



REPUBLIKA E KOSOVËS - РЕПУБЛИКА КОСОВО - REPUBLIC OF KOSOVO

GJYKATA KUSHTETUESE

УСТАВНИ СУД

CONSTITUTIONAL COURT

# **ANNUAL REPORT**

**2021**

**Prishtinë, 2022**



# **ANNUAL REPORT 2021**



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## **FOREWORD BY THE PRESIDENT OF THE CONSTITUTIONAL COURT**

Although just a little over a decade has passed since its functionalization, the Constitutional Court of the Republic of Kosovo is a tremendously consolidated institution based on democratic values and principles of rule of law, with a rich jurisprudence, especially in the field of individual referrals, based also on the case law of the European Court of Human Rights, and consequently, an effective guardian of fundamental rights and freedoms for all citizens.

The annual report for 2021, reveals only the work of the Constitutional Court during the last year, the results of which, of course, stem from the achievements of previous years both in terms of the development of case law and in terms of institutional development. Of course, over the past year, the outbreak of the Covid-19 pandemic also hampered the functioning of state institutions. Nevertheless, the challenges that resulted from the pandemic, opened new horizons, namely the establishment of effective virtual communication mechanisms in order to maintain the institutional rhythms and not hinder the achievement of planned results. Therefore, despite the effects of the pandemic, the imposed restrictions and the necessity to adapt to the new working circumstances, as well as the composition of the Court being with only seven judges for the last half of the year, the Constitutional Court has successfully met the objectives and planned activities in the annual work plan and which are presented in detail in this annual report.

The annual report, following the consolidated practice of this Court, intends full transparency with the public regarding all its activities during the reporting year. This report summarizes all relevant information related to the work of the Court and each of its departments, including the necessary statistics regarding the received and resolved referrals, the typology of alleged constitutional violations before the Court, administrative activities, official visits and workshops held, as well as detailed information regarding public financial management.

Initially and in terms of cases, last year the Court received a total of 235 referrals, while 186 of them were carried over from previous years. Out of the total number of referrals received, 203 of them were submitted by individuals, while 32 referrals were submitted by public authorities. Meanwhile, 245 decisions were published on the Court's website, out of which 32 Judgments and 176 Resolutions on Inadmissibility. The constantly increasing number of referrals submitted compared to previous years and the complexity of the cases handled, are also an indicator of the growing trust of citizens in the work and decision-making of the Court.

In this regard, I would like to mention some of the most important cases decided during 2021 which: (i) relate to the functioning of institutions based on the principles of separation and balance of powers and the rule of law; and (ii) interpret the fundamental rights and freedoms established in the Constitution and applicable international instruments.

In the context of the former, namely the abstract control, in 2021 the Court has published a number of Judgments, including the constitutional review of two decisions of the Assembly regarding the election of the Government of the Republic of Kosovo. The first, namely the Judgment of the Court in case KO95/20, assessed the constitutionality of the Decision of the Assembly of 3 June 2020 on the election of the Government of the Republic, finding the unconstitutionality of the latter, because due to a final conviction for a criminal offense, the mandate of one of the deputies who had voted for the Government, whose vote was decisive for the election of the Government, was invalid and consequently, the Government could not be considered elected by a majority vote of all the deputies of the Assembly as established in Article 95 of the Constitution. As a result, and based on the latter, the President of the Republic announced early elections in the Republic of Kosovo. Whereas, the second, namely the Judgment of the Court in case KO61/21, assessed the constitutionality of the Decision of the

Assembly of 22 March 2021 for the election of the Government, finding this time the constitutionality of the latter, because despite the allegations of the respective applicants, the Court had clarified that in cases when the Government should have a third minister from non-majority communities because it has more than twelve ministers in its composition, in case the proposed candidate is from the ranks of deputies of the Assembly, his/her election does not necessarily require formal approval by the majority of the deputies but only consultation with the parties, coalitions or groups representing the non-majority community in concerned.

Moreover, during the past year, the Court also assessed the constitutionality of other decisions of the Assembly, which according to the allegations of the respective applicants, have violated the independence of independent constitutional institutions and/or have resulted in discrimination of the citizens of the Republic. The Court reviewed the allegations of violation of the independence of independent constitutional institutions in case KO127/21, where it found the unconstitutionality of the Assembly Decision on the collective dismissal of five members of the Independent Oversight Board, explaining that the members of this Board enjoy constitutional independence and cannot be dismissed in relation to their decision-making, and that in rendering a decision without elaborating on any fact based on applicable law, the Assembly had exceeded the limits of its competence to oversee the work of public institutions in violation of constitutional guarantees in relation to the independence of the Board in the exercise of its function. Whereas, the allegations of violation of the right to equality before the law, namely discrimination of the citizens of the Republic, were reviewed by the Court in the case KO93/21, in which it found the constitutionality of an act of the Assembly which had authorized the payment of electricity only for the citizens of the Republic in four municipalities of the Republic for a period of six months, within which it had also obliged the Government to address issues related to electricity billing in the four respective municipalities. The Court, despite the fact that it had found that in the circumstances of the present case, citizens living and not living in these four municipalities, were in analogous and/or relatively similar situations, and consequently, there was a difference in treatment between these two categories of citizens, this distinction, based on the case law of the European Court of Human Rights, did not result in discrimination because the difference in treatment: (i) was prescribed by law; (ii) had a legitimate aim, namely and inter alia, the preservation of the energy sovereignty of the Republic; and (iii) given its temporary nature, was also proportionate.

In the context of the second, namely individual control, during 2021 the Court has published a number of Judgments, by which it has further consolidated its case law regarding the right to a fair and impartial trial, with emphasis on: (i) the right to a reasoned court decision; (ii) the right to a hearing and the conditions under which such an absence results in a violation of constitutional rights; (iii) the right of access to court; (iv) equality of arms in civil and criminal proceedings; (v) the principle of legal certainty; and (vi) lack of consistency, namely divergence of case law. Furthermore, the Court has further developed its case law, inter alia, in terms of: (i) the right to privacy; and (ii) election rights. With regard to the right to privacy, the Court has further consolidated its case law based on that of the European Court of Human Rights, inter alia, in the consideration of a case related to the rights of the biological mother in relation to the child given up for adoption and the respective adoptive family. Regarding the electoral rights, in two cases, the Court assessed the constitutionality of the two decisions of the Supreme Court, declaring both unconstitutional. While applying the guarantees set out in Article 3 of Protocol no. 1 to the European Convention on Human Rights, the Court, inter alia, clarified the procedure for receiving votes from abroad and the deadlines within which they can be considered valid based on applicable laws, further clarifying the limitations of the regular courts in declaring legal provisions unconstitutional and their constitutional right to address the Constitutional Court through incidental control in case of doubts about the unconstitutionality of a norm. While applying the same guarantees, in the other case, the Court, among other things, addressed the election rights and discrimination on the basis of



gender, clarifying the way of interpreting the 30% quota of women's representation in the Assembly of the Republic, consequently giving right to the respective applicants.

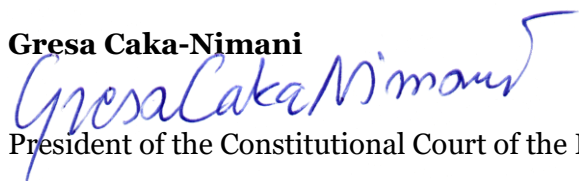
It should be noted that all decisions of the Court, including summaries and relevant notifications to the public, are published on the Court's website in both official languages of the Republic of Kosovo and in English. Also, all the most important Judgments and Resolutions are summarized and published in the Bulletin of case law of the Constitutional Court which is also accessible in the Court's website.

On the other hand, in addition to the work done in reviewing cases and rendering relevant decisions throughout the reporting year, the Court has undertaken and implemented a range of activities designed to further enhance the quality and efficiency of its internal functioning and strengthen mechanisms for advanced transparency and effective communication with the public. During this year, based on the discussion and identification of challenges and opportunities, the activities specified in the Strategic Plan for the five-year period (2021–2025), but also numerous comparative analyzes, the Court, inter alia: (i) has undergone and organized training and thematic discussions, also with the support of the Court partners but also in cooperation with sister courts, in various areas of concrete, preventive, abstract and incidental control; (ii) has further advanced the mechanisms ensuring the quality of research and analysis within the Legal Unit; (iii) has undertaken a number of structural changes in order to increase the efficiency of organizational functioning; (iv) amended/drafted internal regulations related to the effective management of cases, but also the quality of work of departments and public financial management; (v) has further advanced information technology systems; (vi) has advanced the mechanisms of communication with the public regarding its decision-making; and (vii) through various activities, including protocol visits, has further strengthened cooperation with sister courts, international courts and other relevant institutions.

Certainly the achievements of the Court over the past year are initially the result of the tireless work of its judges, but also of the Constitutional Legal Advisors, the Secretary General and all the staff of the Court, whose dedication has continuously contributed to the full implementation of the constitutional mandate of the Constitutional Court in accordance with the best international standards. Furthermore, thanks are dedicated to the Court's ongoing partners, including but not limited to the Council of Europe, the Norwegian Embassy, the French Embassy, the United States Agency for International Development and the German IRZ.

For the following year, the Court remains deeply committed to contribute to the further development of the rule of law through decision-making in cases presented before it, but also through activities that continuously further enhance quality, efficiency, accountability and transparency in the Republic of Kosovo, as the final authority in the Republic for the interpretation of the Constitution and the protection of fundamental rights and freedoms for all its citizens.

**Gresa Caka-Nimani**



President of the Constitutional Court of the Republic of Kosovo

## **ANNUAL REPORT OF THE CONSTITUTIONAL COURT FOR 2021**

The Constitutional Court of the Republic of Kosovo (hereinafter: the Court or the Constitutional Court) is the final authority in the Republic of Kosovo for the interpretation of the Constitution of the Republic of Kosovo (hereinafter: the Constitution) and of the compliance of laws with the Constitution, as well as, based on the Constitution, is fully independent in exercising its responsibilities.

In 2021, the Constitutional Court received 235 new referrals, out of which the Court decided on 206 referrals. Whereas, including cases which have been transferred from previous years and decided in 2021, the Court published on its website and served to the parties 245 decisions.

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

In accordance with paragraph 2 of Article 115 [Organization of the Constitutional Court] of the Constitution and in accordance with paragraph 3 (i) of Rule 16 (Administrative Sessions) of the Rules of Procedure of the Constitutional Court of Kosovo no. 01/2018 (hereinafter: the Rules of Procedure of the Court), the Constitutional Court approved its annual report for 2021 in the administrative session held on 22 and 23 March 2022.

In accordance with paragraph 2 of Article 115 [Organization of the Constitutional Court] of the Constitution and in accordance with Rule 18 (Secretariat) of the Rules of Procedures of the Court, the Secretariat in 2021 organized five (5) administrative sessions. In these administrative sessions twenty six (26) decisions were rendered.

The Constitutional Court of the Republic of Kosovo during 2021, was composed of:

Arta Rama-Hajrizi, President (until 25 June 2021);  
Gresa Caka-Nimani, Judge, President (from 26 June 2021);  
Bajram Ljatifi, Deputy President;  
Bekim Sejdiu, Judge (until 25 May 2021);  
Selvete Gërxhaliu-Krasniqi, Judge;  
Safet Hoxha, Judge;  
Radomir Laban, Judge;  
Remzije Istrefi-Peci, Judge;  
Nexhmi Rexhepi, Judge.



**Gresa Caka-Nimani**  
**President**



**Bajram Ljatifi**  
**Deputy President**



**Selvete Gërxhaliu-  
Krasniqi**  
**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, in accordance with Article 12 of Law No. 03/L-121 on the Constitutional Court of the Republic of Kosovo (hereinafter: Law on the Constitutional Court) and in accordance with Rule 18 of the Rules of Procedure of the Court, performed administrative work and supported the work of judges of the Constitutional Court.

The Secretariat is managed by the Secretary General, who pursuant to paragraph 4 of Article 12 of the Law on the Constitutional Court, 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 objectives of the Strategic Plan of the Constitutional Court for the period 2021-2025 (hereinafter: the Strategic Plan of the Court 2021-2025), due to limitations from the Covid-19 pandemic, out of **104** activities envisaged to be undertaken in 2021, **44** of them have been successfully implemented or **42.31%**.

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

In 2021, the Secretariat has accomplished these following objectives:

- Implementation of Strategic Plan of the Court 2021-2025;
- Drafting the Mid-Term Expenditure Framework for 2022-2024; and
- Designing the Risk Register for 2021.

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

- Annual working report for 2020;
- Annual media report for 2021;
- Newsletter no.11 (July-December 2020);
- Newsletter no.12 (January-June 2021);
- Strategic Plan of the Constitutional Court for the period 2021-2025; and
- Bulletin of Case Law 2020.

**LEGAL UNIT**



## LEGAL UNIT

The Legal Unit is a separate organizational structure of the Constitutional Court established based on the Law on the Constitutional Court and the Rules of Procedure of the Court, and the Regulation of the Legal Unit. The Legal Unit directly reports to the President and judges of the Court.

The primary role of the Legal Unit is to provide professional support to the judges of the Court conducting legal research and analysis and assisting in the drafting of preliminary reports, decisions 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, among other, conducts exhaustive legal research at the level of (i) national law; (ii) regional and international constitutional law; (iii) international and comparative law; (iv) opinions, recommendations and best practices announced under the auspices of the Council of Europe and the Venice Commission; (v) the case law of the European Court of Human Rights and the European Court of Justice; and, where appropriate, (vi) other international courts. Also, the Legal Unit (vii) prepares various materials for discussion and decision-making during the administrative sessions of the Court, as well as the professional sessions held with the judges and advisors of the Court.

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 referrals submitted by the parties; (iii) identifying the referrals with interim measure and other urgencies that a referral may present depending on the nature of the case; and (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 Court decisions are classified according to the filtering system 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 who access decisions through its website.

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. Currently, the Legal Unit is composed of 16 members and is managed and supervised 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 for a period of three (3) years. The Chief Constitutional Legal Advisor, *inter alia*, assists and advises the Court in the performance of its functions, supports all members of the Legal Unit in the performance of their duties, oversees the organization, activity and performance of the members of the Legal Unit, and oversees the drafting of preliminary reports and the performance of other tasks. While the role of the Juristconsult is to advise the Court and to notify it about various matters related to the Court's own case law and the new case law of the European Court of Human Rights (hereinafter: the ECtHR) with a view to ensuring the consistency of the case law. In coordination with the Chief Constitutional Legal Advisor, the Juristconsult assists and proposes relevant recommendations in order to ensure the high quality of decision-making and consistency of the case law of the Court.

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 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 regarding the organization of its work, including but not limited to: (i) monitoring the status of cases; (ii) discussing different legal/constitutional issues; (iii) proposing internal acts of the Court; as well as (iv) discussing the practice of the Court and of the ECtHR. An important factor in ensuring effective legal decision-making and improving the quality of drafting of reports and decisions, is the professional training of Court's professional advisors 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 the section of this report - Court Activities.

Throughout 2021, 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 in a part of the year 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 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**



## **DEPARTMENT OF ADMINISTRATION AND HUMAN RESOURCES**

### **I. Human resources and capacity building**

In 2021, Department of Administration and Human Resources (hereinafter: DAHR) in implementation of the work plan, supported the smooth running of the work of the Secretariat in accordance with its mandate.

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

- Organizing one (1) external vacancy for filling two (2) positions: Senior Constitutional Legal Advisors, and the selected candidates started their work on 1 October 2021;
- Organizing four (4) promotion procedures, through internal vacancies to fill the positions: one (1) office manager in the Cabinet of the President, one (1) work coordination manager in DCRSA; one (1) coordination manager in the office of the Secretary General; and two (2) language service specialists;
- Pursuant to the Decision of the Administrative Session, the coefficients and allowances have been increased for five (5) positions: Commitment Officer, Logistics Officer, Archive Officer, DCRSA (former receptionist) officer and the President's driver;
- Seven (7) Court's officials completed ten (10) years of uninterrupted work in the Court during 2021 and the latter 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;
- Regarding special leave, three (3) officials of the Court have used the special leave, namely one (1) senior advisor has used the unpaid leave, one (1) official is on parental leave with 70% of the salary and one (1) publicly appointed official continues to exercise the right to an agreed suspension of employment relationship;
- Regarding the implementation of the Strategic Plan, two workshops were held: The fourth and concluding workshop for 2020 together with the Risk Register, and the first Workshop for 2021 related to the activities carried out for the period April-September 2021;
- At the end of this period, the process of annual performance evaluations of work results for all Court staff;
- The annual leave records have been updated for all staff and the notifications for the use of the remaining annual leave have been forwarded, as well as the possibility of transferring 12 days in the following year, according to the legal provisions in force;
- In the context of changes in the payroll and statistical data during 2021, there have been:
  - four (4) new employees;
  - four (4) new positions;
  - five (5) coefficient changes;

- one (1) parental leave; and
- one (1) unpaid leave.

In terms of human resource management, there have been these changes throughout the year:

- one (1) resignation from the position of judge;
- one (1) termination of the mandate, from the position of President/Judge; and
- one (1) official is retired with early retirement.

Out of the total number of seventy (70) employees allowed by the budget of 2021, at the end of this period, the total number of employees in the payroll of December 2021 is sixty-nine (69) employees, out of which:

Number of employees by gender:

- 34 or 49.28%, are male; and
- 35 or 50.72%, female.

Number of employees by ethnicity:

- 63 or 91.3%, are Albanians;
- 3 or 4.35%, are Serbs;
- 2 or 2.09%, are Bosnians; and
- 1 or 1.45% Montenegrins.

This number also includes the two former presidents of the Court as well as the four officials appointed according to the applicable law.

*Figure no. 1: Number of employees by ethnicity:*

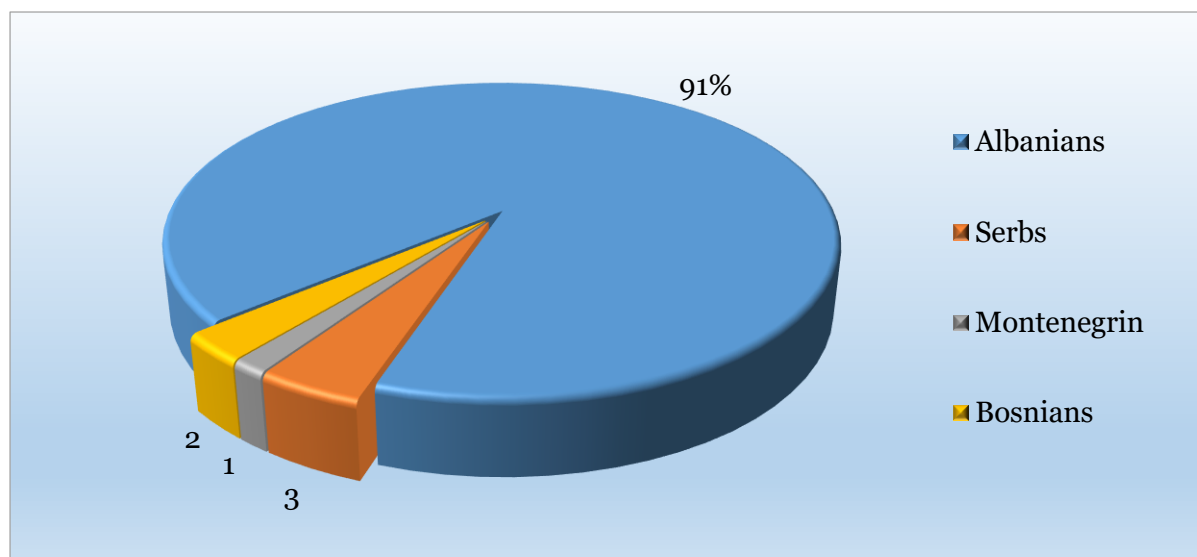
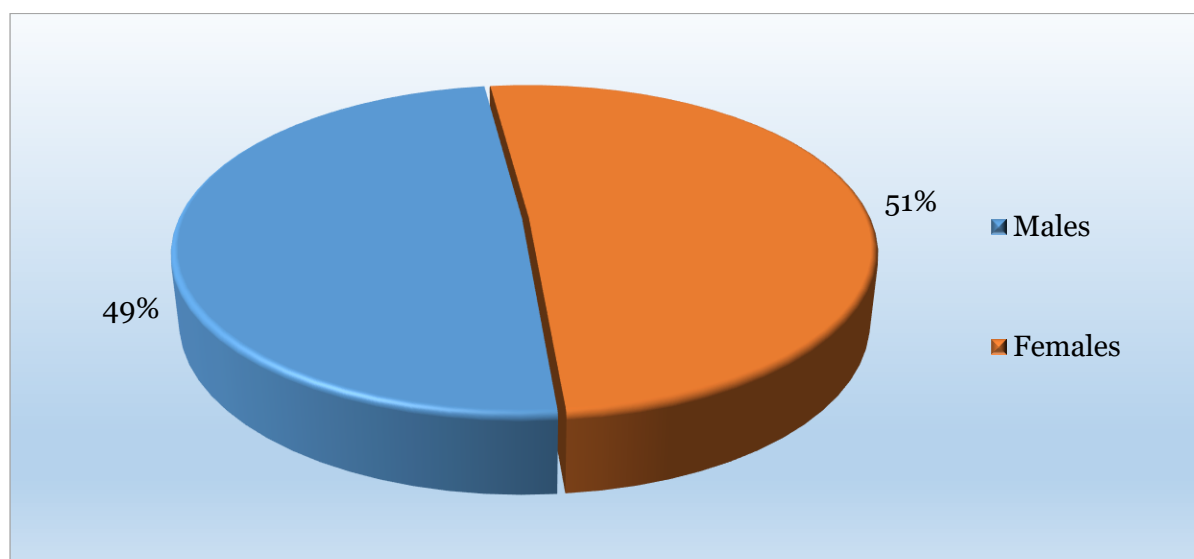


Figure no. 2: Number of employees by gender:



## II. Capacity building (training and career development)

In 2021, 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 2021, due to the pandemic situation with Covid-19, the full implementation of the training plan was impossible. The realized activities are combined in two forms, virtually and with physical presence. A total of 49 activities were carried out, as follows:

- three (3) official visits;
  - three (3) workshops related to the Strategic Plan;
  - two (2) orientation workshops for new employees;
  - two (2) summer schools;
  - six (6) conferences;
  - two (2) forums and a webinar;
  - two (2) roundtables;
  - two (2) professional and informational sessions; and
  - twenty seven (27) professional trainings.
- 
- On 15 January 2021, an “Online Presentation” was held for the Chief Financial Officer, the Goods Receiving Officer and the Commitment Officer, which was attended by three (3) participants.;
  - On 21 January 2021, the training was held in the module “View and Reporting”, organized by the Treasury of Kosovo, which was attended by one (1) participant;
  - On 2-3 February 2021, through the online platform, the training “Introduction to the organization in Public Administration” was held organized by the Kosovo Institute for Public Administration (hereinafter: KIPA), which was attended by one (1) participant;
  - On 2 February, 2021, in the Court building was held “Orientation Workshop for new employees of the Constitutional Court”, which was attended by seven (7) participants;

- On 3 February 2021, in the online form, the training on “Quality Assurance in IA”, organized by CHU/IA, which was attended by one (1) participant was held;
- On 4 February 2021, in the Court building “The last workshop regarding the Action Plan of the Strategic Plan 2018-2020”, which was attended by five (5) participants was held;
- On 9 February 2021, through the online platform, the workshop “Development of the Strategic Plan 2021-2025 of the Constitutional Court together with the Action Plan” was organized, in which twenty-nine (29) participants participated;
- On 10-11 February 2021, through the online platform, a training was held on the topic “Training for Strategy Drafting, Monitoring and Evaluation”, organized by KIPA, which was attended by three (3) participants;
- On 19 February 2021, a webinar on “Property Rights” was held, supported by the Council of Europe, which was attended by thirteen (13) participants;
- On 23 February 2021, in the online form “Information Session on Reporting Standards and Risk Management” was held, which was attended by one (1) participant;
- On 23-24 February 2021, through the online platform the training “Leadership and Management in Public Administration” was held, organized by KIPA, which was attended by five (5) participants;
- On 25-26 February 2021, through the online platform the training “Right to Information and Public Administration” was held, organized by KIPA, which was attended by one (1) participant;
- On 8-9 March 2021, through the online platform the training “Standard Costing Model” was held organized by KIPA, which was attended by one (1) participant;
- On 16-17 March 2021, through the online platform the training “Leadership and Management in Public Administration” was held, organized by KIPA, which was attended by two (2) participants;
- On 30-31 March 2021, through the online platform the training “Introduction to the organization and decision-making in Public Administration” was held, organized by KIPA, which was attended by one (1) participant;
- On 7 April - 12 May 2021, through the online platform the training on "Training MaTra Rule of Law on Public Finance and Procurement" was held, organized by the Netherlands Helsinki Committee, which was attended by one (1) participant;
- On 19-21 April 2021, in Cacttus, Prishtina, a training on “Human Resources Competence - Training Module”, organized by Hoja Consulting was held, which was attended by one (1) participant;
- On 22-23 April 2021, through the online platform, a training on “Stress Management” was held, organized by KIPA, which was attended by three (3) participants;
- On 6 May 2021, through the online platform, the Conference on “Approaching the European Court of Human Rights with Holders of Rights”, was followed, which was supported by the Council of Europe, and attended by twenty-three (23) participants;

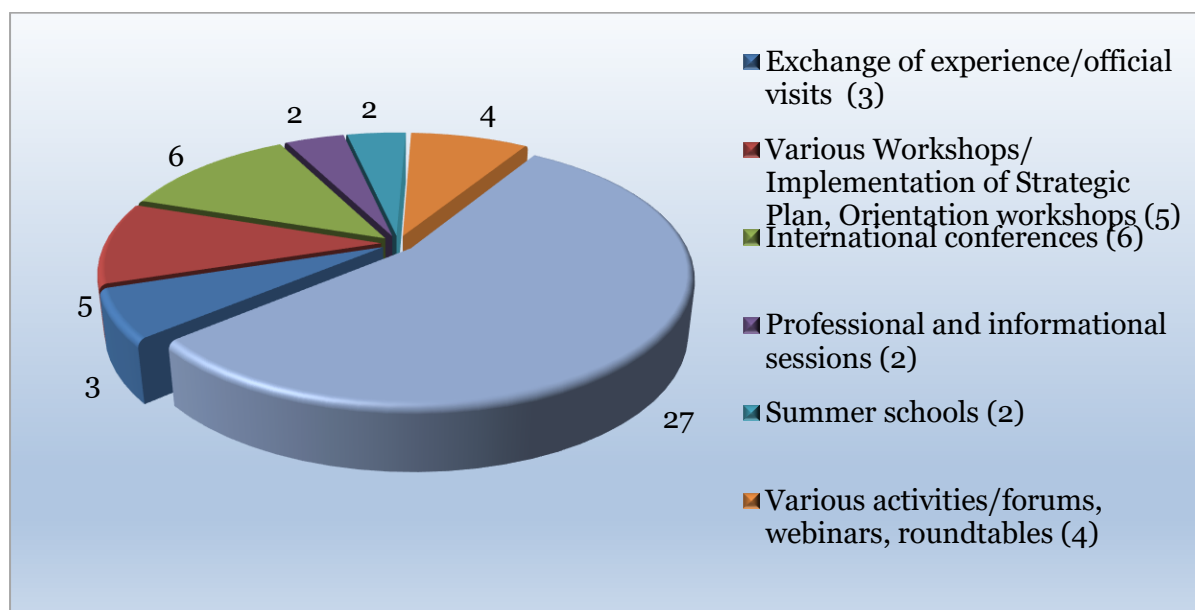
- On 11 May 2021, through the online platform the training “Time management and delegation of responsibilities” was held, organized by KIPA, which was attended by one (1) participant;
- On 20 May 2021, through the online platform, the training on “Problem solving and managerial decision making” was held organized by KIPA, which was attended by one (1) participant;
- On 26-27 May 2021, in the KIPA building, a training on the topic “Management of contracts through e-procurement” was held which was attended by three (3) participants;
- On 28 May 2021, through the online platform the training on “Electronic System for Management of Referrals” was held organized by KIPA, which was attended by two (2) participants;
- On 27-28 May 2021, a visit of the delegation of the Constitutional Court of the Republic of Albania to the Constitutional Court of the Republic of Kosovo, organized by the two respective courts, was attended by ten (10) participants by the delegation of the Constitutional Court of Albania;
- On 1-2 June 2021, in the KIPA building, a training on “Public Investment Program (PIP) and Budget Development and Management System (BDMS)” was held organized by KIPA in cooperation with the Ministry of Finance, Labor and Transfers (MFLT) , which was attended by four (4) participants;
- On 8-10 July 2021, in Saranda “Workshop of the staff of the Constitutional Court on the implementation of the Strategic Document and its Action Plan”, was held organized by the Constitutional Court of Albania, which was attended by two (2) participants from the Constitutional Court of Kosovo;
- On 23 July 2021, in the framework of the completion of the project for “Search Server” and “E-library”, supported by the Council of Europe, training on the use of the platform “ProQuest E-book” was held by the implementing company ProQuest Training and Consulting, which was attended by eight (8) participants;
- On 29 August - 1 September 2021, in Bled, Slovenia a conference on “Bled Strategic Forum and Bled Youth Strategic Forum” was held organized by CEP and MFA, which was attended by one (1) participant;
- On 3-4 September 2021 in Pristina the “8th Regional Forum on the Rule of Law for Western Europe” was held, organized by the Aire Center, Civil Rights Defenders, which was attended by three (3) participants;
- On 7-8 September 2021, through the online platform, the 9th Summer School was held, organized by the Constitutional Court of Turkey, in which three (3) participants participated;
- On 9 September 2021, in Prishtina the training on “Practical implementation of the Law on Access to Public Documents” was held, organized by the Agency for Information and Privacy in cooperation with GIZ, which was attended by one (1) participant;
- On 15-16 September 2021, the Summer School with the theme “5th Summer University in the Balkans 2021: The Crisis of Rule of Law in the Balkans and the EU” was held in Tirana organized by the University of Tirana, which was attended by one (1) participant;

- On 16 September 2021, the training on “Implementation in Practice of the Law on Protection of Personal Data” was held in Prishtina organized by the Agency for Information and Privacy in cooperation with GIZ, which was attended by one (1) participant from the Constitutional Court;
- On 29 September - 1 October 2021, a roundtable on “Judicial practice in assessing disputes of competence between the authorities, as well as between the central government and local government” was held in Vlora organized by the Constitutional Court of Albania in cooperation with the Constitutional Court of Kosovo, in which twelve (12) participants from the Constitutional Court of Kosovo participated;
- On 29-30 September 2021, the training on “Management of contracts through e-procurement” was held in the KIPA facility organized by KIPA, which was attended by four (4) participants;
- On 15 October 2021, the “Orientation Workshop for new employees” was held in the Court building, which was attended by ten (10) participants;
- On 19 October 2021, “Introductory training for the use of three electronic platforms within the Search Engine platform” was organized through the ZOOM platform, which was attended by six (6) participants;
- On 27 October 2021, a professional session on the topic “Review of requests for interim measures” was organized at the Emerald Hotel in Prishtina, which was attended by twenty-four (24) participants;
- On 2 November 2021, “The first workshop of the implementation plan of the Strategic Plan 2021-2025, for 2021” was held in the Court, which was attended by ten (10) participants;
- On 11 November 2021 a training on the topic “Strategic planning, performance indicators, administrative instructions in the field of budget planning and budget changes: Preparation of budget proposal and request for budget allocation for the fiscal year on the basis of LMPP” was held in the KIPA facility, organized by KIPA, which was attended by two (2) participants;
- On 12 November 2021, the International Conference on “Inalienable Rights and Traditions of Constitutionalism” was held organized by the Kellogg Institute for International Studies at the University of Notre Dame in the USA, which was attended by two (2) participants from the Court;
- On 16-17 November 2021, the training on “Budget Execution and Expenditure Reporting” was held in the KIPA building organized by KIPA, which was attended by one (1) participant;
- On 18-19 November 2021, a training on “Ethics and integrity in Public Administration” was held in the premises of KIPA, organized by KIPA, which was attended by four (4) participants;
- On 23 November 2021, the “Cyber Security Conference’ was held, organized by the US Embassy, at the Emerald Hotel in Prishtina, which was attended by two (2) participants from the Court;
- On 24 November, 2021, a roundtable on “Women in Commercial Justice” was held, organized by the American Chamber of Commerce and USAID, at the International Hotel Prishtina, which was attended by one (1) participant;



- On 1 December 2021, an online training on “HUDOC” was organized by the Council of Europe, through the ZOOM platform, which was attended by fifteen (15) participants from the Court;
- On 7 December 2021, a joint meeting was organized in Skopje between the Constitutional Court of Kosovo and the Constitutional Court of North Macedonia, which was attended by twelve (12) participants;
- On 10 December 2021, a conference on “Delaying court proceedings, violation of the right to a trial within a reasonable time” was organized in Prishtina and held at the Sirius Hotel, which was attended by one (1) participant;
- On 13-15 December 2021, an international conference on “The issue of the missing by force and involuntarily” was held in Tirana organized by the OSCE in cooperation with the Center for Justice and Transformation at the University of Tirana, which was attended by a (1) participants; and
- On 16 December 2021, the training on “Addressing gender discrimination in the workplace - Implementation of the policy against sexual harassment in public administration bodies” was held in Prishtina organized by KIPA in cooperation with UN Women, in Villa Gërmia, which was attended by one (1) participant.

*Figure no. 3: Participation of Constitutional Court staff in study visits, conferences, workshops, summer schools, training and foreign language courses, inside and outside Kosovo:*



### III. Administrative and logistic support

- DAHR has provided administrative and other services that assist in performing and increasing work efficiency for all Court staff;

- The receipt and distribution of inventory for new employees was organized and all employees in the Court were provided with the necessary information technology equipment (hereinafter: IT);
- Regular registration, maintenance and servicing of Court vehicles and preparation of special reports on fuel costs has been done;
- 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 225 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;
- Special reports have been compiled on the loading or unloading of work equipment for Court employees; and
- 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**

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: (i) Cambridge Journals Online, (ii) Edward Elgar Publishing, (iii) IMF- International Monetary Fund, (iv) Open Edition Journals and (v) 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: (i) Max Planck Encyclopedia of International Law, (ii) ORIL - International Human Rights Law, (iii) ORIL - International Law in European Courts and (iv) 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;
- With the support of the Council of Europe, the implementation of the project for “Search Server” and “E-library” of the Court has been successfully completed. Through this project an internal platform has been created in which are integrated together:
  - All published decisions of the Court, laws and other legal documents;
  - The electronic catalog of books of the Court “Koha Library”, which is also updated to the latest version; and
  - “HUDOC” database of the European Court of Human Rights;
- Through the E-library project supported by the Council of Europe, 28 electronic books dedicated to the Constitutional Court have been received, through the platform ProQuest Ebook Central, which enables online reading, downloading and printing of some materials;

- The summary report of the Library services has been prepared, with emphasis on the electronic resources and databases of the Library catalog;
- The draft Regulation for amending and supplementing the Library Regulation of 2013 has been prepared;
- 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;
- Regarding the new titles, during this period the Library of the Court has received and registered these titles:
  - ICL Journal: Vienna Journal on International Constitutional Law, 2021, volume 14;
  - The genocide of Montenegro on the Albanian people (1912-1913);
  - Les Cahiers Du Conseil Constitutionnel Titre, volume 3, 2019-2020;
  - Commission de Venise - Lettre d'information FR 1/2021;
  - Democracy, Peace and the UN - bringing Kant to the east river, by Bekim Sejdiu;
  - ICL Journal: Vienna Journal on International Constitutional Law, 2021, volume 15;
  - Improving the protection of European human rights standards by the Constitutional Court, which includes 4 publications, in three languages:
    - (i) Defamation and Protection of Reputation - a handbook of key cases of the European Court of Human Rights, by Flutura Kusari;
    - (ii) The Right to Freedom of Expression - a handbook of key cases of the European Court of Human Rights, by Flutura Kusari;
    - (iii) Reasonable length of proceedings: Summary of case law of the European Court of Human Rights, by Maria Filatova;
    - (iv) Doctrines and methodology of the European Court of Human Rights Interpretation of the European Convention on Human Rights, by Jeremy McBride;
  - ICL Journal: Vienna Journal on International Constitutional Law, volume 15 issue 2 and issue 3, by Christoph Bezemek, Harald Eberhard and Claudia Fuchs;
  - Independence and Impartiality of the Judiciary (Review of the relevant jurisprudence of the European Court of Human Rights), donated by Civil Rights Defenders;
  - Publications by the Office for the Publication of the Official Gazette were received and registered with three copies each:
    - Official Gazette no. 07/2020, for December 2020;
    - Official Gazette no. 01/2021, for January 2021; and
    - Official Gazette no. 03/2021, for August 2021.



**DEPARTMENT OF CASE REGISTRATION, STATISTICS AND  
ARCHIVE**



## DEPARTMENT OF CASE REGISTRATION, STATISTICS AND ARCHIVE

### Status of cases

In 2021, the Court has processed a total of 421 referrals/cases, out of which 235 were received in 2021 while 186 were carried over from the past years:

- 1 referral of 2018 is resolved;
- 53 referrals carried over from 2019, out of which 52 are resolved, while 1 is in the process;
- 132 referrals of 2020 were carried over, out of which 122 are resolved while 10 referrals are in the process; and
- 235 referrals were received in 2021, out of which 101 were resolved and 134 referrals are in the process.

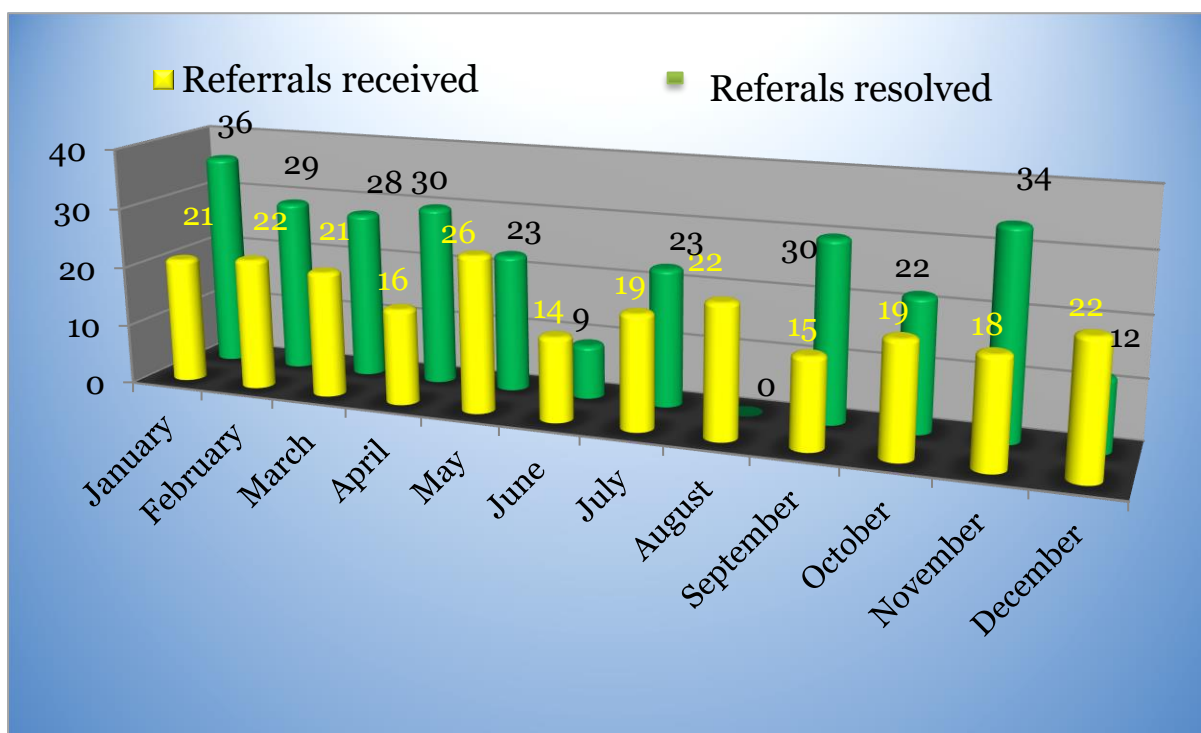
In this period, 276 referrals were resolved or 65.56%. Consequently, 70 more referrals have been resolved this year than last year.

In this period also, 245 decisions were published on the Court's webpage and served on the parties, while 4 other referrals are in the process of preparation.

On the other hand, during this period, 19.5 referrals were received on average per month, while 23 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 2021)



## 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.

The Department for Registration of Cases, Statistics and Archives (hereinafter: DCRSA) has received in 2021 235 new referrals.

The structure of the filed referrals in 2021 is as follows:

- 203 referrals were filed by individuals (natural persons), or 86,4%; whereas
- 32 referrals were filed by public authorities (legal persons), or 13,6%.

## Allocation of referrals

In accordance with Article 22 (Processing Referrals) of the Law on the Constitutional Court, the DCRSA has processed all submitted Referrals in accordance with Article 113 [Jurisdiction and Authorized Parties] of the Constitution.

The allocation of Referrals/Cases to Judge Rapporteurs was done in accordance with Rules 10 and 36 (Appointment of Judge Rapporteur) 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 57 (Decision on Interim Measures) of the Rules of Procedure of the Court, and *ad hoc* cases, which represent a conflict of interest, pursuant to Article 18 of the Law No. 06/L-054 on Courts and Rule 9 (Recusal Procedures) of the Rules of Procedure.

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

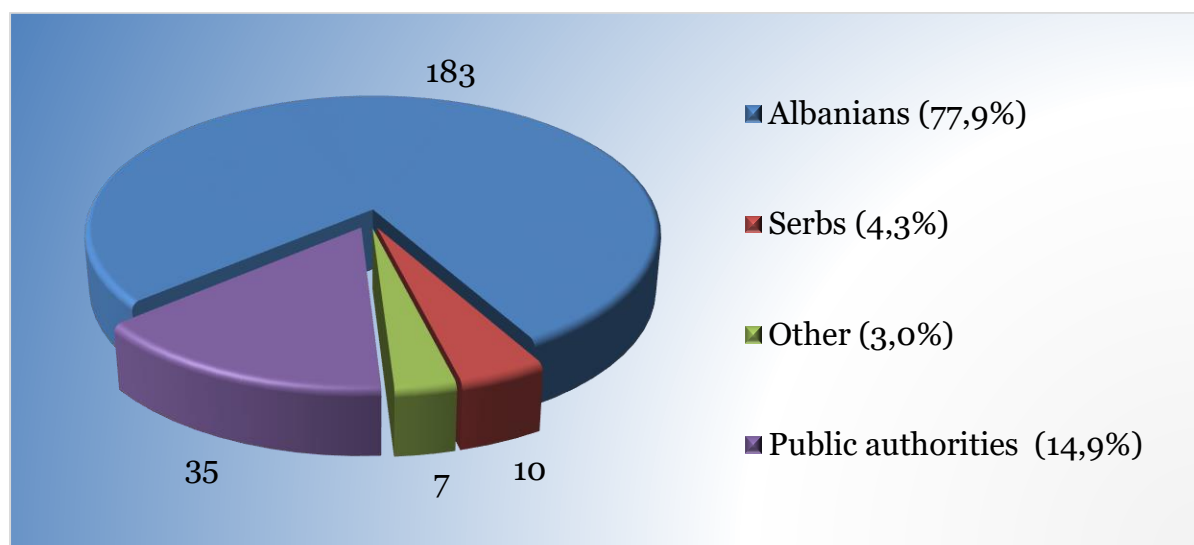
All Kosovo citizens, regardless of ethnic, religious or gender background, have equal access to the Constitutional Court.

The ethnic access of individuals is indicated as follows:

- 183 referrals were submitted by Albanians, or 77.9 %;
- 10 referrals were submitted by the Serb community, or 4.3%; and
- 7 referrals were submitted by other nationalities, or 3%.

On the other hand, 35 referrals were submitted by public authorities (legal entities), or 14,9%.

*Graph no. 2: Ethnic structure of the Applicants (01 January - 31 December 2021)*

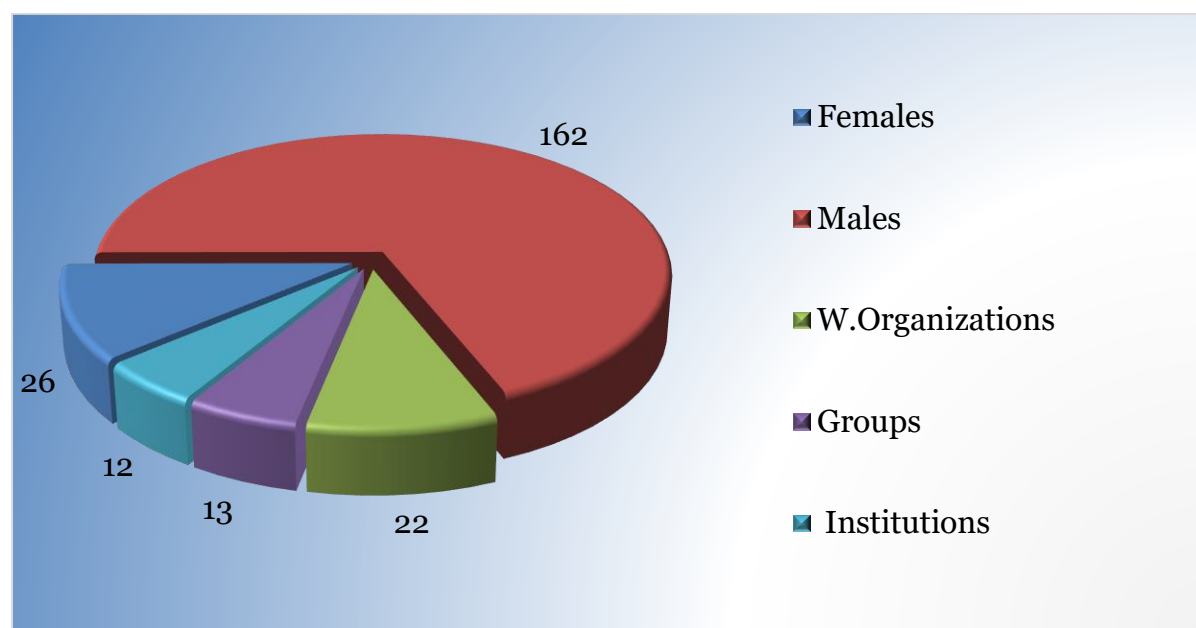




The structure of the Applicants is indicated as follows:

- 26 referrals are submitted by females, or 11,1%;
- 162 referrals are submitted by males, or 68,9%;
- 10 referrals are submitted by groups, or 5,5%;
- 15 referrals are submitted by working organizations, or 9,4%; and
- 12 referrals are submitted by institutions, or 5,1% .

*Graph no. 3: Structure of the Applicants (01 January – 31 December 2021)*



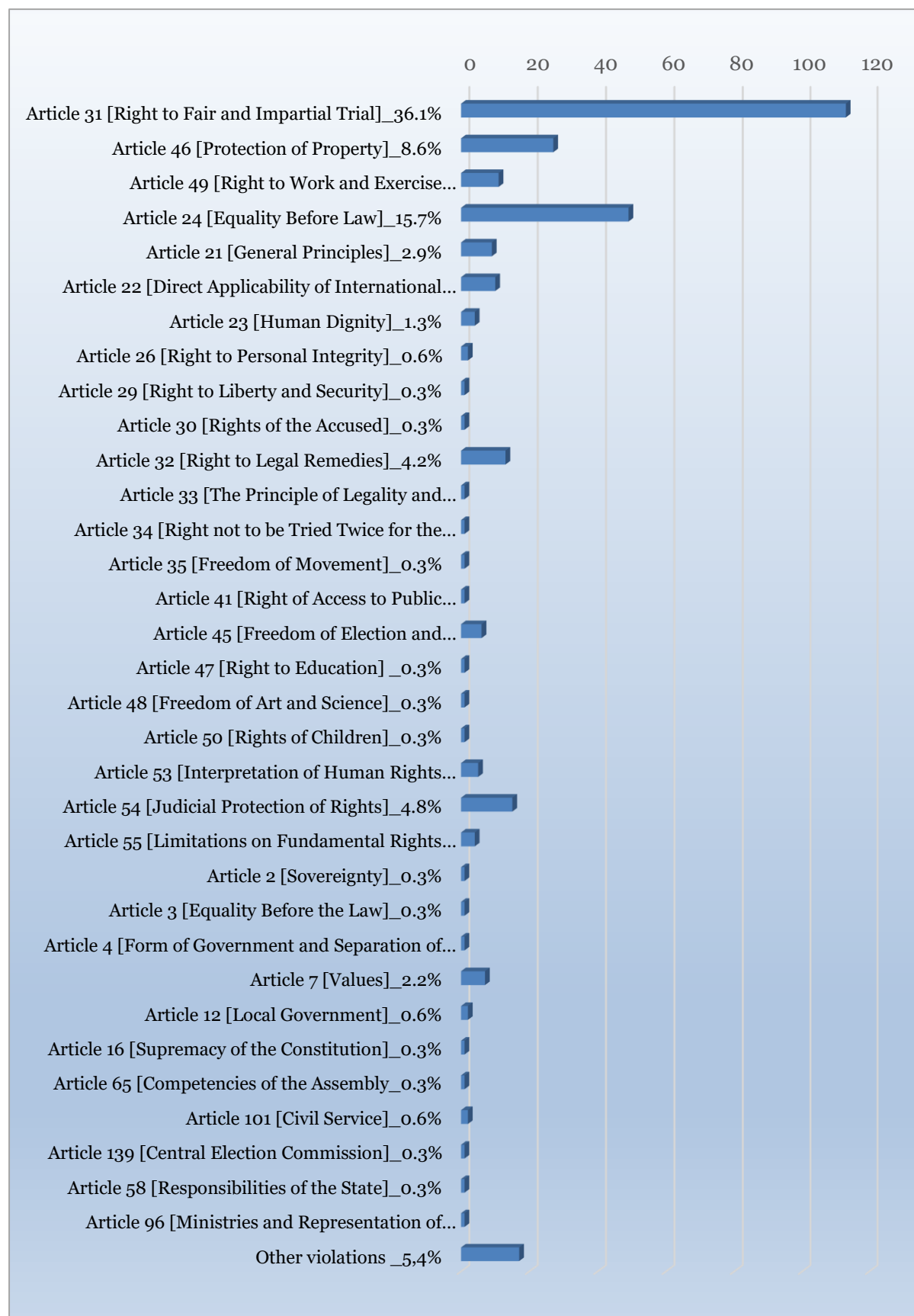
### **Alleged violations by type**

Types of alleged violations of the Constitution from 134 referrals received during period 1 January – 31 December 2021, is as follows:

- Article 31 [Right to Fair and Impartial Trial]\_36.1%
- Article 46 [Protection of Property]\_8.6%
- Article 49 [Right to Work and Exercise Profession]\_3.5%
- Article 24 [Equality Before Law]\_15.7%
- Article 21 [General Principles]\_2.9%
- Article 22 [Direct Applicability of International Agreements and Instruments]\_3.2%
- Article 23 [Human Dignity]\_1.3%
- Article 26 [Right to Personal Integrity]\_0.6%
- Article 29 [Right to Liberty and Security]\_0.3%
- Article 30 [Rights of the Accused]\_0.3%
- Article 32 [Right to Legal Remedies]\_4.2%
- Article 33 [The Principle of Legality and Proportionality in Criminal Cases]\_0.3%
- Article 34 [Right not to be Tried Twice for the Same Criminal Act]\_0.3%
- Article 35 [Freedom of Movement]\_0.3%
- Article 41 [Right of Access to Public Documents]\_0.3%
- Article 45 [Freedom of Election and Participation]\_1.9%
- Article 47 [Right to Education]\_0.3%
- Article 48 [Freedom of Art and Science]\_0.3%
- Article 50 [Rights of Children]\_0.3%
- Article 53 [Interpretation of Human Rights Provisions]\_1.6%

- Article 54 [Judicial Protection of Rights]\_4.8%
- Article 55 [Limitations on Fundamental Rights and Freedoms]\_1.3%
- Article 2 [Sovereignty]\_0.3%
- Article 3 [Equality Before the Law]\_0.3%
- Article 4 [Form of Government and Separation of Power]\_0.3%
- Article 7 [Values]\_2.2%
- Article 12 [Local Government]\_0.6%
- Article 16 [Supremacy of the Constitution]\_0.3%
- Article 65 [Competencies of the Assembly]\_0.3%
- Article 101 [Civil Service]]\_0.6%
- Article 139 [Central Election Commission]\_0.3%
- Article 58 [Responsibilities of the State]\_0.3%
- Article 96 [Ministries and Representation of Communities]\_0.3%
- Other violations \_5.4%

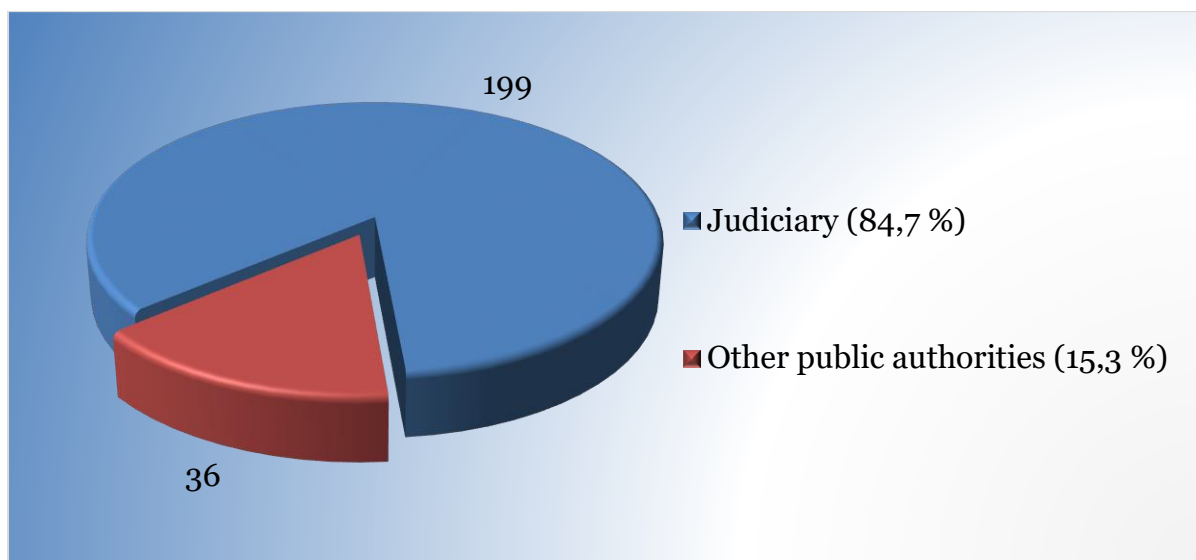
Graph no. 4: Types of alleged violations of articles of the Constitutional Court (1 January - 31 December 2021)



### Alleged authorities of violation of rights

- 199 Referrals or 84.7 % of all referrals in this period refer to regular courts' decisions; and
- 36 Referrals or 15.3 % of all referrals in this period refer to other public authorities.

*Graph no. 5: Alleged violators of rights (01 January - 31 December 2021)*

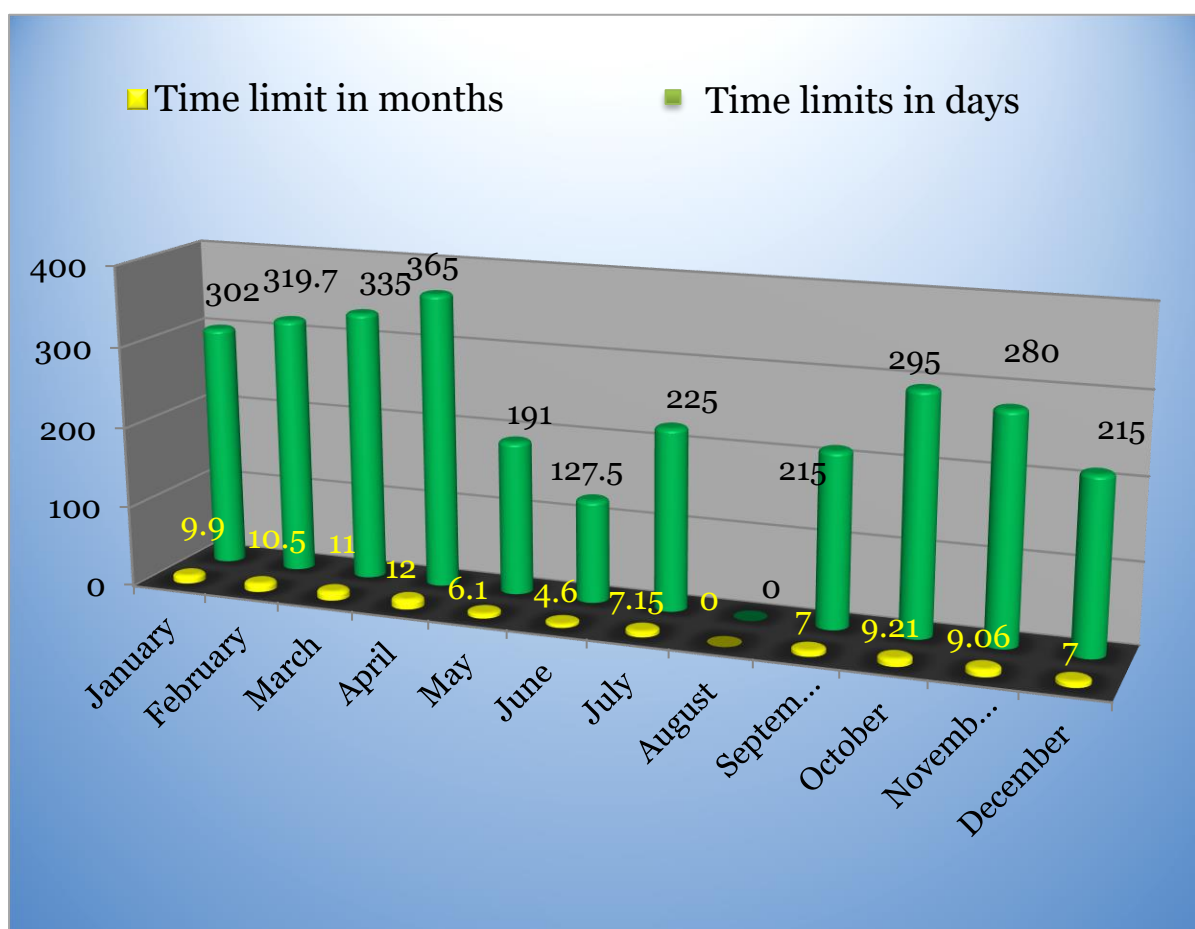


### Time limit of resolving referrals

In 2021, the Court has published 245 decisions.

The following graph reflects the dynamics of the deadline for resolving referrals in months and days, which varies from 4.6 months to 12 months, or expressed in days from 127.5 days to 365 days.

Graph no. 6: Time limit for resolving referrals (01 January - 31 December 2021)



### Sessions and Review Panels

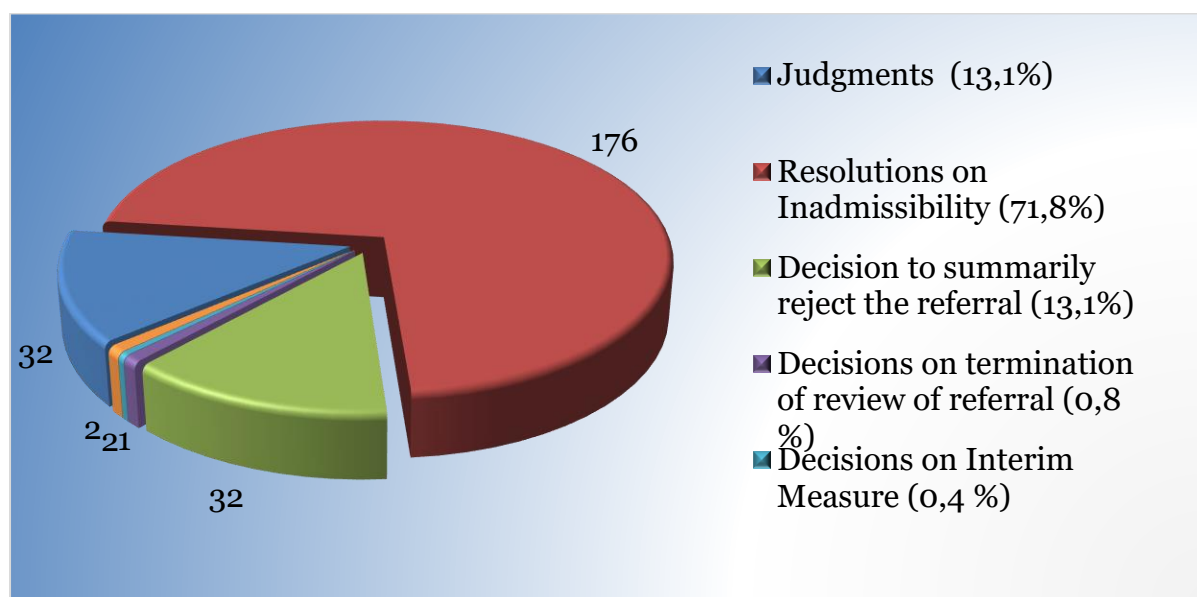
In 2021, the Constitutional Court held 44 plenary sessions, with 288 review panels.

The cases reviewed were resolved by judgments, resolutions on admissibility, decisions for non-enforcement, decision for interim measure, decisions for termination of the review of the referral and decisions to summarily reject the referrals.

The structure of 245 published decisions during the period in question is as follows:

- 32 Judgments;
- 176 Resolutions on Inadmissibility;
- 32 Decisions to summarily reject the referral;
- 2 Decisions on termination of review of referral;
- 1 Decisions on Interim Measure;
- 2 Decision on Non-enforcement.

Graph no. 7: Structure of published decisions (01 January - 31 December 2021)



In 2021, the Constitutional Court has published 32 judgments, as follows:

- Judgment in case KI207/19, Applicant The Social Democratic Initiative, New Kosovo Alliance and the Justice Party. Constitutional review of Judgments [A.A.U.ZH. No. 20/2019 of 30 October 2019; and A.A.U.ZH. No. 21/2019, of 5 November 2019] of the Supreme Court of the Republic of Kosovo;
- Judgment in case KO95/20, Applicant Liburn Aliu and 16 other deputies of the Assembly of the Republic of Kosovo. Constitutional review of Decision No. 07/V-014 of the Assembly of the Republic of Kosovo, of 3 June 2020, on the Election of the Government of the Republic of Kosovo;
- Judgment in case KI230/19, Applicant Albert Rakipi. Constitutional review of Judgment Pml. No. 253/2019 of the Supreme Court of Kosovo, of 30 September 2019;
- Judgment in case no. KI160/19, KI161/19, KI162/19, KI164/19, KI165/19, KI166/19, KI167/19, KI168/19, KI169/19, KI170/19, KI171/19, KI172/19, KI173/19 and KI178/19, Applicant Muhamet Këndusi and others. Constitutional review of Judgment AC-I-13-0181-A0008 of the Appellate panel of the Special Chamber of the Supreme Court of Kosovo, of 29 August 2019;
- Judgment in cases no. KI181/19, KI182/19 and KI183/19, Applicant Fllanza Naka, Fatmire Lima and Leman Masar Zhubi. Constitutional review of Judgment AC-I-13-0181-A0008, of the Appellate Panel of the Special Chamber of the Supreme Court of Kosovo, of 29 August 2019;
- Judgment in case KI24/20, Applicant “PAMEX SH.P.K”. Constitutional review of the Judgment Ae. no. 179/2017 of the Court of Appeals of Kosovo of 11 November 2019;
- Judgment in case KI86/18, Applicant Slavica Đorđević. Constitutional review of Decision CA. No. 2093/2017 of the Court of Appeals, of 29 January 2018;

- Judgment in cases KI45/20 and KI46/20, Applicant Tinka Kurti and Drita Millaku. Constitutional review of Decisions AA. No. 4/2020 of 19 February 2020 and AA. No. 3/2020, of 19 February 2020 of the Supreme Court of Kosovo;
- Judgment in cases KI220/19, KI221/19, KI223/19 and KI234/19, Applicant Sadete Koca Lila 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 KI177/19, Applicant NNT “Sokoli”. Constitutional review of Decision Ac. No. 2386/2018, of the Court of Appeals of Kosovo, of 17 May 2019;
- Judgment in case KI195/20, Applicant Aigars Kesengfelds, owner of non-bank financial “Monego”. Constitutional review of Judgment ARJ-UZVP. No. 42/2020 of the Supreme Court, of 25 June 2020;
- Judgment in case KI20/21, Applicant Violeta Todorović. Constitutional review of Decision No. AC-I-16-0122 of the Appellate Panel of the Special Chamber of the Supreme Court of Kosovo on the Privatization Agency of Kosovo Related Matters of 1 October 2020;
- Judgment in case KI113/20, Applicant IF Skadeforsikring, from Norway. Constitutional review of Judgment E. Rev. No. 62/2020 of the Supreme Court, of 6 April 2020;
- Judgment in cases KI186/19, KI187/19, KI200/19 and KI208/19, Applicant Belkize Vula Shala and others. Constitutional review of Judgment AC-I-13-0181-A0008 of the Appellate Panel of the Special Chamber of the Supreme Court of Kosovo on Privatization Agency of Kosovo Related Matters of 29 August 2019;
- Judgment in case KI195/19, Applicant Banka për Biznes. Constitutional review of Decision Ae. No. 287/18 of the Court of Appeals of 27 May 2019 and Decision I.EK. No. 330/2019 of the Basic Court in Prishtina, Department for Commercial Matters, of 1 August 2019;
- Judgment in case KI51/19, Applicant Qamil Lupçi. Constitutional review of non-enforcement of the Decision of the Independent Oversight Board for Civil Service in the Republic of Kosovo, [A/02/68/2016] of 12 April 2016;
- Judgment in case KI188/20, Applicant “Suva Rechtsabteilung”. Constitutional review of Judgment Ae. no. 63/2019 of the Court of Appeals of Kosovo, of 15 October 2020;
- Judgment in case KI111/19, Applicant Insurance Company “SUVA Rechstabteilung”. Constitutional review of Judgment E.Rev. no. 1/2019 of the Supreme Court, of 27 February 2019;
- Judgment in case KI235/19, Applicant “Allianz Suisse Versicherungs - Gesellschaft AG”. Constitutional review of Judgment E. Rev. No. 32/2019 of the Supreme Court of Kosovo of 31 July 2019;
- Judgment in case KI74/19, Applicant “SUVA Rechtsabteilung”. Constitutional review of Judgment E. Rev. No. 39/2018 of the Supreme Court of Kosovo of 8 January 2019;

- Judgment in case KI01/20, Applicant Momir Marinković. Constitutional review of Judgment AC-I-17-0074-A123 of the Appellate Panel of the Special Chamber of the Supreme Court on Privatization Agency of Kosovo Related Matters, of 8 October 2019;
- Judgment in case KI175/19, Applicant Ismajl Zogaj. Constitutional review of Notification [KMLC. No. 129/2019] of the State Prosecutor of 13 August 2019, Decision [Ac. No. 3983/2018], of the Court of Appeals of the Republic of Kosovo, of 24 May 2019, and Decision [C. No. 118/2018] of the Basic Court in Gjakova - Branch in Malisheva of 2 February 2018;
- Judgment in case KI120/19, Applicant Mursel Gashi. Request for constitutional review of Decision AC-I-17-0568 of the Appellate Panel of the Special Chamber of the Supreme Court on Privatization Agency of Kosovo Related Matters, of 14 March 2019;
- Judgment in case KO127/21, Applicant Abelard Tahiri and 10 other deputies of the Assembly of the Republic of Kosovo. Constitutional review of Decision no. 08-V-029, of the Assembly of the Republic of Kosovo of 30 June 2021, on dismissal of five (5) members of the Independent Oversight Board for the Civil Service of Kosovo;
- Judgment in case KI84/21, Applicant Kosovo Telecom J.S.C. Constitutional review of Decision CML. No. 12/20 of the Supreme Court of Kosovo, of 20 January 2021;
- Judgment in case KI143/21, Applicant Avdyl Bajgora, Constitutional review of Decision Rev. 558/2020, of the Supreme Court of 22 February 2020;
- Judgment in case KI54/21, Applicant Kamber Hoxha, Constitutional review of Decision Rev. No. 393/2020 of the Supreme Court of Kosovo, of 1 February 2021;
- Judgment in case KI189/20, Applicant IPKO Telecommunications L.L.C., Constitutional review of Judgment ARJ-UZVP. No. 17/2020, of 20 January 2020 of the Supreme Court of the Republic of Kosovo,
- Judgment in case KI01/21, Applicant Ajshe Aliu, Constitutional review of Judgment ARJ-UZVP. nr. 37/2020 of the Supreme Court of Kosovo, of 11 June 2020;
- Judgment in case KI100/21, Applicant Moni Commerce L.l.c. Constitutional review of Decision ARJ-UZVP-No. 72/2020 of the Supreme Court of Kosovo of 28 October 2020;
- Judgment in case KO61/21, Applicant Slavko Simic and 10 other deputies of the Assembly of the Republic of Kosovo. Constitutional review of Decision No. 08/V-005 of the Assembly of the Republic of Kosovo of 22 March 2021 on the Election of the Government of the Republic of Kosovo; and
- Judgment in case KI82/21, Applicant Municipality of Gjakova, Constitutional review of Judgment UPP-APP. No. 1/2020 of the Supreme Court of Kosovo of 28 October 2020.



**DEPARTMENT OF PROFESSIONAL SUPPORT**



## **DEPARTMENT OF PROFESSIONAL SUPPORT**

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

The DPS organized, managed and supervised the work of translation (in Albanian, Serbian and English and, for the official webpage of the Court), editing and proofreading (in Albanian and in Serbian language), and simultaneous interpretation. Thus, the DPS processed over 33046 pages of letters, various documents, judgments, resolutions, decisions on striking out referrals, preliminary reports and other documents in Albanian, Serbian and English.

The interpreters provided 416 hours of simultaneous interpretation in regular meetings, Court sessions, administrative sessions, in interviews of candidates for the positions announced by the Court, and in other 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, and English.



**DEPARTMENT OF BUDGET AND FINANCE**



## DEPARTMENT OF BUDGET AND FINANCE

The funds allocated from the Kosovo Consolidated Budget for the Constitutional Court for 2021 are **1,864,753.00 €**, presented by economic categories in the table below.

### Budget approved for the period January - December 2021

Wages and salaries	Goods and services	Utilities	Capital investments	Subsidies and transfers	Total
1,178,098.00€	457,283.00€	4,000.00€	225,372.00€	0.00€	1,864,753.00€

On 31 May 2021, the Constitutional Court received the letter from the Department of Budget of the Ministry of Finance, no. ref. 858/2021, with instructions for budget review for 2021. The Constitutional Court by letter no. ref. SP-1228/21/mv, requested the change in the following budget categories:

1. From the category of municipal expenditures it is requested that the amount of 1,350.00 € (one thousand three hundred and fifty euro) be transferred to the category of goods and services; and
2. From the category of capital investments with project code (11135) software to transfer the amount of 5,000.00 € (five thousand euro) to project code (11136) Vehicles. This budget review was approved by the Assembly of Kosovo on 28 July 2021.

Also, on 16 September 2021, by letter no. ref. SP-197621/mv, the Constitutional Court has requested the transfer of funds from the category of capital investments, namely from the project entitled "Renovation of the building of the Constitutional Court" with code (15556) to the category of goods and services in the amount of 33,500.00 € (thirty three thousand five hundred euro). Therefore the budget for the final nine months is as follows:

Wages and salaries	Goods and services	Utilities	Capital investments	Subsidies and transfers	Total
1,178,098.00€	492,133.00€	2,650.00€	191,872.00€	0.00€	1,864,753.00€

On 15 October 2021, the Constitutional Court received from the Ministry of Finance, Labor and Transfers letter no. ref. 1762 entitled "Closing of the fiscal year", where for the purpose of internal adjustments, budget organizations were required to provide the data on possible savings and legal obligations by expenditure categories. On 18 October 2021, by letter no. ref. SP-2240/21/mv, the Court has planned to save financial resources for the fiscal year 2021 in the category of capital investments. Regarding the internal regulation of the budget, the Constitutional Court requested from the category of capital investments with project codes as follows:

1. Project code 15556 (renovation of the Court building) in the amount of 49,000.00 €
2. Project code 11135 (software) in the amount of 5,000.00 €

the saved funds to be transferred to the category of goods and services (code 130).

On 30 November 2021 we were informed that the Government of Kosovo by Decision No. 10/46, has approved the request of the Ministry of Finance, Labor and Transfers for changes and budget savings, which includes the request of the Constitutional Court.

In December 2021, the budget was adjusted in the category Wages and Salaries (code 111), in order to cover the salary deficit for the entire Court for December 2021.

Wages and salaries	Goods and services	Utilities	Capital investments	Subsidies and transfers	Total
1,296,201.48€	546,133.00€	2,650.00€	137,872.00€	0.00€	1,982,856.18€

The final budget of the Constitutional Court of Kosovo after the changes introduced in KFMIS for 2021, is presented as follows:

	Approved budget 2021 (A) €	Allocations January-December (B) €	Executions January - December (C) €	% (C/A) €	% (C/B) €
Wages and salaries	1,296,201.18	1,296,201.18	1,296.201.18	100	100
Goods and services	546,133.00	546,133.00	546,106.09	99.99	99.99
Utilities	2,650.00	2,650.00	2,583.07	97.47	97.47
Subsidies and transfers	0.00	0.00	0.00	0.00	0.00
Capital investments	137,872.00	137,872.00	113,237.97	82.13	82.13
Donations	0,00	0,00	0,00	0.00	0.00
Total	1,982,856.18	1,982,856.18	1,958,128.31	98.75	98.75

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

In the general budget, the participation of allocation for the fiscal year 2021 was 1,982,856.18€ and indicated in percentage 100%.

	January September €	October €	November €	December €	Total €	%
Wages and salaries	963,981.05	111,555.15	110,860.45	109,804.53	1,296,201.18	100
Goods and services	442,133.00	20,000.00	23,000.00	61,000.00	546,133.00	100
Utilities	2,650.00	0.00	0.00	0.00	2,650.00	100
Subsidies and transfers	0.00	0,00	0.00	0.00	0.00	0.00
Capital investments	191,872.00	0.00	(54,000.00)	0.00	137,872.00	100
Donations	0.00	0.00	0.00	0.00	0.00	0.00
Total	1,600,636.05	131,555.15	79,860.45	170,804.53	1,982,856.18	100



### Budget execution for period January-December

Budget execution based on allocation for 2021 is 1,958,128.31€, indicated in percentage 98.75%

Budget execution is presented as follows:

	Allocations January- December (A) €	Executions January- December (B) €	Balance (C) €	% (B/A) €
Wages and salaries	1,296,201.18	1,296,201.18	0.00	100
Goods and services	546,133.00	546,106.09	26.91	99.99
Utilities	2,650.00	2,583.07	66.93	97.47
Subsidies and transfers	0.00	0.00	0.00	0.00
Capital investments	137,872.00	113,237.97	24,634.03	82.13
Donations	0.00	0.00	0.00	0.00
Total	1,98,856.18	1,958,128.31	24,727.87	98.75

### Budget execution for wages and salaries

Execution of wages and salaries per month:

Month	Number of staff	Budget	Execution	Balance
January	66	107,810.41	107,810.41	0.00
February	66	108,785.20	108,785.20	0.00
March	66	108,580.86	108,580.86	0.00
April	66	110,232.04	110,232.04	0.00
May	66	109,744.10	109,744.10	0.00
June	65	105,739.31	105,739.31	0.00
July	65	104,388.77	104,388.77	0.00
August	65	104,115.99	104,115.99	0.00
September	65	104,584.37	104,584.37	0.00
October	68	111,555.15	111,555.15	0.00
November	69	110,860.45	110,860.45	0.00
December	69	109,804.53	109,804.53	0.00
Total		1,296,201.18	1,296,201.18	0.00

### Budget execution for goods and services

Execution of the budget in the category of goods and services for 2021 allocated per month:

Month	Budget	Allocation	Execution	Balance
January	52,000.00	52,000.00	99,519.66	(47,519.66)
February	50,000.00	50,000.00	11,537.91	38,462.09
March	60,000.00	60,000.00	12,546.44	47,453.56
April	40,000.00	40,000.00	74,671.71	(34,671.71)
May	52,000.00	52,000.00	76,095.98	(24,095.98)
June	40,000.00	40,000.00	18,626.86	21,373.14
July	30,000.00	30,000.00	77,844.03	(47,844.03)
August	54,633.00	54,633.00	16,039.95	38,593.05
September	63,500.00	63,500.00	12,268.84	51,231.16
October	20,000.00	20,000.00	58,728.29	(38,728.29)
November	23,000.00	23,000.00	26,549.87	(3,549.87)
December	61,000.00	61,000.000	61,676.55	(676.55)
Total	546,133.00	546,133.00	546,106.09	26.91

### Budget allocated for capital investments as per project codes

Projects	Project codes	Approved budget €	execution €	Balance €
Renovation of the CCK Courtroom	15556	102,872.00	78,357.97	24,514.03
software	11135	0.00	0.00	0.00
Vehicles	11136	35,000.00	34,880.00	120.00
Total:		137,872.00	113,237.97	24,634.03

### Budget execution for utilities

Execution of the budget in the category of utilities for 2021 allocated per month:<sup>1</sup>

Month	Budget	Allocation	Execution	Balance
January	350.00	350.00	203.99	146.01
February	350.00	350.00	202.11	147.89
March	350.00	350.00	211.62	138.38
April	350.00	350.00	225.94	124.06
May	350.00	350.00	211.28	488.72
June	350.00	350.00	216.42	133.58
July	250.00	250.00	224.02	25.98
August	250.00	250.00	218.12	31.88
September	50.00	50.00	232.02	(182.02)
October	0.00	0.00	214.10	(214.10)
November	0.00	0.00	204.48	(204.48)
December	0.00	0.00	218.97	(218.97)
Total	2,650.00	2,650.00	2,583.07	66.93

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<sup>1</sup> Utilities 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**



## PROCUREMENT UNIT

In support of the final procurement plan for 2021, the Procurement Unit has initiated and developed a total of nineteen (19) procurement activities and twenty two (22) contracts were signed, out of which three procedures were divided into 2 Lots.

Based on the Law no. 04/L-042 on Public Procurement in the Republic of Kosovo, 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 2021, a total of nine (9) activities were initiated and conducted and 9 (nine) contracts were signed:

1. Measurement of the implementing facility based on the construction permit of the Court building;
2. Tire replacement and assembly, balancing and hotelling (storage) of tires;
3. Silver photo frame - elegant;
4. Technical services of repair, maintenance, painting and varnish of five (5) vehicles;
5. Maintenance of air conditioning;
6. Supply with inventory for the office of the President;
7. Supply with photo cell for opening the elevator doors;
8. Tire replacement and assembly, balancing and hotelling (storage) of tires; and
9. Supply with winter tires.

### **b) Procedure of quotation of prices (small value).**

In 2021, a total of five (5) activities were initiated and developed, and five (5) contracts were signed, as follows:

1. Services for Housing, Programming and maintenance of the Court's website;
2. Generator maintenance and servicing;
3. Supervision of the project for Renovation of the courtroom and renovation of the entrance and corridors in the Court building;
4. Supply with telephones (smartphones); and
5. Insurance of official vehicles TPL, TPL Plus and Full Casco-EU, for 7 vehicles.

### **c) Open procedure (medium value)**

In 2021, a total of twelve (12) activities have been initiated and developed, one of them carried over from 2020, twelve (12) contracts have been signed, in the following we present:

1. Maintenance and cleaning services of the premises and facilities of the Court;
2. Renovation of the courtroom and renovation of the entrance and corridors in the Court building;

3. Supply with IT equipment, allinone PCs, laptops and monitors;
4. Insurance of official vehicles TPL, TPL Plus and Full Casco-EU;
5. Maintenance and cleaning services of the premises and facilities of the Court (negotiated procedure);
6. Servicing and maintenance of the vehicle Passat 2.0 TDI HIGHLINE (4 MOTION);
7. Insurance of official vehicles TPL, TPL Plus and Full Casco-EU vehicles for the SKODA Octavia Ambition 2.0 TDI DSG and Full Casco-EU vehicles for the SKODA Octavia Ambition 1.6 TDI vehicle (negotiated procedure);
8. Maintenance and servicing of audio-video system equipment and simultaneous translation;
9. Supply with official vehicle;
10. Photography, framing and shooting services;
11. Maintenance and servicing of the elevator and supply of spare parts; and
12. Supply, printing of brochures and other printing materials.

#### **d) Open procedure (high value)**

In 2021, no procurement activity with open procedure of high value was initiated and developed.

*Tabular presentation of all payments made in 2021 as well as supplies, services and works for signed contracts.*

Payments of supplies, services and works for the contracts signed in 2021	Total amount and payment in 2021
Amount of contracts, including all taxes etc.	187,178.35€
Amount paid for contracts	161,479.81€
<b>Total amount</b>	<b>348,658.16 €</b>



**INFORMATION TECHNOLOGY AND MULTIMEDIA UNIT**



## **INFORMATION TECHNOLOGY COMMUNICATION AND MULTIMEDIA UNIT**

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

In 2021, the ICT 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 2021, the Court has continued to hold review sessions, administrative sessions and various meetings through online platforms. The ICT and Multimedia Unit has taken responsibility and is committed to providing support with the online Zoom platform, to enable the performance of tasks and responsibilities for Court staff. For the Zoom platform, licenses with translation channels have been purchased and provided to ensure the interpretation of the respective languages during the sessions. In 2021, a total of 121 sessions and meetings were held online;
- The configuration of the new back-up server has been completed, according to the plan to install in another location outside the Court building;
- Translation equipment has been installed and configured in cooperation with the contracting company for specific recording and translation equipment in the courtroom which during this period was under renovation;
- Implementation of the project for the e-library (electronic library for the registration of books owned by the Court) and the search engine “search server” (research platform, which will enable search in all internal documents, Court decisions, laws and sub-legal acts, the internal library platform, and the HUDOC external search platform), a project funded by a donation from the Council of Europe, developed and installed on the Court’s servers;
- The CDMS system development and advancement project, a project funded by the Council of Europe prepared and specified by the Constitutional Court working group for the purpose of advancing and automating the management of cases registered with the Court, a project which is in the data migration and testing phase;
- The first version of the changes on the website for advancing the filtering of decisions and resolutions has been completed, according to the request submitted for the creation of a new category of decisions and the registration of articles for Resolutions; and
- Supplies of IT equipment have been implemented according to the foreseen plan. The process of supplying IT equipment, PC-all-in-one (10 pieces), Laptop (20 pieces) and Monitors (3 pieces) has been completed, where to all officials the old equipment (computers) have been replaced with new, installing and configuring them according to plan.

## Conducted activities

- Care and provision of services for the smooth running of technology and communication systems and equipment for all employees in the Court, we have also intervened through distance in the provision of IT services for holding online sessions;
- Management and organization of technical and operational tasks within the CIO and Multimedia Unit, providing the necessary support for the best functioning of information technology equipment and systems within the Court;
- Configuration and installation of the Antivirus (Sophos) console on Court servers, and apply new Microsoft updates to all computers;
- In 2021, a total of five (5) procurement processes were requested to be initiated for the purchase of various IT equipment, maintenance, software and accompanying parts according to the plan foreseen for this year;
- 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;
- Mounting, installing, and configuring new computers and registration in the Court's domain, as well as data transfer by maintaining internal devices in booting operating systems in Windows 10 and other application software;
- In 2021, 254 decisions were published on the Court's website in the languages sent and their categorization based on the filtering list; and
- Creating regular backups for CDMS systems and databases, troubleshooting and eliminating errors, and ensuring data storage on both server copies.

**INTERNAL AUDIT UNIT**



## INTERNAL AUDIT UNIT

Based on the annual plan for 2021, the Internal Audit Unit (hereinafter: IAU) has finished in time all planned audits, such as:

1. Communication and information inside and outside the Court in the ICU;
2. Translation management and functioning of internal control in the DPS;
3. Expense management; and
4. Procurement management.

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

- Strategic Plan of the Internal Auditor for the period 2022-2024, and
- Annual Plan of the Internal Auditor for 2022.

In addition to the planned audits, in the last quarter we also started with an audit at the request of the Court management.

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 systems 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 Court.

Also, the IAU has implemented the annual Plan of the Internal Auditor for 2022.

### **1. Internal Audit Committee**

The Internal Audit Committee is an independent advisory body - in the Constitutional Court, which 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 provides oversight of plans, reports and implementation of recommendations given by auditors, and in 2021 held four (4) meetings.





**COMMUNICATION AND INFORMATION OFFICE**



## **COMMUNICATION AND INFORMATION OFFICE**

The Communication and Information Office (hereinafter: the CIO) in its area of responsibilities includes: (i) information and communication with media/public, (ii) media monitoring, (iii) publication of notifications on the Court's website regarding visits/activities and sessions/decisions, (iv) publication of the Court's Newsletter, (v) publication of the Court Book and other leaflets/information brochures, (vi) communication with the parties/citizens, (vii) protocol, (viii) requests for access to official documents of the Court and protection of personal data, as well as (ix) cooperation with the Venice Commission.

In 2021, the CIO carried out these activities:

### **I. Media monitoring:**

- 144 daily media reports were compiled;;
- 48 weekly media reports were compiled; and
- Physical and electronic archiving of print media reports (112 articles) and of electronic media (725 articles) regarding the work of the Court.

### **II. Communication with the media/public:**

- Submitted responses to 135 questions submitted by the print and electronic media, and to 361 questions/requests by citizens and institutions;
- 33 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; and
- 29 notifications with summary information on the Court's decisions were published.

### **III. Publication of leaflets/brochures and other information materials**

- The Annual Media Report for 2021 has been published;
- The 11th and 12th issues of the Court Newsletter have been published; and
- The Bulletin of Case Law for 2020 has been published.

### **IV. Protocol activities:**

- The protocol tasks related to 26 official visits to the Court were finished, 3 official visits in institutions in the country, 3 official visits abroad, 2 workshops/conferences organized in the country, 2 workshops/conferences organized abroad and workshops/conferences organized through video-conference; and
- 206 letters of exchange with local and international institutional leaders have been prepared.

### **V. Requests for access to official documents:**

- In 2021, a total of 21 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; and
- Annual Report on requests for access to the Court's official documents for 2020 was submitted.

## **VI. Communication with parties/citizens:**

In 2021, the reception of the Court registered and processed:

- 343 citizens; and
- 88 institutional representatives.

## **VII. Cooperation with the Venice Commission:**

- The Court's answers to 62 questions submitted through the Venice Commission Forum were sent by 12 constitutional and supreme courts of the member states (*through 19 requests*); and
- 3 quarter reports were submitted, together with the most important decisions of the Court for publication in the Bulletins of the Venice Commission.

## **OTHER ACTIVITIES OF THE CONSTITUTIONAL COURT**



## OTHER ACTIVITIES OF THE CONSTITUTIONAL COURT

### I. Official travels

#### 28 - 30 September 2021

At the invitation of the Constitutional Court of the Republic of Albania, a delegation of the Constitutional Court of the Republic of Kosovo, led by the President of the Court, Mrs. Gresa Caka – Nimani, paid an official visit to Albania.

During her stay in Tirana, President Caka – Nimani and her Albanian counterpart, Mrs. Vitore Tusha, signed yesterday in a solemn ceremony the Memorandum of Cooperation between the Constitutional Court of Kosovo and the Constitutional Court of Albania, in order to continue the cooperation of the two courts for a new five-year period, in areas of mutual interest.

The Memorandum of Cooperation envisages, among other things, the development of bilateral cooperation programs in order to adopt the best European practices of constitutional law and of the European Court of Human Rights, to strengthen the professional capacities of judges and support staff, increase the quality of decisions and improve communication with the public.

With the support of the German foundation “Hans Siedel Stiftung”, following the visit to Albania, the judges of the two constitutional courts today participated in the roundtable on the topic: *“Disputes of competencies between governments, as well as between central government and local government – respective practices according to constitutional jurisprudence”*.

#### 14 - 19 November 2021

The President of the Constitutional Court of the Republic of Kosovo, Mrs. Gresa Caka – Nimani, stayed for several days in an official visit to the United States of America (hereinafter: the US).

President Caka-Nimani met with, among other, the U.S. Department of Justice’s Deputy Assistant Attorney General and Counselor for International Affairs Mr. Bruce C. Swartz, in Washington, DC.

After expressing her gratitude for the continuous assistance that the United States has provided to Kosovo and its institutional development over the years, particularly in the area of rule of law, President Caka-Nimani informed Mr. Swartz with respect to the achievements and the challenges pertaining to the constitutional justice. Both sides further exchanged their views on the most effective mechanisms for strengthening the rule of law in the Republic of Kosovo and the importance of consolidating the rule of law in any democratic country.

During her visit in Washington, President Caka-Nimani also met with senior officials in the State Department and the United States Agency for International Development as well as the U.S. representatives in the Venice Commission.

President Caka-Nimani began her visit to the United States last week participating in the International Conference on *“Inalienable Rights and the Traditions of Constitutionalism”*, organized by the Kellogg Institute for International Studies at the University Notre Dame, which was attended by judges and presidents of constitutional and supreme courts of states around the World, as well as prominent international academics and human rights experts.

Being one of the main conference panel members, President Caka – Nimani, made a detailed presentation pertaining to Kosovo's constitutional tradition and protection of human rights and fundamental freedoms in accordance with the principles embodied in the Universal Declaration of Human Rights and the European Convention on Human Rights.

At the invitation of the Faculty of Law within the University of Notre Dame, President Caka-Nimani also gave a lecture on the history and the constitutional tradition of the Constitutional Court of Kosovo.

## **7 December 2021**

A delegation of the Constitutional Court of the Republic of Kosovo, headed by the President of the Court, Mrs. Gresa Caka – Nimani, stayed in Skopje for an official visit to the Constitutional Court of North Macedonia.

During her stay in the Macedonian capital, President Caka – Nimani and her counterpart, Mrs. Dobrila Kacarska, discussed together with the judges of both courts the modalities of further intensification of institutional cooperation in areas of mutual interest.

Both sides agreed on the next steps to be taken towards deepening cooperation, with a special focus on the exchange of experiences towards advancing the relevant case law.

Following the visit, judges from both courts participated in the joint workshop on the protection of the constitutional freedoms and rights in the Constitutional Court of Kosovo and the Constitutional Court of North Macedonia, with special reference to the implementation of case law of the European Court of Human Rights.

## **II. Official visits at the Constitutional Court /Other activities**

### **4 February 2021**

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 the concluding workshop for the implementation of the Strategic Plan of the Constitutional Court.

### **9 February 2021**

Judges of the Constitutional Court of the Republic of Kosovo and chairpersons of the working groups of the Strategic Plan of the Constitutional Court, 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 – 2025).

### **11 February 2021**

In the framework of the project supported by the Council of Europe Office in Prishtina, "Improving the Protection of European Standards for Human Rights by the Constitutional Court", Judge Gresa Caka-Nimani, Chief Advisor, Juristconsult, Two Deputy Chief Advisors, Director of the Communication and Information Office and Head of the ICT and Multimedia Unit, discussed via video conference with representatives of the Council of Europe the Court's activities to date, funded by the CE Office in Pristina, and next projects that could be funded by the EC.



### **19 February 2021**

In the framework of the project supported by the Council of Europe Office in Prishtina, “Improving the Protection of European Standards for Human Rights by the Constitutional Court”, the Court's advisors participated in a workshop organized through a video conference on the topic: Property Rights and the European Convention on Human Rights”.

### **28 May 2021**

A delegation of judges of the Constitutional Court of the Republic of Albania, led by the President of this court, Ms. Vitore Tusha, paid an official visit to the Constitutional Court of the Republic of Kosovo.

The delegation from Albania was received in a meeting by the President of the Constitutional Court of Kosovo, Mrs. Arta Rama - Hajrizi and other judges of the Court, where the central topic of discussion were the functioning of both courts in pandemic situation, practices and working methods in processing cases, remote decision-making, and consolidation of the jurisprudence of both courts in harmony with international standards of constitutional justice.

### **21 June 2021**

In the framework of the project supported by the Council of Europe Office in Prishtina, “Improving the Protection of European Standards for Human Rights by the Constitutional Court”, a workshop was organized through a video conference on: “Case Management Systems in European Court of Human Rights and the Constitutional Court”.

### **25 June 2021**

With an official ceremony, a solemn handover of the duty of the President of the Constitutional Court of Kosovo was made between the then President, Mrs. Arta Rama - Hajrizi and the elected President, Mrs. Gresa Caka - Nimani, on 25 June 2021, in the Constitutional Court.

### **3 - 4 September 2021**

Judges of the Constitutional Court, Mr. Safet Hoxha and Mr. Nexhmi Rexhepi participated in the Eighth Regional Forum on the Rule of Law for Southeast Europe on the topic: “Independence and impartiality of the judiciary, principles that are protected by the European Convention on Human Rights and European Union Law”, organized by the “Center AIRE” and the 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”, held on 3 and 4 September 2021, in Prishtina.

### **7 - 8 September 2021**

At the invitation of the Constitutional Court of the Republic of Turkey, the legal advisors of the Constitutional Court of the Republic of Kosovo, Mr. Nexhat Kelmendi and Mr. Kreshnik Jonuzi through video conference participated in the program “9th Summer School” on the topic “Current problems in the implementation of judgments: Constitutional Justice”, held on 7 and 8 September 2021.



## APPENDIX I



## APPENDIX I

### Summary of accounts of the Constitutional Court for 2021 Statement of Cash Receipts and Payments

Note	2021			2020			2019		
	Treasury single account			Treasury single account			Treasury single account		
	KCB €	OSR €	Payments from third external parties €	KCB €	OSR €	Payments from third external parties €	KCB €	OSR €	Payments from third external parties €
Receipts									
General Fund Appropriations	1,958,128.31			1,886,805.33			1,957,335.82		
Own source revenues									
Special Purpose Fund Appropriations									
Designated Donor Grants									
Fund of Loans									
Other receipts									
Totalii receipts	1,958,128.31	-		1,886,805.33	-	-	1,957,335.82	-	-
Payments									
Operations									
Wages and salaries	2	1,290,201.18		1,290,540.94			1,288,021.58		
Goods and services	3	546,106.09		378,504.67			420,473.40		
Utilities	4	2,583.07		2,463.72			2,652.28		
		1844.809.34		1,671,509.33			1,711,147.26		
Transfers									
Transfers and subsidies	5								
Capital expenditures									
Property building and equipment	6	113,237.97		215,296.00			246,188.56		
Loan returns	7								
Other payments	8								
Total payments	1,958,128.31	-		1,886,805.33		-	1,957,335.82		-

## Report on budget execution

Notes		2021				2020	2019
		Original Budget (Appropriations )	Final Budget (Appropriations )	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	1,178,098	1,296,201	1,296,201	0	1,290,541	1,288,022
Goods and Services	3	457,317	546,167	546,106	61	378,505	420,473
Utilities	4	4,000	2,650	2,583	67	2,464	2,652
Transfers and subsidies	5						
Capital Expenditures	6	225,372	137,872	113,238	24,634	215,296	246,189
Privatization Fund	7						
Other	8						
Total payments made through KCB		1,864,787	1,982,890	1,958,128	24,762	1,886,805	1,957,336

## General Fund Appropriations for 2021

Economic Classification	2021			2020	2019
	KCB	OSR	Total		
	€	€	€	€	€
Wages and salaries	1,296,201		1,296,201	1,290,541	1,288,022
Goods and services	546,106		546,106	378,505	420,473
Utilities	2,583		2,583	2,464	2,652
Subsidies and transfers					
Capital investments	113,238		113,238	215,296	246,189
	1,958,128	-	1,958,128	1,886,805	1,957,336

# **ORGANIZATIONAL CHART**







REPUBLIKA E KOSOVËS - РЕПУБЛИКА КОСОВО - REPUBLIC OF KOSOVO

GJYKATA KUSHTETUESE

УСТАВНИ СУД

CONSTITUTIONAL COURT

