudija
Remzije Istrefi-Peci, sudija
Nexhmi Rexhepi, sudija



**Arta Rama-Hajrizi,
predsednica**



**Bajram Ljatifi,
zamenik
predsednika**



Bekim Sejdiu, sudija



**Selvete Gërxhaliu-
Krasniqi, sudija**



**Gresa Caka Nimani,
sudija**



Safet Hoxha, sudija



**Remzije Istrefi-Peci,
sudija**



**Radomir Laban,
sudija**



**Nexhmi Rexhepi,
sudija**

SEKRETARIJAT USTAVNOG SUDA

Sekretarijat Ustavnog suda Republike Kosovo je u skladu sa članom 12. Zakona o Ustavnom sudu i u saglasnosti sa pravilom 18. Poslovnika o radu 01/2018, izvršavao administrativne poslove i podržavao rad sudija Ustavnog suda.

Sekretarijatom rukovodi generalni sekretar, koji je u skladu sa članom 12.4 odgovoran za organizovanje i upravljanje Sekretarijatom. Organizaciona struktura Sekretarijata se sastoji od:

- Kancelarije generalnog sekretara;
- Departmana administracije i ljudskih resursa (DALJR);
- Departmana za registraciju predmeta, statistiku i arhivu (DRPSA);
- Departmana za profesionalnu podršku (DPP);
- Departmana za budžet i finansije (DBF);
- Kancelarije za komunikaciju i informisanje (KKI);
- Jedinice za unutrašnju reviziju (JUR);
- Jedinice za nabavke (JN); i
- Jedinice za informacionu i komunikacionu tehnologiju i multimedije (JIKTM).

U ostvarivanju ciljeva iz Strateškog plana Ustavnog suda za period 2018-2020, od **136** aktivnosti za koje je bilo predviđeno da budu sprovedene tokom 2020. godine, **108** aktivnosti je uspešno realizovano.

Funkcionisanje Pravne jedinice (PJ), sastavljene od ustavno-pravnih savetnika i drugog pravnog osoblja, kao i njena struktura i organizacija, definisani su Pravilnikom br. 03/2019 o Pravnoj jedinici. Ustavno-pravni savetnici podržavaju profesionalni rad sudija.

Sekretarijat Ustavnog suda je tokom 2020. godine ostvario sledeće ciljeve:

- Sprovođenje Strateškog plana 2018-2020;
- Izrada Srednjoročnog okvira troškova za period 2018-2020;
- Izrada registra rizika za 2020. godinu.

Tokom protekle godine, Sekretarijat Ustavnog suda je takođe objavio:

- Godišnji izveštaj o radu za 2019. godine;
- Informativni bilten br. 9 (jul-decembar 2019. godine);
- Informativni bilten br. 10 (januar-jun 2020. godine);
- Bilten sudske prakse 2019, na tri jezika.

PRAVNA JEDINICA
(PJ)

PRAVNA JEDINICA (PJ)

Ustavni sud Republike Kosovo je na osnovu Zakona o Ustavnom sudu i Poslovnika o radu Ustavnog suda, osnovao Pravnu jedinicu (PJ) kao posebnu organizacionu strukturu koja odgovara direktno predsedniku/ci Ustavnog suda i obavlja svoje zadatke u podršci profesionalnom radu sudija.

Primarna uloga Pravne jedinice je da pruža profesionalnu podršku sudijama Suda u procesu izrade preliminarne izveštaja; konačnih odluka Suda, kao i svog drugog pravnog materijala koji je neophodan za rad Suda. U tom smislu, Pravna jedinica je odgovorna za pružanje pomoći Sudu radi osiguranja visokog kvaliteta odlučivanja i doslednosti sudske prakse. U te svrhe, Pravna jedinica vrši iscrpna pravna istraživanja na nivou nacionalnog prava Republike Kosovo; regionalnog i međunarodnog ustavnog prava; međunarodnog i uporednog prava; mišljenja, preporuka i dobrih praksi objavljenih pod okriljem Saveta Evrope i Venecijanske komisije; sudske prakse Evropskog suda za ljudska prava i Evropskog suda pravde, i, po potrebi, i drugih međunarodnih sudova.

Ostale važne funkcije Pravne jedinice su: (i) sastanci sa strankama i pružanje pomoći Sekretarijatu u prijemu zahteva i dodatnih dokumenata; (ii) filtriranje svih novih zahteva dostavljenih Sudu i izrada početnog izveštaja o filtriranju u vezi sa podnetim zahtevom; (iii) identifikacija zahteva sa privremenom merom i drugih urgencija koje zahtev može predstavljati u zavisnosti od prirode slučaja; (iv) održavanje i ažuriranje baza podataka kao što su: baza podataka o vrsti zahteva i iznetim navodima; baza podataka o izvršenju odluka Suda; baza podataka o praćenju statusa svakog slučaja od pokretanja pa do njegovog objavljivanja. Pravna jedinica filtrira sve odluke Suda pre objavljivanja na sajtu Suda u cilju pružanja mogućnosti lakšeg naučnog, profesionalnog i akademskog pretraživanja za sve građane Republike Kosovo i pravnu zajednicu.

Pravna jedinica se sastoji od: glavnog ustavno pravnog savetnika; pravnog konsultanta; zamenika glavnog ustavno pravnog savetnika; viših ustavno pravnih savetnika; ustavno pravnih savetnika i višeg savetnika za upravljanje zahtevima. Pravna jedinica se trenutno sastoji od 14 članova i njome upravljaju glavna ustavno pravna savetnica i dva njena zamenika. Svo troje, uključujući i pravnog konsultanta, biraju sudije Suda iz redova viših ustavno pravnih savetnika. Glavni ustavno pravni savetnik postupa u svojstvu veze između predsednika Suda i generalnog sekretara i odgovoran je za nesmetan rad u Pravnoj jedinici. On/ona pomaže i savetuje Sud u vršenju njegovih funkcija i nadzire i pruža podršku svim članovima Pravne jedinice u izvršavanju njihovih zadataka. Položaj pravnog konsultanta nova je uloga u Pravnoj jedinici uspostavljena 2019. godine. Njegova glavna uloga je da savetuje Sud i obaveštava ga o različitim pitanjima vezanim za sudsku praksu samog Suda radi obezbeđivanja doslednosti sudske prakse. U koordinaciji sa glavnim ustavno pravnim savetnikom, pravni konsultant pomaže u procesu osiguranja visokog kvaliteta odlučivanja i doslednosti sudske prakse; i, u tom pogledu, predlaže relevantne preporuke koje imaju za cilj doslednost i kvalitet odlučivanja Suda.

Članovi Pravne jedinice imaju specifične uloge koje su uspostavljene za potrebe Suda. Oni imaju status zaposlenih na neodređeno vreme i nisu javni službenici. Specifični uslovi rada i tačni opisi njihovih radnih zadataka utvrđeni su Zakonom o Sudu, Poslovníkom o radu i Pravilnikom o Pravnoj jedinici. Što se tiče saveta koje pružaju, oni su nezavisni i slobodni da izraze svoje profesionalno mišljenje o svakom zahtevu na kojem rade.

Pravna jedinica održava redovne sastanke radi diskusije o različitim ustavno-pravnim pitanjima, praćenja statusa predmeta, razmatranja mogućnosti internih akata Suda i održava konsultacije o sudskoj praksi samog Suda i ESLJP-a. Takođe, Pravna jedinica priprema

različite materijale za diskusiju tokom profesionalnih sednica koje se održavaju sa sudijama i savetnicima Suda.

Važan faktor u obezbeđivanju efikasnog pravnog odlučivanja i unapređenja izrade izveštaja i odluka, predstavlja obuka profesionalnih savetnika Suda u oblasti ustavnog i međunarodnog prava i ljudskih prava. U okviru aktivnosti Suda, članovi Pravne jedinice učestvuju u stručnim radionicama tokom cele godine. Kompletna lista aktivnosti pravnih savetnika može se naći u Delu X ovog izveštaja (Aktivnosti Suda).

Tokom 2020. godine, uprkos vanrednim poteškoćama koje se javile usled pandemije COVID-19, Pravna jedinica je uspela da obavi sve svoje zadatke u pravcu pružanja podrške sudijama u razmatranju slučajeva koji su podneti Sudu. Uprkos ovim poteškoćama, rad se odvijao nesmetano na taj način što je posao organizovan kroz dežurstva u kancelariji i putem online platforme – u zavisnosti od preporuka koje su davali stručnjaci za javno zdravlje. Tokom ove godine obrađen je veliki broj predmeta u kojima je Pravna jedinica pružala kontinuirani doprinos u procesu analize slučajeva, pripremi pravnih istraživanja i izradi odluka, na osnovu odlučivanja sudija Suda.

Pravna jedinica ostaje posvećena unapređenju svog profesionalizma kroz sprovođenje različitih projekata koje pružaju i omogućavaju strateški partneri Ustavnog suda. Ustavni sud je dosledno i tokom cele godine otvoren za održavanje sastanaka sa studentima ili učenicima osnovnih i srednjih škola, čak i u online formatu, sa ciljem da se sva zainteresovana lica informišu o radu Ustavnog suda, njegovoj ulozi utvrđenoj Ustavom i zahtevima koji se podnose pred njim.

DEPARTMAN ZA ADMINISTRACIJU I LJUDSKE RESURSE
(DALJR)

DEPARTMAN ZA ADMINISTRACIJU I LJUDSKE RESURSE (DALJR)

I. Ljudski resursi i podizanje kapaciteta

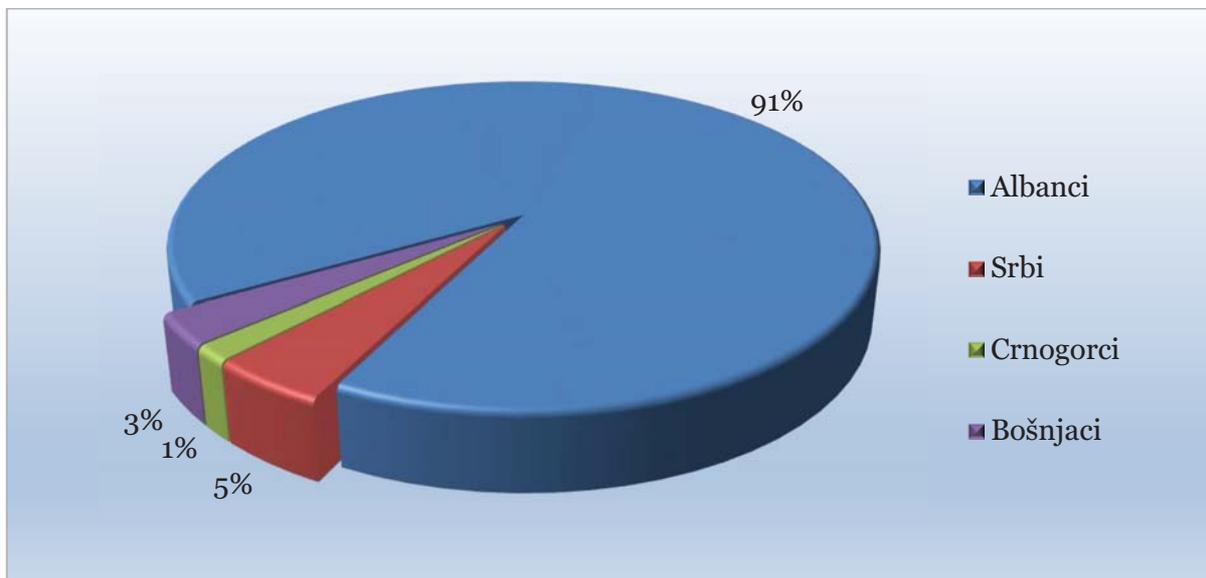
Tokom 2020. godine, Departman za administraciju i ljudske resurse (DALJR) je radi sprovođenja plana rada, podržavao nesmetano odvijanje rada Sekretarijata pružajući mu različite usluge. S obzirom na to da je 2020. godina započela sa kašnjenjem u usvajanju budžeta za 2020. godine, za čim je usledila globalna pandemija COVID-19, doveli su do toga da se rad DALJR-a organizuje na osnovu prioriteta i potreba. Većina aktivnosti koje su predviđene godišnjim planovima je odložena, a rad se tokom 9 meseci ove godine obavljao sa neophodnim osobljem, u dežurstvima i putem online platforme.

Tokom ovog perioda, u skladu podacima osoblja, preduzete su sledeće aktivnosti:

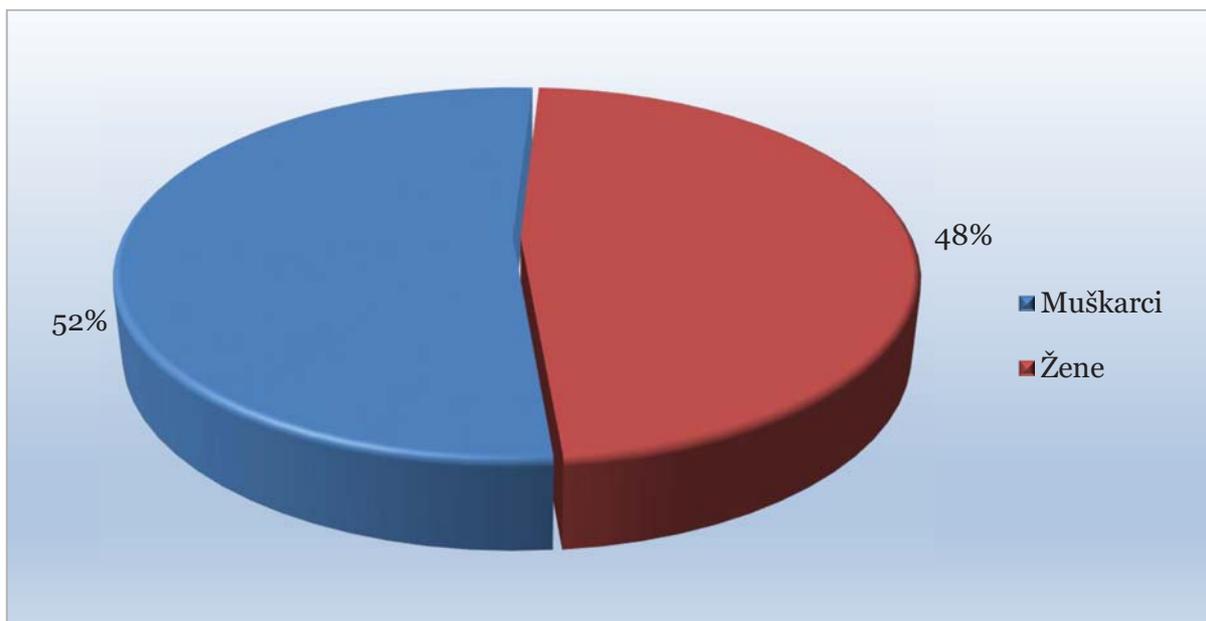
- Organizovanje jednog (1) eksternog konkursa za popunjavanje jednog (1) radnog mesta: Prevodilac sa albanskog na engleski i srpski jezik i obratno, a očekuje se da izabrani kandidat započne s radom 1. februara 2021. godine;
- Organizovanje dva (2) postupka unapređenja putem internih konkursa za popunjavanje radnih mesta: direktor Jedinice za nabavke i službenik za obuke i razvoj karijere;
- Dvoma (2) službenicima USK-a je prestao radni odnos u USK-u, odnosno doneta je jedna (1) odluka o prestanku radnog odnosa po dostizanju godina starosti za penzionisanje sa radnog mesta službenika za statistiku i pripremu sednica, i jedna (1) odluka o prestanku radnog odnosa nakon ostavke na mesto prevodioca za turski jezik;
- U okviru završetka probnog perioda, tri (3) ustavno pravna savetnika i jedan (1) službenik Sekretarijata su uspešno završili jednogodišnji probni period. Kao rezultat toga, ažurirani su svi ugovori o radu i akti o imenovanju zaposlenih USK-a, a takođe, na platnim spiskovima su prosleđene i izvršene od strane Ministarstva javne uprava (MJU) sve promene u toku godine;
- Šesnaest (16) službenika USK-a je tokom 2020. godine navršilo deset (10) godina neprekidnog rada u Ustavnom sudu i isti su nagrađeni jubilarnom platom;
- Pripremljene su i dostavljene potvrde o zaposlenju na zahtev službenika. Redovno je evidentirano prisustvo osoblja i ažurirana evidencija o godišnjim odmorima i bolovanjima;
- Tokom ove godine, kada su u pitanju posebni odmori, dve (2) službenice USK-a su koristile roditeljsko odsustvo uz naknadu 70% plate, a jedna (1) službenica imenovana na javnu funkciju je nastavila da koristi pravo na dogovorenu suspenziju radnog odnosa;
- Što se tiče sprovođenja Strateškog plana 2018-2020, održane su dve radionice. Četvrta i završna radionica za 2019. godinu zajedno sa registrom rizika, uključujući i period prvog tromesečja 2020. godine, kao i druga radionica u vezi sa aktivnostima sprovedenim za period april-septembar 2020. godine;

- Tokom ovog perioda održane su i dve radionice i nekoliko sastanaka sa ekspertima angažovanim u vezi sa razvojem nove Strategije Suda za naredni petogodišnji period 2021-2025;
- Na kraju ovog perioda završen je proces godišnje procene učinka za celokupno ustavno administrativno osoblje;
- Od ukupnog broja od 70 (sedamdeset) radnika koji je dozvoljen budžetom za 2020. godine, na kraju ovog perioda, ukupan broj zaposlenih na platnom spisku bio je 65 lica, od kojih su njih 34 ili 52,3% muškog pola, a 31 ili 47,69% ženskog pola, a kada je u pitanju nacionalna pripadnost, 59 (90,77%) su Albanci, 3 (4,62%) Srbi, 2 (3,08%) Bošnjaci i 1 (1,54%) Crnogorac. Ovaj broj obuhvata i bivšeg predsednika USK-a i tri službenika koja je on imenovao u skladu sa važećim zakonom.

Slika br. 1: Broj zaposlenih prema nacionalnoj pripadnosti:



Slika br. 2: Broj zaposlenih prema polu:



II. Izgradnja kapaciteta (obuke i razvoj karijere)

Tokom 2020. godine, DALJR je izradio plan za podizanje kapaciteta za ustavno administrativno osoblje, zasnovan na identifikaciji potreba službenika iz individualnih planova obuke i kontinuirano su ažurirane i evidentirane sve aktivnosti osoblja tokom ove godine.

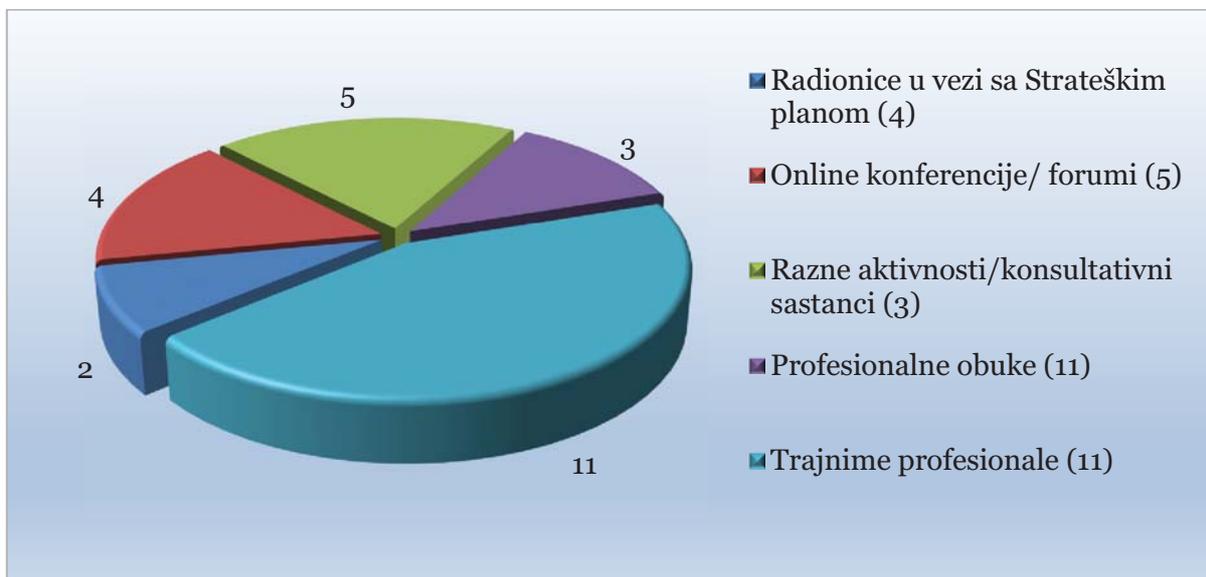
U 2020. godini je realizovano ukupno 25 aktivnosti. Kao posledica pandemijske situacije sa COVID-19 onemogućena je realizacija plana obuka, a većina aktivnosti je u posljednjem devetomesečnom periodu realizovana putem online platformi. U nastavku iznosimo podatke o preduzetim aktivnostima:

- 1 (jedna) razmena iskustava;
 - 1 (jedna) međunarodna aktivnost;
 - 3 (tri) različite aktivnosti/predavanja;
 - 4 (četiri) radionice u vezi sa Strateškim planom;
 - 5 (pet) online konferencija/forumi; i
 - 11 (jedanaest) profesionalnih obuka.
-
- Od 1. februara do 31. marta 2020. godine, u okviru projekta za razmenu iskustava u Sudu u Strazburu radi prisvajanja praksi evropskog sudstva i njihove primene u ustavnom sudstvu Kosova, jedan savetnik iz Suda je završio 2-mesečnu obuku;
 - U Tirani je, 19-21. februara 2020. godine, održana međunarodna aktivnost na temu: “Konkretni koraci za izradu Strateškog plana Ustavnog suda Albanije za period 2020 – 2023”, sa dva učesnika iz Suda;
 - U Prištini je, 29-30. januara 2020. godine, jedan službenik učestvovao u obuci na temu “Etički kodeks, prava i odgovornosti u civilnoj službi”, koju je organizovao Kosovski institut za javnu upravu;
 - U Prištini je, 5-6. marta 2020. godine, jedna službenica učestvovala u obuci na temu “Planiranje, upravljanje i razvoj ljudskih resursa”, koju je organizovao Kosovski institut za javnu upravu (KIJU);
 - U Prištini je, 9-10. marta 2020. godine, organizovana Četvrta radionica o sprovođenju Strateškog plana 2018-2020, sa 18 učesnika iz Suda;
 - Dana 10-11. marta 2020. godine, Diplomatska akademija Kosova je organizovala obuku na temu “Protokol i etika”, u kojoj su učestvovala dva službenika iz Suda;
 - Dana 16-17. aprila 2020. godine, uz podršku Kancelarije Saveta Evrope u Prištini, putem online platforme, održana je obuka na temu “Član 15. Konvencije o ljudskim pravima” sa ukupno 13 učesnika iz Pravne jedinice;
 - Dana 11. i 12. juna 2020. godine, uz podršku Kancelarije Saveta Evrope u Prištini, putem online platforme, održan je okrugli sto na temu “Pravo na pravično suđenje” sa ukupno 13 učesnika iz Pravne jedinice;
 - Dana 22. jula 2020. godine, u saradnji sa organizacijom “Inicijativa mladih za ljudska prava – Kosovo” (YIHR KS), u okviru projekta “Youth for Justice”, jedan savetnik Ustavnog suda je održao predavanje i razgovor sa studentima treće edicije Alternativne škole za ljudska prava na Kosovu, u vezi sa ulogom i funkcijom Ustavnog suda u odnosu na druge institucije u okviru pravosudnog sistema u zemlji;

- Dana 14-15. septembra 2020. godine, održan je konsultativni sastanak putem video-konferencije sa timom izvestilaca koje je imenovala Venecijanska komisija u vezi sa pripremom mišljenja Komisije o Nacrtu zakona o javnim okupljanjima, traženo od strane Vlade Republike Kosovo, kojem je prisustvovala glavna savetnica Ustavnog suda;
- Dana 1-2. oktobra 2020. godine, Ustavni sud Republike Kosovo je uz pomoć Saveta Evrope, organizovao “Prvu radionicu u vezi sa razvojem novog Strateškog plana Ustavnog suda za period 2021-2025”, putem online platforme, sa po 30 učesnika;
- Dana 8. oktobra 2020. godine, organizovana je “Druga radionica u vezi sa sprovođenjem Strateškog plana 2018-2020”, za izveštajni period april-septembar 2020. godine, koja je realizovana uz fizičko prisustvo u objektu Suda sa 14 učesnika;
- Dana 8. oktobra 2020. godine, održana je virtuelna video konferencija iz oblasti finansija na temu “Reforma upravljanja gotovinom i izvršenja budžeta: Plan gotovinskog toka za budžetske organizacije”, koju je organizovao Trezor u okviru Ministarstva finansija (MF), sa jednim učesnikom iz Ustavnog suda;
- Dana 14. oktobra 2020. godine, u Prištini je putem online platforme realizovana obuka na temu “Strateško planiranje, indikatori učinka, administrativna uputstva u oblasti budžetskog planiranja i budžetskih izmena”, koju je organizovao KIJU u saradnji sa MF-om, na kojoj je učestvovao jedan službenik iz Suda;
- Dana 15. oktobra 2020. godine, putem online platforme, održana je obuka na temu “Sistem razvoja i upravljanja budžetom (BDMS)”, u organizaciji KIJU i MF, kojoj je prisustvovao jedan službenik iz Suda;
- U Prištini je, 16-17. oktobra 2020. godine, održan forum na temu: “Seventh Regional Rule of Law Forum for Southeast Europe”, u organizaciji The AIRE Centre i Civil Rights Defenders, sa 4 učesnika iz Suda;
- Dana 12. novembra 2020. godine, uz pomoć Saveta Evrope, organizovana je online diskusija sa bivšim pravnim konsultantom Evropskog suda pravde g. Early Lawrence, sa 14 učesnika;
- Dana 23. novembra 2020. godine, putem online platforme, održana je konferencija na temu “70 godina naše Konvencije” koju je organizovao Savet Evrope, sa 22 učesnika iz Suda;
- U Prištini je od 16. novembra do 10. decembra 2020. godine, održana 10-dnevna obuka iz oblasti javnih nabavki, koju je organizovao KIJU u saradnji sa Regulatornom komisijom za javne nabavke (RKJN), sa jednim učesnikom iz Suda;
- Od 2. do 4. decembra 2020. godine, putem online platforme, održana je obuka na temu: “Bonton i protokol” koju je organizovala Akademija pravde, sa jednim učesnikom iz Suda;
- Dana 3. decembra 2020. godine, uz pomoć European Center i Ujedinjenog Kraljevstva, putem online platforme je omogućeno učešće na Konferenciji na temu “Ka praksi: korišćenje jurisprudencije Suda u Strazburu na lokalnom nivou”, sa 14 učesnika iz Suda;

- Dana 7. decembra 2020. godine, putem online platforme, održana je obuka na temu “Upravljanje gotovinom” koju je organizovao Trezor, sa jednim učesnikom iz Suda;
- Od 7. do 9. decembra 2020. godine, putem online platforme, održana je obuka na temu “Strateška komunikacija” koju je organizovala Akademija pravde, sa jednim učesnikom iz Suda;
- Dana 18. decembra 2020. godine, Ustavni sud Republike Kosovo je uz pomoć Saveta Evrope, organizovao “Drugu radionicu u vezi sa izradom novog Strateškog plana Ustavnog suda za period 2021-2025”, putem Zoom platforme, sa 30 učesnika iz Suda.

Slika br. 3: Učešće zaposlenih Ustavnog suda u studijskim posetama, konferencijama i letnjim školama u inostranstvu, konferencijama/radionicama u zemlji i inostranstvu, obukama u zemlji i inostranstvu, kursovima stranih jezika:



III. Administrativna i logistička podrška

- Vršeno je redovno održavanje i servisiranje vozila Suda i pravovremeno su sastavljeni mesečni izveštaji o potrošnji goriva;
- Vršena je kontrola ulaza-izlaza potrošnog materijala i IT uređaja, kao i njihova registracija u sistemu za upravljanje informacijama E-imovine;
- Izvršena je registracija 240 faktura u Free Balance sistemu, nakon nabavke potrošnog materijala i IT uređaja, kao i usluga za potrebe poslovanja Suda;
- Sastavljen je niz dopisa upućenih raznim institucijama u vezi sa izvršavanjem različitih administrativnih zahteva i pružanjem usluga za potrebe Suda.

IV. Biblioteka Suda (usluge biblioteke)

U oblasti biblioteke, obavljene su sledeće aktivnosti, odnosno primljena je i registrovana sledeća literatura:

- Produženo je godišnje članstvo Ustavnog suda Kosova kod Asocijacije elektronskih biblioteka Kosova (AEBK) preko koje se pruža pristup sledećim elektronskim izvorima:

Cambridge Journals Online, Edward Elgar Publishing, IMF-International Monetary Fund, Open Edition Journals, ASTM- Compass;

- Produžena je godišnja pretplata Ustavnog suda na elektronske izvore Univerzitetskog lista Oksforda, kojima se pruža pristup sledećim elektronskim izvorima: Max Planck Encyclopedia of International Law, ORIL - International Human Rights Law, ORIL - International Law in European Courts, Oxford Constitutions of the World;
- Međunarodna koalicija bibliotečkih konzorcijuma omogućila je besplatan pristup dugoj listi elektronskih izvora, uglavnom iz akademske oblasti, tokom perioda COVID-19;
- Sudije i osoblje Suda su usluženi fizičkom i elektronskom literaturom, na njihov zahtev, a takođe preuzeti su i članci iz pravne oblasti prema njihovoj važnosti;
- Što se pak tiče novih naslova, tokom 2020. godine, Biblioteka Suda je primila i registrovala sledeće naslove:
 - 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, sa autorom Qerimom Qerimijem;
 - Le Conseil constitutionnel, 2010, francuski časopis;
 - Andreas Sajó & Renata Uitz: The constitution in private relations, 2005;
 - Toby Mendel: Sloboda izražavanja, izdato od strane Council of Europe, 2014. godine;
 - Gea Suumann: 15 years of constitutional review in the supreme court of Estonia, 2009;
 - Jeremy McBride: Evropska konvencija o ljudskim pravima i krivični postupak;
 - Luan Omari, Aurela Anastasi: Ustavno pravo, 2010, izdavačke kuće ABC;
 - Kadri Kryeziu: Pravo na izbor, 2013, izdavačke kuće Vertigo;
 - Kadri Kryeziu: Prizren, 2013, izdavačke kuće 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 i uticaj na ljudska prava, 2020, u izdanju AIRE Centre.
- Primljena su i registrovana izdanja Kancelarije za publikacije Službenog lista u tri primerka, i to:
 - Službeni list br. 01/2020, mart 2020. godine;
 - Službeni list br. 02/2020, avgust 2020. godine;
 - Službeni list br. 05/2020, oktobar 2020. godine;
 - Službeni list br. 06/2020, novembar 2020. godine.
- U sistem elektronske katalogizacije “Koha” unete su ukupno 23 knjige, koje su fizički sistematizovane prema odgovarajućem broju oblasti.

**DEPARTMAN ZA REGISTROVANJE PREDMETA, STATISTIKU
I ARHIVU (DRPSA)**

DEPARTMAN ZA REGISTROVANJE PREDMETA, STATISTIKU I ARHIVU (DRPSA)

Status predmeta u Departmanu za registrovanje predmeta, statistiku i arhivu (DRPSA)

Tokom 2020. godine, Sud je imao u radu ukupno 392 zahteva/predmeta, od kojih je 195 predmeta primljeno tokom 2020. godine, a 197 predmeta preneto iz prethodnih godina:

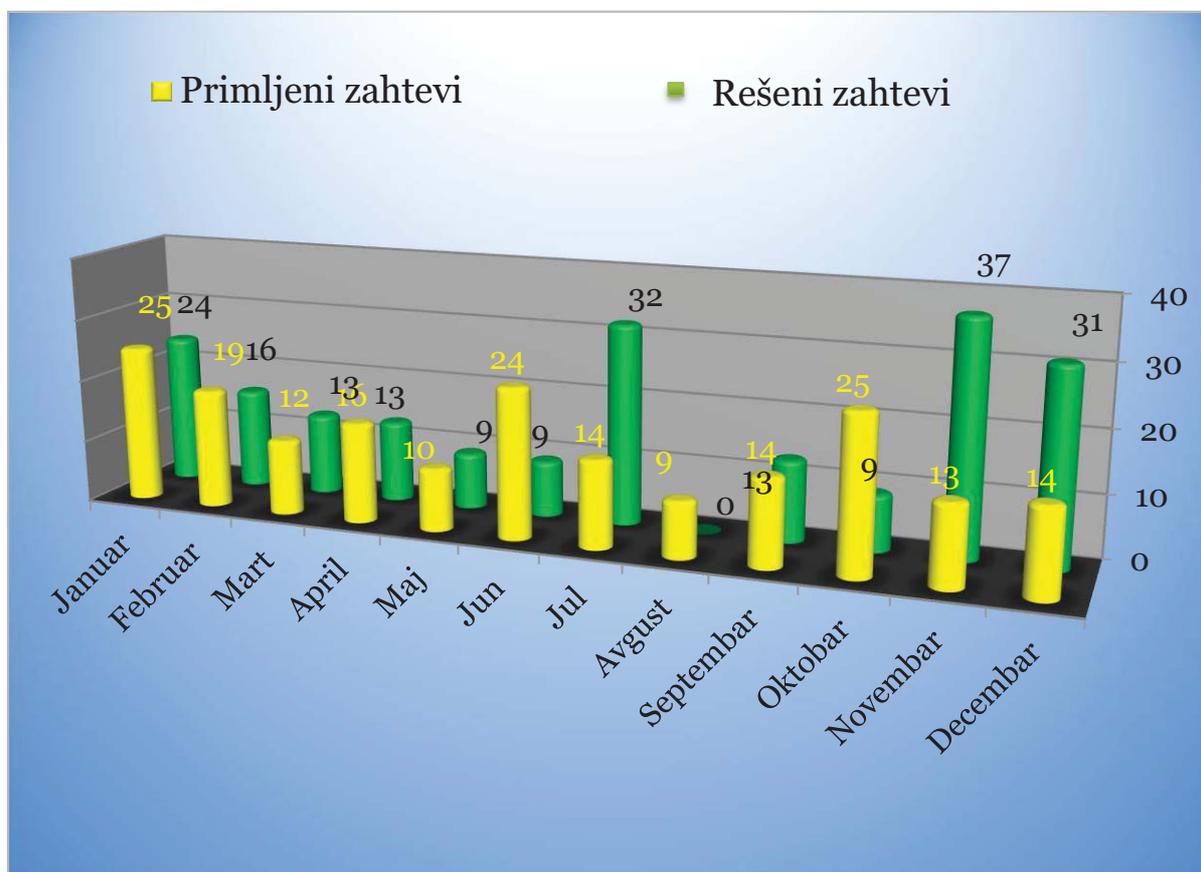
- 18 prenetih zahteva iz 2018. godine, od kojih je 17 rešeno, a 1 se nalazi u postupku;
- 179 prenetih zahteva iz 2019. godine, od kojih je njih 126 rešeno, a 53 se nalazi u postupku;
- 195 zahteva je primljeno 2020. godine, od kojih je njih 63 rešeno, a 132 zahteva su u postupku.

Tokom 2020. godine je rešeno ukupno 206 (52,6%) zahteva od 392 zahteva u radu, dok je 185 zahteva (47,4%) preneto u 2021. godinu.

Tokom ovog perioda, 183 odluke su objavljene na sajtu Suda i poslate strankama, dok se 23 druga zahteva koji su rešeni nalazi u procesu pripreme.

Tokom navedenog perioda, prosečno su primana po 16,2 zahteva mesečno, a rešavano 17,4. Mesečna dinamika primljenih i rešenih zahteva je sledeća:

Grafikon br. 1 : Dinamika zahteva po mesecima (1. januar – 31. decembar 2020. godine)



Podnošenje zahteva

Nadležnost i strane koje su ovlašćene za podnošenje zahteva Ustavnom sudu utvrđeni su Ustavom Kosova i Zakonom o Ustavnom sudu Kosova.

Poverenje građana u Ustavni sud se znatno povećalo kao rezultat efikasnog, efektivnog i nepristrasnog rada. Departman za registrovanje predmeta, statistiku i arhivu je tokom 2020. godine, primio 195 novih zahteva.

Struktura podnesenih zahteva je sledeća:

- 161 individualni zahtev (od fizičkih lica), ili 82,56%, i
- 34 zahteva od drugih javnih organa (pravnih lica), ili 17,44%.

Raspodela zahteva

U skladu sa članom 22. Zakona o Ustavnom sudu, DRPSA je obradio sve podnete zahteve na osnovu člana 13. Ustava.

Raspodela zahteva/predmeta sudijama izvestiocima vršila se u skladu sa pravilom 8. i 34. Poslovnika o radu Suda. Izuzetak od ovog pravila bila je raspodela zahteva za određivanje privremene mere, koji se prosleđuju u skladu sa pravilom 55. Poslovnika o radu Ustavnog suda i *ad hoc* slučajeva koji predstavljaju sukob interesa, na osnovu člana 18. Zakona o sudovima i u skladu sa pravilom 7. Poslovnika o radu.

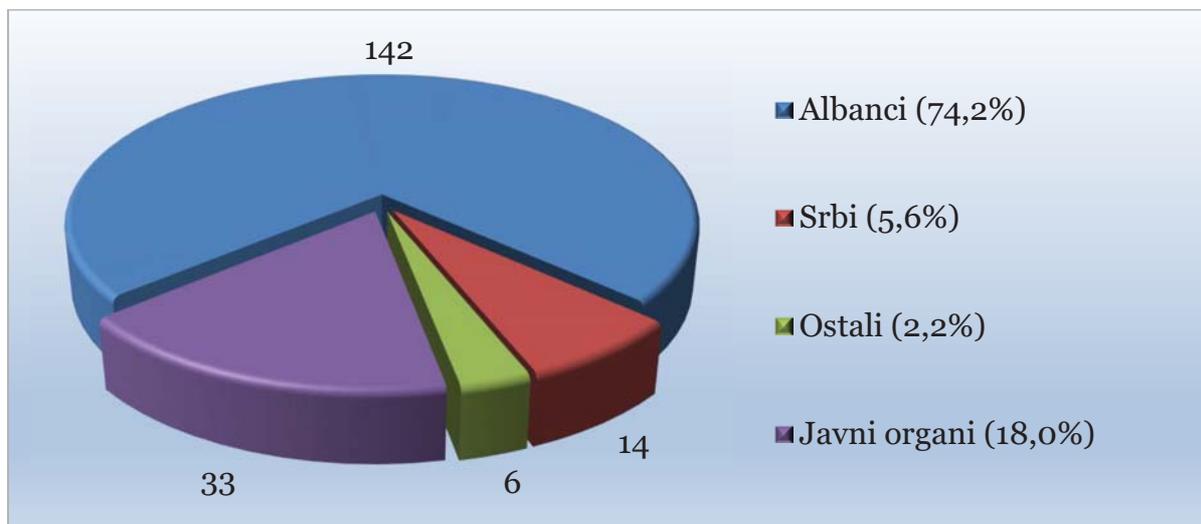
Pristup Sudu i poverenje javnosti u rad Suda

Svi građani Kosova, bez obzira na etničku, versku ili polnu pripadnost, imaju jednak pristup Ustavnom sudu.

Etnički pristup pojedinaca je prikazan u nastavku:

- 142 zahteva od Albanaca, ili 72,8 %;
- 14 zahteva od pripadnika srpske zajednice, ili 7,2 %;
- 6 zahteva od pripadnika ostalih nacionalnosti, ili 3,1 %; i
- 33 zahteva su podneli drugi javni organi (pravna lica), ili 16,9%.

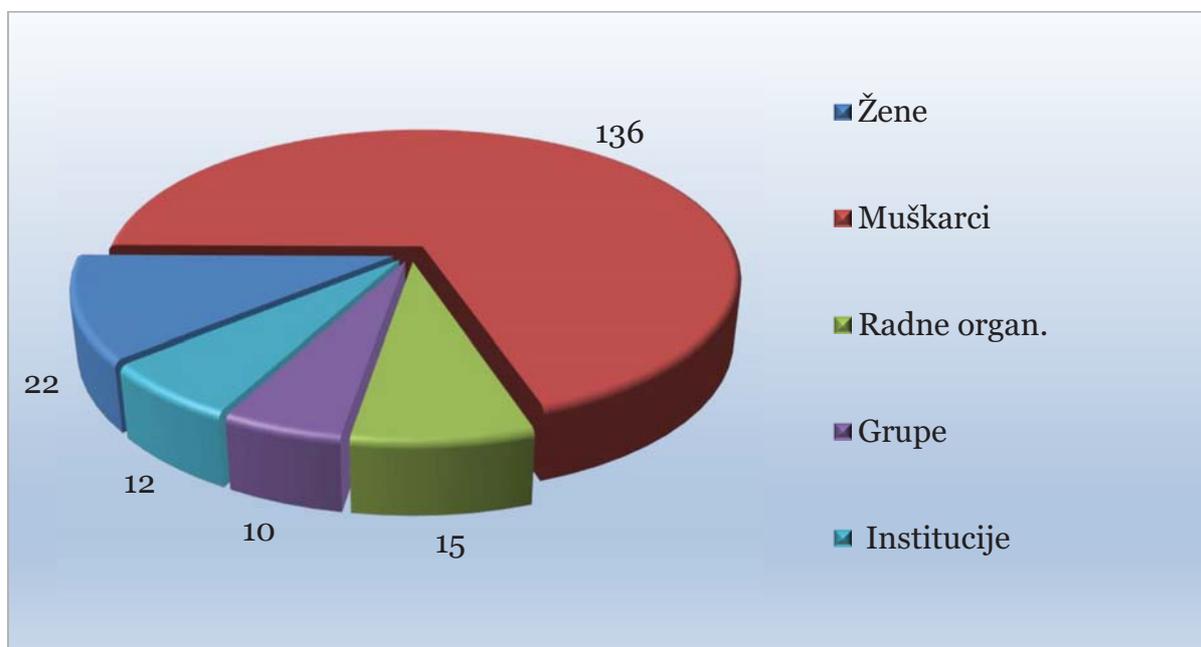
Grafikon br. 2 Etnička struktura podnosioca zahteva (1. januar – 31. decembar 2020. godine)



Rodna struktura podnosioca zahteva prikazana je u nastavku:

- 136 zahteva su podneli podnosioci muškog pola, ili 69,7%;
- 22 zahteva su podneli podnosioci ženskog pola, ili 11,3%;

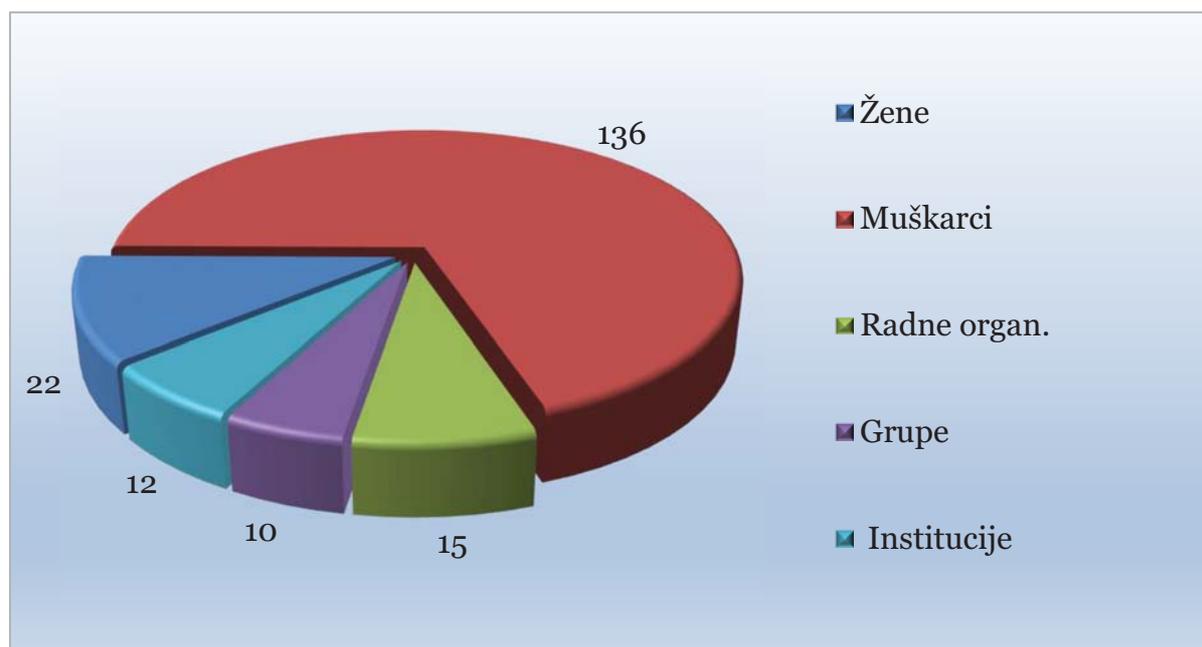
Grafikon br. 3 Rodna struktura podnosioca zahteva (1. januar – 31. decembar 2020. godine)



Procenat podnosioca zahteva prema grupama, radnim organizacijama i institucijama:

- 10 zahteva su podneli podnosioci u grupi, ili 5,1%;
- 15 zahteva su podnele radne organizacije, ili 7,7%;
- 12 zahteva su podnele institucije, ili 6,2%.

Grafikon br. 4 Procenat podnosilaca u grupama, radnih organizacija i institucija

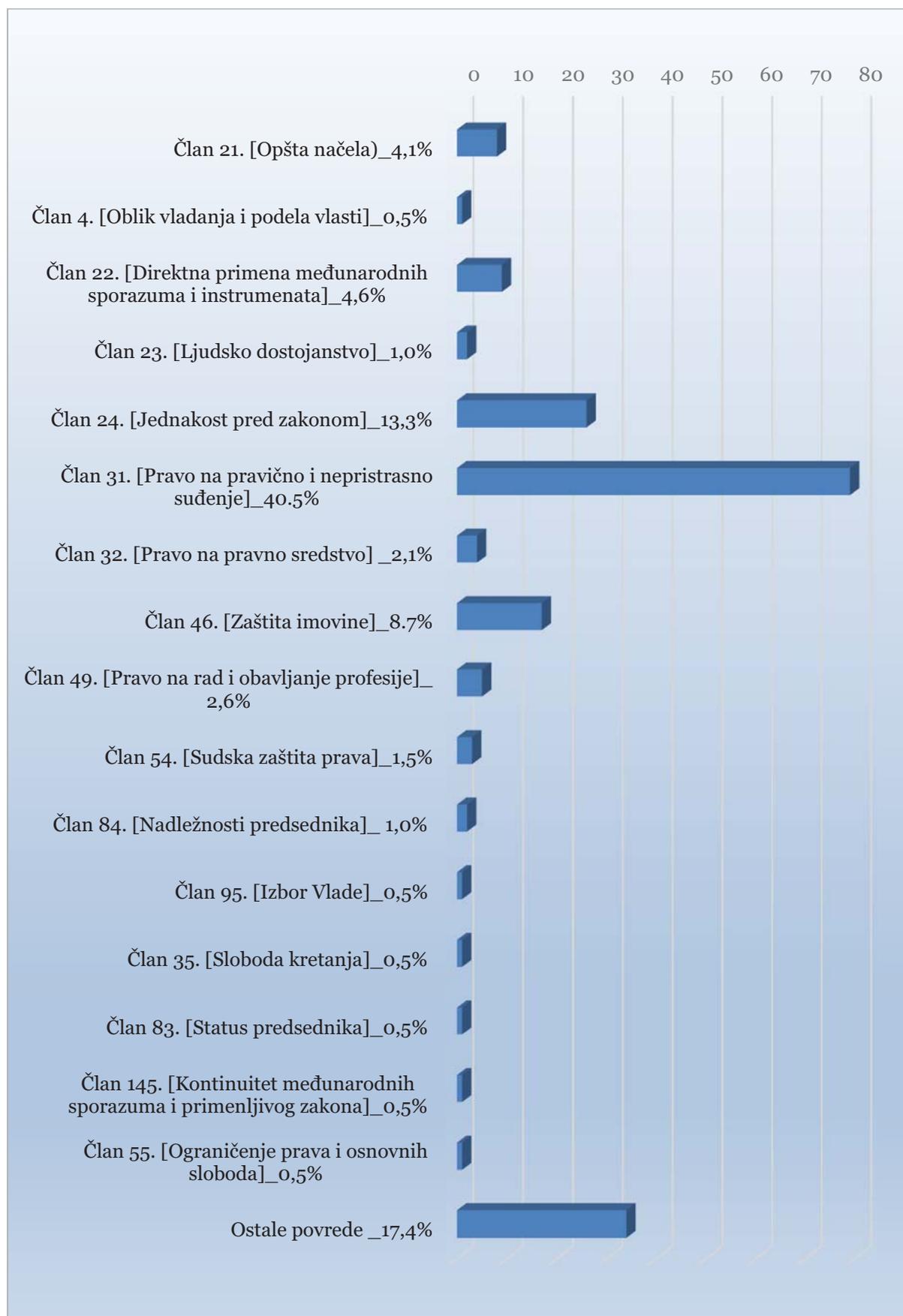


Vrste navodnih povreda

Tipologija navodnih povreda iz 195 zahteva primljenih tokom perioda: 1. januar – 31. decembar 2020. godine, je sledeća:

- Član 21. [Opšta načela], 3 slučaja ili 1,2%;
- Član 4. [Oblik vladanja i podela vlasti], 1 slučaj ili 0,9%;
- Član 22. [Direktna primena međunarodnih sporazuma i instrumenata], 16 slučajeva ili 6,6 %;
- Član 23. [Ljudsko dostojanstvo], 4 slučaja ili 1,6%;
- Član 24. [Jednakost pred zakonom], 59 slučajeva ili 24,3%;
- Član 31. [Pravo na pravično i nepristrasno suđenje], 89 slučajeva ili 36,6%;
- Član 32. [Pravo na pravno sredstvo], 4 slučaja ili 1,6%;
- Član 46. [Zaštita imovine], 18 slučajeva ili 7,4%;
- Član 49. [Pravo na rad i obavljanje profesije], 8 slučajeva ili 3,3%;
- Član 54. [Sudska zaštita prava], 13 slučajeva ili 5,3%;
- Član 84. [Nadležnosti predsednika], 2 slučaja ili 1,9%;
- Član 95. [Izbor Vlade], 1 slučaj ili 0,9%;
- Član 35. [Sloboda kretanja], 1 slučaj ili 0,9%;
- Član 83. [Status predsednika], 1 slučaj ili 0,9%;
- Član 145. [Kontinuitet međunarodnih sporazuma i primenljivog zahteva], 1 slučaj ili 0,9%;
- Član 55. [Ograničenje prava i osnovnih sloboda], 1 slučaj ili 0,9% i
- Ostale povrede, 26 slučajeva ili 10,7%.

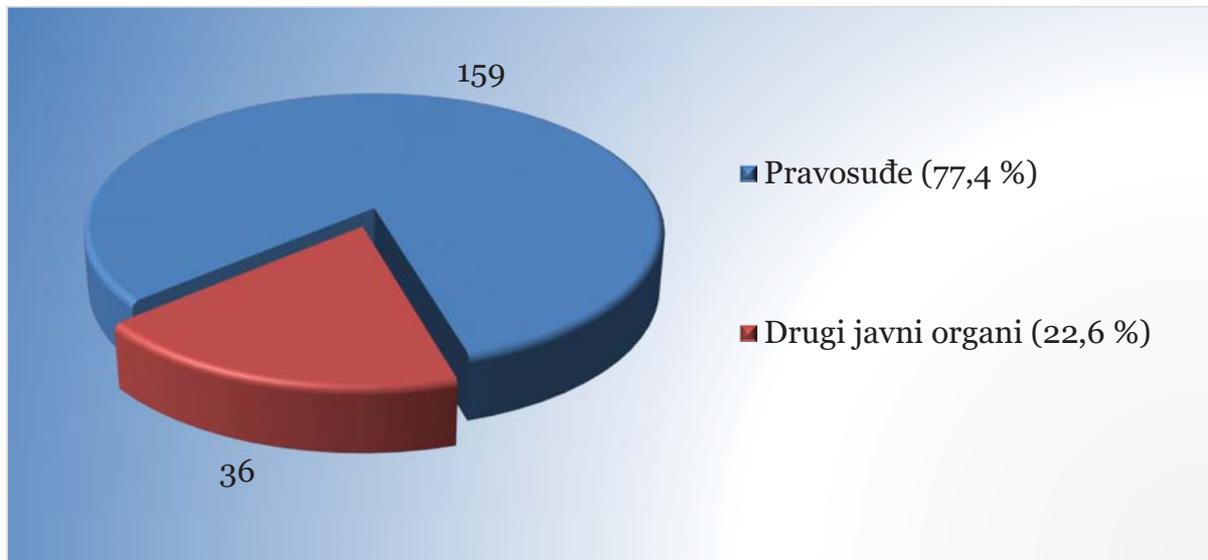
Grafikon br. 5 Tipologija navodnih povreda članova Ustavnog suda (1. januar – 31. decembar 2020. godine)



Navodni počinioci povrede prava

- 159 ili 81,5% zahteva se odnosi na odluke sudova,
- 36 ili 18,4% zahteva se odnosi na druge javne organe.

Grafikon br. 6 Navodni prekršioc i prava (1. januar – 31. decembar 2020. godine)

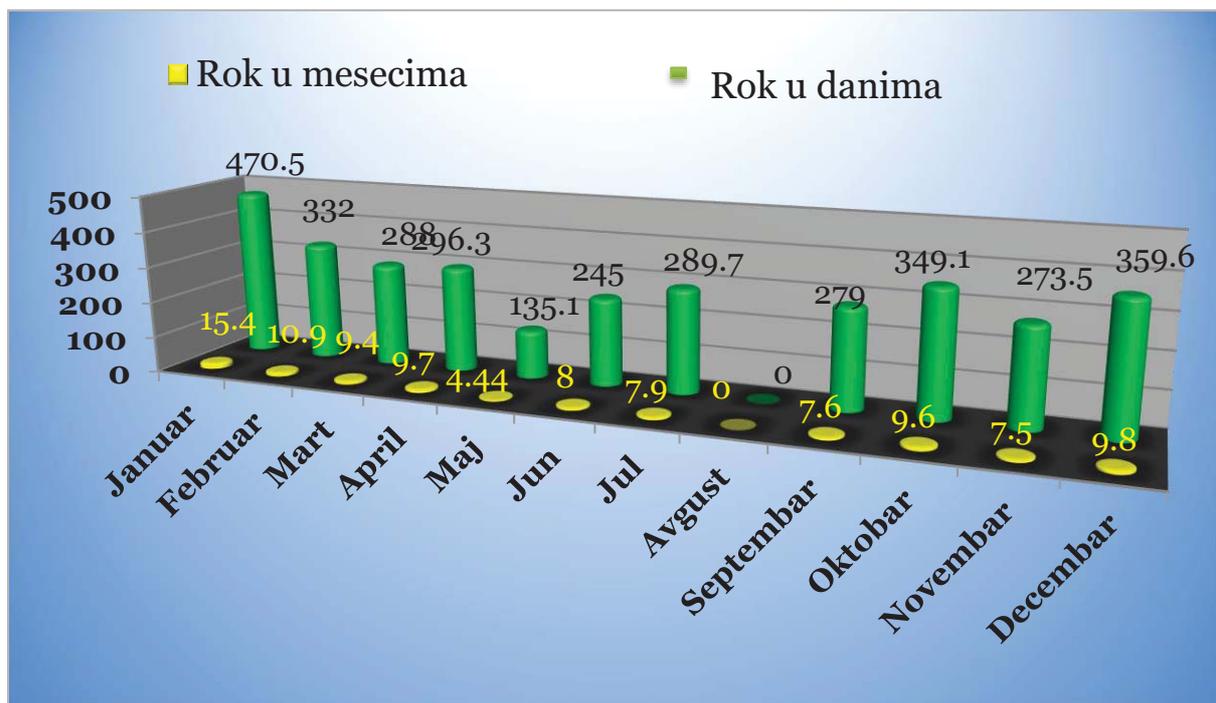


Rok rešavanja zahteva

Ustavni sud je tokom 2020. godine objavio 183 odluke.

Grafikon koji sledi prikazuje dinamiku roka rešavanja zahteva u mesecima i danima.

Grafikon br. 7 Rok rešavanja zahteva (1. januar – 31. decembar 2020. godine)



Sednice i veća za razmatranje

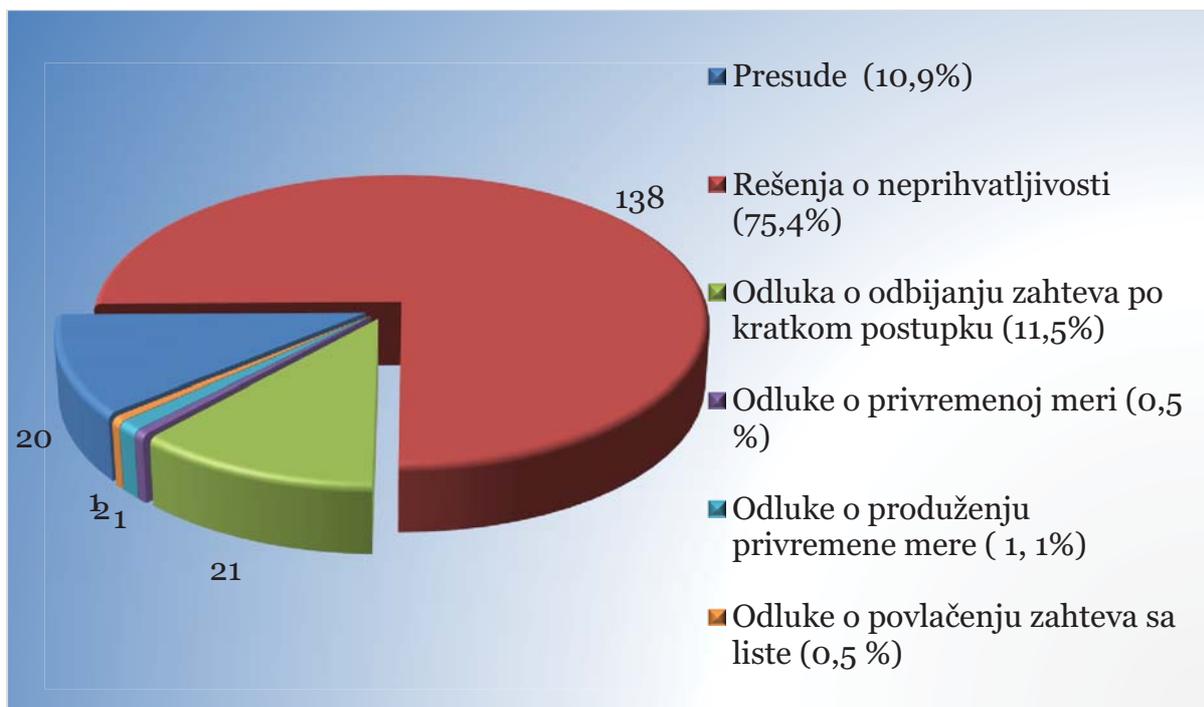
Tokom 2020. godine, Ustavni sud je održao 42 plenarne sednice sa 217 veća za razmatranje i 2 javne sednice.

Razmotreni slučajevi su rešeni presudama, rešenjima, odlukama o odbacivanju zahteva i odlukama o odbijanju zahteva po kratkom postupku. U ovom periodu smo imali i 1 suprotno mišljenje (u presudi KO61/20).

Struktura 183 objavljene odluke je sledeća:

- 20 presuda,
- 138 rešenja o neprihvatljivosti,
- 21 odluka o odbijanju zahteva po kratkom postupku,
- 2 odluke o povlačenju zahteva sa liste,
- 1 odluka o privremenoj meri, i
- 1 odluka o produženju privremene mere.

Grafikon br. 8 Struktura objavljenih odluka (1. januar – 31. decembar 2020. godine)



Ustavni sud je 2020. godine objavio 20 presuda, i to:

- Presuda u slučaju KI14/18, podnosilac Hysen Kamberi. Ocena ustavnosti presude Vrhovnog suda Kosova PML. br. 241/2017 od 5. decembra 2017. godine;
- Presuda u slučaju KI07/18, podnosilac "Çeliku Rollers" d.o.o.. Ocena ustavnosti presude Vrhovnog suda Kosova E. Rev. br. 14/2017 od 14. septembra 2017. godine;
- Presuda u slučaju KI35/18, "Bayerische Versicherungsverband". Ocena ustavnosti presude Vrhovnog suda Kosova E. Rev. br. 18/2017 od 4. decembra 2017. godine;

- Presuda u slučaju KO54/20, podnosilac Predsednik Republike Kosovo. Ocena ustavnosti odluke br. 01/15 Vlade Republike Kosovo od 23. marta 2020. godine;
- Presuda u slučaju KO61/20, podnosilac Uran Ismaili i 29 drugih poslanika Skupštine Republike Kosovo. Ocena ustavnosti odluke [br. 214/IV/2020] Ministarstva zdravstva od 12. aprila 2020. godine o proglašenju opštine Prizren “zonom karantina”; i odluka [br. 229/IV/2020], [br. 238/IV/2020], [br. 239/IV/2020] Ministarstva zdravstva od 14. aprila 2020. godine o sprečavanju, suzbijanju i eliminisanju zarazne bolesti COVID-19 na teritoriji opština Prizren, Dragaš i Istok;
- Presuda u slučaju KI193/18, podnosilac Agron Vula. Ocena ustavnosti rešenja Apelacionog suda Ac. br. 227/18 od 18. septembra 2018. godine, u vezi sa neizvršenjem odluke Nezavisnog nadzornog odbora Kosova A 02 158/07 od 25. februara 2008. godine;
- Presuda u slučaju KO72/20, podnosilac Rexhep Selimi i 29 drugih poslanika Skupštine Republike Kosovo. Ocena ustavnosti dekreta predsednika Republike Kosovo br. 24/2020 od 30. aprila 2020. godine;
- Presuda u slučaju KI123/19, podnosilac “SUVA Rechtsabteilung”. Ocena ustavnosti presude Apelacionog suda Kosova Ae. br. 146/17 od 26. februara 2019. godine;
- Presuda u slučaju KO203/19, podnosilac Ombudsman. Ocena ustavnosti određenih članova Zakona br. 06/L-114 o javnim službenicima;
- Presuda u slučaju KO219/19, podnosilac Ombudsman. Ocena ustavnosti Zakona br. 06/L-111 o platama u javnom sektoru;
- Presuda u slučaju KI56/18, podnosilac Ahmet Frangu. Ocena ustavnosti presude Vrhovnog suda Kosova ARJ. UZVP. br. 67/2017 od 22. decembra 2017. godine;
- Presuda u slučaju KI38/19, podnosilac Avdi Mujaj. Ocena ustavnosti presude Vrhovnog suda Republike Kosovo Rev. br. 285/2018 od 1. oktobra 2018. godine;
- Presuda u slučaju KI214/19, podnosilac Murteza Koka. Ocena ustavnosti rešenja Vrhovnog suda Kosova Rev. br. 195/2019 od 23. jula 2019. godine;
- Presuda u slučaju KI27/20, podnosilac Pokret SAMOOPREDELJENJE. Ocena ustavnosti presude [A.A-U.ZH. br. 16.2019] Vrhovnog suda Republike Kosovo od 10. oktobra 2019. godine;
- Presuda u slučaju KI209/19, podnosilac Memli Krasniqi. Ocena ustavnosti presude Apelacionog suda Kosova Ka. br. 664/2019 od 5. avgusta 2019. godine;
- Presuda u slučaju KI80/19, podnosilac Radomir Dimitrijević. Ocena ustavnosti rešenja Žalbenog veća Posebne komore Vrhovnog suda za pitanja koja se odnose na Kosovsku agenciju za privatizaciju AC-I-18-0547-A0001 od 21. februara 2019. godine;
- Presuda u slučaju KI227/19, podnosilac N.T. “Spahia Petrol”. Ocena ustavnosti presude Vrhovnog suda Kosova ARJ. UZVP. br. 94/2019 od 1. avgusta 2019. godine;
- Presuda u slučaju KI145/19, KI146/19, KI147/19, KI149/19, KI150/19, KI151/19, KI152/19, KI153/19, KI154/19, KI155/19, KI156/19, KI157/19 i KI159/19, podnosilac Et-hem Bokshi i drugi. Ocena ustavnosti presude Žalbenog veća Posebne komore

Vrhovnog suda Kosova za pitanja koja se odnose na Kosovsku agenciju za privatizaciju AC-I-13-0181-A0008 od 29. avgusta 2019. godine;

- Presuda u slučaju KI224/19, podnosilac Islam Krasniqi. Ocena ustavnosti rešenja Žalbenog veća Posebne komore Vrhovnog suda za pitanja koja se odnose na Kosovsku agenciju za privatizaciju AC-I-19-0114 od 19. septembra 2019. godine;
- Presuda u slučaju KI193/19, podnosilac Salih Mekaj. Ocena ustavnosti presude Vrhovnog suda Pml. br. 36/2019 od 5. juna 2019. godine.

DEPARTMAN ZA PROFESIONALNU PODRŠKU (DPP)

DEPARTMAN ZA PROFESIONALNU PODRŠKU (DPP)

Departman za profesionalnu podršku (DPP) je odgovoran za pružanje profesionalnih usluga prevođenja, uređivanja, lekture i usklađivanja terminologije u svim dokumentima Ustavnog suda na jezicima na kojima radi USK.

DPP je organizovao, vodio i nadgledao prevodilački rad (na albanskom, srpskom i engleskom jeziku, a na zvaničnom sajtu Suda i na turskom jeziku), uređivao je i vršio lekturu (na albanskom i srpskom jeziku) i simultano prevođenje. Tako je kroz DPP prošlo 27.760 stranica dopisa, raznih dokumenata, presuda, rešenja, odluka o skidanju sa liste, preliminarnih izveštaja i dr. na albanskom, srpskom, engleskom i turskom jeziku.

Prevodioci su realizovali 177 sati simultanog prevoda na redovnim sastancima, sednicama Suda, administrativnim sednicama, intervjuima kandidata za pozicije raspisane od strane USK-a i na drugim sastancima.

U koordinaciji sa DRPSA-om, DPP je pripremao potrebnu dokumentaciju za sastanke sudija, sednice za razmatranje i administrativne sednice.

DPP je obrađivao predmete na albanskom, srpskom i engleskom jeziku. Ujedno je doprinomio i objavljivanju odluka na albanskom, srpskom, engleskom i turskom jeziku.

Ciljevi

Ciljevi koje je ostvario DPP su sledeći:

- Standardizacija svih službenih dokumenata i svih odluka koje nose pečat Ustavnog suda;
- Otklanjanje neslaganja u presudama, rešenjima, preliminarnim izveštajima i drugim dokumentima Suda;
- Podsticanje unapređenja ljudskih i organizacionih kapaciteta radi sprovođenja u praksi upravljanja i planiranja sa direktnim učešćem i pospešivanja saradnje između departmana;
- Saradnja sa ekonomskim operatorom u vezi sa prevođenjem (van i u Sudu), i
- Uspešno ispunjenje svih ciljeva koji su za 2020. godinu proizašli iz Strateškog plana USK-a, 2018-2020.

DEPARTMAN ZA BUDŽET I FINANSIJE
(DBF)

DEPARTMAN ZA BUDŽET I FINANSIJE (DBF)

Tokom 2020. godine, Departman za budžet i finansije (DBF) je upravljao finansijskim sredstvima za Ustavni sud. Sredstva izdvojena iz Konsolidovanog budžeta Kosova za Ustavni sud, koja su odobrena za 2020. godinu, u skladu sa Zakonom br. 07/L-001 o budžetskim izdvajanjima za budžet Republike Kosovo, iznose **1.835.354,00€**.

Plate i dnevnice	Roba i usluge	Komunalni troškovi	Kapitalne investicije	Subvencije i transferi	Ukupno
1,172,237.00€	391,117.00€	4,000.00€	268,000.00€	0.00€	1,835,354.00€

Nakon usvajanja Zakona o izmenama i dopunama Zakona br. 07/L-014 o budžetskim izdvajanjima za budžet Republike Kosovo, budžet Ustavnog suda je skraćen u ekonomskim kategorijama roba i usluge (25.000€), komunalni troškovi (1.000€) i kapitalne investicije (40.732€)

Budžet Ustavnog suda Kosova nakon revizije prikazujemo u nastavku:

Plate i dnevnice	Roba i usluge	Komunalni troškovi	Kapitalne investicije	Subvencije i transferi	Ukupno
1,172,237.00€	366,117.00€	3,000.00€	227,268.00€	0.00€	1,768,622.00€

Dana 26. oktobra 2020. godine, Ustavni sud Republike Kosovo uputio je Ministarstvu finansija zahtev sa Ref. br. SP-1826/20/mv za izmenu budžeta, u kojem je traženo da se izvrši prenos/preusmeravanje sredstava iz kategorije kapitalnih investicija (30) sa kodom 15556 u iznosu od 11.972,00€, kao i iz ekonomske kategorije komunalni troškovi (14) u iznosu od 447,00€, u ekonomsku kategoriju roba i usluge (13) u ukupnom iznosu od 12.419,00€, i tom prilikom je izvršeno usklađivanje/izmena postojećeg budžeta.

Dana 4. novembra 2020. godine, Ustavni sud Republike Kosovo primio je od Ministarstva finansija dopis sa Ref. br. MF-1992 "Zatvaranje fiskalne 2020. godine i eventualne uštede od strane budžetskih organizacija u svim kategorijama rashoda", i u tom slučaju Ustavni sud za fiskalnu 2020. godinu nije imao slobodna sredstva za uštedu, već je tražio (Ref. br. SP - 1895/20/mv) od Ministarstva finansija da se u pogledu prilagođavanja budžeta sredstva preusmere u kategoriju Plate i dnevnice (kod 111), za potrebe pokrivanja plata za ceo Sud za decembar 2020.

Konačni budžet Ustavnog suda Kosova, iz Budžeta Kosova, nakon izmena unetih u ISFUK za 2020. godinu, bio je sledeći:

Plate i dnevnice	Roba i usluge	Komunalni troškovi	Kapitalne investicije	Subvencije i transferi	Ukupno
1,290,540.94€	378,570.00€	2,552.90€	215,296.00€	0.00€	1,886,960.00€

**ODOBRENI BUDŽET ZA 2020. GODINU, IZDVAJANJE I IZVRŠENJE ZA
PERIOD JANUAR-DECEMBAR**

Izdvajanje sredstava iz budžeta Kosova prema novčanom toku za period januar-decembar 2020. godine

U ukupnom budžetu, udeo izdvajanja u fiskalnoj 2020. godini, iznosio je 378.536,00€ ili izraženo u procentima 100 %.

	Odobreni budžet 2020 (A) €	Izdvajanje januar- decembar (B) €	Izvršenje januar-decembar (C) €	% (C/A) €	% (C/B) €
Plate i dnevnice	1,290,540.94	1,290,540.94	1,290,540.94	100	100
Roba i usluge	378,536.00	378,536.00	378,504.67	99.99	99.99
Komunalni troškovi	2,552.90	2,552.90	2,463.72	96.50	96.50
Subvencije i transferi	0,00	0,00	0.00	0.00	0.00
Kapitalne investicije	215,296.00	215,296.00	215,296.00	100	100
Donacije	0,00	0,00	0,00	0.00	0.00
Ukupno	1,886,925.84	1,886,925.84	1,886,805.33	99.99	99.99

Izvršenje budžeta za period januar – decembar 2020. godine

Izvršenje budžeta na osnovu izdvajanja za fiskalnu 2020. godinu iznosilo je 1.886.805,33 € ili izraženo u procentima 99,99%.

Izvršenje budžeta prikazano je u nastavku:

	Januar- septembar	Oktobar	Novembar	Decembar	Ukupno	%
Plate i dnevnice	969,812.53	105,590.28	107,671.23	107,466.90	1,290,540.94	100
Roba i usluge	320,837.74	15,093.09	27,512.09	15,093.08	378,536.00	100
Komunalni troškovi	2,499.95	-280.35	166.65	166.65	2,552.90	100
Subvencije i transferi	0.00	0,00	0.00	0.00	0.00	0.00
Kapitalne investicije	227,268.00	0.00	0.00	0.00	215,296.00	100
Donacije	0.00	0.00	0.00	0.00	0.00	0.00
Ukupno	1,520,418.22	108,431.02	135,349.97	122,726.63	1,886,925.84	100

	Izdvajanje januar – decembar (A) €	Izvršenje januar – decembar (B) €	Preostala sredstva (C) €	% (B/A) €
Plate i dnevnice	1,290,540.94	1,290,540.94	0.00	100
Roba i usluge	378,536.00	378,504.67	31.33	99.99
Komunalni troškovi	2,552.90	2,463.72	89.18	96.50
Subvencije i transferi	0.00	0.00	0.00	0.00
Kapitalne investicije	215,296.00	215,296.00	0.00	100
Donacije	0.00	0.00	0.00	0.00
Ukupno	1,886,925.84	1,886,805.33	120.51	99.99

Izvršenje budžeta za plate i dnevnice januar-decembar 2020. godine

Izvršenje plata i dnevnica po mesecima:

Mesec	Broj radnika	Budžet	Izvršenje	Preostala sredstva
Januar	67	108,752.97	108,752.97	0.00
Februar	67	107,467.00	107,467.00	0.00
Mart	67	107,479.66	107,479.66	0.00
April	66	107,925.65	107,925.65	0.00
Maj	66	107,413.77	107,413.77	0.00
Jun	66	109,931.39	109,931.39	0.00
Jul	66	107,413.77	107,413.77	0.00
Avgust	66	106,372.54	106,372.54	0.00
Septembar	66	107,055.78	107,055.78	0.00
Oktoabar	65	105,590.28	105,590.28	0.00
Novembar	65	107,671.23	107,671.23	0.00
Decembar	65	107,466.90	107,466.90	0.00
Ukupno		1,290,540.94	1,290,540.94	0.00

Izvršenje budžeta za robu i usluge januar-decembar 2020. godine

Izvršenje budžeta u kategoriji robe i usluge za 2020. godinu podeljeno po mesecima:

Mesec	Budžet	Izdvajanje	Izvršenje	Preostala sredstva
Januar	40,975.17	40,975.17	40,029.35	945.82
Februar	40,975.17	40,975.17	39,739.94	1,235.22
Mart	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
Maj	24,211.00	24,211.00	9,799.82	14,411.18
Jun	44,211.00	44,211.00	24,570.98	19,640.02
Jul	25,093.05	25,093.05	54,995.82	-29,902.74

Avgust	55,093.08	55,093.08	48,118.23	6,974.85
Septembar	25,093.08	25,093.08	6,747.76	18,345.32
Oktobar	15,093.09	15,093.09	42,063.87	-26,970.78
Novembar	27,512.09	27,512.09	15,901.24	11,610.85
Decembar	15,093.08	15,093.08	6,724.86	8,368.22
Ukupno	378,536.00	378,536.00	378,504.67	31.33

Izdvojeni budžet za kapitalne investicije prema kodovima projekata

Projekti	Kodovi projekata	Odobreni budžet €	Izvršenje €	Preostala sredstva €
Dogradnja postojećeg objekta Ustavnog suda Kosova	15556	215,296.00	215,296.00	0.00
Ukupno:		215,296.00	215,296.00	0.00

Izvršenje budžeta za komunalne troškove januar-decembar 2020. godine

Izvršenje budžeta u kategoriji komunalnih troškova za prvih devet meseci, podeljeno po mesecima:¹

Mesec	Budžet	Izdvajanje	Izvršenje	Preostala sredstva
Januar	333.34	333.34	205.77	127.56
Februar	333.33	333.33	201.04	132.29
Mart	333.33	333.33	201.03	132.30
April	333.33	333.33	216.86	116.47
Maj	333.33	333.33	197.83	135.50
Jun	333.34	333.34	199.04	134.30
Jul	166.65	166.65	202.45	-35.80
Avgust	166.65	166.65	202.03	-35.38
Septembar	166.65	166.65	201.01	-34.36
Oktobar	-280.35	-280.35	207.76	-488.11
Novembar	166.65	166.65	205.80	-39.15
Decembar	166.65	166.65	223.10	-56.45
Ukupno	2,552.90	2,552.90	2,463.72	89.18

¹ Ustavni sud Kosova je komunalne troškove načinio samo u kodu fiksne telefonije, a troškove električne energije i odnošenja otpada pokriva Ministarstvo javne uprave.

JEDINICA ZA NABAVKE (JN)

JEDINICA ZA NABAVKE (JN)

Zasnovano na planu nabavke za 2020. godinu, Jedinica za nabavke (JN) je pokrenula i sprovela ukupno 19 (devetnaest) aktivnosti nabavke, a potpisano je 22 ugovora (tri postupka podeljena u 2 lota).

Na osnovu Zakona o javnim nabavkama, aktivnosti nabavke smo klasifikovali prema tipu, vrednosti i proceduri i u nastavku teksta iz predstavljamo detaljnije:

- a. Postupak minimalne vrednosti (do 1.000 evra)**
- b. Postupak kotizacije cena (mala vrednost)**
- c. Otvoreni postupak (srednja vrednost)**
- d. Otvoreni postupak (velika vrednost)**

a) Postupak male vrednosti

Tokom 2020. godine, pokrenuto je i sprovedeno ukupno 9 (devet) aktivnosti i potpisano 9 (devet) ugovora.

1. Ugradnja rolo i venecijaner zavesa u novim kancelarijama u dograđenom objektu USK-a;
2. Usluge stručnog nadzora i konsultacije;
3. Nabavka sitne IT opreme;
4. Usluge kasko osiguranja u EU, TPL i TPL+ za tri službena vozila;
5. Nabavka i popravka pelerina (mantila) sudija USK-a;
6. Nabavka i ugradnja bezbednosnih kamera;
7. Servisiranje i održavanje lifta u objektu USK-a;
8. Idejni projekat za renoviranje sudnice;
9. Nabavka pregrada za sednice i pozajmljivanje rasvete.

b) Postupak kotizacije cena (mala vrednost)

Tokom 2020. godine, pokrenute su i sprovedene ukupno 3 (tri) aktivnosti i potpisana 3 (tri) ugovora.

1. Nabavka tonera;
2. Nabavka i ugradnja požarnih detektora;
3. Uzimanje na korišćenje senzorskih uređaja za prskanje ruku dezinfekcionim sredstvom, tunela za dezinfekciju i usluge generalne dezinfekcije objekta.

c) Otvoreni postupak (srednja vrednost)

Tokom 2020. godine, pokrenuto je i sprovedeno ukupno 6 (šest) aktivnosti od kojih su dve podeljene u dva lota i potpisano 8 (osam) ugovora, koje predstavljamo u nastavku:

1. Dodatni radovi na projektu Dogradnja postojećeg objekta USK-a;
2. Dizajn interijera i snabdevanje inventarom u kancelariji predsednice;
3. Nabavka laptopa PC, UPS i LED TV;
4. Servisiranje i održavanje serverskog sistema - LOT 1 i Servisiranje i održavanje IT opreme - Lot 2;

5. Servisiranje i održavanje motornog vozila Mercedes C - Lot 1 i Servisiranje i održavanje motornog vozila Peugeot 308 - Lot 2 ;
6. Usluge održavanja i čišćenja prostora i objekata USK-a.

d) Otvoreni postupak (velika vrednost)

Tokom 2020. godine, pokrenuta je i sprovedena ukupno 1 (jedna) aktivnost podeljena u dva lota i potpisana 2 (dva) ugovora, koje predstavljamo u nastavku:

1. Usluge pismenog i usmenog prevođenja, sa albanskog na engleski jezik, na srpski jezik i na druge jezike po potrebi i obratno, za potrebe USK-a, Lot I i II.

Tabelarni prikaz svih plaćanja izvršenih tokom 2020. godine, kao i nabavki, usluga i radova za potpisane ugovore.

Plaćanja za nabavke, usluge i radove za ugovore potpisane tokom 2020. godine	Ukupan iznos plaćanja tokom 2020. godine
Iznos ugovora, uključujući i sve takse itd.	62,363.30€
Plaćeni iznos za ugovore	84,491.62€
Ukupan iznos	146,854.92€

**JEDINICA ZA INFORMACIONE TEHNOLOGIJE,
KOMUNIKACIJU I MULTIMEDIJE (JIKTM)**

JEDINICA ZA INFORMACIONE TEHNOLOGIJE, KOMUNIKACIJU I MULTIMEDIJE (JITKM)

Jedinica za informacione tehnologije, komunikaciju i multimedije (JITKM) odgovorna je za pružanje usluga i profesionalno staranje o celokupnoj infrastrukturi informacione tehnologije u Ustavnom sudu.

Tokom 2020. godine, Jedinica za ITK i multimedije je realizovala projekte i zadatke u skladu sa svojim planom i odgovornostima uspostavljanjem održivog i profesionalnog sistema sa naprednom tehnološkom opremom, u skladu sa planom rada i strateškim planom Ustavnog suda.

Realizovani projekti

- Na osnovu situacije koja je tokom 2020. godine stvorena u zemlji usled pandemije izazvane virusom COVID-19, Sud je doneo odluku da se održavanje redovnih sednica nastavi putem online platformi. Jedinica za ITK se angažovala da pruži podršku drugim tehnološkim platformama kako bi se omogućilo izvršavanje zadataka i odgovornosti osoblja Suda. Pribavljena je licenca za platformu Zoom za održavanje online sednica, a upravljanje i konfigurisanje online sednica se vršilo prema rasporedu koji je utvrdio kabinet, tokom 2020. godine je održano ukupno 69 online sednica;
- Realizacija projekta Virtual Private Network (VPN) kako bi se olakšao rad osoblju Suda koje radi na internim sistemima od kuće. Projekat je finansirao Savet Evrope u saradnji sa kompanijom angažovanom za snabdevanje i konfiguraciju opreme;
- Priprema i konfiguracija opreme u sudnici radi održavanja online sednice za javnu raspravu u slučaju KO95/20 – održanu 02.12.2020. godine;
- Dovršetak i instaliranje poslednje verzije CDMS-a sa najnovijim izmenama na zahtev korisnika, održana je obuka za sve sudije o korišćenju najnovijih izmena;
- Konfiguracija i instaliranje antivirusne (Sophos) konzole na serverima Suda i primena novih ažuriranja Microsofta za sve računare;
- Tokom 2020. godine je pokrenuto ukupno 7 postupaka nabavke radi kupovine različite IT opreme, softvera i dodatnih delova prema planu predviđenom za ovu godinu;

Preduzete aktivnosti

- Upravljanje i organizacija tehničkih i operativnih zadataka u okviru Jedinice za ITK, kroz pružanje neophodne podrške radi što bolje funkcionalizacije informaciono-tehnološke opreme i sistema u Sudu;
- Kontrola i održavanje sistema domena Suda i kreiranje sigurnosnih politika na serverima Suda;
- Nadgledanje i kontrola mrežne sigurnosti u Sudu i ažuriranje novih verzija (update) za sve uređaje uz odobrenje i ugradnju od strane administratora sistema;
- Napredak u izgradnji operativnih sistema u Windows 10 i drugim aplikativnim softverima;
- Montaža, ugradnja i konfiguracija novih računara i registracija u domenu USK-a, prenos podataka;
- Realizovana je nabavka kablova, kanalice i druge prateće opreme za povezivanje i instaliranje računara u kancelarijama izgrađenim u dograđenom objektu;
- Staranje i nesmetano funkcionisanje opreme za ozvučenje i sistema za prevođenje u sudnici tokom održavanja sednica;
- Tokom 2020. godine je objavljeno 190 odluka na sajtu na tri službena jezika i njihova kategorizacija na osnovu liste za filtriranje;
- Objavljivanje video snimaka na sajtu, 10. godišnjica Ustavnog suda;
- Staranje i pružanje usluga radi nesmetanog funkcionisanja sistema i opreme informacione i komunikacione tehnologije;
- Staranje o kreiranju kopija (back-up) baze podataka.

JEDINICA ZA UNUTRAŠNJU REVIZIJU (JUR)

JEDINICA ZA UNUTRAŠNJU REVIZIJU (JUR)

Na osnovu godišnjeg plana za 2020. godinu, Jedinica za unutrašnju reviziju (JUR) je pravovremeno završila sve planirane revizije, i to:

- Nadgledanje sprovođenja preporuka tokom 2019. godine,
- Upravljanje osobljem,
- Upravljanje troškovima u USK-u,
- Upravljanje arhivom,
- Upravljanje nabavkom.

Takođe, izradila je i u određenom roku dostavila:

- Strateški plan za UR za period 2021-2023, i
- Godišnji plan za UR za 2021. godinu.

Sve unutrašnje revizije su sprovedene u skladu sa važećim zakonodavstvom i u svrhu postizanja ciljeva institucije i JUR-a u vezi sa unutrašnjom kontrolom i poboljšanjem efikasnosti u radu, uz izbegavanje eventualnih grešaka, povećanje vrednosti i prijavljivanje nepravilnosti i grešaka kako bi se povećala kontrola i pružila sigurnost rukovodstvu o efikasnom funkcionisanju u relevantnim departmanima.

Kontinuirano su se sprovodile posete radi praćenja efikasnosti sistema upravljanja i funkcionisanja unutrašnje kontrole, kao i sprovođenja preporuka od unutrašnjeg revizora i generalnog revizora.

Rukovodstvo je ocenilo rad revizora i što je pre bilo moguće pobrinulo se o sprovođenju preporuka koje su dali kako unutrašnji revizor, tako i generalni revizor, što je uticalo na povećanje kvaliteta aktivnosti u učinka institucije.

Iako smo imali vanrednu situaciju (pandemija), JUR je ostvario plan za 2020. godinu i realizovao praćenje sprovođenja preporuka.

1. Komitet za unutrašnju reviziju

Komitet za unutrašnju reviziju (KUR) - kao nezavisni savetodavni organ u Ustavnom sudu Republike Kosovo, funkcioniše na osnovu:

- Administrativnog uputstva o osnivanju i funkcionisanju Komiteta za reviziju u subjektima javnog sektora,
- Statuta KUR-a,
- Dobrih praksi, i
- Međunarodnih standarda za reviziju.

Komitet za unutrašnju reviziju je tokom 2020. godine održao 4 sastanka i osigurao nadzor nad planovima, izveštajima i sprovođenjem preporuka koje su dali revizori.

2. Spoljna revizija

Dana 17. juna 2020. godine, primljen je Izveštaj o reviziji godišnjih finansijskih izveštaja Ustavnog suda Republike Kosovo u ime Nacionalne kancelarije za reviziju.

Izveštaj predstavlja neizmenjeno mišljenje generalnog revizora u kojem se navodi da su godišnji finansijski izveštaji za godinu koja se završila 31. decembra 2019. godine predstavljaju tačan i istinit prikaz u svim materijalnim aspektima, u skladu sa Međunarodnim računovodstvenim standardima za javni sektor.

Tokom 2019. godine, USK je utrošio skoro 100% konačnog budžeta i na osnovu svih testiranih uzoraka nisu pronađeni nikakvi nalazi i nije data nijedna preporuka rukovodstvu Ustavnog suda.

KANCELARIJA ZA KOMUNIKACIJU I INFORMISANJE
(KKI)

KANCELARIJA ZA KOMUNIKACIJU I INFORMISANJE (KKI)

Kancelarija za komunikaciju i informisanje (KKI) u oblasti svojih odgovornosti ima: informisanje i komunikaciju sa medijima/javnošću, praćenje medija, objavljivanje obaveštenja na sajtu Suda o posetama/aktivnostima i sednicama/odlukama, objavljivanje Informativnog biltena Suda, objavljivanje Knjige Suda i drugih informativnih letaka/brošura, komunikaciju sa strankama/građanima, protokol, zahteve za pristup službenim dokumentima Suda i zaštitu ličnih podataka, kao i saradnju sa Venecijanskom komisijom.

Tokom 2020. godine, u Kancelariji za komunikaciju i informisanje sprovedene su sledeće aktivnosti:

I. Praćenje medija:

- Sastavljeno je 109 dnevnih izveštaja o medijima;
- Sastavljeno je 47 nedeljnih izveštaja o medijima;
- Objavljen je Godišnji izveštaj o medijima za 2019. godinu;
- Obavljeno je fizičko i elektronsko arhiviranje izveštaja štampanih medija (139 članaka) i elektronskih medija (1 258 članaka) koji su se odnosili na rad Suda.

II. Komunikacija sa medijima/javnošću:

- Poslati su odgovori na 372 pitanja koja su postavili štampani i elektronski mediji, kao i na 288 pitanja/zahteva koja su postavili građani i institucije;
- Objavljeno je 11 obaveštenja u vezi sa posetama i aktivnostima Suda;
- Objavljeno je 12 obaveštenja sa statističkim informacijama o sednicama i odlukama Suda;
- Objavljeno je 36 obaveštenja sa rezimiranim informacijama o odlukama Suda nakon sednica za razmatranje.

III. Objavljivanje letaka/brošura i drugog informativnog materijala:

- Objavljen je 9. i 10. broj Informativnog biltena Suda;
- Objavljena je na sajtu Suda video animacija realizovana uz podršku Kancelarije Saveta Evrope u Prištini: "*Ustavni sud i podnošenje zahteva*";
- Uz podršku Kancelarije Saveta Evrope u Prištini, u maju mesecu je u domaćim medijima i na društvenim mrežama organizovana tromesečna promotivna kampanja video animacije: "*Ustavni sud i podnošenje zahteva*".

IV. Protokolarne aktivnosti:

- Realizovani su protokolarni zadaci u vezi sa 3 službene posete Sudu, 2 službene posete inostranstvu, 2 radionice/konferencije organizovane u zemlji, 1 radionica/konferencija

organizovana u inostranstvu, 15 radionica/konferencija održanih putem video-konferencije i 2 javne rasprave;

- Pripremljeno je 15 čestitki i 2 zahvalnice za domaće i međunarodne institucionalne lidere.

V. Zahtevi za pristup službenim dokumentima:

- Tokom 2020. godine, primljeno je ukupno 19 zahteva za pristup službenim dokumentima Suda. Svi zahtevi su usvojeni od strane Suda;
- Pripremljena su 4 tromesečna izveštaja o zahtevima za pristup službenim dokumentima Suda;
- Pripremljen je Godišnji izveštaj o zahtevima za pristup službenim dokumentima Suda za 2019. godinu.

VI. Komunikacija sa strankama/građanima:

Tokom 2020. godine, na recepciji Suda je registrovano i procesirano:

- 308 građana
- 29 predstavnika institucija.

VII. Saradnja sa Venecijanskom komisijom:

- Poslati su odgovori Suda na 57 pitanja koja su preko Foruma Venecijanske komisije postavili 9 ustavnih i vrhovnih sudova država članica (*sa ukupno 15 zahteva*);
- Podneta su 3 tromesečna izveštaja, zajedno sa najvažnijim odlukama Suda u ovom periodu radi objavljivanja u biltenima Venecijanske komisije;
- Sud je podneo 3 zahteva sa pitanjima Forumu ustavnih i vrhovnih sudova država članica Venecijanske komisije.

AKTIVNOSTI USTAVNOG SUDA

AKTIVNOSTI USTAVNOG SUDA

I. Službena putovanja

18 - 20. februar 2020. godine

Na poziv američke organizacije “Federalist Society for Law and Public Policy Studies” i kao deo delegacije Evropske mreže sudija, predsednica Ustavnog suda Republike Kosovo, gđa Arta Rama-Hajrizi i sudija Ustavnog suda, gđa Gresa Caka-Nimani, boravile su u višednevnoj radnoj poseti Sjedinjenim Američkim Državama.

19 - 21. februar 2020. godine

Na poziv Ustavnog suda Republike Albanije, delegacija Ustavnog suda Republike Kosovo sastavljena od glavne ustavno-pravne savetnice i direktora Kancelarije za komunikaciju i informisanje, učestvovala je u radionici za izradu Strateškog plana Ustavnog suda Albanije (2020-2023) u Korči.

II. Zvanične posete Ustavnom sudu/ostale aktivnosti

3. februar 2020. godine

U okviru projekta koji je podržala Kancelarija Saveta Evrope “*Poboljšanje zaštite evropskih standarda za ljudska prava od strane Ustavnog suda*”, jedan ustavno-pravni savetnik Ustavnog suda boravio je u dvomesečnoj studijskoj poseti u Evropskom sudu za ljudska prava (ESLJP) u Strazburu.

2. mart 2020. godine

Predsednica Ustavnog suda Republike Kosovo, gđa Arta Rama-Hajrizi, primila je bivšeg sudiju Evropskog suda za ljudska prava (ESLJP) iz Albanije, g. Ledi Bianku, koji je boravio u jednonedeljnoj radnoj poseti Sudu uz podršku Kancelarije Saveta Evrope u Prištini.

9 - 10. mart 2020. godine

U Prištini je održana jedna od radionica u nizu u vezi sa Akcionim planom za sprovođenje Strateškog plana Ustavnog suda (2018 – 2020).

16 - 17. april 2020. godine

U okviru projekta koji je podržala Kancelarija Saveta Evrope u Prištini “*Poboljšanje zaštite evropskih standarda za ljudska prava od strane Ustavnog suda*” i uz podršku međunarodnih eksperata za ljudska prava, održana je radionica organizovana putem video-konferencije na temu: “*Član 15. Evropske konvencije o ljudskim pravima: Odstupanje u vanrednim okolnostima*”.

11 - 12. jun 2020. godine

U okviru projekta koji je podržala Kancelarija Saveta Evrope u Prištini “*Poboljšanje zaštite evropskih standarda za ljudska prava od strane Ustavnog suda*” i uz podršku međunarodnih eksperata za ljudska prava, održana je radionica održana putem video-konferencije na temu: “*Pravo na nepristrasno suđenje*”.

22. jul 2020. godine

U saradnji sa organizacijom “Inicijativa mladih za ljudska prava – Kosovo” (YIHR KS), u okviru projekta “Youth for Justice”, ustavno-pravni savetnici Ustavnog suda održali su predavanje i razgovor sa studentima treće edicije Alternativne škole za ljudska prava na Kosovu, u vezi sa ulogom i funkcijom Ustavnog suda u odnosu na druge institucije u okviru pravosudnog sistema u zemlji.

20 - 24. septembar 2020. godine

Troje sudija Ustavnog suda Republike Kosovo i predsedavajući radnih grupa za Strateški plan Ustavnog suda (2018 – 2020) održali su konsultativne sastanke putem video-konferencije sa ekspertima angažovanim od strane Kancelarije Saveta Evrope u Prištini u vezi sa izradom novog Strateškog plana Ustavnog suda (2021 – 2023).

1 - 2. oktobar 2020. godine

Sudije Ustavnog suda Republike Kosovo i predsedavajući radnih grupa za Strateški plan Ustavnog suda (2018 – 2020) održale su konsultativne sastanke putem video-konferencije sa ekspertima angažovanim od strane Kancelarije Saveta Evrope u Prištini u vezi sa izradom strateških ciljeva i zadataka novog Strateškog plana Ustavnog suda (2021 – 2023).

8. oktobar 2020. godine

U Sudu je održana još jedna u nizu radionica o sprovođenju Strateškog plana Ustavnog suda (2018-2020) za treći kvartal 2020. godine i planiranju aktivnosti za četvrti kvartal.

16 - 17. oktobar 2020. godine

Sudije Ustavnog suda Republike Kosovo učestvovala su na Sedmom regionalnom forumu o vladavini prava za Jugoistočnu Evropu, na temu: “*COVID-19 i prava zaštićena Evropskom konvencijom o ljudskim pravima*”, koji su putem video-konferencije organizovali “AIRE centar” i organizacija “Civil Rights Defenders”, uz podršku Ministarstva spoljnih poslova Ujedinjenog Kraljevstva, Vlade Švedske i Nemačke fondacije “Konrad Adenauer”.

29. oktobar 2020. godine

Sudije i ustavno-pravni savetnici Ustavnog suda Republike Kosovo učestvovali su na Međunarodnoj konferenciji na temu: “*Pravo na pravično suđenje i Covid-19 - Naučene lekcije i najbolje prakse za budućnost*”, koju je putem video-konferencije održala Kancelarija Saveta Evrope u Prištini povodom 70. godišnjice usvajanja Evropske konvencije o ljudskim pravima.

3. novembar 2020. godine

Sudije Ustavnog suda Republike Kosovo i predsedavajući radnih grupa za Strateški plan Ustavnog suda (2018 – 2020) održale su konsultativne sastanke putem video-konferencije sa ekspertima angažovanim od strane Kancelarije Saveta Evrope u Prištini u vezi sa izradom strateških ciljeva i zadataka novog Strateškog plana Ustavnog suda (2021 – 2023).

12 - 13. novembar 2020. godine

Sudije i ustavno-pravni savetnici Ustavnog suda Republike Kosovo održali su sastanak organizovan putem video-konferencije sa bivšim pravnim savetnikom Evropskog suda za ljudska prava, g. Lawrence Early.

7. decembar 2020. godine

Predsednica Ustavnog suda Republike Kosovo, gđa Arta Rama-Hajrizi, primila je novog ambasadora Švajcarske Konfederacije na Kosovu, g. Thomasa Kollyja.

18. decembar 2020. godine

Sudije Ustavnog suda Republike Kosovo i predsedavajući radnih grupa za Strateški plan Ustavnog suda (2018 – 2020) održale su konsultativne sastanke putem video-konferencije sa ekspertima angažovanim od strane Kancelarije Saveta Evrope u Prištini u vezi sa izradom strateških ciljeva i zadataka novog Strateškog plana Ustavnog suda (2021 – 2023).

24. decembar 2020. godine

Predsednica Ustavnog suda, gđa Arta Rama-Hajrizi, primila je novu ambasadorku Severne Makedonije na Kosovu, gđu Shpresu Jusufi.

DODATAK I

DODATAK I

Pregled računa Ustavnog suda za 2020. godinu Izveštaj o gotovinskim primanjima i isplatama

Napomene	2020			2019			2018		
	Jedinstveni račun trezora		Uplate od spoljnih trećih strana	Jedinstveni račun trezora		Uplate od spoljnih trećih strana	Jedinstveni račun trezora		Uplate od spoljnih trećih strana
	KBK	SP		KBK	SP		KBK	SP	
	€	€	€	€	€	€	€	€	€
Primanja									
Izdavanja iz Opšteg fonda	1,886,805.3			1,957,335.8			1,697,491.74		
Sopstveni prihodi	3			2					
Izdavanja iz Fonda za posebne namene									
Određeni donatorski grantovi									
Fond za pozajmice									
Ostala primanja									
Ukupna primanja	1,886,805.3	-	-	1,957,335.8	-	-	1,697,491.74	-	-
	3			2					
Isplate									
Poslovanje									
Plate i dnevnice	2	1,290,540.9		1,288,021.5			1,137,566.66		
		4		8					
Roba i usluge	3	378,504.67		420,473.40			512,153.66		
Komunalne usluge	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							
Transferi									
Transferi i subvencije	5								
Kapitalne investicije									
Imovina, zgrade i oprema	6								
Vraćanje pozajmice	7	215,296.00		246,188.56			44,194.79		
Ostale isplate	8								
Ukupne isplate	1,886,805.3	-	-	1,957,335.8	-	-	1,697,491.74	-	-
	3			2					

Izveštaj o izvršenju budžeta

Napomene		2020				2019	2018	
		Početni budžet (Izdvajanje)	Konačni budžet (Izdvajanje)	Realizacija	Razlika	Realizacija	Izvršenje	
		A	B	C	D=C-B	E	F	
		€	€	€	€	€	€	
	Priliv gotovine na račun trezora							
	Poreski prihodi	9						
	Neporeski prihodi	10						
	Namenski prihodi	11						
	Grantovi i pomoć	12						
	Pozajmice	13						
	Ostalo	14						
	Ukupna primanja prikupljena za KBK							
			-	-	-	-	-	
	Odliv gotovine sa računa trezora							
	Plate i dnevnice	2	1,172,237	1,290,541	1,290,541	0	1,288,022	1,137,867
	Roba i usluge	3	391,117	378,570	378,505	(65)	420,473	512,184
	Komunalne usluge	4	4,000	2,533	2,464	(69)	2,652	3,247
	Transferi i subvencije	5						
	Kapitalni rashodi	6	268,000	215,296	215,296	0	246,189	44,195
	Fond za privatizaciju	7						
	Ostalo	8						
	Ukupne isplate izvršene iz KBK		1,835,354	1,886,960	1,886,805	(155)	1,957,336	1,697,491

Izdvajanja iz opšteg fonda za 2020. godinu

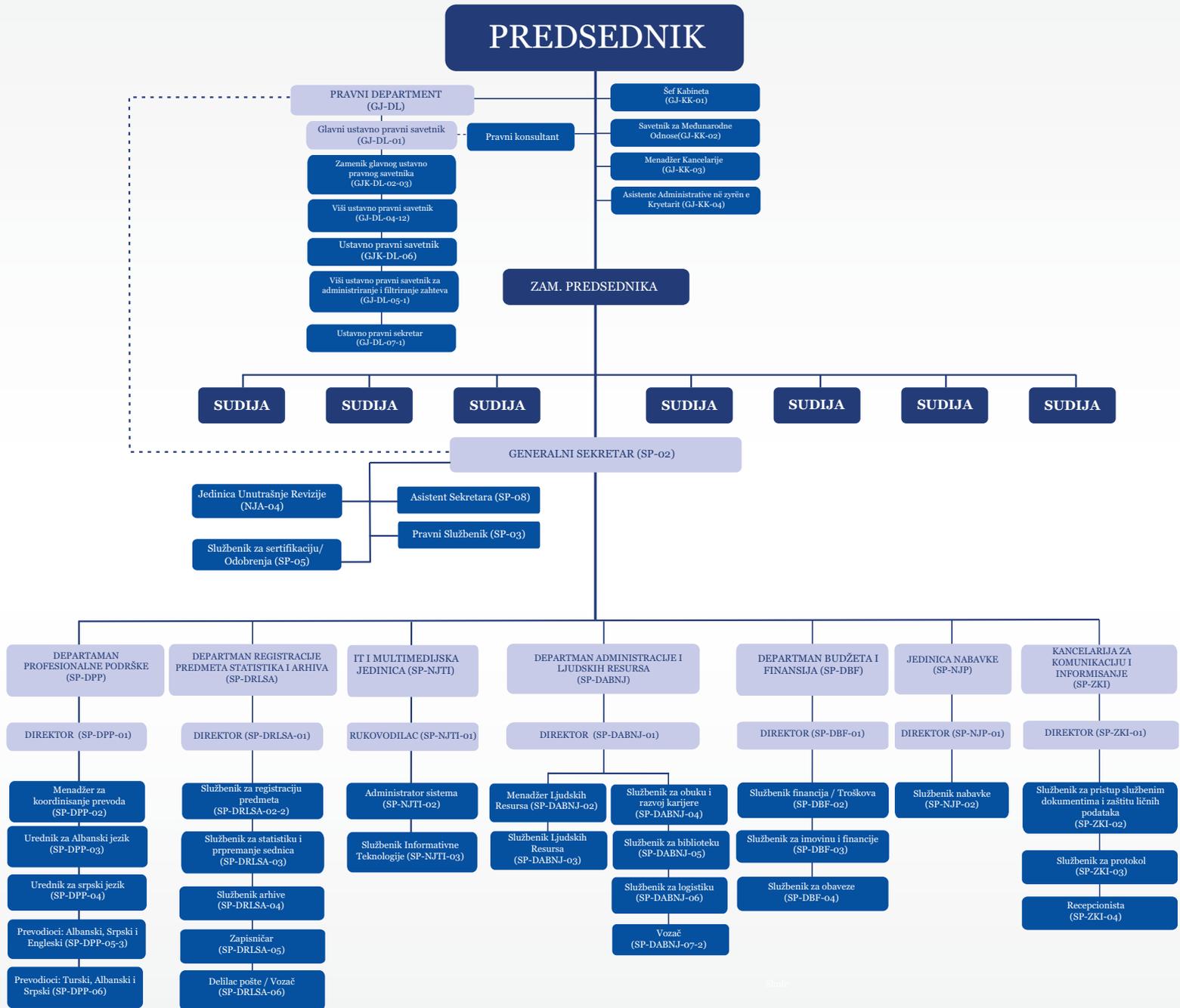
Ekonomska klasifikacija	2020			2019	2018
	KBK	SP	Ukupno		
	€	€	€	€	€
Plate i dnevnice	1,290,541		1,290,541	1,288,022	1,137,867
Roba i usluge	378,505		378,505	420,473	512,184
Komunalne usluge	2,464		2,464	2,652	3,246
Subvencije i transferi					
Kapitalni rashodi	215,296		215,296	246,189	44,195
	1,886,805	-	1,886,805	1,957,336	1,697,491

ORGANOGRAM USTAVNOG SUDA



REPUBLIKA E KOSOVËS - РЕПУБЛИКА КОСОВО - REPUBLIC OF KOSOVO

GJYKATA KUSHTETUESE УСТАВНИ СУД CONSTITUTIONAL COURT



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.

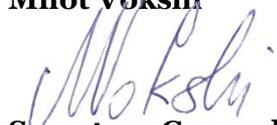
The accomplishment of the identified objectives is a result of the team work of the Secretariat personnel, therefore, just like in the past years, I take this opportunity to express my gratitude to all the staff of the Secretariat for the given contribution and for the results achieved in the implementation 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 Gërzhaliu-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:

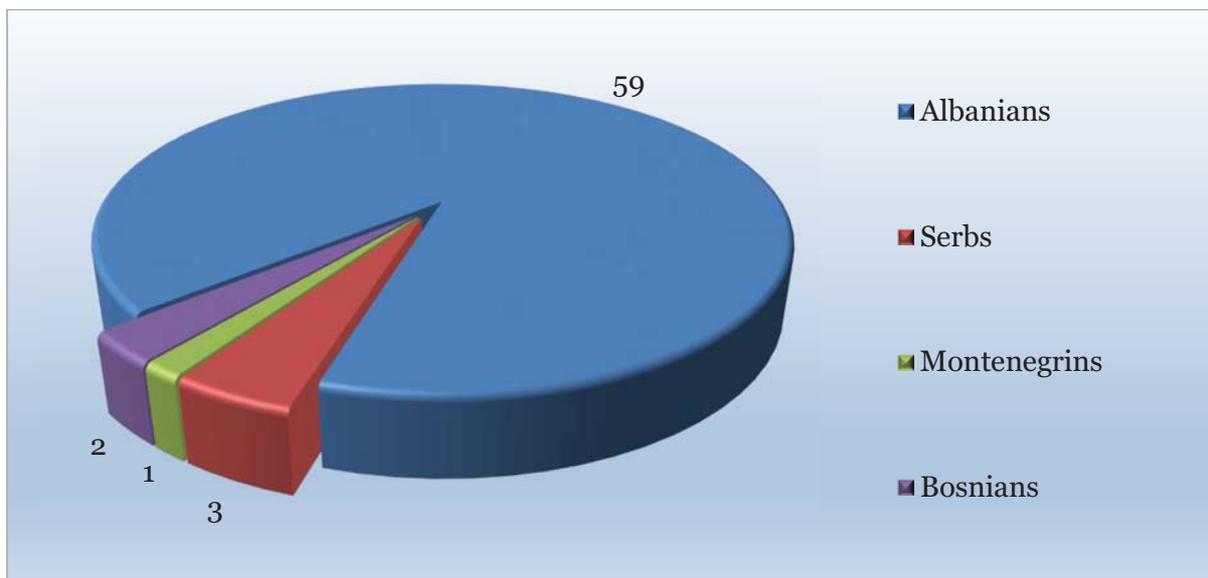
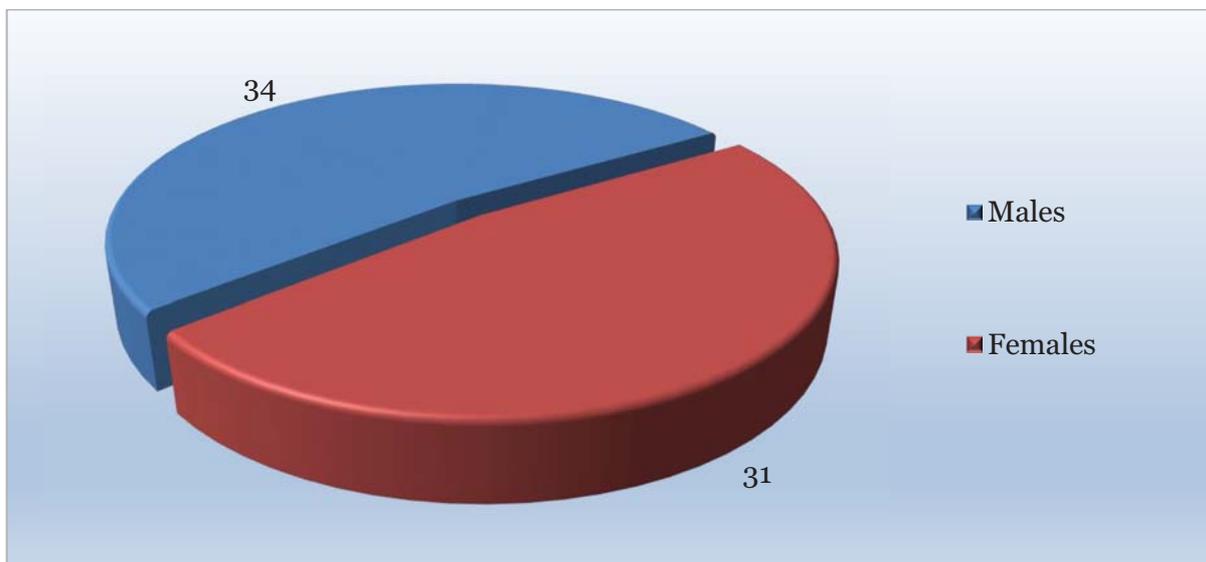


Figure no. 2: Number of employees by gender:



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:

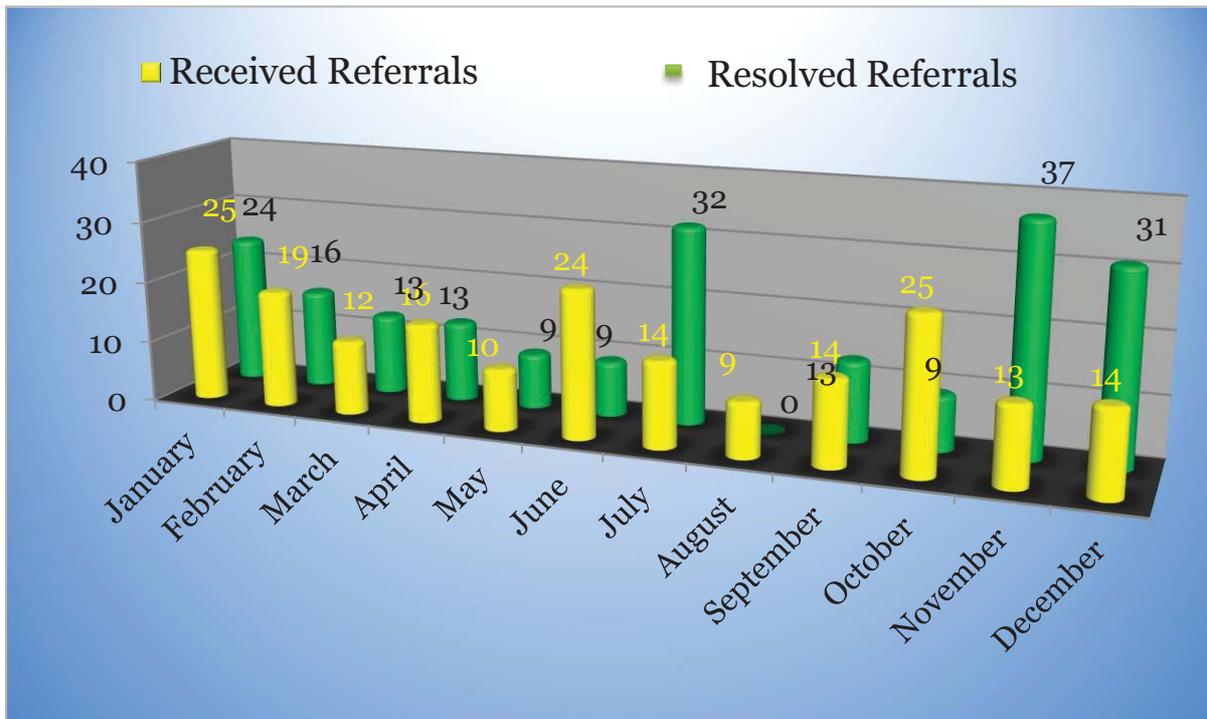
- 18 referrals carried over from 2018, of which 17 are resolved while 1 is in the process;
- 179 referrals carried over from 2019, of which 126 are resolved while 53 are in the process;
- 195 referrals were received in 2020, of which 63 were resolved and 132 referrals are in the process.

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.

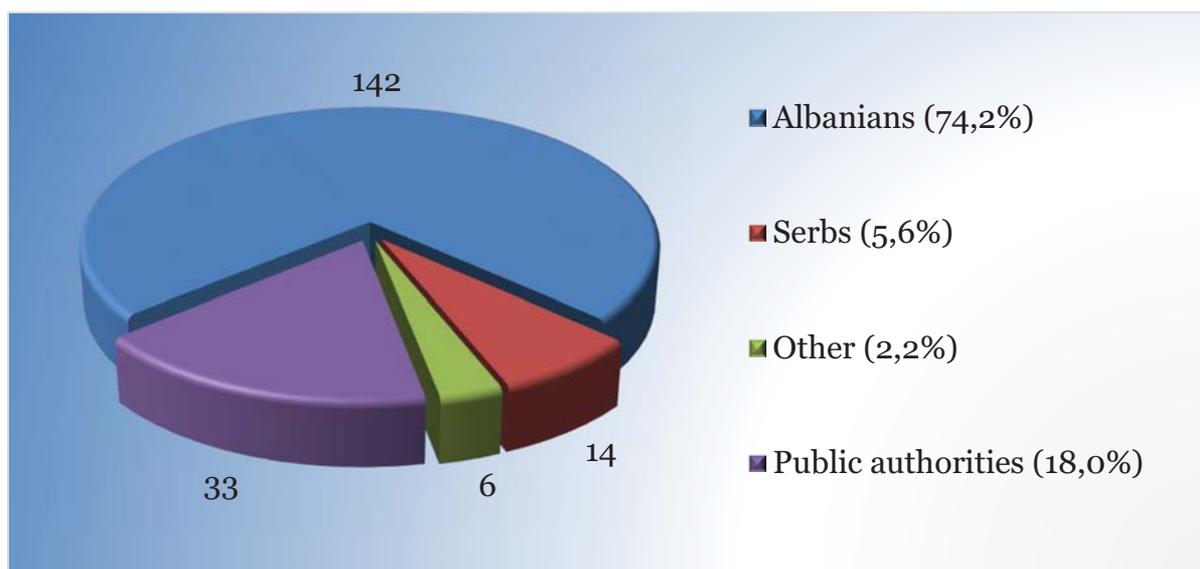
Access to the Court and public trust in the work of the Court

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%.

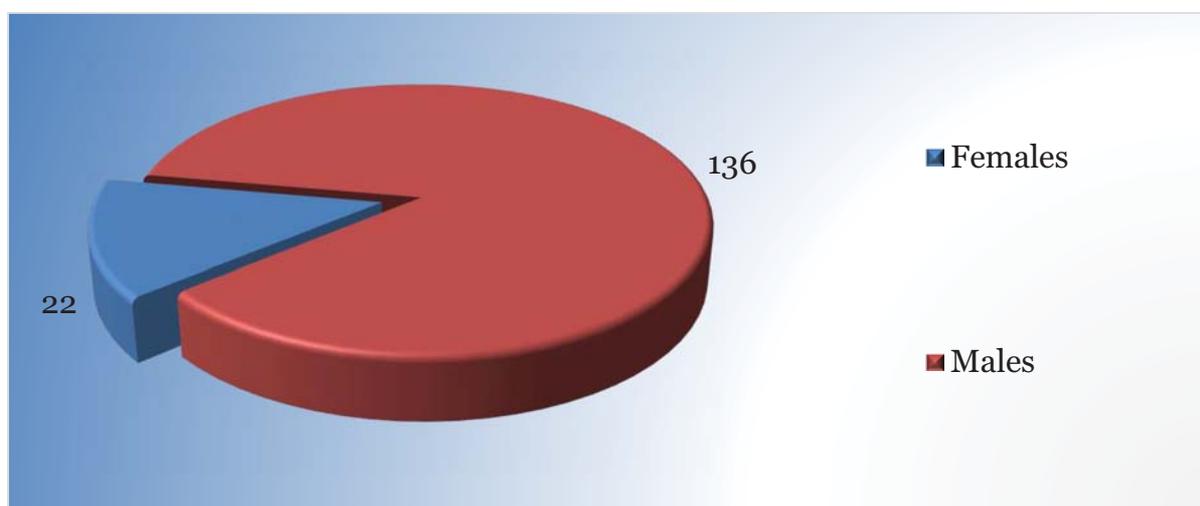
Graph no. 2 Ethnic structure of the Applicants (01 January - 31 December 2020)



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%;

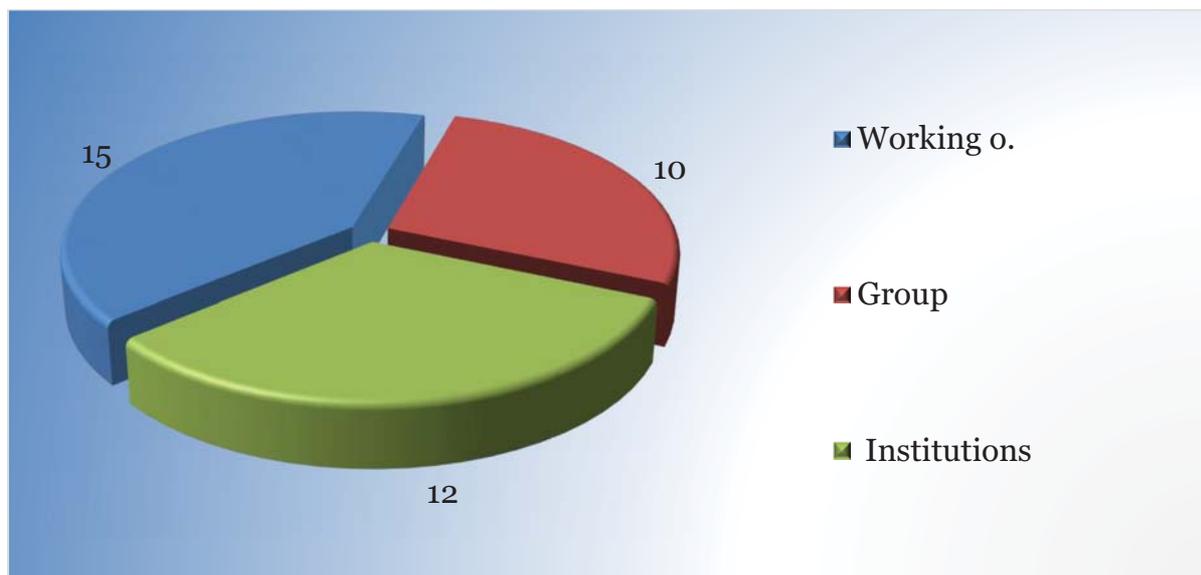
Graph no. 3 Gender structure of the Applicants (01 January – 31 December 2020)



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

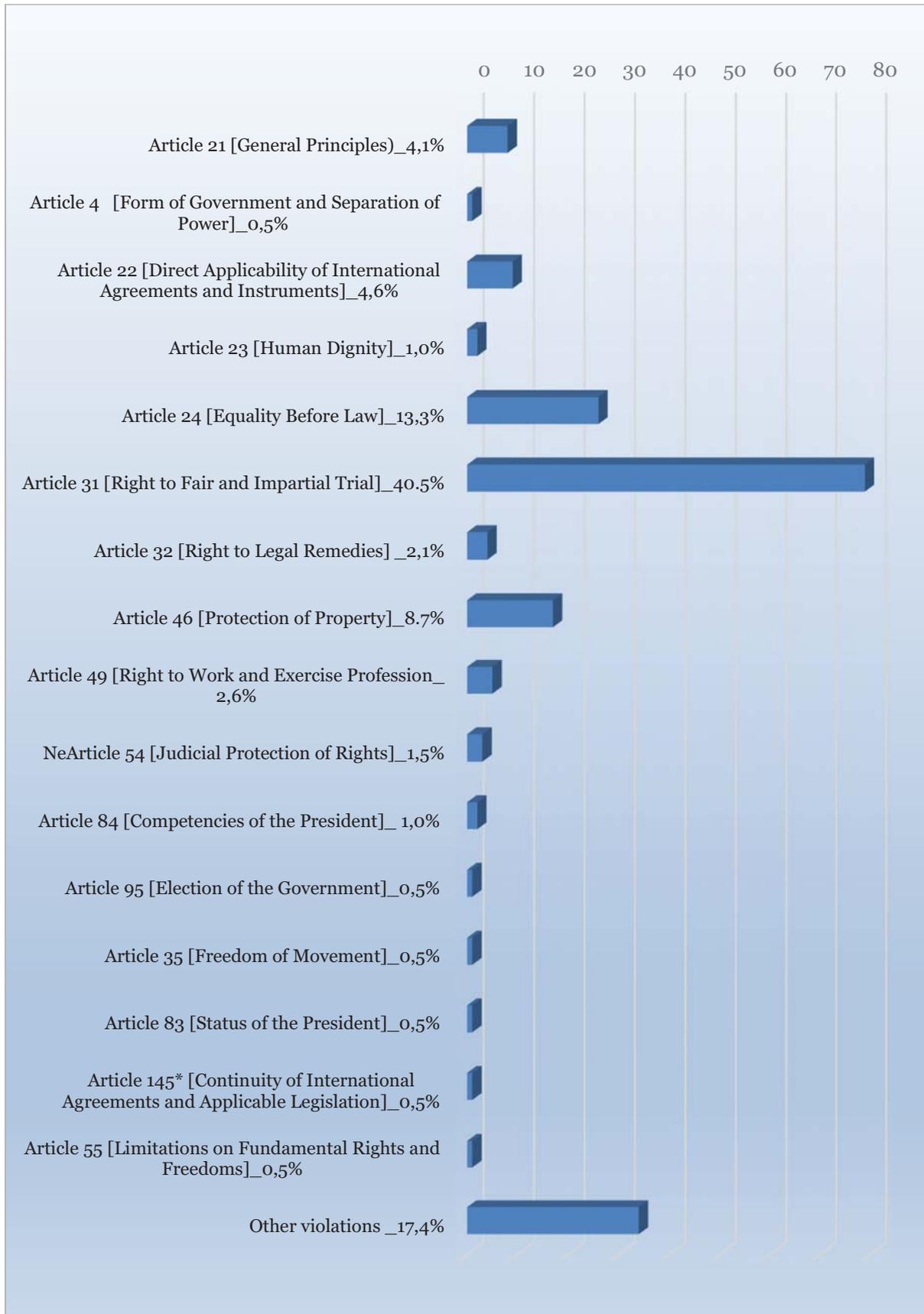


Alleged violations by type

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 %.

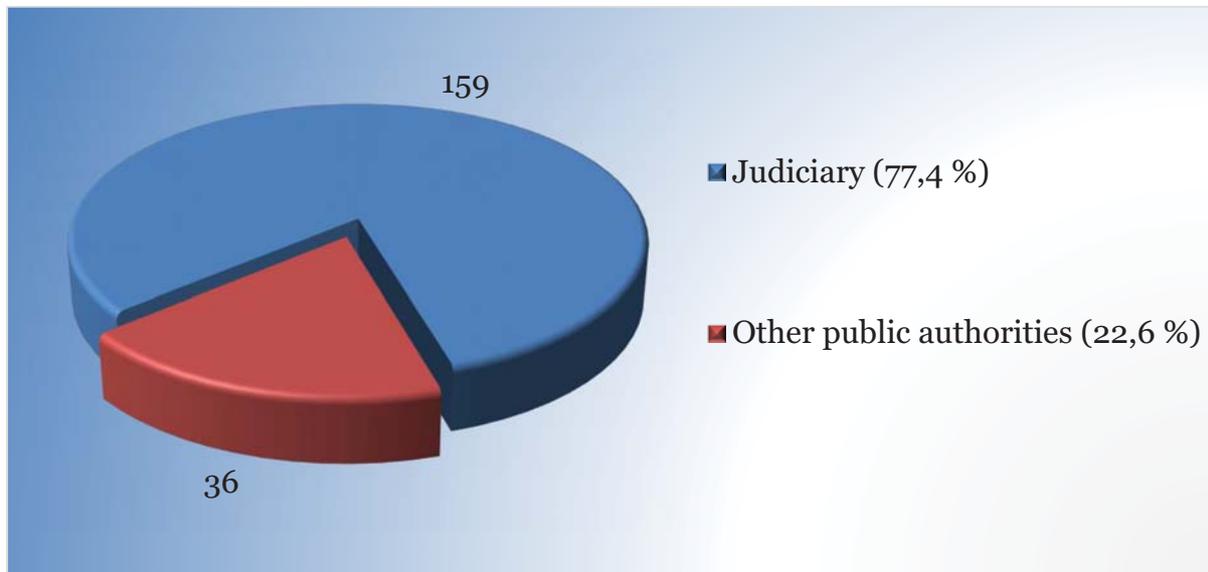
Graph no. 5 Typology of alleged violations of articles of the Constitutional Court (1 January - 31 December 2020)



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

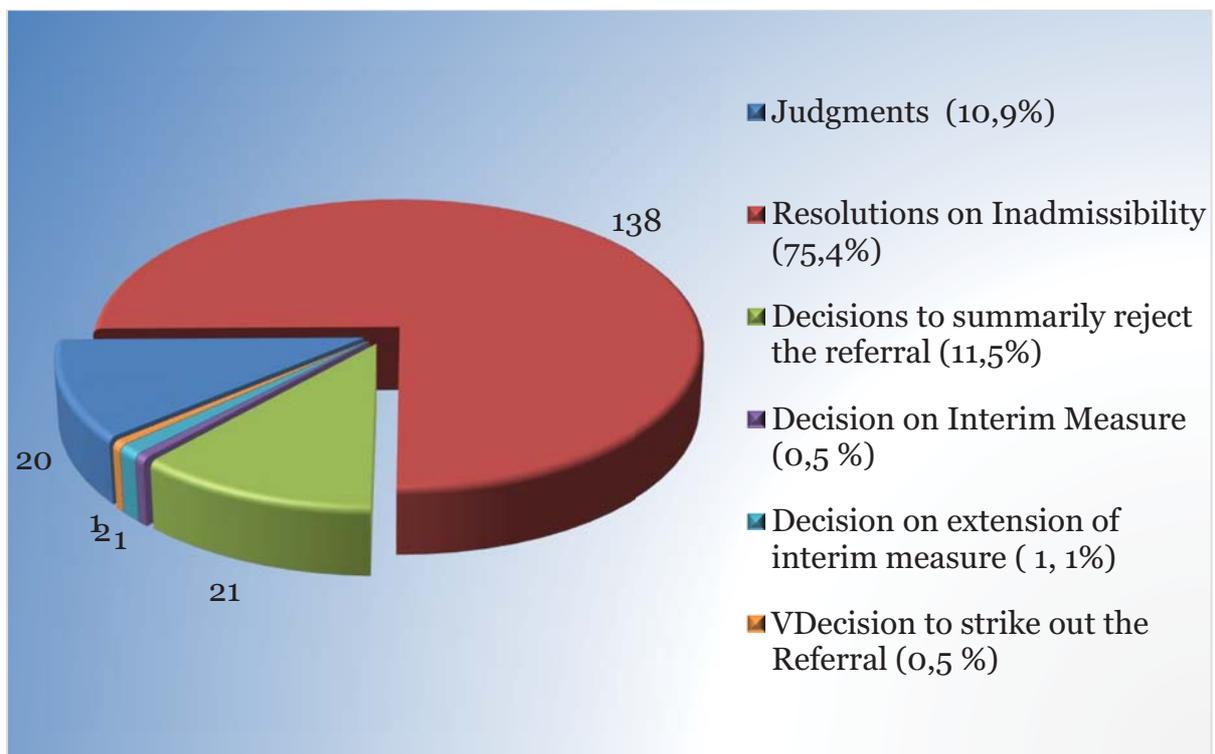
In 2020, the Constitutional Court held 42 plenary sessions, with 217 review panels and 2 public sessions.

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

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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	-	-
		3		2					

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

GJYKATA KUSHTETUESE
УСТАВНИ СУД
CONSTITUTIONAL COURT

