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AGJENCIA KUNDËR KORRUPSIONIT
AGENCIJA PROTIV KORUPCIJE
ANTI - CORRUPTION AGENCY



ANNUAL WORK REPORT

1 January – 31 December 2019

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LIST OF ABBREVIATIONS

ACA	Anti-Corruption Agency
KPA	Kosovo Property Agency
KBRA	Kosovo Business Registration Agency
CRA	Civil Registration Agency
SAKA	State Agency of Kosovo Archive
EU	European Union
D+	Democracy + (Non-Governmental Organization)
SACD	Special Anti-Corruption Department
DIECC	Directorate for Investigation of Economic Crimes and Corruption, Kosovo Police
FIU	Financial Investigation Unit
GLPS	Group for Legal and Political Studies
CC	Constitutional Court
BC	Basic Court
KIPA	Kosovo Institute for Public Administration
KJI	Kosovo Justice Institute
IPK	Kosovo Police Inspectorate
KDI	Kosovo Democratic Institute
KEC	Kosovo Energy Corporation
KJC	Kosovo Judicial Council
KPC	Kosovo Prosecutorial Council
CPCK	Criminal Procedure Code of Kosovo
CEC	Central Election Commission
PPRC	Public Procurement Regulatory Commission
LDC	Leadership and Development Consultancy
MPA	Ministry of Public Administration
MEST	Ministry of Education, Science and Technology
MoJ	Ministry of Justice
MDA	Management Development Association
MoF	Ministry of Finance
MKSF	Ministry of Kosovo Security Force
MESP	Ministry of Environment and Spatial Planning
MIA	Ministry of Internal Affairs
MoH	Ministry of Health
MTI	Ministry of Trade and Industry
FIU	Financial Intelligence Unit
POEPMU	Publicly-Owned Enterprises Policy and Monitoring Unit
EO	Economic Operator
OSCE	Organization for Security and Co-operation in Europe
PRB	Procurement Review Body
PECK II	Project against Economic Crime in Kosovo II
KP	Kosovo Police
MPP	Municipal Public Prosecution
DPP	District Public Prosecution
SPRK	Special Prosecution of the Republic of Kosovo
SP	State Prosecution
BP	Basic Prosecution
KCPSED	Kosovo Centre for Public Security, Education and Development

RAI	Regional Anti-Corruption Initiative
RESPA	Regional School for Public Administration
SAEK II	Support the Anti-Corruption Efforts in Kosovo II
SACIK	Support Anti-Corruption Institutions of Kosovo
SAP	Anti-Corruption Agency Strategy and Action Plan
TI	Transparency International
UNDP	United Nations Development Program
UP	University of Prishtina “Hasan Prishtina”
USAID	United States Aid for International Development
OPM	Office of the Prime Minister
ORCI	Office for Relations, Cooperation and Information
ODP	Office of Disciplinary Prosecutor

I. EXECUTIVE OVERVIEW

Pursuant to Article 12 of the Law No. 03/L-159 on Anti-Corruption Agency, the Agency shall submit the Annual Work Report for the previous year to the Assembly of the Republic of Kosovo, namely to the Committee on Legislation, Mandates, Immunities, and Rules of Procedure of the Assembly and Oversight of the Anti-Corruption Agency. The Annual Report shall present the activities, achievements and challenges of the ACA for 2019.

The Report shall focus on the activities listed below:

- ⇒ Implementation of the legal framework in the field of anti-corruption;
- ⇒ Results from the process of declaration of properties by senior officials and registration of gifts received, publication of registers of property declaration forms by senior public officials on the ACA's official website;
- ⇒ Prevention and handling of the cases of conflict of interest during and after the exercise of the public function of senior public officials and other officials;
- ⇒ Results of corruption prevention during the monitoring of public procurement activities;
- ⇒ Law enforcement and handling of cases in the field of whistleblower protection;
- ⇒ Follow-up of criminal reports in competent prosecution offices, follow-up of requests for initiation of disciplinary proceedings for alleged administrative violations;
- ⇒ Education of public officials and awareness-raising activities for citizens on the legal framework and current mechanisms responsible for preventing and combating corruption.

The Annual Work Plan shall present the institution's efforts in preventing and combating corruption cases and raising public awareness with a view to establishing and promoting order and rule of law. This Report shall also reflect the relations between the Agency and other institutions, in particular with those of law enforcement, in terms of setting clear priorities for the implementation of the legal framework with the purpose of: combating and preventing corruption, promoting transparency and strengthening institutional integrity.

For reporting purposes, the Annual Work Report shall cover the period 1 January to 31 December 2019.

II. DESCRIPTION OF THE INSTITUTION

Pursuant to the Law No. 03/L-159 on Anti-Corruption Agency, ACA is an independent and specialized body responsible for implementation of state policies for combating and preventing corruption in Kosovo. The Agency has been established in July 2006, whereas it has been functionalized on 12 February 2007.

The scope of the Agency is focused on investigations and administrative aspects. ACA carries out the mandate through the process of declaring properties by public senior officials, declaring and registering gifts by public officials, preventing conflict of interest cases in the discharge of a public function, monitoring public procurement activities, drafting and monitoring the implementation of the Anti-Corruption Strategy and Action Plan, detecting and investigating corruption-related cases, protection of whistleblowers, efforts to prevent the phenomenon of corruption and raising public awareness on progressive steps towards building a society governed by order and law.

Current Law on Anti-Corruption, on the basis of which ACA conducts its activities, provides measures against corruption within the scope of the Anti-Corruption Strategy and Action Plan, particularly in the initial investigation of corruption, protection of whistleblowers, analysing and eliminating the causes of corruption, the incompatibility of holding public office and the conduct of the profitable activities by the official persons, restrictions regarding the acceptance of gifts related to the performance of official duties, monitoring of their properties, as well as the persons in close relation to them and restrictions on contracting entities on participation on public tenders.

2.1 Legal framework

While implementing its mandate and exercising its powers, ACA is based on the primary and secondary legal framework.

ACA implements its mandate based, but not limited to, the primary legal framework presented below:

- Law No. 03/L-159 on Anti-Corruption Agency;
- Law No. 04-L-050 on Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials;
- Law No. 04/L-228 on Amending and Supplementing the Law No. 04/L-050 on Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials;
- Law No. 06/L-011 on Prevention of Conflicts of Interest in Discharge of a Public Function;
- Law No. 06/L-085 on Protection of Whistleblowers.

The sub-legal acts based on which ACA's work is organized and which are approved by ACA are as follows:

- Regulation No. 01/2013 on Internal Organization and Systematization of Jobs in the Anti-Corruption Agency;
- Code No. 03/2013 of Ethics for the Anti-Corruption Agency Officials;
- Regulation No. 01/2014 on Rules of Procedure of the Anti-Corruption Agency;
- Regulation No. 02/2014 on the Organization, Operation and Management of the Archives of Anti-Corruption Agency;
- Regulation No. 01/2018 on Amending and Supplementing the Regulation No. 01/2014 on Rules of Procedure of the Anti-Corruption Agency;

Regulation No. 01/2019 on Amending and Supplementing the Regulation No. 01/2013 on Internal Organization and Systematization of Jobs in the Anti-Corruption Agency.

2.2 Internal organization

The Agency employs 43 officials, including the Director of the Agency. The internal organization is regulated by the Regulation No. 01/2013 on Internal Organization and Systematization of Jobs in the Anti-Corruption Agency and Regulation No. 01/2019 on Amending and Supplementing the Regulation No. 01/2013 on Internal Organization and Systematization of Jobs in Anti-Corruption Agency. Under this Regulation, the Agency is divided into the following departments and divisions:

1. **Department of Combating Corruption** is responsible for conducting the preliminary investigation procedures in cases of suspicion of corruption, analysing of statistical data and other data about the state of corruption in Kosovo, drafting and monitoring the implementation of the Anti-Corruption Strategy and Action Plan, protection of whistleblowers according to the Law on Protection of Whistleblowers, as well as reporting on the implementation of the Agency's tasks determined by other strategic documents. This Department consists of: 1. Division for Investigations and Analyses; 2. Division for Investigations and Strategies; and, 3. Division for Protection of Whistleblowers.
2. **Department for Prevention of Corruption** is responsible to oversee the property, oversee gifts, and prevent corruption in public procurement and corruption in general. This Department consists of: 1. Division for Declaration of Assets and Gifts; 2. Division for Prevention of Corruption in Public Procurement.
3. **Department for prevention of conflict of interest** is responsible to prevent Conflict of Interest of senior public officials during the exercise of public function. It cooperates with responsible authorities, analyzes and handles cases of conflict of interest, receives annual reports from responsible authorities, provides professional assistance and advice for other institutions in the area of prevention of conflict of interest. This Department is made of: 1. Division for the prevention of conflict of interest for senior officials and responsible authorities, and 2. Division for the prevention of conflict of interest for responsible authorities and official persons.

4. **Department for Finance and General Affairs** is responsible to manage and ensure material resources, provision of administrative services, manage finances and budget as well as the logistics of the agency. This Department is composed by the Division for general services, budget and finances.
5. **Office for professional support, cooperation and information** is responsible for the provision of professional support, management and administration of electronic data of the agency and the IT system, and administrative-technical issues
6. **Coordinator of public communication office** organizes, coordinates, leads, and harmonizes activities related to public and media information regarding work, activities, and actions of the Agency.
7. **Manager of personnel, Procurement Manager and Archive** is responsible for recruitment procedures, management of several procurement activities and archiving official submissions

ACA's Organizational chart is presented graphically in Annex I.

The following two commissions are established within ACA in accordance with the legal provisions of the Civil Service: Disciplinary Commission and Commission for Dispute Settlements and Appeals. These two commissions did not receive any appeals during 2019.

III. DEPARTMENT OF COMBATING CORRUPTION

In accordance with the provisions of the Law No. 03/L-159 on Anti-Corruption Agency, Law on Protection of Whistleblowers and secondary legislation, the work of the Department of Combating Corruption within the ACA is carried out through (1) implementing the legal framework and conducting preliminary investigation, (2) implementing Law on protection of whistleblowers, (3) drafting and monitoring the implementation of Anti-Corruption Strategy and Action Plan.

3.1 Law enforcement

The Department of Combating Corruption within ACA is responsible for law enforcement and conducts the following activities:

- ⇒ Conducting preliminary investigations related to the allegations of corruption in the cases when no criminal procedure is initiated by any other mechanism;
- ⇒ Proceeding the investigated cases to the competent public prosecution office for further criminal proceeding, as well as forwarding the requests for initiation of disciplinary proceedings in relation to allegations for administrative violations;
- ⇒ Handling cases of whistleblowers – external whistleblowing is set forth by the Law on protection of whistleblowers and provision of professional assistance for Responsible Officers for certain whistleblowing, set forth by public institutions;
- ⇒ Cooperation with all local and international authorities responsible for law enforcement during the investigation proceedings conducted by these authorities.

3.1.1 Conducting investigations

During this reporting period, the priority of the Department of Combating Corruption was the admission, ex officio initiation and preliminary investigation of suspected cases of corruption. Consequently, cases reported by citizens have been investigated, as well as cases which were initiated ex officio when ACA found grounded information on potential corrupt activities.

In relation to investigated cases with allegations on potential corruption, and final decisions during this reporting period, the general overview is presented below.

3.1.2 Cases reported to ACA during 2019

During the reporting year, ACA received information from citizens regarding allegations of corruption activities through different ways of reporting. Citizens can report suspected corruption cases in several ways, such as direct reporting via the free hotline **0800 10 800**, reporting via mail and e-mail (online form) on www.akk-ks.org. For persons who in good faith have disclosed information on the existence of corruption and in order to prevent harmful consequences to them, the ACA has enabled them to report cases of alleged corruption anonymously in order to protect the identity of reporters and encourage citizens to report these cases.

During 2019, ACA has conducted preliminary investigation procedures in a total of 385 cases, of which 102 are carried from previous years, whereas in 2019 ACA received 283 new cases. Of these cases, 102 were preceded to the Prosecution Office, Police for further proceeding, 8 were preceded to competent administrative bodies with a request for initiation of disciplinary proceeding, and 142 cases were closed, while 133 cases are in proceeding. Total number of handled anonymous reporting is 35. During the reporting year, the Agency handled a total of 141 cases initiated ex-officio. The following chart (*Figure 1*) represents the proceeding of 385 cases handled during 2019.

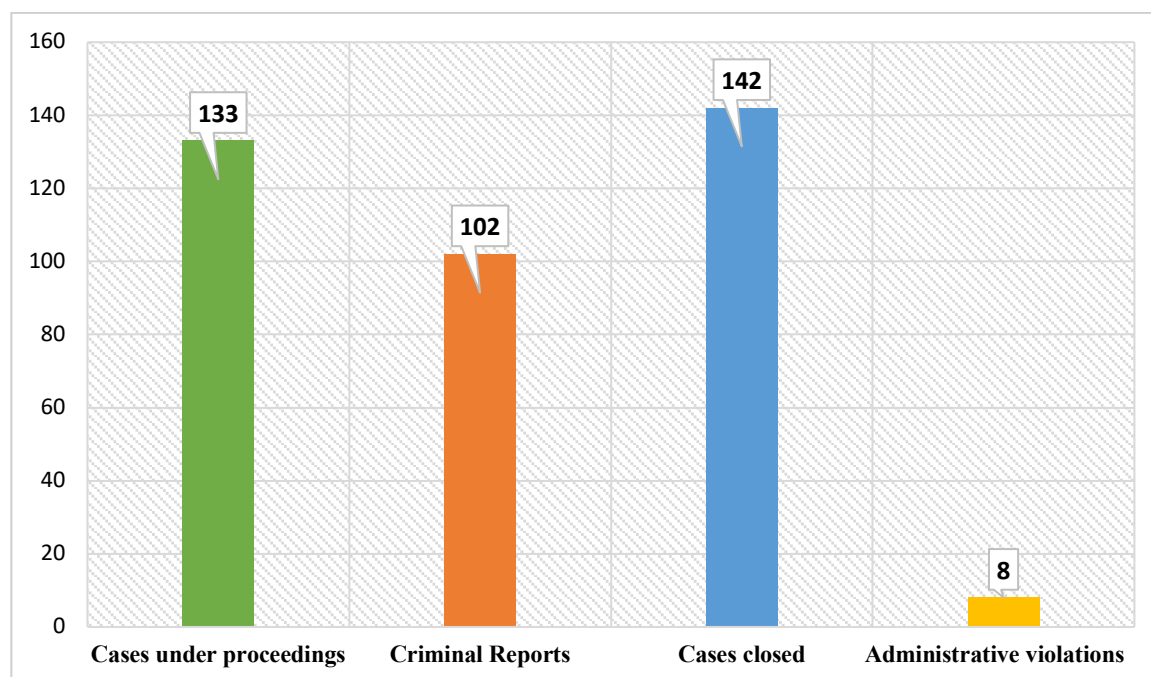


Figure 1. Graphical representation of the proceeding cases handled during 2019

3.1.3 Cases forwarded to competent institutions for further proceeding

During the reporting period, 102 information and criminal charges were forwarded to competent institutions for further proceeding.

Out of them, 89 criminal charges were forwarded to the Office of the Chief State Prosecutor, for which the Office of the Chief State Prosecutor notified the Agency that they are delegated to the competence of the respective prosecution offices.

8 sets of information were forwarded to DIECC, whereas 5 sets of information were forwarded to the State Prosecution.

In eight (8) cases, following the completion of preliminary investigation proceedings, it is determined that there is no sufficient data and/or reasonable suspicion that the case could constitute a criminal offence; however, it is alleged for administrative violation. Agency forwarded these cases to the competent administrative bodies, with a request to initiate disciplinary proceedings.

The value of the damage caused by cases forwarded to competent prosecution offices, police is not specified.

3.1.4 Persons suspected for corruptive activities

In the 102 cases forwarded to public prosecution offices and Kosovo Police for further criminal proceeding after the establishment that there are sufficient data or/and grounded suspicions for involvement in corruptive activities, ACA reported 119 persons. Of them, 113 persons were forwarded to the Office of the Chief State Prosecutor, and 6 persons to DIECC – Kosovo Police.

During the reporting period, ACA also forwarded 8 cases to the competent administrative bodies with the request to initiate disciplinary proceedings against 8 officials of the institutions of the Republic of Kosovo. The Figure 2 graphically shows the number of criminal charges and number of involved persons for cases forwarded to relevant institutions.

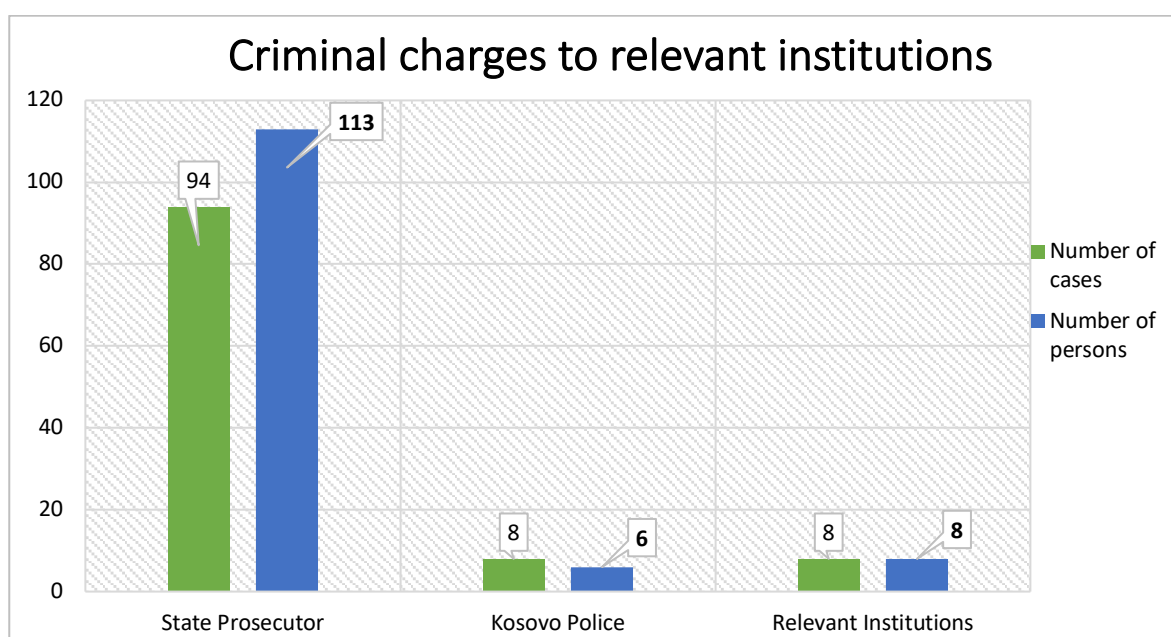


Figure 2. Overview of criminal charges and number of involved persons forwarded to the relevant institutions

3.1.5 Cases proceeded according to the structure of criminal offenses

Among the 102 cases proceeded to Prosecution Office, DIECC - Kosovo Police for further proceeding, some of them consist of two or more offences. Criminal offences mainly belong to Chapter XXXIV on official corruption and criminal offences against official duty under the Criminal Code of Kosovo. In 12 cases (8 in DIECC and 4 in the Office of the Chief State Prosecutor), alleged actions could not be qualified as to what criminal offences they represented due to exceeding the Agency's investigative opportunities and competencies.

The structure of criminal offences forwarded to the competent institutions and the level of suspected officials was as follows:

- ⇒ Not-reporting or falsely reporting of properties, incomes, gifts and other material benefits or financial obligations - The highest number of cases forwarded to the prosecution office constitute actions sanctioned under Article 437 of the Criminal Code of Kosovo.
- ⇒ Abuse of official position or authority - From the total number of cases forwarded to Prosecution Offices and DIECC - Kosovo Police, corruption actions, foreseen under Article 422 of the CCK, constitute the second highest share of offences. In two cases,

this criminal offence was accompanied by the offence of Fraud (Article 335 of the Criminal Code of Kosovo).

- ⇒ Conflict of interest - According to this criminal offence specified in Article 424 of the Criminal Code of Kosovo, two (2) cases were forwarded to the competent prosecution.
- ⇒ Fraud – 1 case was forwarded in relation to this criminal offence, according to Article 335 of the Criminal Code of Kosovo.

Persons involved in these cases are from different levels, such as: member of parliament, advisers to the ministers, secretary generals to the ministries, advisers to embassies, mayors and former mayors, chief of mayor's cabinet, chairpersons of municipal assemblies, deputy mayors, advisors and former advisers of municipal assemblies, chairpersons, deputy chairpersons and members of the steering committee at the public university, vice rector and former vice rectors, deans and pro deans in faculties of public universities, secretaries to public universities, judges, prosecutors, head chief, former head chief, directors in executive agencies within ministries, members of the governing councils of the subordinate institutions within the ministries, directors of ministry departments, managers and procurement officials, directors of municipal directorates, heads of sectors at municipal level, central level financial officers, directors of hospitals, directors of clinics, directors and board members and former board members of public enterprises, director of sports centre, etc.

Following the completion of the preliminary investigation procedure, the Agency during the reporting period issued an opinion addressed to the relevant institutions of the Republic of Kosovo, as follows:

- Opinion regarding measures taken to avoid the numerous identified shortcomings and to regulate the procedures for the sale of products funded by the Institutions of Culture.

Regarding the 8 cases followed by requests for initiation of disciplinary proceedings by ACA, the competent administrative institutions have issued verbal remarks to 3 cases whereas in 1 case, the competent institutions have rejected the requests of the ACA for taking disciplinary measures on the grounds that the conditions for imposing any disciplinary measure foreseen in Regulation No. 04/2011 on Disciplinary Procedures in the Civil Service have not been met. 1 case is undergoing disciplinary procedures and in 3 cases, ACA has not received any information.

3.1.6 Characteristics of the violations found during the preliminary investigation

ACA has conducted preliminary investigations regarding allegations of corruptive activities, i.e. in respect of offenses from Chapter XXXIV of CCK – official corruption and criminal offences against official duty. Despite a general institutional commitment, corruption offences continue to constitute the lowest number of criminal cases investigated by the prosecution bodies but also constitute criminal offences for which least convictions were imposed.

Characteristic of investigated cases dealing with the criminal offense of Abuse of Official Position or Authority from Article 422 of the CCK is the abuse of official duty or authority by the official who, by acting or non-acting, violate the applicable laws in order to obtain any benefit for himself/herself or another person, or with the purpose to harm the other persons or certain business, or severely violate the rights of the other person, exceeds the powers and disregards official duties.

The actions or omissions mentioned refer to violations such as:

- Temporary re-systematization in other positions, without fulfilling required conditions, and in absence of other candidates.
- Hiring persons without announcing a vacancy competition.
- Recommendation of the candidate in violation of the law as a senior official in a public enterprise.
- Employment without fulfilling the requirements of the vacancy (no work experience).
- Permanent transfer from one position to another, in contradiction to the legislation, job description and the required qualification for the position.
- Approval of application for inclusion in a certain social assistance scheme in violation of the applicable legislation, despite those persons also being beneficiaries of other social assistance schemes.
- Transfer and systematization in a specific position without a vacancy competition
- Personally taking part in cases of employment of family members.
- Participating personally in specific official matters for the purpose of financial gain to themselves.
- False statement under oath, concealing the fact that he or she has been a senior level employee in a public enterprise where he has applied or that he or she has not served as a senior employee within the last three years.
- Recommendation of a candidate for a position without verifying other candidates' applications who have applied at the public enterprise.
- Allowing the execution of the monthly allowance by misinterpreting/failing to implement certain regulation without fulfilling the required conditions.
- Not announcing a vacancy competition so that the potential candidate can fulfil the specific condition regarding work experience to be assigned as acting officer.
- False statement under oath thereby concealing the fact the he or she has not been politically appointed in the last three years under the Law on public enterprises.

As one can notice from the aforementioned criminal offence of *Abuse of Official Position or Authority* is mainly characterized by violation of rules on employment, systematization and transfers. The same violations characterize the criminal offence even in cases when the infringement is done in conjunction with other criminal offences.

Some other activities that characterize this criminal offence due to their nature are not presented because their publication could damage the process of further investigation.

Conflict of Interest - under Article 424 of the CCK, is a new criminal offence set forth in Criminal Code of Kosovo, which entered into force from 01 January 2013. This offence is

characterized by the participation of an official person in official matters thereby granting himself financial gain by issuing decisions, and also in issues of employing own family members.

Not-reporting or falsely reporting of properties, incomes, gifts and other material benefits or financial obligations - under Article 437 of the CCK, is a new criminal offense stipulated in the Criminal Code of Kosovo which entered into force on 01 January 2013. A characteristic of investigated cases pertaining to this offense is failure to declare property within the determined time limits pursuant to applicable law (according to the regular annual declaration, declaration upon taking office, declaration after the termination or dismissal from office) and failure to present required data such as immovable property, movable property worth over three thousand (3000) Euro, owning shares in business organizations, and annual incomes

3.1.7 Cases forwarded by years when the alleged corruption activity was committed

In the reporting period, the cases for which ACA investigation found evidence confirming the suspicions of corrupt actions which were referred for further criminal proceedings to the competent institutions belonged to different years of committing them starting from 2013-2019.

3.1.8 Cease of investigation and case dismissal

ACA has continued to cooperate closely with law enforcement agencies. The state prosecution based on its mandate has continued to seek additional evidence to go beyond reasonable and based doubt with regard to the establishment of the criminal offence elements. Despite the progress made compared to criminal reports by ACA, during this reporting period the Prosecution Offices have dropped criminal reports or have ceased investigations in a number of cases.

Legal provisions in force envisage the cease of investigations and dismissal of cases initiated during the investigation phase. Cases have been dismissed by the Prosecution on the basis of several justifications:

1. Lack of evidence (not all elements of the criminal offence have been consummated);
2. The inaccurate declaration of assets was not done with the purpose of concealment;
3. The senior public official has not declared assets accurately due to negligence;
4. Errors made during the filling of forms for asset declaration but that the same was not done with the purpose of concealment;

Among others, the justifications of Judgments on Rejection by Courts with regard to cases initiated were the withdrawal of the prosecution.

3.1.9 Aspects related to handling the cases in the court

From the information received by the respective courts regarding cases suspected of corruption, according to indictments filed by the competent Prosecutions offices on the basis of criminal charges forwarded by ACA, we were informed about their decisions, whereby for 90

indictments, there have been 84 punitive judgments, 14 acquittal judgments, 19 judgments on rejection and 2 rulings on dismissal. According to the Courts, the following data in table order are as presented in the table below.

Table 1. Court decisions pursuant to Article 437 of CCK

No.	Institution	Punitive judgment	Acquittal judgements	Judgement on rejection	Ruling on dismissal
1	BC. Prishtina	50	4	16	-
2	BC. Prizren	6	3	3	-
3	BC. Gjilan	6	2	-	2
4	BC. Gjakov	13	1	-	-
5	BC. Mitrovica	3	2	-	-
6	BC. Peja	2	1	-	-
7	BC. Ferizaj	4	1	-	-
TOTAL:		84	14	19	2

With punitive judgments, the Courts have imposed suspended sentences (fines and imprisonment), and there are cases where judicial admonition are imposed. The fines that were imposed were in the amount from 100 Euros to 1600 Euros, while imprisonment ranged from 3 months to 6 months

Fines were set to be paid mainly after the judgments are final and in some cases in instalments, from 4 to 7 instalments, with the possibility of revocation in imprisonment, whereby one day of imprisonment is equivalent to 20 Euros if the defendant does not pay and the same cannot be forcibly executed.

The Courts imposed imprisonment sentences as suspended sentences, by ordering them not to be executed if the convicts do not commit another criminal offense for the time of verification, starting from 1 month to 15 months, or have turned them into fines. There are cases where the Court has imposed a punishment of effective imprisonment, which by agreement between the Court and the convicts have been replaced with a fine

Punitive judgments refer to the criminal offense under Article 437 of the Criminal Code of Kosovo, where 66 cases are for non-disclosure of property under paragraph 1 of this Article, namely 45 cases are for non-regular declaration of property, 3 cases for non-declaration upon taking the office, 18 cases of non-disclosure after termination of the function and 18 cases of false declaration of property or non-disclosure of the required data in the declaration under paragraph 2 of this Article, namely 2 for inaccurate declaration of annual revenues, 10 for not declaring a business (ownership of shares in a business organization), 1 for inaccurate declaration of movable property (vehicle) and 5 for inaccurate declaration of immovable property.

The Courts in 5 cases, through acquittal judgement, have acquitted the defendants for non-declaration of the property, namely 4 cases for non-regular annual declaration of property and 1 for non-declaration after termination of function, and 7 cases for false declaration of property or failure to declare the required data in the declaration, namely 3 cases for inaccurate declaration of the annual revenues, 2 for non-declaration of the business (ownership of the shares in the business organization) and 2 for inaccurate declaration of immovable property as well as 2 for the criminal offense Abuse of position or the Official Authority from Article 422.

Judgments on rejection were rendered on 19 cases, 18 for the criminal offense under Article 437 of the Criminal Code of Kosovo, namely 13 from paragraph 1 of this article (7 for non-declaration in regular deadline, 3 for non-declaration upon taking the office and 3 for non-declaration after termination of the function), as well as 5 from paragraph 2 of this Article (3 for inaccurate declaration of annual revenues, 1 for non-declaration of a business (ownership of shares in a business organization) and 1 for inaccurate declaration of movable property (vehicle), and 1 for the criminal offense Abuse of the official position or authorization.

Judgement on dismissal was rendered in 1 case for the criminal offense of Abuse of official position or authorization due to the absolute prescription of criminal prosecution and the procedure was dismissed, and in 1 case for regular annual non-declaration of property on the grounds that there is insufficient evidence for a suspicion for the criminal offense.

3.1.10 Closed Cases

During the reporting period, ACA, after conducting the preliminary investigations, has closed 142 cases. Reasons for their closure are as follows:

- ⇒ 123 cases were closed because after conducting preliminary investigations, it was concluded that there are not sufficient data and/or grounded suspicion that the case constitutes a criminal offence or administrative offence;
- ⇒ 4 cases were closed in accordance with applicable legal framework, because the Agency had no power to conduct the proceeding of preliminary investigation; and
- ⇒ 15 cases were closed because the criminal proceedings were being conducted by the competent bodies, where out of them: 2 cases by the Basic Prosecution in Peja, 2 by the Basic Prosecution in Prizren, 1 case by the Basic Prosecution in Prishtina, 1 case by the Basic Prosecution in Gjakova, 9 cases by DIECC-Kosovo Police.

3.2 Implementation of the Law on protection of whistleblowers

Law no. 06 / L-085 for the Protection of Whistleblowers entered into force in January 2019. The law designates the ACA to receive and deal with external whistleblowing cases in the public sector, preparing requests for initiation of the minor offense proceedings against employers and responsible officials who fail to meet their obligations under this law, receiving and recording reports from public institutions, private entities, and regulations regarding whistleblowing.

In order to implement the provisions of this law, the ACA has conducted the following activities:

- On 14 March 2019, the ACA sent public institutions a request for appointment of Responsible Whistleblowing Official, based on the legal provisions of Law no. 06/L-085 on Protection of Whistleblowers. In response to this request, public institutions with more than fifteen (15) employees have appointed officials responsible for whistleblowing within their institutions.

- Participation in the workshop on 20 and 21 May 2019 organized by the PECK II project in cooperation with the Ministry of Justice on the drafting of the Regulation for Receiving and Dealing with Whistleblowing cases in the public sector.
- On 07 November 2019, we shared the “Whistleblower Protection Guideline”, prepared by PECK II in cooperation with the Anti-Corruption Agency, with the Responsible Whistleblowing Officials in public institutions. In addition, one of the proposals made was to consider the possibility in coordination with the heads of institutions to upload this Guideline on the web sites of public institutions as well as disseminate it to all staff.
- The Anti-Corruption Agency, with the support of PECK II, organized a two-day workshop on 21-22 November 2019 regarding the legal framework for whistleblower protection, the importance of internal mechanisms, and the obligations of responsible officials stemming from the Law on Whistleblower Protection. While on 18, 19, 20 November, the 36ACA held meetings with the expert hired by the Council of Europe regarding the work of the Division for the Protection of Whistleblowers and the legal obligations vested to the ACA under this law.

3.2.1 Report on External Whistleblowing Cases during 2019

During 2019, ACA received three (3) external whistleblowing information, which were addressed with within the legal deadlines.

Case I - was rejected on the ground that the information was dealt with in the context of internal whistleblowing and the consummation of a criminal offense was ascertained, and subsequently the institution who has provided us with the information pursuant to Article 16 paragraph 9 of the Law No. 06/L-085 on the Protection of Whistleblowers should have notified the competent authority in accordance with this provision.

Case II - was rejected on the grounds that the information does not constitute reporting of a threat or damage to the public interest that is enshrined pursuant to Article 5 of Law No. 06/L-085 on the Protection of Whistleblowers in conjunction with the provision of Article 3 paragraph 1 item 1.1 and 1.2 of this law.

Case III - was rejected on the ground that the information, pursuant to provision of Article 16 of Law No. 06 / L-085 on the Protection of Whistleblowers, should initially be dealt with within the institution, through internal whistleblowing. In addition, we considered that the information did not constitute reporting on a threat or damage to the public interest that is enshrined pursuant to Article 5 of Law No. 06 / L-085 on the Protection of Whistleblowers, in conjunction with the provision of Article 3, paragraph 1, item 1.1 and 1.2 of this Law.

The only challenge face din relation to the implementation of the law on protection of whistleblowers has been the non-approval of by-laws on defining the procedure of handling of whistleblowing cases.

3.2.2 Reports from public institutions, private entities, and regulators regarding whistleblowing

Pursuant to the law on the protection of whistleblowers, the Responsible Officials, namely the institutions, are obliged to report to the ACA on the number of cases received for the previous year. Regarding reports from public institutions, private entities, and regulators regarding whistleblowing, we have received reports from the institutions under table 2.

Table 2. Reports received by the whistleblowing institutions

No.	Institution	No. of cases
1	Assembly of the Republic of Kosovo	No cases
2	Ministry of Justice	No cases
3	Kosovo Correctional Service	No cases
4	Ministry of Culture, Youth and Sports	No cases
5	Ministry of Environment and Spatial Planning (-Case I - competent authority was notified, - Case II is in the phase of administrative investigation and consequently is within the legal deadline)	2 cases
6	Kosovo Academy for Public Safety	No cases
7	Ministry of Health	No cases
8	Ministry of European Integration	No cases
9	Kosovo Memorial Complex Management Agency	No cases
10	Privatization Agency of Kosovo	No cases
11	Central Bank of Kosovo	No cases
12	Municipality of Mitrovica	No cases
13	Transmission, System & Market Operator	No cases
14	Basic Court in Gjakova	No cases

3.2.3 Strategy and Action Plan

At the request of the Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly and the Oversight of the Anti-Corruption Agency of the Assembly of the Republic of Kosovo, ACA has updated the draft National Anti-Corruption Strategy and Action Plan 2019-2023 and forwarded it to Committee concerned for further proceeding.

Measures and activities updated by the ACA as part of the objectives of the strategy and action plan were planned to be implemented in 2018. As a result, some of them have been carried over to 2019. These changes were effected in a one-day workshop with all members of the working group - representatives of public institutions and civil society. The workshop was organized on 07.03.2019.

On 29.03.2019, ACA forwarded the latest version of the National Anti-Corruption Strategy and Action Plan 2019-2023 to the Committee on Legislation.

IV. DEPARTMENT OF PREVENTION OF CORRUPTION

In accordance with the provisions of the Law No. 03/L-159 on Anti-Corruption Agency, Law no. 04/L-050 on Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials, and the Law no. 04/L-228 on Amending and Supplementing the Law No. 04/L-050 on Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials, the Department of the Prevention of Corruption, performs its scope through: (1) overseeing the declaration of assets, (2) overseeing gifts, (3) prevention of corruption in public procurement, and (4) prevention of corruption in general.

The ACA oversees the property of a senior public official based on information submitted by senior public officials in a special form prepared by the ACA in accordance with applicable law. The forms must be completed by senior public officials and submitted to the ACA.

4.1 Oversight of declaration of assets

Law no. 04/L-050 on Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials and Law No. 04/L-228 on Amending and Supplementing the Law No. 04/L-050 determine the following declarations:

- Regular annual declaration;
- Declaration upon taking the Office;
- Declaration upon the request of the Agency;
- Declaration after the termination or dismissal from office.

4.1.1 Regular annual declaration

Senior public officials have the obligation to do regular annual declaration of properties during the entire work period in public service and within the time limits determined by the law. Senior public officials are obliged to declare the status of their properties to ACA, from 1 to 31 March of each year, for the previous year covering the period from 1 January to 31 December. Therefore, 4819 senior public officials were obliged to declare their properties for this period of time or in the light of regular annual declaration for 2019. Out of this total number, 4759 or 98.75% have declared their properties, whereas 60 senior public officials have not declared their properties (34 have declared their property after the deadline; 12 have not declared their property; 14 have not declared their property and provided reasoning for not doing so) or 1.25%.

The overall status of the regular annual asset declaration process for the reporting period is presented in the table below (Table 3).

Table 3. Regular annual declaration

Institutions	Number of officials	Declared		Failed to declare			
		Declarations	Percentages	Have declared after the deadline	Have not declared the property	Non-declaration with a reason	Percentage
Presidency	23	22	95.65%	1	0	0	4.35%
Assembly	153	152	99.34%	1	0	0	0.66%
Government	1713	1696	99.00%	12	1	4	1.00%
Courts	464	464	100%	0	0	0	0%
Prosecutions	199	199	100%	0	0	0	0%
Independent Institutions	293	289	98.63%	2	0	2	1.37%
Municipalities of Kosovo	1581	1550	98.03%	15	10	6	1.97%
Public Enterprises	393	387	98.47%	3	1	2	1.53%
TOTAL	4819	4759	98.75%	34	12	14	1.25%

4.1.2 Declaration of senior public officials upon taking office

Senior public officials who start working in public service, fully and realistically declare in writing their properties within the legal deadline. The contacting official is required within fifteen (15) days to notify the ACA for the commencement or completion of the employment of the senior public official, while the senior official is obliged to declare his/her properties within 30 days after assuming official duty.

During the reporting year, 302 senior public officials were obliged to declare their assets upon taking office, in which case 274 senior public officials declared their assets, whereas 28 senior public officials have not declared their assets, whereby 22 cases have been processed and 6 have been transferred to the following year.

The overall status for 2019 on asset declaration upon taking the office is shown in the table below:

Table 4. Declaration upon taking the office

Institutions	Number of officials	Declared property	Have not declared the property	Transferred to 2020	Proceeded to DH	Percentages %
Presidency	1	1	0	0	0	100%
Assembly	1	1	0	0	0	100%
Government	111	101	10	6	4	90.99%
Courts	1	1	0	0	0	100%
Prosecutions	11	11	0	0	0	100%
Independent Institutions	45	44	1	0	1	97.77%
Municipalities of Kosovo	57	49	8	0	8	85.96%
Public Enterprises	75	66	9	0	9	88%
Total:	302	274	28	6	22	90.72%

4.1.3 Declaration upon request of the Agency

The ACA may, at any time, request from the senior public official to declare assets and its origin in accordance with the Law. During this reporting period, the ACA requested from 82 senior public officials to declare their assets as requested.

The situation with the declaration of assets upon request is presented in the table below.

Table 5. Declaration upon request by ACA

Institutions	Number of officials	Declared property	Percentages %
Presidency	1	1	100%
Assembly	0	0	100%
Government	29	29	100%
Courts	3	3	100%
Prosecutions	1	1	100%
Independent Institutions	6	6	100%
Municipalities of Kosovo	35	35	100%
Public Enterprises	7	7	100%
Total:	82	82	100%

4.1.4 Declaration of assets upon completion or dismissal from office

After completion of the work in public service, senior public officials are under obligation of declaring assets within thirty (30) days.

During this period, in terms of declaration of assets after dismissal from a public function, we have been notified by the contacting officers that 195 senior public officials were under the obligation of declaring their assets, out of which 159 senior public officials declared their assets, and 36 senior public officials have not declared their assets. 28 cases have been processed and 8 were transferred to the following year.

The overall status of asset declaration process upon termination or dismissal from a public function is presented in the table below.

Table 6. Declaration of assets upon completion or dismissal from office

Institutions	Number of officials	Declared property	Have not declared the property	Transferred to 2020	Proceeded to DH	Percentages of declarations %
Presidency	1	0	1	0	1	0%
Assembly	1	1	0	0	0	100%
Government	94	75	19	8	11	79.78%
Courts	0	0	0	0	0	0%
Prosecutions	4	1	3	0	3	25%
Independent Institutions	26	23	3	0	3	88.46%
Municipalities of Kosovo	23	19	4	0	4	82.60%
Public Enterprises	46	40	6	0	6	86.95%
Total:	195	159	36	8	28	81.53%

Based on the data reported during 2018, for all types of asset declaration, 5398 senior public officials were obliged to report their properties. Overview of the annual declaration for all types of the declarations is presented in the table below.

Table 7. Declaration of assets 2019

Type of declaration	Obliged	Declared	Failed to declare
Regular annual declaration	4819	4759	60
Upon taking office	302	273	29
Upon request	82	82	0
Upon completion or dismissal from office	195	158	37
Total number	5398	5272	126

The List of Officials who did not declare their properties within the legal deadline is presented in [Annex No. II](#); List of Officials who have declared their property after the legal deadline is presented in [Annex No. III](#); List of officials who did not declare their property within the legal deadline for health and other reasons is presented in [Annex No. IV](#).

4.2 Control of asset declaration

Based on its mandate, the ACA performs preliminary control and complete control of asset declaration forms filed by public officials.

Preliminary control - Preliminary control is performed for each form in order to verify the existence/non-existence of material errors or erroneous filling of forms. We also made preliminary control during database data entry, where we noticed many mistakes in filling the forms for declaration of assets; we noticed significant mistakes at senior public officials who declared their properties for the first time, as well as with the officials of the local level institutions.

In cases where we observed minor errors or errors that we could correct through telephone contact, we contacted them and corrected those technical errors. In most cases, we addressed them with an official letter. In 83 cases we noticed technical errors in the asset declaration forms submitted, and we sent official letters requesting correction or modification of data as required under the form and the applicable legislation.

Complete control - Complete control is performed to verify the authenticity and accuracy of the information declared in the form. ACA has a legal obligation to conduct complete control of senior public officials who declare their assets. During the reporting period, ACA has conducted the complete control of 20% from the total number of declarations based on organized draw process as provided in the Law on Asset Declaration. Also, we have handled all information regarding the declaration of assets.

ACA compared the data declared over the years and data received from other institutions, such as: the Business Registration Agency, Kosovo Cadastral Agency, Ministry of Finance, Public Enterprises, Civil Registration Agency, Tax Administration of Kosovo, Private Universities, Financial Investigation Unit, Customs, etc.

Out of the total number of forms submitted by senior public officials who are obliged to declare their assets, 974 forms have been controlled, where in 443 cases we noticed discrepancies and

we requested additional explanations. Out of these, 62 cases were forwarded to the Department of Combating Corruption, the Police and the Prosecution Office.

The Agency handled 21 cases ex officio or based on information reported by citizens in various forms. We requested clarifications from these senior public officials concerning these cases and we forwarded 2 cases to the Department of Combating Corruption and to the Kosovo Police. The following table presents the complete control process.

Table 6. Complete control of asset declarations and results from complete control findings

According to the draw list	Ex-officio	Total controlled	No changes	Changes identified	In procedure	Forwarded to DCD/ TAK/Police
974	21	995	552	443	23	62

4.3 Gifts catalogue

Pursuant to Law No. 04/L-050 and Law No 04/L-228, public institutions are obliged to appoint responsible officials for maintaining a gift registry. All gifts received and their respective value, as well as the names of persons giving the gift, need to be registered in the gift registry by the official person assigned by the Agency and retained by the institution in which the official person exercises his/her official duty. Copies of the catalogues shall be sent to the ACA no later than 31 March of the following year.

4.3.1 Submission of gifts catalogues

During March 2019, 32 institutions notified the Anti-Corruption Agency that they had received gifts, out of which 11 stated that they had received gifts according to the table below, while 21 institutions stated that they had not received gifts during the preceding year. Out of the total gifts, 58 were protocol and 12 were casual gifts.

Institutions that have submitted copies of the gifts catalogue during this year for the previous year are: the Presidency - 10 gifts; Assembly of Kosovo - 15 gifts; Office of the Prime Minister – 18 gifts; Ministry of External Affairs – 1 gift; Ministry of European Integration - 9 gifts; Ministry of Agriculture, Forestry and Rural Development – 1 gift; Constitutional Court of Kosovo – 2 gifts; Office of Chief State Prosecutor – 2 gifts; National Audit Office – 4 gifts; System, Transmission and Market Operator JSC – 1 gift; and Deposit Insurance Fund in Kosovo - 7 gifts. Whereas, according to registered forms, the ACA has two registered gifts (a booklet – gift received during official visit dated 19.07.2019 at the State Commission for Prevention of Corruption in the Republic of North Macedonia; a Glass Tableware Plaque – gift received on the occasion of the 20th anniversary of the establishment of the Tax Administration of Kosovo on 17.01.2020).

Ndërkaq, sipas formularëve të regjistruar, AKK ka të regjistruar dy dhurata (Një broshë – dhuratë gjatë vizitës zyrtare të datës 19.07.2019 në Komisionin Shtetëror për Parandalimin e Korrupsionit në Republikën e Maqedonisë së Veriut; dhe Një Pllakë Qelqi për tavolinë – dhuratë me rastin e 20 Vjetorit të themelimi të Administratës Tatimore të Kosovës më datën 17.01.2020).

Detailed data on gifts catalogues submitted by institutions to the ACA are presented in the table below.

Table 9. Catalogue of gifts by institutions

Institution	Protocol gifts	Casual gifts	Total
Presidency	8	2	10
Assembly	14	1	15
Office of the Prime Minister	18	0	18
Ministry of External Affairs	1	0	1
Ministry of European Integration	9	0	9
Ministry of Agriculture, Forestry and Rural Development	0	1	1
Constitutional Court of Kosovo	2	0	2
Office of Chief State Prosecutor	2	0	2
National Auditor Office	4	0	4
System, Transmission and Market Operator JSC	0	1	1
Deposit Insurance Fund in Kosovo	0	7	7
Anti-Corruption Agency	0	2	2
Total	58	12	70

4.4 Prevention of corruption in public procurement

Activities of corruption prevention in public procurement are carried out by the ACA's Division of Corruption Prevention in Public Procurement. The main objective of this division is to prevent corruption. Officials of this Division were assigned two main tasks for achieving this objective, namely (1) prevention of corruption in public procurement, and (2) Improvement of procurement activities by providing opinions, with specific activities set out for performing these tasks.

Pursuant to the legislation in force, ACA conducts a certain procedure upon its own initiative ex officio. ACA monitors the publication by contracting authorities of procurement activities in the PPRC website for small, large and medium values activities. The ACA has also monitored media publications considered as sources of information on possible legal violations in certain public procurement activities.

Another form for prevention of legal violations with corruptive elements is participation in the capacity of observer in evaluating the bids of procurement activities, respecting the form of access in evaluation as required in the tender dossiers, mentioned as administrative requirement for the tender to be realized electronically or in hardcopy.

After handling the documentation and other collected facts, if legal violations are identified, ACA provides the Contracting Authority with a preventive opinion. With regards to cases where no legal violation with corruptive elements is identified and the procurement activity is terminated by the Contracting Authority, the ACA closes these cases with a final report in accordance with the law.

If when handling a case the Agency observes that the same case is being handled by another body, then the handling is suspended until a final decision is issued by the competent body handling the case. If the Agency does not agree with the final decision of the concerned body, it can forward the whole documentation to the competent bodies.

During 2019, the Agency provided protocol numbers for 90 cases for handling related to public procurement activities, which were initiated by decision upon reasonable doubt for legal violations with corruptive elements in the procurement activities.

In fulfilling the legal obligation of monitoring the procurement activities, the ACA filed an official notification for monitoring in 2 cases. It is worth mentioning that all authorities have informed the ACA for the exact time and place of the evaluation process. Therefore, ACA participated, in the capacity of observer, in several bid evaluation procedures, where all cases were closed with working reports without any breach.

In the Division for Prevention of Corruption in Public Procurement, during the reporting year, a total of 90 cases have been addressed in the field of prevention of corruption in public procurement. Out of these cases, the results were the following: 77 opinions, 13 cases closed, while 5 opinions were not complied with and should be handled further.

The table below (Table 10) gives details on cases handled by the Agency in 2019 in the area of corruption prevention in public procurement.

Table 10. Cases handled during 2019 in the field of prevention of corruption in public procurement

Cases	Opinions	Closed cases	Advices	In procedure	Under investigation
90	77	13	0	0	0

V. DEPARTMENT OF CONFLICT OF INTEREST PREVENTION

Pursuant to the provisions of the Law No. 03/L-159 on Anti-Corruption Agency, Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Department of Conflict of Interest Prevention carries out its scope through: (1) Management of conflict of interest cases; (2) Professional assistance to competent authorities and provision of decisions, opinions, recommendations, advices and other documents in the field of conflict of interest prevention; and (3) Awareness-raising activities.

From the entry into force of this law, the ACA has provided ongoing assistance to all institutions, explaining how to act in cases of conflict of interest and how to manage, prevent and resolve them.

On 28 May 2019, through a Notification Circular, the ACA informed all institutions of the Republic of Kosovo as competent authorities, including central and local public enterprises, of their obligations in implementing the new Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function.

The ACA has repeatedly notified the competent authorities that the ACA is the central authority for overseeing the implementation of the conflict of interest law; that the Agency's decisions on the conflict of interest decisions are final in the administrative procedure and that all institutions are responsible for setting and applying specific conflict of interest rules.

The ACA has also established contacts with all institutions –competent authorities and has requested that all public institutions, including central and local public enterprises, appoint responsible officers to handle cases of conflict of interest within their institution.

In addition, the Department for the Prevention of Conflicts of Interest during 2019 has developed a number of activities intended to strengthen the integrity of the public sector through identification, prevention, management and resolution of cases of conflict of interest in the exercise of its function or public duties, addressing identified conflict of interest cases, providing opinions, advices and findings or recommendations to senior officials, central and local institutions on various conflict of interest situations.

5.1 Treatment of conflict of interest cases

The ACA, during 2019, has initiated and handled 167 conflict of interest cases. The entire process went through the cooperation that ACA has with public institutions, responsible authorities, public officials, the media, civil society, as well as information obtained from legitimate sources.

The table below reflects total conflict of interest cases handled by the Department for the Prevention of Conflict of Interest during 2019.

Table 11. Cases treated for conflict of interest

Institution	Cases reported for conflict of interest	Cases that avoided conflict of interest	Cases without conflict of interest	Cases under proceeding	Cases proceeded for investigation	Request for Dismissal /minor offense	Opinions –Advice - Response
Government and Agencies	76	5	4	4	1	2	60
Assembly of Kosovo	4	1	/	1	/	/	2
Court /Prosecution	7	1	/	/	/	/	6
Independent institutions	4	/	/	1	/	/	3
Public enterprises	10	1	1	6	/	/	2
Local government	10	3	/	5	1	/	1
Total:	111	11	5	17	2	2	74

Cases initiated by the end of 2018 and transferred to 2019, which the ACA has addressed pursuant to the foreseen procedures, and the data from these cases are as follows:

Table 12. Cases transferred in the proceedings from the previous year

Institution	Cases reported for conflict of interest	Cases that avoided conflict of interest	Cases without conflict of interest	Cases under proceeding	Cases proceeded for investigation	Request for Dismissal /minor offense	Opinions –Advice
Government	4	/	/	/	/	/	4
Assembly of Kosovo	/	/	/	/	/	/	/
Court /Prosecution	/	/	/	/	/	/	/
Independent institutions	3	/	/	/	/	/	3
Public enterprises	/	/	/	/	/	/	/
Local government	1	1	/	/	/	/	/
Total:	8	1	/	/	/	/	7

Table 13. Cases handled by the Division of Authorities responsible during the period May – December 2019

Institution	Cases reported for conflict of interest	Cases that avoided conflict of interest	Cases without conflict of interest	Cases under proceeding	Cases proceeded for investigation	Request for Dismissal /minor offense	Opinions –Advice
Government	20	/	/	3	/	/	17
Assembly of Kosovo	/	/	/	/	/	/	/
Court /Prosecution	6	2	2	2	/	/	
Independent institutions	7	4	/	2	/	/	1
Public enterprises	3	1	/	1	/	/	1
Local government	20	8	/	/	1	/	11
Total:	56	15	2	8	1	0	30

5.1.1 Professional Assistance to Responsible Authorities

Table 14. Table with cases of Responsible authorities 2019

Institution / Cases	Total conflict of interest cases proceeded with the RP	Cases that avoided conflict of interest	Cases without conflict of interest	Opinion / Recommendation	Cases under proceeding	Cases proceeded to ACA
Government, Ministries, Executive Agencies and subordinate institutions	192	30	92	23	2	45
Assembly of Kosovo	1	0	0	0	0	1
Court /Prosecution	1	1	0	0	0	0
Independent institutions	11	9	0	0	2	0
Public enterprises	14	4	1	5	0	4
Local government	12	10	0	2	0	0
Total:	231	54	93	30	4	50

Table 14, reflects the number of cases by institutions, handled by the Responsible Authorities

Table below reflects the overall number of conflict of interest cases handled by the ACA during 2019.

Table 15. Number of cases handled in ACA for conflict of interest during 2019

Institution	Cases reported for conflict of interest	Cases that avoided conflict of interest	Cases without conflict of interest	Cases under proceeding	Cases proceeded for investigation	Request for Dismissal /minor offense	Opinions –Advice - Response
Government and Agencies	96	5	4	7	1	2	77
Assembly of Kosovo	4	1	/	1	/	/	2
Court /Prosecution	13	3	2	2	/	/	6
Independent institutions	11	4	/	3	/	/	4
Public enterprises	13	2	1	7	/	/	3
Local government	30	11	/	5	2	/	12
Total:	167	26	7	25	3	2	104

5.1.2 Awareness raising activities of the department for the prevention of conflicts of interest

The ACA has been involved in some awareness-raising activities that are mainly related to the training of responsible persons assigned to the capacity of the responsible authority of the particular institutions for the prevention of conflicts of interest, whereby ACA has organized specific trainings with representatives of public institutions at central and local level.

⇒ On 26 June 2019, training was held with the responsible authorities from Dukagjini region in Peja, which was attended by 35 participants from public institutions.

- ⇒ On 23 October 2019, training was held with the responsible authorities from the Anamorava region, which was attended by 21 participants from public institutions.
- ⇒ On 24 October 2019, training was held with the responsible authorities of institutions in the Kosovo Plain, which was attended by 25 participants from public institutions.
- ⇒ On 25 October 2019, training was held in Prishtina with the representatives of public institutions of the Republic of Kosovo, from the Serb community, which was attended by 11 participants from public institutions.

All the above-mentioned activities have been supported and funded by the PECK II Project. The PECK II project has also drafted and printed large numbers a copy of a handbook "Handbook on Conflict of Interest in Public Administration", a handbook that was also consulted by the ACA prior to publication.

The Agency officials lectured on the prevention of conflict of interest in specific institutions, as well as in various workshops on drafting regulations and legislation, where it is worth mentioning: KIPA, Kosovo Cinematography Centre, University of Mitrovica, etc.

The ACA has also provided professional and technical assistance for advising senior officials, leaders, institutions, at their request, on specific cases of conflict of interest, including special consultation for official persons.

VI. PROFESSIONAL SUPPORT, COOPERATION AND INFORMATION

The ACA, through the Office for Support, Cooperation and Information, has continued its activities related to professional support, cooperation and activities in the field of public communication.

During 2019, main activities in this area were focused on:

1. Cooperation with local and international institutions,
2. Cooperation with media and civil society;
3. Public communication, information and transparency;
4. Legal support and case representation;
5. Representing the Agency in meetings abroad regarding anti-corruption policies;
6. Management and administration of information technology;
7. Professional support in developing the online asset declaration platform;
8. Archiving of documents and submissions, etc.

6.1 Office of Public Communication

Pursuant to the ACA's Regulation on Structuring, the Office of Public Communication is responsible for organizing and coordinating activities related to public and media communication about ACA's work and activities. During this year, the Office of Public Communication has performed its work in a transparent and open manner to the public, through media communication, implementation of the law on access to public documents, cooperation with the media, civil society organizations in the field of corruption and publishing of information on the ACA website.

6.1.1 Communication with the media

During 2019, the ACA has received **68** inquiries from the print and electronic media, which were addressed requesting information in relation to the mandate of the Agency regarding prevention and combating corruption, investigation process, asset declaration, issues related to prevention of conflict of interest, as well as inquires about information related to prevention and combating of corruption in public procurement. All information provided to the interested media have been addressed in accordance with the mandate and legal framework of the Anti-Corruption Agency

Whereas, the ACA during 2019 has provided information in 13 occasions regarding activities such as: activities of the Director of the Agency, information on asset declaration process and other activities carried out according to ACA work plan.

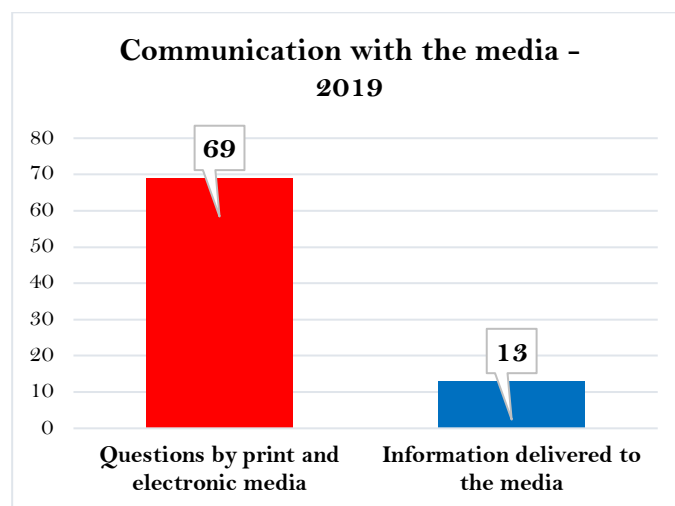


Figure 3. Communication with the media

6.1.2 Implementation of the Law on Access to Public Documents

The ACA has received 4 requests for access to public documents submitted by representatives of civil society and independent institutions, while the interest was directed at providing information on the Law on Protection of Whistleblowers (3) and providing information on decisions related to the ACA's mandate (1).

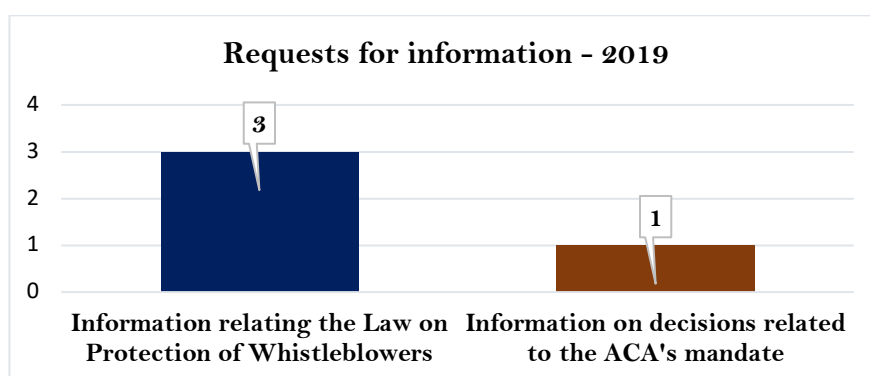


Figure 4. Implementation of the Law on Access to Public Documents

6.1.3 Media monitoring

The following chart shows the interests of the media in dealing with situations to prevent and combat corruption, where information published by print and electronic media shows a total of 649 articles published on Radio Televisions, portals, information and articles published in print media.

Of the 649 articles published by print and electronic media, 85 articles have been published with information directly related to the legal mandate and scope of the ACA and information provided by the Agency through interviews, statements, and responses sent to the media electronically

The following two figures show graphically the number of articles reported on corruption and on the work of Agency during 2019.

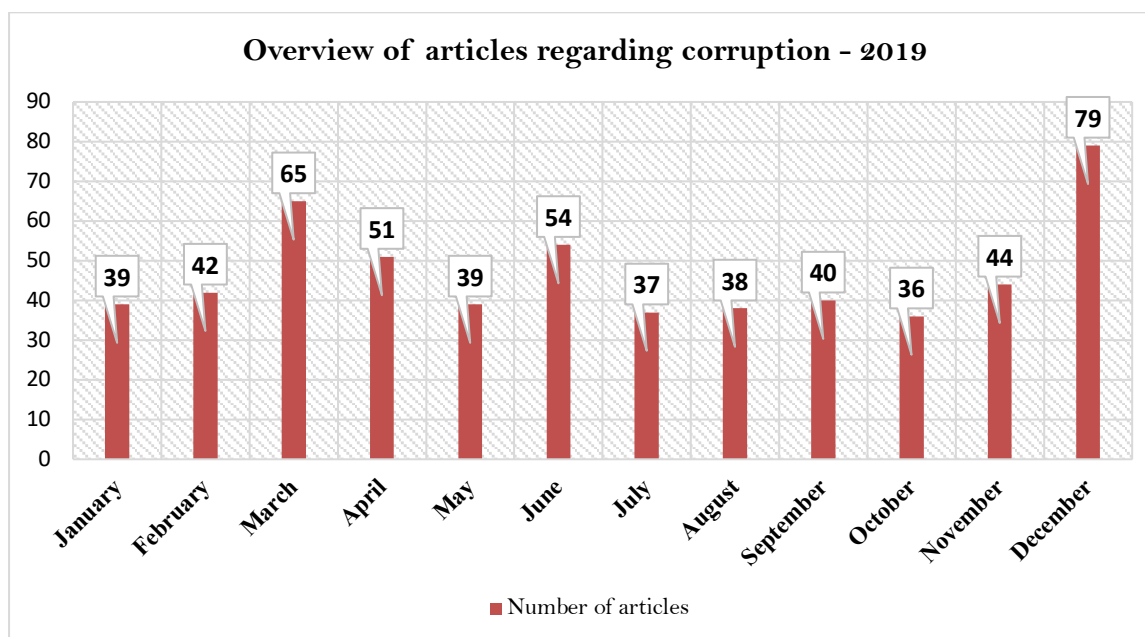


Figure 5. Articles about corruption in electronic and print media by months during 2019

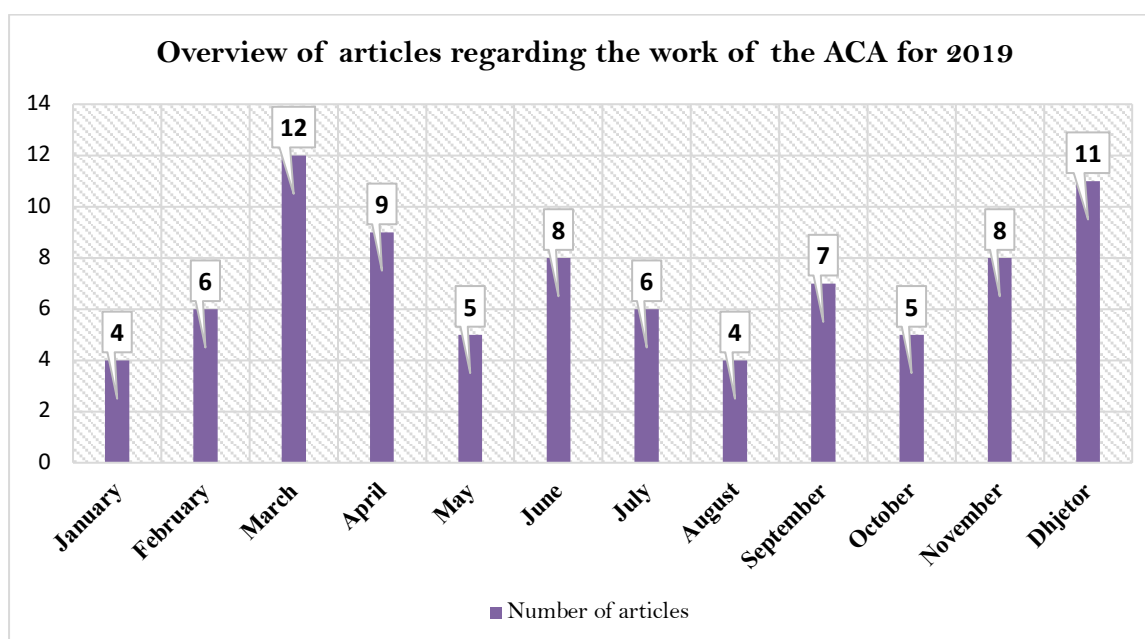


Figure 6. Articles about corruption in electronic and print media by months during 2019

In addition to communicating with the public through the media, in fulfilment of its legal mandate, the Anti-Corruption Agency has received information and developed communication with citizens through the online platform REPORT CORRUPTION (RAPORTO KORRUPSIONIN) and the email address info@akk-ks.org handling all information addressed.

The scope of the ACA throughout 2019 has also been published on the ACA website, where during January-December, information has been published including daily activities of the Agency, opinions, decisions and other documents dealing with cases of conflict of interest, cases of corruption prevention in public procurement and other information and documents in the interest of public opinion. During this period, (46) information from ACA's daily activities,

(3) documents on the scope of ACA, (77) opinions, (23) decisions and (1) Annual Work Report of ACA for 2018 have been published on the ACA website.

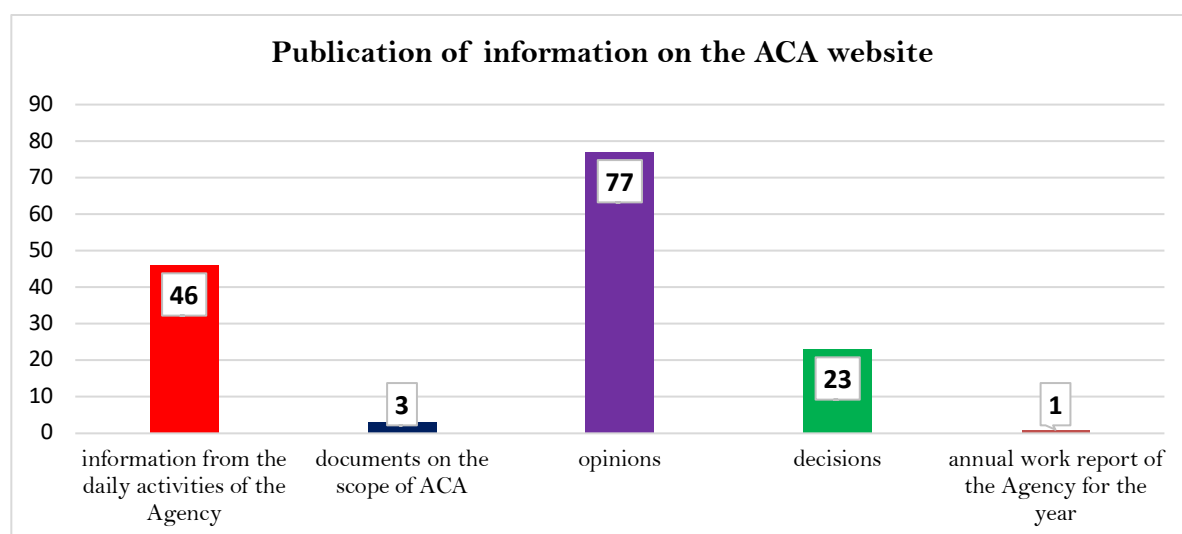


Figure 7. Publication of information on the ACA website for 2019

Meetings with journalists and citizens – there has been a great interest on the initiatives and activities of ACA, by the community of journalists, civil society and by the public, where a full willingness to cooperate with the ACA in the fight against corruption has been demonstrated. ACA officials were always willing to offer to any interested the professional help and cooperation in cases where there was grounded suspicion of corruption cases.

In general, the ACA has consistently cultivated a spirit of cooperation with regional and international institutions and organizations in the field of anti-corruption. During 2019, ACA officials have participated in many local, regional and international conferences, from which they have gained experience in preventing and combating corruption. Students from local and international higher education institutions have shown a continuing interest in the ACA, and have been welcomed at meetings.

Press conferences and releases - During the reporting period, ACA played an important role in making public and distributing press releases about the activities for investigating suspected cases of corruption, but also in asset declaration of assets of senior officials, in all printed and electronic media.

Rating by Transparency International - Corruption Perception Index (CPI) results by Transparency International for 2019, ranked Kosovo with 36 points and 101st in the world rankings. In 2018, Kosovo had 37 points and was in position 93. Kosovo's ranking according to Transparency International, with these points is largely attributed to fragile rule of law institutions, high level of impunity for corruption cases, lack of accountability of public officials, insufficient transparency and limitation of space for active citizen participation.

Transparency International annually publishes the results of the Corruption Perceptions Index. The methodology of evaluation is about gathering information from reports of international organizations such as Freedom House, the World Bank, Bertelsmann Foundation, Global Insight and Varieties of Democracy Project. The index uses a 100-point rating system in which the maximum rating means 'a country free of corruption' while a zero-point rating means 'highly corrupt country'.

In general, out of the 180 countries participating in this rating, Denmark continues to rank first this year as well, with a score lower than last year (87 points) as does New Zealand. Finland is third with 86 points, followed by Singapore, Sweden and Switzerland with 85 points.

The agency continues to benefit from Korean experience in the field of corruption risk assessment - As part of the program within the framework of the project “*Partnership for Sustainable Solutions in the field of Anti-Corruption - Corruption Risk Assessment*” implemented with the involvement of UNDP offices in Korea and Kosovo, the Anti-Corruption and Civil Rights Commission, the Korea Legislation Research Institute and the Seoul Policy Centre that operates within the UNDP and in pursuit of activities previously initiated, with the help and support of the United Nations Development Program (UNDP), the Seoul Policy Centre, and the UNDP Office in Kosovo, ACA participated in the next study visit in Seoul, South Korea, regarding the draft - *Methodology for Correction of Corruption in Legislation*. This study visit was conducted from 28-29 November, and had as a subject of discussion the “*Exchange of knowledge on training policies and techniques on the Methodology for Correction of Corruption in Legislation and its Implementation*”.

As part of this study visit, in addition to the participation of representatives of the Agency, there were also representatives of other institutions of the Republic of Kosovo, such as the Assembly, the Ministry of Justice, and the Office of the Prime Minister. In addition, the Anti-Corruption Agency, together with representatives of institutions who were also part of the study visit to South Korea, participated in several other meetings, and as a result of information, discussions and experiences exchanged with relevant authorities in Korea, revised the draft methodology for assessment or correction of corruption in legislation, adapting it to the legislative and functional system.

Anti-Corruption Week 2019 - This one-week program (9-13 December) features street performances, exhibitions, traditional 'Open Doors Agency' days, discussions with pupils and students in the format of a salon, lectures for undergraduate students and academic staff, a roundtable on the role of the media in exposing and combating corruption, the annual journalism award, etc.

Beyond this, ACA representatives attended a series of events organized by civil society organizations the central aim of which was “Whistleblowing and Protection of Whistleblowers”. ACA also participated in the evaluation of the Journalism award organized by the SAEK II project and the Association of Journalists of Kosovo.

All these activities were organized in order to consolidate the institutional mechanism for preventing and combating corruption, as well as strengthening the partnership with the permanent supporters of the Agency.

6.2 Activities related to legal affairs

As part of its legal affairs activities, numerous legal advices were provided with regard to the responsibilities of the Agency under the legislation in force. In this context, numerous decisions and other submissions have been drafted for the needs of the Agency, representations before justice institutions have been made on cases initiated by the Agency, as well as many other tasks within the competencies and responsibilities of the Agency.

6.2.1 Professional legal support and legislation

During 2019, numerous activities have been carried out regarding the implementation of the legislation. Workshops, roundtables, and meetings with all institutions have been organized, in accordance with the tasks and responsibilities of the institutions in the framework of mutual cooperation with the ACA. In terms of implementation of advanced legislation such as the Law on Prevention of Conflict of Interest in Discharge of Public Functions and the Law on Protection of Whistleblowers, professional assistance has been provided in drafting various letters, opinions, recommendations, and decisions, especially in the area of conflict of interest.

In addition, in terms of providing assistance in the area of conflict of interest, a Practical Guideline for Responsible Authorities on the Prevention of Conflict of Interest in Public Institutions has been drafted, whose adoption and publication are expected to take place in 2020.

6.2.2 Representation of cases

In 2019, many cases initiated by ACA were represented against justice institutions, which were mainly initiated for criminal offences, as follows:

- ⇒ “Failure to report or falsely reporting properties, revenues/incomes, gifts or other material benefits” under Article 437 of the Criminal Code of Kosovo;
- ⇒ “Conflicts of interest” under Article 424 of the Criminal Code of Kosovo; and
- ⇒ “Minor offenses” under provisions of the Law No. 04/L-051 on Prevention of Conflict of Interest

Representation is made to the competent Courts and Prosecution Offices, depending on what stage the proceedings in the specific cases have been.

In 2019, depending on the needs and requirements of the Agency, numerous legal submissions (decisions, requests, contracts, memorandums of understanding, etc.) were prepared and legal opinions or legal advice were provided. There were over 200 submissions.

As part of the additional duties and responsibilities, as required, during 2019, professional support and assistance was also provided to all organizational units within the institution for analysing various matters within the institution's mandate by contributing to providing solutions according to the applicable legislation.

6.2.3 Representation of the Agency in meetings abroad

In terms of representing the Agency abroad, the ACA has also continued during 2019 to participate within several anti-corruption policy processes at the level of regional cooperation such as: The representation of the ACA in the Second Negotiation Meeting on Draft Treaty on Exchange of Data for the Verification of Asset Declaration held in Podgorica, Montenegro, organized by the Regional Anti-Corruption Initiative (RAI) in cooperation with the Ministry of Justice of Montenegro, with the support of the Austrian Development Agency.

The second negotiation meeting was held on 27 March 2019. This meeting was organized and developed as a result of previous meetings: The first Negotiation Meeting on Draft Treaty on Exchange of Data for the Verification of Asset Declaration, held in Laxenburg, Austria (2018);

The Trieste Summit (2017) and the Commitments of the Government of the Republic of Kosovo at the London Summit (2018), among other commitments, there were the possibility of adopting an International Treaty on Data Exchange between Counterpart Anti-Corruption Agencies in the field of Asset Declaration.

The participation of the Anti-Corruption Agency in such meetings was of a technical nature, and the signing and eventual ratification of the Treaty is the responsibility of other institutions set forth in the Constitution and Laws in force, such as: Government of Kosovo, Assembly of Kosovo, Ministry of Justice, Ministry of Foreign Affairs, and other relevant institutions. In the negotiation meetings for this Treaty, Kosovo has participated in the capacity of an observer.

6.3 Management of Information Technology

In support of the Regulation on Systematization, the Information Technology System is managed by the Office for Professional Support and Cooperation at the ACA. In 2019, the ACA has continued the stream of the information technology system advancement, upgrading operating systems to the latest version, upgrading other programs and applications, as well as it is planned and required to replace servers and other computer network equipment.

In terms of management and administration, the management and administration of all the Agency's LAN network equipment, such as servers, routers, switches, etc. has continued. Furthermore, in terms of data digitization, the management and updating of the ACA's electronic work-related data has also continued, such as: asset declaration data, conflict of interest data, investigations and prevention of corruption in public procurement, through the electronic Asset Declaration and Registration System - ADRS.

Through the database application known as ADRS (Asset Declaration and Registration System) the electronic storage of data was done, followed by the automatic generation of asset declaration registers, which were then published on the Agency's website, in "pdf" format, and these statements are found in the link: https://www.akk-ks.org/deklarimi_i_pasuris/171/deklarimet/171?. This system has enabled the drawing of lots for all senior public officials who have declared their assets in 2019 according to the legislation in force.

To further advance the ACA's electronic data management, in cooperation with the SAEK II Project, the ACA has continued working in developing an online platform for asset declaration, which is expected to be completed in 2020. This project will enable to declare assets online and to openly publish the data "Open Data". In this project, the ACA contributes in terms of defining the modalities of its functioning, both in the working processes and functioning of its modules, as well as in the technical aspect of its development, while the SAEK II project covers all financial costs for developing and implementing the project of developing an online asset declaration platform and case management of the ACA.

6.4 Archiving documents

The archiving and protocolling of the Agency's documents shall be carried out by the Officer of Archive within the ARCI office. The storage of documents is done in the electronic system

of the State archive "e-arkiva". In 2019, the ACA has concluded the protocol book (file registration) with serial number 06-3459/19 (three thousand four hundred and fifty-nine) dated 31.12.2019.

The ACA has respected the recommendation of the Agency of State Archives of Kosovo, with Protocol No. 4898/16, dated 28.12.2016, according to which the ACA is obliged to keep an original copy of all documents submitted by the agency to other institutions of the Republic of Kosovo.

In 2019, the Archive Office has used two protocol books.

- 1) The first book has started with no. 02-01-2019 dated 04.01.2019 and was completed with no. 03-01-3150/19 (three thousand one hundred and fifty) dated 29.11.2019, and
- 2) The second protocol book has started from no. 03-01-3151/19 (three thousand one hundred and fifty-one) on 29.11.2019 and was completed with the serial number 06-3459/19 (three thousand four hundred and fifty-nine) dated 31.12.2019.

All documents received at the archive office, and documents signed and protocolled by the Director of the Agency after their registration in the protocol book, shall be forwarded to the organizational unit, such as: Director of the Department, Head of Division and the relevant Officer for further procedure.

In some cases, the ACA has received documentation that is not related to the work, mandate and competencies of the ACA. Therefore, in these cases, the ACA has acted in conformity with the relevant legal provisions for the General Administrative Procedure.

The forms of asset declaration of senior public officials are registered in a special book managed by the Division for Property Monitoring.

The transfer of cases from one Department to another Department was also done according to the nature of the case.

Decisions on the existence or closure of a Conflict of Interest case are not only forwarded to the manager of the agency's website, they are also forwarded by mail to the party concerned.

VII. PERSONNEL MANAGEMENT

Pursuant to the Regulation on the Systematization of Jobs at ACA, the Personnel Manager is responsible for activities related to the duties and responsibilities of the Personnel Offices. In this context, this office at the ACA has continued its regular activities and responsibilities, commencing at the maintenance of the System for entering and leaving the workplace - work attendance, tracking and updating of annual leave, medical and other types of leave. Moreover, the payroll was prepared and the needed changes to these payrolls were made.

In 2019, the ACA conducted three (3) external recruitment procedures and three (3) internal recruitment procedures in accordance with the applicable legislation, respectively, the Law on Civil Service and Law on Public Officials. Two (2) permanent internal transfers and one (1) permanent external transfer were conducted in accordance with the Law on Civil Service.

In accordance with the provisions on advancement, the ACA staff has participated in various trainings and travels inside and outside of Kosovo. The list of all trainings and travels is available at *Annex No. V*.

VIII. PROCUREMENT

During 2019, the ACA, as the contracting authority, has developed procurement activities by supply and services procurement types. In the table below are outlined procurement activities.

Table 16. Overview of public procurement activities

Procedure	Type of procurement activity	Number of activities	Contract price, including all taxes, etc.
Supply	Price quote	2	5.837.91 €
Supply	Minimal value	3	2.535.70 €
Supply	Open procedure	1	20.836.00 €
Total	-	6	29.209.61 €

Note:

As of 07.06.2017, all procurement activities of independent agencies operating within the Assembly of the Republic of Kosovo, and which are listed in the explanatory memorandum will be developed by the Central Procurement Agency, in accordance with Article 21/A paragraph 2 of the Law No. 04/L-042 as amended and supplemented by Law No. 04/L-037, Law No. 05/L-068 and Law No. 05/L-092.

All other contracts for supplies, services or other works are centralized and managed by the Central Procurement Agency.

IX. BUDGET (SUMMARY OF KEY DEVELOPMENTS)

The ACA has prepared requests for budget appropriations based on internal assessments by organizational units. The Government and the Assembly of the Republic of Kosovo have approved the request by allocating the budget for 2019.

The appropriations for the period January - December 2019 are in the amount of 584,642.55€. The following table reflects the breakdown by economic categories.

Table 17. Statement of budget breakdown by economic category

No.	Economic Categories	Approved Budget (Initial)	Revised budget (final)
1	Wages and Salaries	437,234.55	395,994.20
2	Goods and Services	138,908.00	133,908.00
3	Utilities	8,500.00	5,500.00
	Total	584,642.55	535,402.20

After the review, the initial budget has undergone changes. In all expenditure categories, funds have been reduced but have not had any adverse effect.

The following table outlines the budgetary allocations and expenditures after budget review.

Table 18. Overview of expenditures after budget review

No.	Economic categories	Budget	Expenditures	% of budget execution
1	Wages and salaries	395,994.20	395,994.20	100
2	Goods and services	133,908.00	101,140.68	75.53
3	Utilities	5,500.00	2,446.26	44.47
	Total	535,402.20	499,581.14	93.30

The final budget for 2019 was 535,402.20€. Out of this amount a total of 499,581.14€ was spent or expressed in percentage 93.30% of the budget.

The final budget for the category *Wages and Salaries* is executed at 100%, whereas for the category of *Goods and Services* it is spent at 75.53%. Budget in the category of *Utilities* was executed at 44.47%. From the budget spent, the largest part of the budget is wages and salaries with 73.96%.

The detailed Financial Report for 2019 is attached as a separate Annex to the Annual Work Report of the ACA for 2019.

X. COOPERATION WITH OTHER INSTITUTIONS THAT HAVE THE MISSION TO FIGHT AND PREVENT CORRUPTION

The ACA has continued to promote mutual cooperation with local and international institutions that have the mission of fighting and preventing corruption. However, inter-institutional cooperation in fighting and preventing corruption remains a challenge.

Cooperation with the Prosecutor's Offices regarding feedback to the Agency for further processing and final decision on follow-up cases has been advanced and has been sustained. In all followed-up cases, the ACA received written notifications from the Prosecution.

Within the reasonable time limits, the ACA has received confirmations from the Kosovo Prosecutor's Offices and Police whether criminal proceedings have been initiated and conducted for the same cases reported to the ACA so that the same cases are not investigated simultaneously by two institutions and not to develop two separate procedures. Throughout the year, the ACA exchanged information with the Basic Prosecutions on a monthly basis about the number of cases forwarded to the statistics harmonization service.

ACA has cooperated closely with the contact prosecutors appointed by the Prosecutions as a result of a joint workshop previously conducted, and in many cases other prosecutors have also been contacted.

Within the legal competences, the ACA has exchanged information and documentation with all other institutions that have the mission of preventing and fighting corruption. In this sense, ACA has provided information to the competent institutions regarding the verification of background of certain persons.

ACA has cooperated with all law enforcement and other relevant institutions in order to prevent and fight corruption in Kosovo.

The ACA is supported by two projects in which it is a direct beneficiary: 1. Project against Economic Crime - PECK II of the European Union and the EU Office in Kosovo implemented by the Council of Europe. And 2. Project Support to Anti-Corruption Efforts - SAEK II (Support the Anti-Corruption Efforts in Kosovo II) supported by Swiss Agency for Development and Cooperation (SDC) and Danish International Development Agency (DANIDA), implemented by the United Nations Development Program United Nations - UNDP Kosovo. ACA is also supported by OPDAT and the United States Embassy in Kosovo. During 2019 it was supported in several activities by the Embassy of Croatia and the Embassy of France in Kosovo.

XI. ADDRESSING THE RECOMMENDATIONS OF THE NATIONAL AUDIT OFFICE (NAO)

For the previous year, during the audit, the overall assessment of the financial statements has been positive and in all material respects there has been a fair and accurate presentation.

Two recommendations have been made to the Agency. The table below presents the recommendations and actions of the management of ACA regarding them.

Table 19. Statement of addressing of recommendations by the National Audit Office

No.	Recommendations	Management action	Implementation deadline	Current status of recommendation
1	Recommendation 1 The Director of the Agency must ensure that a committee is established that handles off-site assets according to Article 9 - disposal of assets, of Regulation 02/2013 on the Management of Non-Financial Assets in Budget Organizations. It should also ensure a fair reflection of the value of stocks in the 2019 AFSs.	All non-functional assets that are out of use will be removed from the asset registers and disposed of once the Non-Financial Asset Alienation Commission is established. During the preparation of the AFS, the auditor's recommendation was made for fair reporting of the value of stocks,	Appropriate action was taken immediately. Two Committees have been established: the Inventory Committee and the Evaluation Committee. Both Committees have performed their duties in accordance with the competencies and according to the applicable legislation, therefore, the alienation of property is being carried out.	Completed
2	Recommendation 2 The Director of the Agency should ensure that adjustments are made to the asset registration in order to apply accurate depreciation rates.	The ACA will also engage in cooperation with the Ministry of Finance - Treasury so that these assets are properly corrected and recorded and based on the regulation on the management of non-financial assets, so that these assets are applied with accurate depreciation rates.	Within the shortest possible time. Now that this report has been finalized, this recommendation has been reported as completed and the changes are made.	Completed

XII. LESSONS AND RECOMMENDATIONS

The ACA considers that 2019 has been followed by numerous activities through which the ACA has implemented the Work Plan for 2019 in line with the competences defined under the applicable legislation. However, despite the utmost commitment in fulfilling its mandate, the ACA considers that other law enforcement agencies are required to be more coordinated and effective in the areas related to the prevention, investigation and fight of corruption, the origin and declaration of property, the prevention of conflicts of interest, protection of whistle-blowers, declaring gifts, preventing corruption in public procurement activities, and other aspects in the field of anti-corruption.

Based on this, the ACA recommends that the focus be on the following:

- ⇒ Full implementation of applicable legislation in all areas related to the prevention, investigation and fight against corruption;
- ⇒ Full implementation of the Law on Prevention of Conflict of Interest, adoption of by-laws, adoption of internal regulations in all public institutions and public enterprises, and further strengthening of all Responsible Authorities;
- ⇒ Full implementation of the Law on Protection of Whistle-blowers, adoption of all bylaws - Regulations, designation, empowerment and training of all Officers for the Protection of Whistle-blowers in all public and private institutions;
- ⇒ Proceeding with the amendment and supplementation of the Law on Anti-Corruption Agency and the Law on Declaration, Origin and Control of Assets of Senior Public Officials and the Declaration, Origin and Control of Gifts for all Officials according to the Legislative Agenda of the Government of the Republic of Kosovo;
- ⇒ Drafting of the new draft of the National Strategy against Corruption and Action Plan for the period 2020 - 2025;
- ⇒ Creation of a common "database" of mechanisms for the prevention and fight against corruption;
- ⇒ Developing Common Methodologies: Common Investigation Methodology; Corruption Proofing Methodology; Corruption Risk Assessment Methodology;
- ⇒ Avoiding and addressing any shortcomings identified in the progress report and other national and international strategic reports and documents;
- ⇒ Properly draft, approve, implement, and monitor the Integrity Plans of all Institutions of the Republic of Kosovo, including central and local public enterprises;
- ⇒ Continuation of the work on completing the Integrated Electronic Platform for the purposes of online reporting and monitoring the implementation of other activities.

XIII. CONCLUSION

The ACA has fully committed to carry out its duties in accordance with its mandate and competences in the area of investigating and detecting corruption cases. The ACA particularly worked on the following:

- ⇒ Investigation of Corruption through the development of preliminary investigation procedures for cases of suspicion of corruption; analysing statistical and other data on the state of corruption in Kosovo; protection of whistle-blowers under the whistle-blower protection law as well as reporting on the implementation of the Agency's tasks set out in other strategic documents;
- ⇒ Preventing Corruption through Asset Supervision; supervision of gifts and preventing corruption in public procurement and corruption in general;
- ⇒ Preventing Conflicts of Interest through preventing conflicts of interest of senior public officials while exercising public function; cooperating with the responsible authorities; analysing and addressing cases of conflict of interest; receipt of annual reports by the responsible authorities; providing professional assistance and advice to other institutions in the field of conflict prevention;
- ⇒ Organizing general activities through management and care of material resources, providing administrative services, managing finances and budgets and the logistics of the Agency; providing professional support, cooperating, informing and coordinating informing activities and personnel, archives and procurement managing within the ACA.

ACA, in cooperation with other relevant institutions, in particular with the Legislation Committee of the Assembly of the Republic of Kosovo and the Ministry of Justice, has clearly defined the priority in terms of implementation of the legal framework in order to combat and prevent corruption, promote transparency and strengthening institutional integrity, as well as efforts and dedication to create a corruption-free social environment.

The basic legal framework of the ACA is in the process of being amended and supplemented. As a result, the draft Law on the Anti-Corruption Agency and the draft Law on the Declaration of Property and Gifts of Senior Public Officials and Other Persons are Included in the New Legislative Program of the Government and Assembly.

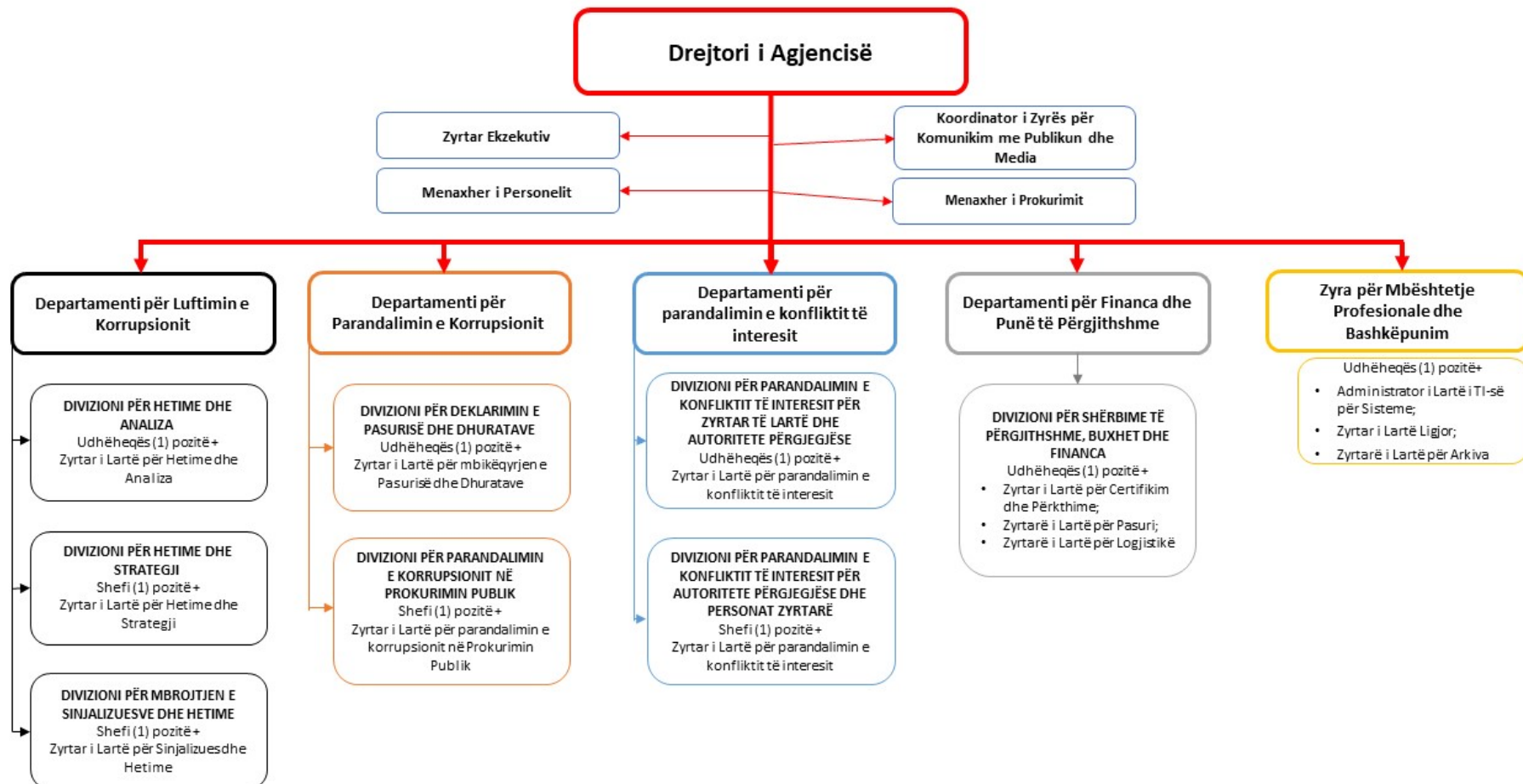
A key priority and challenge of the Agency remains the continuation of the full fulfilment of the Agency's mandate on the basis of the competencies set out in the applicable legal provisions in the field of combating and preventing corruption, preventing conflicts of interest of senior public officials, declaring assets and protecting whistleblowers.

The priorities and challenges for the ACA are:

1. Implementation of the Anti-Corruption Legal Framework, Law on Anti-Corruption Agency, and Law on the Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials;
2. Implementation of Law no. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function;

3. Implementation of Law no. 06/L-085 on Protection of Whistleblowers. Adoption of the Regulation on the Procedure of Receiving and Handling Cases at the Anti-Corruption Agency;
4. Proceeding with the amendment and supplement of the Law on Anti-Corruption Agency and the Law on the Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials, according to the Legislative Agenda of the Government of the Republic of Kosovo;
5. Review and amendment of the internal organization and systematization of jobs at the ACA regarding the organizational and operational aspect, in accordance with the legislative changes;
6. Increasing human resources and building administrative capacity in advancing and developing the professional capacities of the Agency's staff; advancement of staff in relation to carrying out the preliminary investigation procedure, handling conflict of interest cases, declaration of assets, protection of whistle-blowers, monitoring of public procurement activities, inter-institutional cooperation, and other issues;
7. Drafting the National Anti-Corruption Strategy 2021 - 2025 and its Action Plan, as well as starting the implementation of the strategy and action plan.
8. Creating a common "database" of mechanisms for the prevention and fight against corruption;
9. Developing Common Methodologies: Common Investigative Methodology; Legislative Evaluation Methodology; Corruption Proofing Methodology;
10. Avoiding and addressing any shortcomings identified in the progress report and other national and international strategic reports and documents;
11. Appropriate drafting, approving, implementing and monitoring the integrity plans of all institutions of the Republic of Kosovo, including central and local public enterprises;
12. Continuation of the work on completing the Integrated Electronic Platform for the purposes of online reporting and monitoring the implementation of other activities;
13. Continuing and strengthening cooperation with the institutional mechanisms responsible for preventing and fighting corruption in Kosovo;
14. Education of officials and school institution;
15. Organizing joint meetings with local anti-corruption stakeholders (police, prosecution offices, courts) to address various matters and further improve the communication;
16. International cooperation, membership in international organizations, cooperation with countries where the ACA has signed Memorandums of Understanding and review of Inter-Institutional Cooperation Agreements.

XIV. ANNEX

Annex I – Organizational chart

Annex II:*Table 20. List of Officials who have not declared their property within the legal deadline*

No.	Name and Surname	Institution
1	Sami Gashi	Kosovo Correctional Service
2	Kastriot Lokaj	Municipality of Deçan
3	Riza Abdyli	Municipality of Gjilan
4	Arta Gashi	Municipality of Kamenica
5	Sejdi Kurteshi	Municipality of Kamenica
6	Tush Dedaj	Municipality of Klina
7	Visare Gashi	Municipality of Prishtina
8	Fatmir Morina	Municipality of Prishtina
9	Sinan Alijaj	Municipality of Prizren
10	Trajko Shariq	Municipality of Rahovec
11	Beqir Veliu	Municipality of Skenderaj
12	Hazër Tara	RWC "Ekoregjioni" JSC Prizren

Annex III:*Table 21. List of Officials who have declared their property after the legal deadline*

No.	Name and Surname	Institution
1	Emin Krasniqi	Presidency of the Republic of Kosovo
2	Andin Hoti	Assembly of the Republic of Kosovo
3	Bujar Bukoshi	Office of the Prime Minister of the Republic of Kosovo
4	Agim Dervishaj	Kosovo Forest Agency
5	Rilind Berisha	Ministry of Justice
6	Ismail Vllasaliu	Ministry of Economic Development
7	Luan Daka	Ministry of Culture, Youth and Sports
8	Emin Kabashi	Ministry of Culture, Youth and Sports
9	Rabije Kosumi	Ministry of Innovation and Entrepreneurship
10	Pjeter Ndou	Ministry of Infrastructure
11	Isa Kosumi	Ministry of Foreign Affairs
12	Rukije Mehmeti	University Clinical Centre of Kosovo
13	Sabit Mehmeti	University Clinical Centre of Kosovo
14	Sami Beka	Kosovo Property Comparison and Verification Agency
15	Afrim Ajvazi	Energy Regulatory Office
16	Drita Buza Zhaveli	Municipality of Gjakova
17	Valentina Alijaj	Municipality of Gjakova
18	Shpresa Hajdari	Municipality of Gjilan
19	Milica Mihajlovic	Municipality of Gracanica
20	Blerim Hajdari	Municipality of Kamenica
21	Imer Rustemi	Municipality of Lipjan
22	Jeton Zeneli	Municipality of South Mitrovica
23	Selim Pacolli	Municipality of Prishtina

24	Eman Rrahmani	Municipality of Prishtina
25	Leonora Shabani Bajraktari	Municipality of Prishtina
26	Arbenita Murseli	Municipality of Prishtina
27	Memnuna Ajdini	Municipality of Prizren
28	Donika Rushiti	Municipality of Skenderaj
29	Naser Bajraktari	Municipality of Skenderaj
30	Sabit Thaçi	Kosovo Railway Infrastructure INFRAKOS JSC
31	Nazmi Kryeziu	LPE "Pallati i Rinisë" JSC
32	Shpëtim Aliu	Hortikultura JSC
33	Adrian Berisha	Municipality of Prishtina
34	Diamanta Skenderi	Tax Administration of Kosovo

Annex IV:

Table 22. List of Officials who did not declare their property within the legal deadline due to health reasons and other reasons.

No.	Name and Surname	Institution
1.	Besim Malsori	Office of the Prime Minister of the Republic of Kosovo
2.	Sokol Zogaj	Office of the Prime Minister of the Republic of Kosovo
3.	Agron Bajrami	Ministry of Defence
4.	Pleurat Kabashi	Ministry of Culture, Youth and Sports
5.	Elizana Shaban	Kosovo Property Comparison and Verification Agency
6.	Edona Abazi Demolli	National Audit Office
7.	Xhevat Sallahi	Municipality of Ferizaj
8.	Rina Ahmeti Kasumi	Municipality of Gjilan
9.	Fazile Haziri	RWC "PASTRIMI" JSC Prishtinë
10.	Ramadan Hoti	Municipality of Gjakova
11.	Nehat Mustafa	Municipality of Ferizaj
12.	Durim Krasniqi	POE "Trainkos" JSC
13.	Besnik Mujeci	Municipality of Prishtina
14.	Mirlinda Muqa	Municipality of Suhareka

Annex V

Table 23. List of trainings

No.	Type of Training	Organizer	Location	Data	No. of officials
1.	Law on the Origin and Control of Property	UNDP/SAEK II	Tirana	08-12.02.2019	Three officials
2.	Intelligence Analysis Course	EU	Prishtina	15.02.2019	One official
3.	Intelligence Source Management	EU	Prishtina	22.02.2019	One official
4.	Document Management And Archiving Electronic System (SMAED)	KIPA	Prishtina	18-20.03.2019	One official

5.	Integrity of Civil Servants	Netherlands Helsinki Committee	Hague:	13-22.03.2019	One official
6.	Plenary Meeting of the Anti-Corruption Network	OECD	Paris	20-22.03.2019	One official
7.	Negotiation of the international treaty on the exchange of data for the verification and declaration of property	RAI	Podgorica	26-28.03.2019	Two officials
8.	Protection of whistleblowers on the safety sector	RIA	Podgorica	07-08.05.2019	Three officials
9.	Complaint and discipline issues	KIPA	Prishtina	20-21.05.2019	One official
10.	Trainer for SAA	KIPA	Prishtina	13-15.05-03-05.07.2019	One official
11.	Training on corruption investigation	OSCE	Prishtina	27-29.05.2019	One official
12.	Civil Society for Good Governance and Anti-Corruption in Southeast Europe	European Union	Sarajevo	12-14.06.2019	One official
13.	Intermediate Intelligence Analysis and Informant Handling	EU	Prishtina	10-21.06.2019	One official
14.	Investigating corruption cases - innovative mechanisms and tools	RAI	Sarajevo	30.06.2019 05.07.2019	Two officials
15.	Prevention of Corruption	ACA	Skopje	19.07.2019	Five officials
16.	Prevention of Corruption	ACA	Skopje	22.07.2019	One official
17.	Linkage between prevention, fraud and investigation	EAF- office	Skopje	18-20.09.2019	Two officials
18.	Study visit	MPJ- Croatia	Zagreb	30.09.2019 04.10.2019	Three officials
19.	Whistleblowers and their rights	IKAP	Prishtina	09-10.09.2019	Three officials
20.	Recommendations of the Financial Action Task Force (FATF)	OSCE	Prishtina	16.10.2019	Two officials
21.	Protection of whistleblowers	ACA-APC	Podgorica	04-05.11.2019	Five officials
22.	Supporting anti-corruption projects	UNDP- SAEK II	Tirana	11-15.11.2019	Eighteen officials
23.	Study visit	UNDP	Seoul	28-29.11.2019	Two officials