



Kosovo¹: Civil Society Report by Kosovo Law Institute

Review of UNCAC Chapters II and V

7 November 2025

This is the executive summary of a civil society parallel report from August 2024 reviewing Kosovo's implementation and enforcement of selected articles in UN Convention against Corruption (UNCAC) Chapters II (Preventive Measures) and Chapter V (Asset Recovery). The report was supported by the Global Civil Society Coalition for the UNCAC², and the full report is available on the Coalition's website.³

Kosovo is not a State Party to the UNCAC and whilst it does not participate in the review process, it has still shown commitment to combating corruption through legislative and implementation efforts aligned with UNCAC principles. However, issues persist in implementation, as well as challenges in drafting legislation around justice reform and anti-corruption efforts in line with the constitution and international standards. Many laws have been ruled unconstitutional,⁴ and there are ongoing attacks on the justice system.

Main Findings and Recommendations (R)

Preventive Anti-Corruption Policies and Practices

The Criminal Code and Code for Criminal Procedure defines corruption offenses and a procedural framework ensuring fair and efficient criminal proceedings. However, implementation remains a challenge. There has been no State Strategy against Corruption since 2019. The draft strategy proposes establishing direct constitutional supervision of by-laws and decisions taken by independent judicial institutions which contradicts the Kosovo Constitution. Furthermore, the draft strategy includes unclear concepts around beneficial and media ownership and addresses issues under the jurisdiction of the justice system institutions.⁵

R: *Modify and approve the State Strategy against Corruption.*

Preventive Anti-Corruption Bodies

The Agency for the Prevention of Corruption (APC) is the independent anti-corruption body covering asset declarations, conflicts of interest, gifts, and whistleblower protection. Its mandate also includes administrative investigations, preventive procedures, and sanctions for non-compliance. Its tools

¹ All references to Kosovo in this document should be understood to be in the context of United Nations Security Council Resolution 1244 (1999).

² Has been known as the UNCAC Coalition.

³ UNCAC Coalition parallel report on Kosovo, <https://uncaccoalition.org/uncacparallelreportkosovo/>.

⁴ Notice of decision in case KO46/23 of the Constitutional Court, 2024, <https://gjk-ks.org/njoftim-per-vendim-ne-rastin-ko46-23/>; Judgment in cases no. KO100/22 and KO101/22 of Constitutional Court, https://gjk-ks.org/wp-content/uploads/2023/04/ko_100_101_22_agj_shq.pdf, last accessed on July 2, 2024.

⁵ Kosovo Law Institute report: Kosovo without Anti-Corruption Strategy, 10 January 2024, https://kli-ks.org/wp-content/uploads/2024/01/KLI_Kosovo-without-a-strategy-against-corruption_final_english.pdf.



include legislation corruption-proofing, risk assessments, and public institution integrity plans. Despite improvements in the APC's performance, the anti-corruption framework is not yet fully implemented.

***R:** Adequately implement the Law on Declaration, Origin, and Control of Assets and Gifts.*

Public Sector Employment

Public sector employment is regulated by the Law on Public Officials. The government adopted a strategy framework for public finance management and administration reform, however this has not generated noticeable improvements. The Independent Oversight Board for the Civil Service supervises the implementation of civil service legislation, and the Institute for Public Administration was established for training of public officials. There is a tendency to politicize public administration through the violation of the Constitution in adopted draft laws.

***R:** Implement Constitutional Court decisions.*

Political Financing

The most recent⁶ amendment to the Law on Financing of Political Entities relocated the competence for conducting audits of political entities from the Parliamentary Assembly to the Office for the Registration, Certification, and Financial Control of Political Entities at the Central Election Commission (CEC). However, the legislation needs to be enforced to ensure more responsible, transparent, and mandatory financing for parties and campaigns.

***R:** Implement political finance legislation and raise awareness of campaign finance regulations. The CEC should ensure oversight over political parties and campaign financing.*

Codes of Conduct, Conflicts of Interest, and Asset Declarations

The legal framework covers codes of conduct, conflicts of interest, and asset declaration provisions. The APC as the central authority responsible for supervising implementation can impose sanctions for violations. Public officials must avoid conflicts of interest and declare their assets in time. Although the APC can conduct asset declaration investigations, this has not produced sufficient results. The justice system has contributed to this issue by insufficiently addressing violations related to asset declarations and imposing inadequate penalties for non-declaration, creating a standard of impunity.

***R:** Impose sanctions for the non-declaration of assets.*

Reporting Mechanisms and Whistleblower Protection

The Law on the Protection of Whistleblowers provides the basis for reporting mechanisms and whistleblower protection in public and private sectors, defining three types of whistleblowing: internal, external, and public reporting. It includes provisions for the protection of whistleblowers and reporters' confidentiality which has been challenged in practice. The improvement of the legal framework has had a substantial impact on whistleblower protection and has helped raise public awareness. Despite this, whistleblowers face retaliation from public institutions.

***R:** Adopt and implement whistleblower internal procedures in public and private institutions.*

Public Procurement

⁶ As of the time of the report publication.



The legal framework lacks provisions for e-procurement, and the approval of the draft law for public procurement has been postponed since 2020. Finalizing this is essential to addressing e-procurement challenges and resolving efficiency issues concerning the Procurement Review Body (PRB).⁷

R: *Approve the new law on public procurement to ensure the operationalization of the e-procurement system and greater efficiency in the Procurement Review Body.*

Management of public finances

The Law on Public Financial Management and Accountability regulates the management of public finances and its legal framework for budget allocations. Kosovo also approved the Law for the Auditor General and the National Audit Office. However, in numerous instances the State Prosecutor has not adequately dealt with findings of the National Audit Office, which in some cases has exceeded its powers, undermining judicial independence.

R: *The National Audit Office should adhere to its designated powers, avoiding interference with judicial independence.*

Access to Information and Participation of Society

Access to information and participation of society is foreseen under Kosovo's Constitution, with a comprehensive legal framework. The Law on Access to Public Documents outlines procedures for individuals to request access to public documents held by public institutions. The Information and Privacy Agency (IPA) handles complaints and supports accountability and transparency of public institutions. The access to information legislation is widely in line with EU standards, but there is insufficient data on implementation.

The 2016 Regulation on Public Consultation set minimum standards for public consultation and guidelines for public authorities engaging with the public until June 2024. When the Regulation on Public Sector Recruitment came into effect, it incorporated provisions subject to public consultations. However, in many cases, obligations around public involvement in the legislative process have not been implemented. Kosovo's Constitution and Law on Legislative Initiatives provide for the right of legislative initiative, but have seen limited use.⁸ Political pressure against the media and NGOs has been mounting.

R: *Comply with public institutions' obligations around access to information legislation. Stop political pressure and the use of inflammatory language around the media and towards NGOs.*

Judiciary and prosecution services

The judicial and prosecutorial systems operate independently, with the Supreme Court as the highest judicial authority, and with the State Prosecutor handling criminal cases.⁹ The Kosovo Judicial Council and the Kosovo Prosecutorial Council (KPC) oversee these. Since 2022, the State Prosecutor's Office has been led by an Acting Chief State Prosecutor, leading to concerns about the KPC's internal accountability. The prosecutorial system is independent of the legislative or executive branches. However, the Prosecutorial Council has a corporatist composition,¹⁰ underscoring its need for reform.

⁷ Written Contributions by Arbër Kabashi, researcher at INPO. 01.07.2024.

⁸ Naim Jakaj, Handbook Legislative Initiatives of Citizens, 2023, <https://kli-ks.org/doracak-nismat-legislative-per-qytetare/>, last accessed on July.

⁹ Ibid, Article 103, par. 2.

¹⁰ European Commission for Democracy through law (Venice Commission) Kosovo opinion No. 1063/2021 on the draft amendments to the law on the prosecutorial council, December 2021,



Monitoring of the prosecutorial system revealed a lack of transparency and accountability. Despite these challenges, progress has been noted in the judicial system's accountability and transparency.

R: Stop political interference in the independence of the judicial and prosecutorial system.

Private Sector Transparency

The Law on Business Organizations specifies types of businesses, requirements, and processes for registration and deregistration. A new law on business organizations is needed to harmonize the legal system with the EU acquis. The private sector is subject to penalties in cases of certain violations. The Commercial Court was established to improve the legal system's effectiveness in resolving business disputes; however, there is a backlog of cases.

R: Approve the new law on business organizations to incorporate provisions on corporate transparency and reporting.

Measures to Prevent Money Laundering

The Law on the Prevention of Money Laundering and Financing of Terrorism establishes the Financial Intelligence Unit as a central independent institution tasked with requesting to relevant authorities, receiving, analyzing, and disclosing information on potential money laundering and terrorist financing. The law lists 10 categories of reporting entities and assigns them reporting obligations. However, authorities lack a comprehensive understanding of the dangers associated with money laundering and terrorism. Stronger inter-institutional cooperation and greater efficiency in handling money laundering cases are required, as well as legal development to meet international standards.

R: Strengthen the Law on money laundering and terrorism financing to align with international best practice. Train judges and prosecutors on anti-money laundering to ensure they are equipped to manage complex cases.

Asset Recovery

Kosovo has an adequate legal framework on asset recovery under the Code of Criminal Procedure and Law on Extended Powers for Confiscation of Assets. In addition to the confiscation of assets and property after being found guilty of a criminal offense, Kosovo intends to establish a system of confiscation without criminal conviction. However, there is debate over the Draft Law on the State Bureau for the Verification and Confiscation of Unjustifiable Assets and the need to approve this confiscation system; it is currently being reviewed by The Constitutional Court. The imbalance between asset freezing, seizing, and confiscation presents a problem.

R: Apply the Law on Extended Powers for Confiscation of Assets systematically when dealing with corruption cases.