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AGJENCIA KUNDËR KORRUPSIONIT
AGENCIJA PROTIV KORUPCIJE
ANTI – CORRUPTION AGENCY

ANNUAL WORK REPORT

2021

Prishtina, March 2022

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List of abbreviations

ACA	Anti-Corruption Agency
KAP	Kosovo Agency of Property
KBRA	Kosovo Business Registration Agency
CRA	Civil Registration Agency
EU	European Union
SACD	Special Anti-Corruption Department
DIECC	Directorate for Investigation of Economic Crimes and Corruption
FIU	Financial Intelligence Unit
GLPS	Group for Legal and Political Studies
CC	Constitutional Court
BC	Basic Court
KIPA	Kosovo Institute for Public Administration
KLI	Kosovo Law Institute
PIK	Police Inspectorate of Kosovo
KDI	Kosovo Democratic Institute
KJC	Kosovo Judicial Council
KPC	Kosovo Prosecution 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 for the 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
PMUPE	Policy and Monitoring Unit of Public Enterprise
EO	Economic Operator
OSCE	Organization for Security and Co-operation in Europe
PRB	Procurement Review Body
KP	Kosovo Police
MPPPO	Municipal Public Prosecution Office
DPP	District Public Prosecution
SPPK	Special Prosecution of the Republic of Kosovo
SP	State Prosecutor
BP	Basic Prosecution
KCPSED	Kosovo Centre for Public Safety, Education and Development
RAI	Regional Anti-Corruption Initiative
SAP	Strategy and Action Plan of the Anti-Corruption Agency
TI	Transparency International
UNDP	United Nations Development Program
UP	University of Prishtina "Hasan Prishtina"
OPM	Office of the Prime Minister
ORCI	Office for Relations, Cooperation and Information
ODP	Office of the Disciplinary Prosecutor

I. Introduction

Pursuant to Article 12 of the Law No. 03/L-159 on Anti-Corruption Agency, the Agency submits the Annual Work Report for the previous year to the Assembly of the Republic of Kosovo, to the Committee on Legislation, Mandates, Immunities, Rules of procedure of the Assembly and Oversight of the Anti-Corruption Agency. The purpose of this Annual Report of the Anti-Corruption Agency is to present a summary of the activities, achievements and challenges of the ACA for 2021.

Activities that this report has been focused on are as follows:

- ⇒ Implementation of the legal framework in the field of anti-corruption;
- ⇒ Results from the process of declaring the property of senior public officials and registration of gifts received, publication of registers of the property declaration forms declared by senior public officials on the official website of the ACA;
- ⇒ Development of preliminary investigation procedures for cases of suspected corruption;
- ⇒ Prevention and treatment of cases of conflict of interest during and after the exercise of 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 whistleblowers' protection;
- ⇒ Forwarding criminal reports to the competent prosecutor's offices, forwarding requests for initiating disciplinary proceedings for suspected 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 Report presents the efforts of the institution in preventing and combating cases of corruption as well as raising public awareness in order to establish and promote the order and rule of law. This report also reflects the reports of the Agency and other institutions, especially those of law enforcement, in terms of setting clear priorities for the implementation of the legal framework in order to fight and prevent corruption, promote transparency and strengthen institutional integrity.

ACA assesses that the situation with the pandemic COVID-19, has affected the progress of the work of the ACA and the results presented. However, ACA managed well and adapted to the circumstances, starting with the use of information technology, replacing regular meetings with online (virtual) ones. All these have resulted in satisfactory progress in carrying out the tasks of the ACA, and achieving the results as presented in this report.

For reporting purposes, the Annual Work Report covers the period 1 January to 31 December 2021.

II. Description of the Institution

Pursuant to Law No. 03/L-159 on Anti-Corruption Agency, ACA is an independent and specialized body responsible for the 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, based on 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.

The 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.

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 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, analyses 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 consists of 1. Division for Prevention of Conflict of Interest for senior officials and responsible authorities, and 2. Division for 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 of the Division for General Services, Budget and Finances.
- 5. Office for professional support and cooperation** 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. **Personnel Manager** and **Procurement Manager** is responsible for recruitment procedures, management of several procurement activities.

ACA's Organizational chart is presented graphically in [Annex I](#).

Within the ACA, in accordance with the legal provisions on civil service and public officials is established the following: Disciplinary Commission. This commission did not receive any request to initiate disciplinary proceedings in 2021. Meanwhile, the Commission for Resolution of Disputes and Complaints has been functional until the entry into force of Law No. 06/L-114 on Public Officials. To date no complaints have been received.

III. Declaration, registration and control of assets of senior public officials

ACA supervises the assets of the senior public official based on the information submitted by senior public officials in a special form, which has been prepared by ACA in accordance with applicable law. Forms must be completed by senior public officials and submitted to ACA.

The legal basis on which ACA grounds its work on overseeing the assets of senior public officials is defined under Law No. 04/L-050 on the Declaration, Origin and Control of Property of Senior Public Officials and the Declaration, Origin and Control of Gifts of All Official Persons, as well as Law No. 04/L-228 Amending and Supplementing Law No. 04/L-050 on the Declaration, Origin and Control of Assets of Senior Public Officials and the Declaration, Origin and Control of Gifts of All Official Persons.

Law No. 04/L-050 on the Declaration, Origin and Control of Property of Senior Public Officials and the Declaration, Origin and Control of Gifts for All Officials and Law No. 04/L-228 Amending and Supplementing Law No. 04/L-050 defines the following types of declarations:

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

Regular annual declaration - Senior public officials are obliged to regularly declare their assets during the entire period of work in the public service and within the deadlines set by law. Senior public officials are required to declare the status of their assets to ACA from 1 to 31 March of each year for the previous year covering 1 January through 31 December. For this period of time or the regular annual declaration for 2021, 4892 senior public officials had the obligation to make the declaration of their assets. Out of this total number, 4783 or 97.77% have declared their assets, 109 senior public officials have not declared their assets (56 have declared assets after the deadline; 25 have not declared assets; 28 have not declared assets with reason) or 2.23%.

Regular annual declaration

Given the situation created by the COVID-19 pandemic during 2021, we had difficulties in completing the process of declaration of assets. Mainly during this period, we have received the declaration of assets only via email and not physically, due to the measures set by the Government of Kosovo in order to maintain health and protect against infection with COVID-19.

For the reporting period, the general situation of the process of regular annual declaration of assets is presented in the following table.

Table 1. Regular annual declaration

Institutions	No. of officials	Declared		Failed to declare			
		Declarations	Percentages	Have declared after the deadline	Have not declared property	Failed to declare	Percentages
Presidency	15	15	100 %	0	0	0	0.00 %
Assembly	140	138	98.57 %	1	0	1	1.43 %
Government	1502	1459	97.13 %	19	12	12	2.87 %
Courts	430	428	99.53 %	2	0	0	0.47 %

Prosecution Offices	198	196	98.98 %	1	0	1	1.02 %
Independent Institutions	470	464	98.72 %	4	0	2	1.28 %
Municipalities of Kosovo	1654	1611	97.40 %	22	13	8	2.60 %
Publicly-Owned Enterprises	483	472	97.72 %	7	0	4	2.28 %
TOTALI	4892	4783	97.77 %	56	25	28	2.23 %

During the reporting year, we transferred another 38 cases of senior public officials who did not declare assets within the regular annual declaration deadline of 2020. These data are presented in Table 13 ([Annex III](#)). Whereas for 2021, for non-compliance with the deadline of regular annual declaration, the data are presented in Table 12 ([Annex II](#)). The cases remained undocumented due to the analysis of the justifications sent for the delay in declaring assets due to the circumstances created by the Covid-19 pandemic. Also, the deadline for declaring assets has been extended until 19 June 2020.

Failure to comply with the legal deadline during the regular annual process is led by senior public officials from Kosovo Municipalities.

Declaration of senior public official 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 contact 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, we received information from the contact officials that there are 980 officials who started exercising a public function, who are obliged to declare their assets upon taking office. 41 senior public officials did not declare their assets within the set deadline and were transferred to DCC. While another part is still in legal deadlines and are reported in the next report.

Declaration of assets upon completion or dismissal from office

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

During the reporting year, we received information from contact officials that 1072 officials ceased to exercise public function, who are obliged to declare assets after leaving public office. 26 senior public officials did not declare their assets within the set deadline and were transferred to DCC. While another part is still in legal deadlines and are reported in the next report.

Failure to comply with the legal deadline on the occasion of taking office and after dismissal from office are led by senior public officials from the Government of Kosovo and its subordinate bodies (for more, see Table 14 in [Annex IV](#)).

Based on the data reported in 2021, for all types of declaration, there have been 6944 senior public officials who have been obliged to make the declaration.

Table 2. Reflection of the annual declaration for all types of declaration of assets

Type of declaration	Obligated
Regular annual declaration	4892
Upon taking office	980
Upon request	-
Upon completion or dismissal from office	1072
Total number	6944

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 547 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, 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 senior public officials who are obliged to declare their assets, 954 senior public officials have been controlled as per the draw list.

The Agency has initiated 12 more cases, or senior public officials' ex-officio/according to the denunciations received or according to the information reported by the citizens through various forms.

The following table presents the complete control process.

Table 3. Complete control of asset declarations and results from complete control findings

Total controlled	Completed	In procedure	Forwarded to DCC-ACC / Prosecution Office / Police	
			Non-declaration of assets	Suspicious of false declaration (are cases from the full control of 2020 carried over to 2021)
966	741	225	190	50

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.

Submission of gifts catalogue

During March 2021, 46 institutions notified the Anti-Corruption Agency regarding gifts, out of which 2 stated that they had received gifts during the preceding year whereas 44 stated that they did not receive gifts.

Out of the total number of contact officers (about 170 contact officers of institutions), only two institutions have stated that they have received gifts.

Institutions (contact officers from these institutions) which have stated that they have received gifts during this year for the previous year are: Office of the Presidency 6 gifts; Ministry of Foreign Affairs and Diaspora 22 gifts.

The specified data regarding the gifts catalogues by institutions that have submitted copies of the catalogue to ACA are presented in the following table:

Table 4. Data of gift declaration by institution

Institution	Protocol gifts	Casual gifts	Overall number
Presidency	6	0	6
Ministry of Foreign Affairs and Diaspora	0	22	22
Total	6	22	28

IV. Conducting the Preliminary Investigation Procedure by the Agency

Pursuant to the provisions of the Law No. 03/L-159 on the Anti-Corruption Agency, the Agency is responsible for conducting the preliminary investigation procedure within its scope of activity. For this, ACA organizes 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 the 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.

Cases reported to ACA during 2021

During the reporting year, ACA received information from citizens regarding allegations of corruption activities through various 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.

In 2021, ACA has conducted preliminary investigation procedures in a total of 374 cases, of which 61 are carried from previous years, whereas in 2021 ACA received 314 new cases. Of these cases, 150 were referred to the Prosecution Office, Police for further proceeding, 2 were referred to competent administrative bodies with a request for initiation of the disciplinary proceeding, and 71 cases were closed, while 152 cases are in the proceeding. The total number of handled anonymous reporting is 26. During the reporting year, the Agency handled a total of 76 cases initiated ex-officio. The following chart (Figure 1) represents the proceeding of 374 cases handled during 2021.

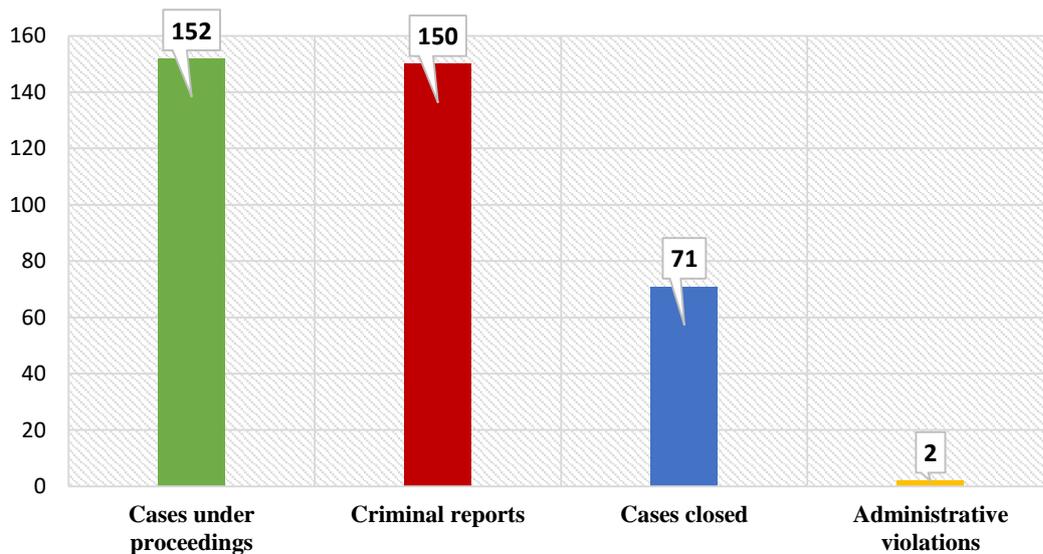


Figure 1. Graphical representation of the proceeding cases handled during 2021

Cases forwarded to competent institutions for proceeding

During the reporting period, 150 information and criminal charges were forwarded to competent institutions for further proceeding.

Out of them, 128 criminal charges and 18 information 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 referred to the competence of the respective prosecution offices.

4 sets of information were forwarded to DIECC.

In 2 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. The Agency forwarded these cases to the competent administrative bodies, with a request to initiate disciplinary proceedings.

Persons suspected of corruptive activities

In 150 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 142 persons (all in the Prosecution Office).

During the reporting period, ACA also forwarded 2 cases to the competent administrative bodies with the request to initiate disciplinary proceedings against 4 officials of the institutions of the Republic of Kosovo.

Figure 2 graphically shows the number of criminal charges, information and request for initiation of proceeding and the number of involved persons for cases forwarded to relevant institutions.

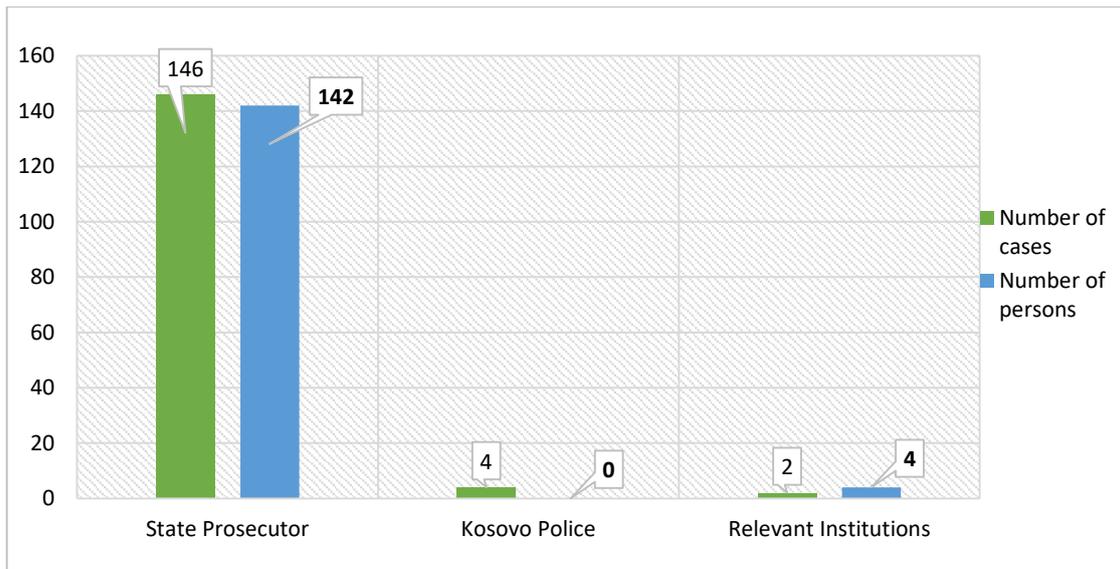


Figure 2. Overview of criminal charges and the number of involved persons forwarded to the relevant institutions

Cases proceeded according to the structure of criminal offences

Among the 150 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 14 cases (10 in the Office of the Chief State Prosecutor and 4 in DIECC), 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:

- ⇒ Failure to report or falsely reporting assets, income, gifts, other material benefits or financial obligations - The largest number of cases forwarded to the Prosecution Office are actions sanctioned under Article of the Criminal Code of Kosovo No. 06/L-074.
- ⇒ 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 414 of the Criminal Code of Kosovo No. 04/L-074, respectively Article 422 of the Criminal Code of the Republic of Kosovo No. 06/L-082, constitute the second-highest share of offences.
- ⇒ Fraud - 1 case was forwarded in relation to this criminal offence, according to Article 323 of the Criminal Code of Kosovo No. 04/L-074.
- ⇒ Conflict of interest - According to this criminal offence specified in Article 417 of the Criminal Code of the Republic of Kosovo No. 06/L-074, 1 case was forwarded to the competent Prosecution Office.

Persons involved in these cases belong to different levels such as: MPs, Deputy Minister, National Coordinator, Mayor and Deputy Mayor, Judge, Political Advisers of the Government Cabinet, Secretary General at the central level, Ambassadors, Embassy Counsellors, Consuls, Attachés, second secretary,

Councillors of municipal assemblies, deputy chairpersons, members of the governing councils of public universities, vice-rector, dean, vice-deans in public university faculties, secretary of the faculty in public universities, chief executive of independent institutions, chief executive of agencies executive within ministries, Chairperson and members of steering councils of subordinate institutions within ministries, members of councils in Independent Institutions, acting director and director of departments in non-governmental institutions, acting director and director of departments in ministries, director of directorates in municipalities, central level procurement managers, Deputy Chief Financial Officer in independent institutions and at local level, directors of clinics, chairperson and members of boards of central and local public enterprises, audit leaders at Public University, auditor at local level, owner of certain businesses, etc.

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

- Request with recommendation to the relevant Ministry to handle payments to the account of members of the Commission for technical acceptance, works, services, supplies from public procurement activities, which are collected by Economic Operators and which the Municipality makes on the basis of the Regulation for Taxes, Tariffs, Charges and Fines.
- Notices for the heads of institutions to take measures in order not to repeat the situations when the contact officials of ACA do not forward the notifications to the senior public officials about the process of declaration of assets.

Regarding the 2 cases followed by requests for initiation of disciplinary proceedings by ACA, it has not received any information from the competent administrative institutions.

Characteristics of the violations found during the preliminary investigation

ACA has conducted preliminary investigations regarding allegations of corruptive activities, i.e., in respect of offences 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 the least convictions were imposed.

Characteristic of investigated cases dealing with the criminal offence of Abuse of Official Position or Authority from Article 422 of the Criminal Code of Kosovo No. 04/L-082, respectively Article 414 of the Code No. 06/L-074, is the abuse of official duty or authority by the official who, by acting or omission, violates 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:

- Engagement of persons in work without recruitment procedure;
- Employment with special services contracts by not applying a simplified recruitment procedure even for positions that are considered as regular job positions and not as specific tasks;
- Employment without meeting the conditions required by the competition;

- Employment without fulfilling the conditions required by the competition and then the movement of the same in certain positions;
- Payment for certain employees even though they do not show up for work at all.

As one can notice from the aforementioned criminal offence of Abuse of Official Position or Authority is mainly characterized by violation of rules on recruitment (employment), advancements and payments without reporting to work.

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 417 of the Criminal Code of Kosovo No. 06 /L-074, this criminal offence is characterized by the participation of officials in person in certain official businesses, enabling financial gain for themselves through the decision-making process.

Failure to report or falsely reporting of properties, incomes, gifts and other material benefits or financial obligations - under Article 430 of the Criminal Code No. 04/L-074. A characteristic of investigated cases pertaining to this offence 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 income.

Cases forwarded by year when 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 belonging to different years of committing them starting from 2014-2021.

Termination of investigations and dismissal of cases

ACA has continued to cooperate closely with law enforcement agencies. The State Prosecution Office 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. During this reporting period there has been significant progress in relation to the criminal reports of the ACA, but in some cases, Prosecution Offices have dismissed criminal reports or terminated 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 Office on the basis of several justifications, mainly due to lack of evidence:

1. There is no grounded suspicion that a criminal offense has been committed;
2. There is no reasonable suspicion that a criminal offense has been committed;
3. There are no essential elements of the criminal offense in the actions of the defendant;
4. The purpose as an essential element of the criminal offense is missing;

5. It is confirmed that the declaration of assets has not been made within the set deadline due to negligence;
6. The undeclared asset has been legally acquired; it is a technical omission not to declare it;
7. Non-declaration of assets is not intentional in order to hide or not to declare assets;
8. The statute of limitations for criminal prosecution has expired;
9. The death of the defendant;

Aspects of handling the cases in the court during 2021

From the information received during 2021 by the respective Courts regarding cases suspected of corruption, according to indictments filed by the competent Prosecution Offices based on criminal charges forwarded by ACA, there have been 25 punitive judgments and 1 acquittal judgment. According to the Courts, the mentioned data are as presented in the table below.

Table 5. Court decisions pursuant to Article 437 of the Criminal Code of Kosovo No. 04/L-082, respectively Article 430 of the Criminal Code of Kosovo 06/L-074

No.	Court	Punitive judgment	Acquittal judgment
1	BC Prishtina	9	-
2	BC Prizren	4	-
3	BC Gjilan	1	-
4	BC Gjakova	3	1
5	BC Mitrovica	5	-
7	BC Peja	3	-
TOTAL:		25	1

By punitive judgments, the courts have mainly imposed fines, there are cases when suspended sentences (fines and imprisonment) as well as effective imprisonment have been imposed. We also have cases when, in addition to the above-mentioned sentences, the courts have imposed the additional sentence "prohibition of exercising functions in public administration or public service".

Fines have been imposed in the amount of 200 euros up to 650 euros. These sentences are set to be paid mainly after the judgments become final and in some cases in instalments, with the possibility of revocation of the prison sentence, where 20 Euro will be calculated by one day of imprisonment in case the accused does not pay it and the same cannot be enforced.

Suspended sentences are imposed by imprisonment punishment from 2 months to 6 months with a verification time of up to 1 year.

There are cases when the Court has imposed a sentence of effective imprisonment, in a duration from 120 days, which by agreement between the Court and the convicts have been replaced by a fine.

Punitive judgments refer to the criminal offence under Article 437 of the Criminal Code of Kosovo No. 04/L-082, respectively Article 430 of the Criminal Code of Kosovo No. 06/L-074, where 19 cases for non-declaration of assets according to paragraph 1 of this Article, respectively 18 cases relate to the non-regular annual declaration of assets, 1 case for failing to declare assets upon receipt of duty and 7 cases for false declaration of assets or lack of presentation of data required in the declaration under paragraph 2 of this Article, respectively 1 on inaccurate presentation of annual income, 3 for lack of presentation of business (ownership of shares in a company), 1 for the inaccurate presentation of movable property (car) and 2 for inaccurate presentation immovable property.

By acquittal judgment, 1 case, the Court acquitted the accused charged with failing to declare the assets, upon termination or dismissal of office.

In 2021, the Court of Appeals ruled in 5 cases referring to Article 437 of the Criminal Code of Kosovo No. 04/L-082, respectively Article 430 paragraph 1 of the Criminal Code of Kosovo No. 06/L-074 for failing to declare or for false declaration of assets,, income, gifts, other material benefit or financial liabilities, 3 cases had confirmed the punitive Judgment of the Basic Court in Mitrovica and in 2 cases had changed the Judgment issued by the Basic Court in Mitrovica, 1 case from the Basic Court in Mitrovica and 1 case from the Basic Court in Ferizaj and had returned to adjudication in the relevant Basic Courts.

Closed cases

During this reporting period, ACA, after conducting the preliminary investigations, has closed **71** cases. Reasons for their closure are as follows:

- ⇒ **65** 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;
- ⇒ **3** cases were closed in accordance with the applicable legal framework because the Agency had no power to conduct the pre-trial investigation proceedings; and
- ⇒ **3** cases were closed because the criminal proceedings were being conducted by the competent bodies, where out of them: 2 cases by the DIECC – Kosovo Police and 1 case by the Basic Prosecution Office in Prizren.

V. Review of conflict-of-interest cases

ACA is competent for the identification, prevention, treatment and resolution of cases of conflict of interest. It also provides professional support to the Responsible Authorities of special public institutions for the prevention of conflict of interest in the exercise of public functions, pursuant to the provisions of Law No. 03/L-159 on the Anti-Corruption Agency, Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function.

The following are graphic tables with detailed descriptions of cases handled by the Department of Prevention of Conflict of Interest.

Initially, the first table reflects the number of cases, according to institutions and procedures, which were opened in 2020 and handled in 2021. Coverage of cases according to institutions, which were handled in 2021 and were opened in 2020

Table 6. Coverage of cases according to institutions, which were handled in 2021 and were opened in 2020

Institution	Cases submitted for conflict of interest	Cases where the Conflict of Interest has been avoided	Cases Without Conflict of Interest	Cases still pending	Cases forwarded for investigation	Request for minor offenses / for dismissal	Opinion-Tips-Answers
Government and Agencies	10	/	2	/	1	/	7
Public universities	5	/	2	/	/	/	3
Court / Prosecution Offices	1	/	/	/	/	/	1
Independent institutions	1	1	/	/	/	/	/
Public Enterprise	3	1	1	/	/	/	1
Local government	5	1	2	/	/	/	2
Total:	25	3	7	/	1	/	14

Thereafter, the following table shows the total number of conflict-of-interest cases handled by the Anti-Corruption Agency.

Table 7. Table of Cases handled in 2021 by Divisions for the Prevention of Conflict of Interest

Institution	Cases submitted for conflict of interest	Cases where the Conflict of Interest has been avoided	Cases Without Conflict of Interest	Cases still pending	Cases forwarded for investigation	Request for minor offenses / for dismissal	Opinion-Tips-Answers
Kosovo Assembly	2	/	/	1	/	/	1
Government and Agencies	36	3	3	9	0	1	20
Public universities	9	/	/	1	/	/	8

Court / Prosecution Offices	9	/	/	2	/	/	7
Independent institutions	14	/	/	/	/	/	14
Public Enterprise	15	4	2	5	/	/	4
Local government	16	3	/	3	1	/	9
Total:	101	10	5	21	1	1	63

It is noted the fact that, as can be seen, the number of addresses with requests for Advice and Opinions has increased, which in fact are the best opportunity to prevent conflict of interest at source, without the situation occurring and without producing other legal effects.

Table 8. The table shows the number of cases of conflict of interest handled by the responsible authorities for 2021

Institucioni / Rastet	Gjithsej raste te paraqitura për konflikt të interesit ne AP	Raste që janë shmangur nga Konflikti i Interesit	Raste pa Konflikt Interesi	Raste me Konflikt Interesi/ Dërguar në Procedurë Disiplinore	Opinion / Rekomandim	Raste ende në procedurë	Rast i Dërguar në AKK
Qeveria, Ministritë, Agjencitë Ekzekutive dhe Institucionet vartëse	78	28	9	3	21	1	16
Kuvendi i Kosovës	4	3	0	0	0	0	1
Gjykata /Prokuroria	3	2	0	0	0	0	1
Institucionet e pavarura	16	10	0	0	3	0	3
Ndërmarrje Publike	19	6	4	2	0	2	5
Pushteti Lokal	14	10	0	0	0	0	4
Gjithsej:	134	59	13	5	24	3	30

During the reporting period, DPCI, responding to concrete questions, provided professional answers regarding the advice of special senior officials, leaders, leading institutions, at their request, for certain cases of conflict of interest, including special advice on officials.

Direct responses were also provided to various media outlets.

Table 9. The table regarding consultations and clarifications of institutions and officials through correspondence by electronic communication

Institution	No. of answers
Presidency	1
Kosovo Assembly	2
Government	4

Court/Prosecution Offices	1
Independent Institutions	3
Public Enterprises	2
University "Hasan Prishtina" Prishtina	3
Local Government	8
Media	6
Total:	29

Activities of the Department of Prevention of Conflict of Interest

1. Active participation in the drafting of the Regulation on Prevention of Conflict of Interest in TAK (June 2021)
2. Active participation in the drafting of the Regulation on Prevention of Conflict of Interest in Kosovo Post Office (December 2021)
3. Initial consultations with representatives of MED (PMU), MEST, MCYS, to start the process of drafting Regulations on Prevention of Conflict of Interest in these institutions.

VI. Whistleblowing

During 2021, ACA has received nine (9) information for external whistleblowers, which are trained within the legal deadlines:

Case I

The information was rejected on the grounds that:

Regarding the content of the internal whistleblowing information, ACA before filing this case, had received an information with the same allegations, as information on abuse of official duty, a case which has been dealt with by ACA, within the legal deadlines and competencies of ACA in the preliminary investigation procedure.

Also, even if this information was not treated in the preliminary investigation procedure, the same to be treated as external whistleblowing information in the ACA, based on Article 18 of Law No. 06/L-085 on Protection of Whistleblowers, could be done after Internal or direct whistleblowing has been performed in ACA, in the situations foreseen in the provisions of Article 18 of this Law.

Case III

The information was rejected on the grounds that:

The case referred to by the whistleblower was presented by him, as information for abuse of official duty, a case which was treated within the preliminary investigation procedure in the ACA, within the legal deadlines and competencies of the ACA, based on Article 18 of Law No. .03/L-159 on Anti-Corruption Agency, as well as regarding the completion of the investigation, the case reporter was notified in due time.

in claiming that measures have been taken against him, due to internal whistleblowers, ACA has not reached a conclusion that the measures taken against him are related to his whistleblowing, because the measures mentioned by the rapporteur are undertaken during 2018, while the Law No.06/L-085 on Protection of Whistleblowers has entered into force on 02.01.2019. Further, despite the request of the ACA, the same did not provide us with information and evidence whether he made an internal whistleblowing to the official responsible for alerting the institution for the period 01 January 2019 until the submission of information to the ACA.

Case II, IV and V

They have been closed because it has been found that there is insufficient evidence to argue a reasonable suspicion of proving violation of the law.

Case VI

The external whistleblowing procedure has ceased, because it has been confirmed, ascertained that the case is being treated within the institution as internal whistleblowing, the same allegations are in the process of investigation.

Case VII, VIII, IX

In process of investigating the external whistleblowing.

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

The Anti-Corruption Agency, based on Article 29 paragraph 2 of the Law No. 06/L-085 on Protection of Whistleblowers, receives from public institutions, private entities, as well as regulators annual reports on whistleblowing for the previous year until 31 December.

In this regard, ACA reminded officials responsible for whistleblowing of public institutions in terms of Article 29 of Law No. 06/L-085 on Protection of Whistleblowers, as well as Article 17 of Regulation No.03/ 2021 on Determining the Procedure for Receiving and Handling the Cases of Whistleblowing, as a Public Institution to prepare the Annual Report regarding the whistleblowing for the previous year until 31 December and to submit the same to the Anti-Corruption Agency no later than 31 January of the following year.

Therefore, within the meaning of Article 29, paragraph 3 of the Law No. 06/L-085 on Protection of Whistleblowers, the Anti-Corruption Agency has published the general Annual Report regarding the whistleblowing for 2021, under which, a hundred and nineteen (119) public institutions and three (3) private entities have forwarded this report to the ACA.

Also, in the sense of Article 29 paragraph 3 of Law No. 06/L-085 on Protection of Whistleblowers, the Anti-Corruption Agency publishes a general Annual Report on whistleblowing for 2021 and at the end of this Report you can find these data presented in Table 15 ([Annex V](#)), Table 16 ([Annex VI](#)), and Table 17 ([Annex VII](#)).

VII. Monitoring by the Agency

Monitoring of public procurement activities

Pursuant to the applicable legislation, 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 and can participate as an observer in all phases of procurement activities according to Article 21 paragraph 3 of Law No. 061/L-011.

During 2021 it has recorded 108 cases for treatment related to public procurement activities, which by decision have been initiated under reasonable suspicion of legal violations. From these cases we have resulted with 18 opinions which have been respected, as well as we have provided 83 tips of which 64 have been respected and made improvements in the notification for additional information or correction of errors in the e-procurement platform, 19 tips have not been improved, and 7 cases are closed.

The following table accurately reflects the cases that the Agency has dealt with during 2021 in the field of prevention of corruption in Public Procurement:

Table 10. Number of cases handled in the field of preventing corruption in public procurement

Number of cases	Opinions	Cases closed with report	Tips respected	Tips not respected
108	18	7	64	19

Strategy and Action plan against corruption

On 11.12.2020, the Draft Strategic and Action Plan against Corruption 2021-2023 has been proceeded to the Government of Kosovo for approval. On 21.12.2020, the Strategy and Anti-Corruption Action Plan 2021-2023 was approved by the Government of Kosovo and the same was processed according to this decision in the Assembly of the Republic of Kosovo for further proceedings. This document has not been reviewed.

As the draft Strategy document is already outdated, during May 2021, meetings were organized sponsored by UNDP - SAEK III Project, in connection with this update or redesign of that document and four (4) experts have been engaged who will perform the following tasks:

1. Analyse the current draft strategy in the relevant field,
2. Analyse the international or local reports related to relevant sectors,
3. Interview the main leaders of the respective institutions, and
4. Compile the risk assessment in relevant sectors.

Relevant sectors mentioned above, respectively the experts that will be engaged will cover the following sectors: a) Public administration sector, b) Political sector, c) Rule of law sector, and d) Public finance and public procurement sector.

While the Assembly of Kosovo is reviewing the draft law on ACA, the task of drafting and approving the Anti-Corruption Strategy and Action Plan is charged upon the Government of Kosovo, while the ACA will monitor its implementation.

VIII. Strengthening of the Agency

Drafting the legislation

ACA has provided the necessary assistance to the MoJ, the Assembly of Kosovo, members of the Working Group who have worked on the Draft Law on Prevention of Corruption and the Draft Law on Declaration and Origin of Assets of Senior Public Officials and Other Officials.

Cooperation

The ACA has continued to promote mutual cooperation with local and international institutions that have the mission of fighting and preventing corruption.

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.

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 the background of certain persons.

In regional and international context, ACA has continued communication and cooperation with all Agencies and counterpart Authorities in the region.

ACA is currently supported by two projects in which it is a direct beneficiary: 1. Project against Economic Crime - PECK III of the European Union and the EU Office in Kosovo implemented by the Council of Europe. And 2. The Anti-Corruption Efforts Support Project - SAEK III (Support the Anti-Corruption Efforts in Kosovo II) supported by the Swiss Agency for Development and Cooperation (SDC) and the Swedish International Development Cooperation Agency. ACA is also supported by OPDAT, the Bureau of International Narcotics and Law Enforcement (INL) and the United States Embassy in Kosovo.

Representation

The Office for Professional Support and Cooperation has provided professional support and cooperation in coordinating and fulfilling its obligations and activities on an ongoing basis.

During 2021, the Agency has represented in a total of 25 cases initiated by the Agency in justice institutions. In twelve (12) criminal cases, where has represented in seven (7) cases in the Courts and

in four (4) cases in the Prosecutor's Office for criminal offenses: "Failure to declare or falsely declare property, income, gifts or other material benefit" according to the Criminal Code of Kosovo.

Has represented in one (1) case in the Prosecutor's Office for the criminal offense of "Fraud", according to Article 355 of the Criminal Code of Kosovo.

In eleven (11) cases the Agency has represented in Court for minor offenses, according to Article 17 of Law No. 06/L-085 on Protection of Whistleblowers.

Whereas in one (1) case, the Agency has represented as a respondent party regarding a response to the lawsuit in a case pertaining the conflict of interest.

From what was said above, the representation was made in the competent Courts and Prosecution Offices, depending on the stage at which the procedures for the concrete cases were being conducted.

During 2021, depending on the needs and requirements of the Agency, various legal submissions have also been prepared. An Appeal was prepared for the Court of Appeals in Prishtina, Division for Minor Offenses, against the Judgment of the Basic Court in Prishtina, General Department - Division for Minor Offenses, in a case of minor offenses under Article 23 of Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function. Whereas, for the internal needs of the organization and functioning of the Agency, Decisions, opinions or legal advice have been compiled according to the requests of the organizational units of the Agency as well as various requests to the institutions.

Other activities of the Office for Professional Support and Cooperation

With a view to the legal work within the period 1 January - 31 December 2021, professional legal support has been provided, within the responsibilities and mandate of the Agency under the applicable legislation. In this context, numerous decisions have been drafted as well as other submissions for the needs of the Agency, representations have been made before the justice institutions regarding cases initiated by the Agency as well as many other works that fall within the competencies and responsibilities of the Agency.

In 2021, in coordination and cooperation with the central public enterprise Post of Kosovo Sh. A. a contract for postal services was drafted and signed with the central public enterprise Post of Kosovo Sh. A. "Contract for the performance of universal postal services", with a duration of three (3) years, valid until 26.02.2024.

Within additional tasks and responsibilities, according to the requests during 2021, professional support to all organizational units within the institution, as needed, is provided in the analysis of various issues within the mandate of the institution, contributing to the provision of solutions according to the legislation in force.

In 2021, the main activities in this area were focused on:

- Professional assistance for various legal issues within the ACA;
- Representation of cases initiated by the ACA in justice institutions;
- Compilation of legal submissions for the needs of the Agency;
- Addressing requests for the needs of the Agency;
- Administration of the Information Technology System of the Agency and management of electronic database - SDRP;

- Development of a new Electronic Platform for Data Management of ACA and Online Asset Declaration;
- Designing of IT projects for the Agency;
- Management of Agency's Archive;

Management of Information Technology

The information technology system in the Anti-Corruption Agency is managed and administered by the Senior IT Administrator for Systems within the PRCO. During the reporting period, i.e., 2021, several important information technology processes have been developed within the information system advancement and digitalization.

At the beginning of the year, we prepared the technical specifications for the replacement of the equipment of the local computer network - LAN, of the Agency, which include three servers, a backup solution, a firewall, two routers, and four switches. This project, which was conceived in 2020 in cooperation with the US Embassy in Kosovo and INL as a donor, was implemented during 2021, in which case the Agency received this donation with all the equipment mentioned above. The equipment we have received is of the latest technology from the most famous manufacturers in the world, such as HPE and CISCO.

Another very important information technology project, through which we aim to digitize most of the data and work processes of the Agency, pertains the development of the Electronic Platform for Data Management of ACA. This project, which was conceived and designed by the information technology office years ago, and which is in progress, will include online asset declaration (e-declaration of assets), asset control case management, management of cases of investigations, conflict of interest, etc. In March 2021, in the period of regular annual declaration, the platform "Online Declaration" was launched as a prototype testing phase, which was previously tested in terms of security by cyber security experts of ASHI. At this stage, several online statements were made by some officials (about 20) of various institutions, for whom a one-day training on the use of the platform was initially delivered. We aim to complete this very important digitalization project within this year, so that in 2023 it will be implemented, and the declaration will be realized in the online format. This project is financially supported by UNDP.

In terms of management and administration, this year has continued with the management and administration of all equipment of the Agency's computer network (Servers, routers, switches, etc.). While in terms of data, it was continued with the same process with the management and updating of electronic data of the work of the Agency, regarding the data of declaration of assets. Where, through the electronic system of declaration and registration of assets - SDRA it is done the electronic storage of data, and then the automatic generation of registers of declaration of assets for all officials who have made their declarations during the reporting year, which are then published on the website of the Agency in "pdf" format, and these declarations can be found at the link: https://akk-ks.org/deklarimi_i_pasuris/171/deklarimet/171. Among other things, through this system (SDRA), the lot was drawn for all senior public officials who have made the declaration of assets in 2020, where through this open and transparent process the list of declaring persons has been compiled by the system itself, and then a random number is selected from that list, which number was chosen by a journalist present in the hall during this process. Then the SDRA system taking every fifth official from the list starting from the selected random number has created a new list, known as the full asset

declaration checklist with senior public officials, who have undergone the process of complete control of the declaration of assets.

During this year, several other IT projects have been processed, such as: purchase of some computers for staff, purchase of some UPS, etc.

Archive

The archive office has, from 01.01.2021 to 31.12.2021, registered in the protocol book of the Anti-Corruption Agency a total of 2976 cases. For each organizational unit, the following documents are registered / protocolled according to their nature:

Within the Office of the Director, according to the classification mark 01 are recorded a total of 129 documents such as: One (1) Donation Agreement between the Anti-Corruption Agency & the US Department of State & Government of the Republic of Kosovo; One (1) Contract between the Anti-Corruption Agency & Post of Kosovo; Two (two) Statements of official secrecy; Two (2) Official documents; Two (2) Announcements for official travel; One (1) Final procurement planning; Thirty-four (34) Authorizations for representation in judicial institutions; Forty-seven (47) Decisions; Two (2) Top-secret Documents; Fourteen (14) Requests; One (1) Minutes for Documentation of the Anti-Corruption Agency Facility; One (1) assuming/dismissing document of the office of the Director of the Agency, as well as Twenty-one (21) recorded as Input.

Within the Department of Combating Corruption, according to the classification mark 02, a total of 1203 documents were recorded as follows: Three hundred and five (305) as Request for Documentation-Information; Twelve (12) Complaints; Twenty-six (26) as Information; Three (3) Answers; Twenty-five (25) Notices; Seventy-nine (79) decisions on closing cases; Two (2) Decisions on administrative violations; One Hundred and Twenty-Six (126) Criminal Reports; as well as the Four Hundred and Ninety-Nine (499) recorded as Input.

Within the Department of Preventing Corruption, according to the classification mark 03, a total of 972 documents were recorded as follows: Two hundred and sixty-two (272) Requests for documentation-information; Five (5) as Information; Seventeen (17) Opinions; One (1) Decision to close the case; Four (4) Answers; One (1) Notice; as well as Six hundred and seventy-five (675) registered as Input.

Within the Department of Prevention of Conflict of Interest, according to the classification mark 06, a total of 644 documents were recorded as follows: Forty-three (43) Requests for documentation-information; Forty-nine (49) Notices of possible finding of conflict of interest; Fifty-three (53) Conflict of Interest Response; Twenty-one (21) Decisions to close cases: One (1) Conflict of Interest Decision; Eighteen (18) Opinions; One (1) Complaint; One (1) Information; One (1) Clarification; as well as Four Hundred and Fifty-six (456) registered as Input.

Fifteen (15) documents as a Report from the Archive Office were recorded within the Office for Professional Support and Cooperation.

Public communication and information

ACA has carried out activities in a transparent and open manner for the public, through communication and cooperation with the media, implementation of the requirements of the Law on

Access to Public Documents, communication with Non-Governmental Organizations and publication of information on the ACA website.

In fulfilling its legal mandate for prevention and fight against corruption, ACA has received information and developed communication with citizens and other stakeholders through the electronic platform **REPORT CORRUPTION**, at the email address info@akk-ks.org as well as the telephone number +383 (0) 200 10 715.

In the email address info@akk-ks.org, a total of 5104 emails were received, addressed by citizens and stakeholders, regarding the declaration of assets, prevention and fight against corruption, prevention of conflict of interest and other relevant information.

Out of a total of 5104 notifications received, 4691 sets of information were received from declaring entities regarding the declaration of assets, 229 notifications related to the prevention and fight against corruption (investigations), 158 notifications for the prevention of conflict of interest (Prevention of conflict of interest). The rest of the notifications (26) are addressed by institutions and other stakeholders in the form of notices, invitations and other information.

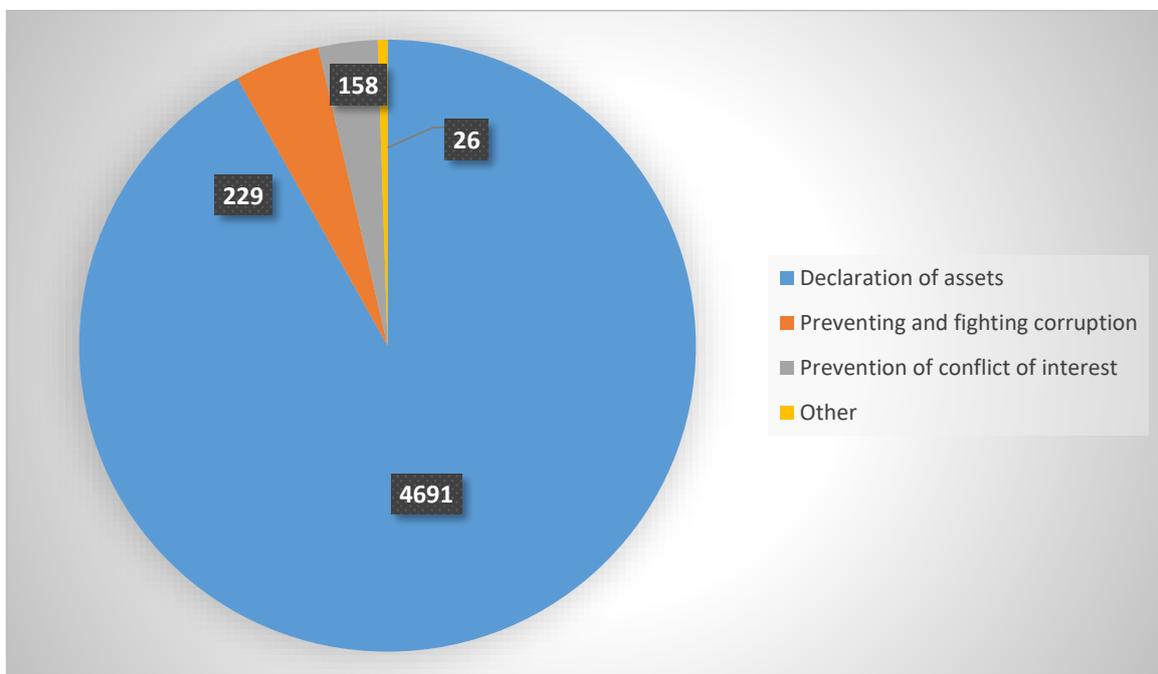


Figure 3. Information received in the email address info@akk-ks.org.

Media

In 2021, ACA received from the print and electronic media 54 questions which have been addressed to seek information in relation to the Agency's mandate related to the prevention and fight against corruption, the investigation process, declaration of assets, issues of prevention of conflict of interest as well as interests for information related to the prevention and fight against corruption in public procurement. All information provided to interested media is addressed regarding the ACA mandate and legal scope.

Within media communication, during the reporting period, two press conferences were organized:

- Annual work report 2020, and
- Drawing lot for full control of the assets of senior public officials

In the reporting period January-December, ACA sent to the media 16 information related to the ACA scope in relation to the activities of the Director of the Agency, information on the process of declaration of assets and other activities carried out according to the ACA work plan.

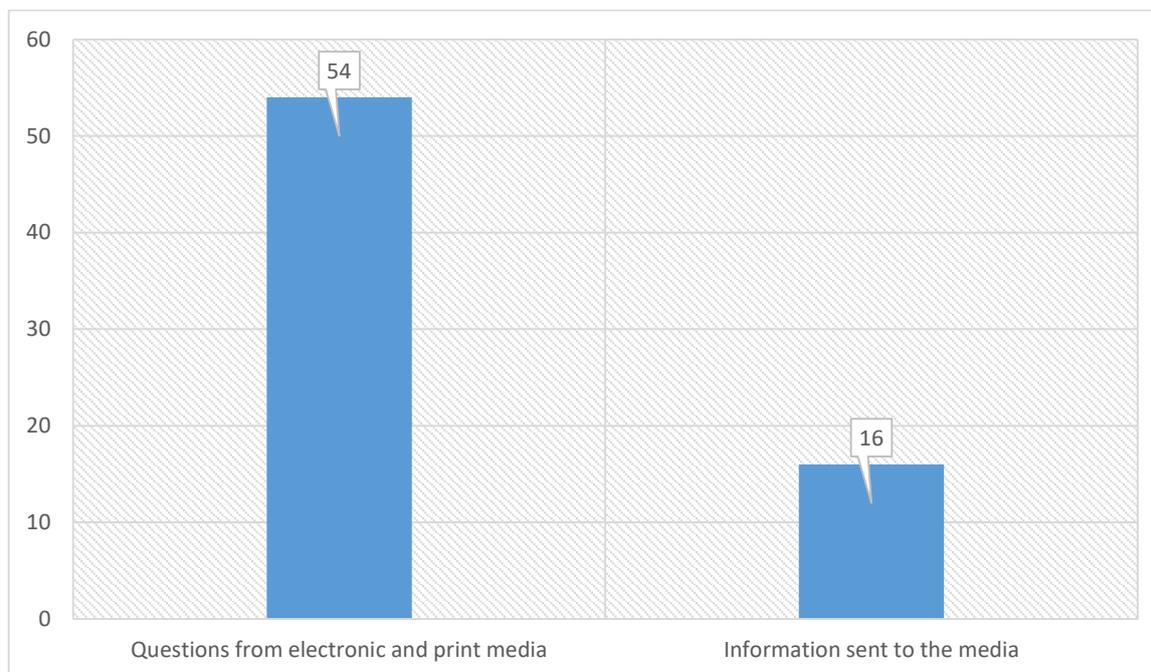


Figure 4. Communication with the media

Enforcement of the Law on Access to Public Documents

ACA, during the period January - December 2021, received 13 requests for access to public documents submitted by representatives of civil society and media, which include information in the ACA statistics related to the process of corruption investigations, prevention of conflict of interest and protection of whistleblowers. All information requested by the media and NGOs has been provided regarding the implementation of the Law on Access to Public Documents.

Within the implementation of the Law on Access to Public Documents, two meetings were held with the Agency for Information and Privacy.

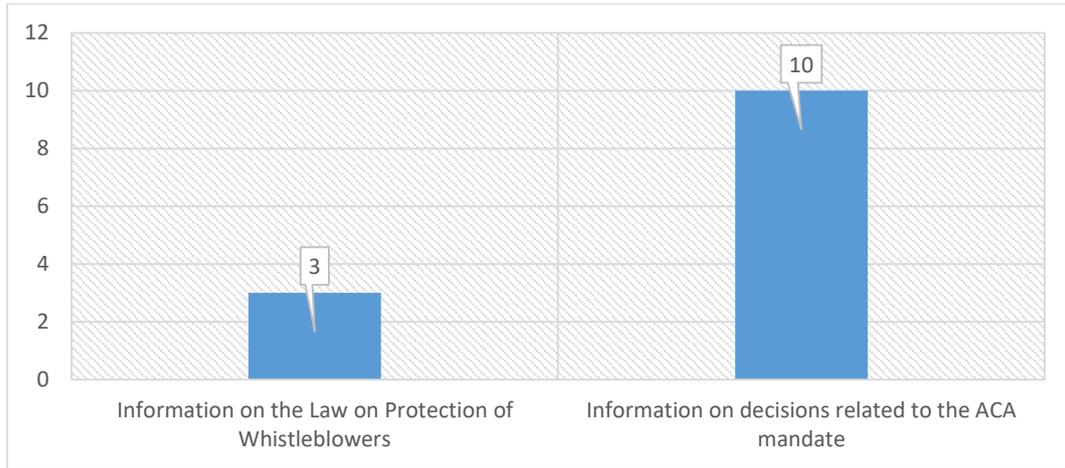


Figure 5. Enforcement of the Law on Access to Public Documents

Personnel management

In 2021, ACA has continued its regular activities, commencing at work attendance, tracking and updating of annual leave, medical and other types of leave, the payroll was prepared and the needed changes to these payrolls were made.

Management with the pandemic COVID-19.

Also, during 2021 we had a number of trainings for ACA officials and several trips were made abroad, these data can be found in tabular form at the end of this Report ([Annex VIII](#)).

Budget management

ACA has made the budget planning and requests for funds by economic categories, according to real needs identified after consulting with Management, and 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 2021, in the amount of € 558,470.00.

The following table shows the initial budget approved by the Budget Law, by economic categories, final budget and expenditures.

Table 11. Statement of budget breakdown by economic category and expenditures

No.	Economic categories	Approved budget (initial)	Final budget After review	Expenditures	% of execution	Budget not spent
		a	b	c	d	e = (a-c)
1	Wages and Salaries	433,704.00	389,901.46	389,901.46	89.90	43,802.54
2	Goods and Services	116,266.00	39,617.83	39,454.66	33.90	76,811.34
3	Utilities	8,500.00	2,320.96	2,320.96	27.30	6,179.04
	Total	558,470.00	431,840.25	431,677.08	77.30	126,792.92

Allocation of funds is made based on the Cash Flow Plan, prepared by the Department of Finance and General Services in cooperation with the procurement officer and the Director of the Agency.

The budget approved by the budget law has been sufficient to meet the needs and fulfil all financial obligations.

From the initial budget of € 558,470.00, for all categories, a total of € 431,667.08 was spent, or expressed as 77.30%.

Based on the low dynamics of budget execution and analysis of budget developments, after the budget review process we have noticed a significant amount of funds as surplus or savings which at the request of the MFPT, we have declared as free in the following categories:

- Wages and salaries	15,000.00 €
- Goods and services	7,500.00 €
- Utilities	<u>3,000.00 €</u>
Total	25,000.00 €

While at the end of the fiscal year with Government Decision No. 02/48, dated 15.12.2021, the Ministry of Finance, Labour and Transfers, has received all unused funds in the amount of € 126,792.92.

The initial allocations in the category of Wages and Salaries were € 433,704.00, while were spent in the amount of € 389,901.46, in percentage 89.90%.

The initial allocations in the category of Goods and Services were € 116,266.00. Out of this amount, € 39,454.66 were spent, in percentage 33.90%. The small budget execution is due to the non-implementation of some procurement procedures by the CPA, and the absence of the Chief Administrative Officer in the last quarter of fiscal year 2021, due to the end of the mandate of the Director, all contractual obligations have been transferred to the following year as outstanding financial liabilities.

The initial allocations in the Municipal Expenditures category were in the amount of € 8,500.00. From this amount, a total of € 2,320.96 was spent, at a rate of 27.30%, funds spent for the payment of fixed telephony.

Expenses for technical maintenance of the building, electricity, water, waste and parking, are covered by MIAPA.

Addressing recommendations of the National Audit Office (NAO)

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

Consequently, no recommendation was given in the External Audit Report from the NAO on the Annual Financial Statements.

Detailed Annual Financial Report is attached as a separate Chapter to the Report.

IX. Lessons Learned

2021 has been followed by activities which were carried out in accordance with the Work Plan and Performance Plan for 2021. Also, the ACA activities have been in accordance with the competencies defined by applicable law for areas related to declaration and control of property, development of preliminary investigation procedure, prevention of conflict of interest, protection of whistleblowers, declaration of gifts, prevention of corruption in public procurement activities, and other aspects in the field of prevention and fight against corruption.

Despite the commitment, ACA estimates that the situation with the COVID-19 pandemic and restrictive measures, as well as the fact that the institution was left without its head for over three months, have affected the progress of the ACA's work. This condition has made it impossible to carry out some activities with physical presence:

- a) Awareness-raising campaigns through direct official and citizen meetings,
- b) Planned trainings for representatives of institutions: officials responsible for whistleblowing, contact points for the purposes of declaring the property, authorities responsible for the prevention of conflict of interest, protection of whistleblowers, and representatives of other institutions of public administration and law enforcement.

To compensate, ACA used information technology, replacing regular meetings with online (virtual) ones. Hence, the priority of ACA will be the digitalization of its services which enable the development of activities and services even without physical presence, reducing also the costs.

ACA during the implementation of its mandate during 2021 has identified some shortcomings which it will aim to fulfil during 2022:

- Preparation of public communication strategy;
- Functionalization and use of the platform for electronic declaration of assets of senior public officials;
- Transforming the data management of the agency through the digitalization of work processes including case management;
- Development of the following Methodologies: Joint Investigation Methodology; Corruption Proofing Methodology and Integrity Plans Methodology;
- Increasing of transparency to the public, and further strengthen cooperation with civil society organizations in the field of anti-corruption and media;
- Identification of the needs for continuous training;
- Issuance of guidelines for the implementation of the Law on Protection of Whistleblowers (in cooperation with the Ministry of Justice); and
- Commencement of drafting ACA's sub-legal acts according to the new legislation, if approved.

X. Recommendations

ACA has also identified some recommendations for other institutions which would facilitate its work. While the basic legislation on ACA is in the process of being amended and supplemented, any change in the organizational structure and modality of work aimed at increasing the efficiency and economy of services has been suspended. Moreover, ACA depends a lot on the quality of services provided by adequate persons within the relevant institutions. Therefore, the recommendations of the ACA are as follows.

To the Assembly of Kosovo:

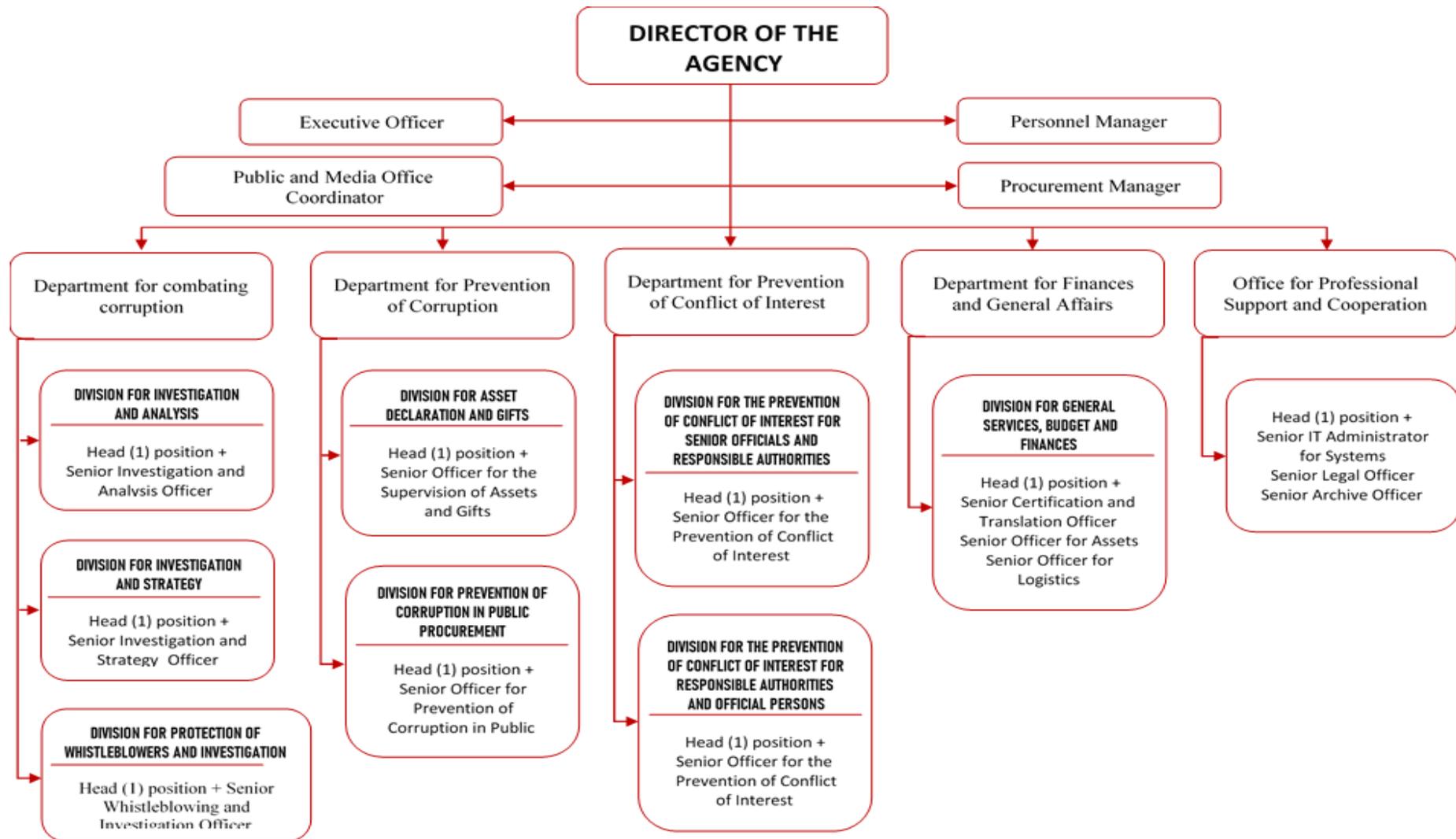
- Approval of the New Law on Agency - Draft Law on Prevention of Corruption;
- Approval of the New Law on Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials;
- Harmonization of Misdemeanour Provisions from Article 27 of the Law on Protection of Whistleblowers with the Law on Minor Offences;

To the Government of Kosovo:

- Return to job positions that were approved upon the entry into force of the Law on Prevention of Conflict of Interest in the Exercise of Public Function and the Law on Protection of Whistleblowers as well as other positions in the Agency's administration.
- Drafting and approval of the National Anti-Corruption Strategy and Action Plan for the period 2023 - 2026;
- Supporting ACA with adequate working space and adequate financial treatment.

To all institutions:

- The responsible officials in institutions should be appointed as the contact officials with the ACA, and those officials must perform their duties responsibly.
- Drafting internal regulations for the prevention of conflict of interest.
- Proper design, approval, implementation and monitoring of Integrity Plans of all Institutions, including central and local public enterprises;
- Public institutions and enterprises should send as many representatives as possible to the trainings organized in the field of anti-corruption, ethics and integrity.



[Annex II: Table 12](#)

Table 12. Officials who have been investigated for non-compliance with the regular annual deadline 2021

No.	Name and Surname	Position	Institution
1.	Bardhyl Meta	Political advisor of the Prime Minister	Office of the Prime Minister of the Republic of Kosovo, OPM
2.	Xhavit Beqiri	External political advisor of the Prime Minister	Office of the Prime Minister of the Republic of Kosovo, OPM
3.	Nazmi Selmanaj	Political advisor of the Deputy Prime Minister	Office of the Prime Minister of the Republic of Kosovo, OPM
4.	Endrit Zabërgja	External political advisor of the Deputy Prime Minister	Office of the Prime Minister of the Republic of Kosovo, OPM
5.	Sabri Micaj	External political advisor of the Deputy Prime Minister	Office of the Prime Minister of the Republic of Kosovo, OPM
6.	Gjyzel Shaljani	Political advisor of the Minister	Ministry of Education, Science, Technology and Innovation, MESTI
7.	Rineta Sheholli	Political advisor	Ministry of Justice, MoJ
8.	Engelbert Zefaj	Deputy Minister	Ministry of Culture, Youth and Sports, MCYS
9.	Linda Shala	Steering Council „Kosovo Cinematography Centre"	Ministry of Culture, Youth and Sports, MCYS
10.	Jusuf Bajraktari	Steering Council of the KIPM	Ministry of Culture, Youth and Sports, MCYS
11.	Çeman Denis	Political advisor of the Minister	Ministry of Internal Affairs and CRA
12.	Selim Kryeziu	Deputy Minister	Ministry of Communities and Return
13.	Ljubisa Cirkovic	Municipal Councillor	Fushë Kosovë
14.	Riza Abdyli	Municipal Councillor	Gjilan
15.	Arta Nuhiu	Municipal Councillor	Gjilan
16.	Izet Zenuni	Directorate for protection, rescue and public services	Deçan
17.	Shkelzen Hadergjonaj	Municipal Councillor	Deçan
18.	Besjana Ukehaxhaj	Municipal Councillor	Deçan
19.	Uran Tolaj	Municipal Councillor	Deçan
20.	Hajrullah Preniqi	Head of Inspection Sector	Obiliq
21.	Kreshnik Smajlaj	Municipal Councillor	Prishtina
22.	Samra Ilijazi	Municipal Councillor	Prizreni
23.	Lendita Muhaxheri	Director	Peja
24.	Haxhi Abdyli	MP	Assembly of the Republic of Kosovo, KKK
25.	Agim Haziri	External political advisor of the Deputy Prime Minister	Office of the Prime Minister of the Republic of Kosovo, OPM
26.	Musa Selimi	Dean	University of Prishtina, MEST
27.	Gani Ibrahim	Academic Unit Secretary	University of Prishtina, MEST
28.	Drita Krasnqi	Member of Steering Council	University of Prizrenit, MEST
29.	Era Mujaj	Academic Unit Secretary/FJ	University of Peja, MEST
30.	Ariana Xhemajli	Deputy Chairperson of the Steering Council	University of Peja, MEST
31.	Lulzim Zeneli	Pro-Rector	University of Gjakova, MEST

32.	Antigona Ukëhaxhaj	Pro-Dean of the Medicine Faculty	University of Gjakova, MEST
33.	Skender Hoxha	Attaché of the Kosovo Security Force/Defence	Ministry of Defence, MoD
34.	Bashkim Shillova	Attaché of the Kosovo Security Force/Defence	Ministry of Defence, MoD
35.	Almira Bajrami	Political advisor	Ministry of Infrastructure
36.	Mal Lokaj	Acting Director of the Department of the Road Management	Ministry of Infrastructure
37.	Bardha Hetemi	Second Secretary	Ministry of Foreign Affairs and Diaspora
38.	Gramos Begolli	Consul General	Ministry of Foreign Affairs and Diaspora
39.	Ylber Kryeziu	Ambassador	Ministry of Foreign Affairs and Diaspora
40.	Rudina Bukoshi	Advisor	Ministry of Foreign Affairs and Diaspora
41.	Fadil Kryeziu	Deputy Director of the Regional Centre of Public Health – branch in Prizren	National Public Health Institute of Kosovo
42.	Ferat Sallahu	Director	University Clinical Centre of Kosovo (SHSKUK-UCCK)
43.	Sami Malsiu	Acting Head of Procurement	General Hospital, Ferizaj
44.	Eroll Bajrami	Director - Administration	Dragash
45.	Suada Bajrami	Municipal Councillor	Dragash
46.	Flurim Shala	Municipal Councillor	Junik
47.	Naser Grajqevci	Municipal Councillor	Fushe Kosova
48.	Mimoza Kadriu	Municipal Councillor	Gjilan
49.	Hafize Sallahi	Municipal Councillor	Kaçanik
50.	Lirim Gashi	Municipal Councillor	Klina
51.	Milena Zdravkovic	Advisor	Graçanicë
52.	Ferat Neziri	Municipal Councillor	Ferizaj
53.	Rrahman Kida	Member of the Board of N.P.L. Bus Station J.S.C.	Gjakova
54.	Rifat Stojkaj	Directorate for Agriculture, Forestry and Rural Development	Deçan
55.	Beqir Kiqina	Municipal Councillor	Drenas
56.	Bedri Nika	Municipal Councillor	Drenas
57.	Përparim Bajraktari	Municipal Councillor	Drenas
58.	Slavica Bogdanovic	Municipal Councillor	Partesh
59.	Egzon Azemi	Municipal Councillor	Prishtina
60.	Bukurie Canolli	Municipal Councillor	Prishtina
61.	Hasan Përboqi	Director	Rahovec
62.	Ali Zhuniqi	Municipal Councillor	Rahovec
63.	Sami Aruqaj	Municipal Councillor	Skenderaj
64.	Remzi Bajselmani	Director of the Directorate of Education	Suhareka
65.	Ismet Hajrizi	Municipal Councillor	Vushtrri

66.	Dusko Manitasevic	Prosecutor	State Prosecution
67.	Jelena Krivcevic	Member of the Council	Free Legal Aid Agency
68.	Admir Salihu	Member of the Council	Free Legal Aid Agency
69.	Arianit Elshani	Member of CEC	Central Election Commission
70.	Nenad Rikalo	Member of CEC	Central Election Commission
71.	Tomislav Petrovic	Judge of the Court of Appeals	Court of Appeals, Prishtina
72.	Bersim Saiqi	Judge, Basic Court in Ferizaj, branch in Shterpce	Basic Court, Ferizaj, branch in Shterpce
73.	Ernest Luma	Director of RTK-Radio 1 and 2	Radio Television of Kosovo
74.	Mustaf Mustafa	Head of the Strategy and Development Department	Radio Television of Kosovo
75.	Fidan Qufaj	Internal Auditor	RWC "Radoniqi Dukagjini" J.S.C, Gjakovë
76.	Valon Haxhijaj	Member of the Board of Directors	RWC "Hidrotrini" J.S.C, Pejë
77.	Blerta Rama Ramiqi	Head of the Communication and Media Department	Public Housing Enterprise JSC Prishtina
78.	Valbona Shala Thaqi	Acting Director of the Directorate of Human Resources, Administration and Protocol	NPQ "Post of Kosovo" J.S.C.
79.	Dusan Cvejic	Chairperson of the Board of Directors	NPK "Ekologija" J.S.C, Graçanica
80.	Agron Shala	Steering Council of Kosovo Theatre	Ministry of Culture, Youth and Sports, MCYS
81.	Sami Halili	Second Secretary	Ministry of Foreign Affairs and Diaspora
82.	Venera Gjuka	Director	University Clinical Centre of Kosovo (SHSKUK-UCCK)
83.	Mehmet Osaj	Municipal Councillor	Deçan
84.	Agnesa Sinanaj	Municipal Councillor	Prizreni
85.	Sali Sallteku	Municipal Councillor	Rahovec

Annex III: Table 13

Table 13. Officials who have been investigated for non-compliance with the regular annual deadline in 2020

No.	Name and Surname	Position	Institution
1	Yll Bogaj	Municipal Councillor	Prishtina
2	Bardhi Avdaj	Municipal Councillor	Prizren
3	Dafina Bllaca	Municipal Councillor	Prizren
4	Shpresa Tafa	Director of Innovation and Project Development	Shtime
5	Valentina Halili-Ferati	Municipal Councillor	Shtime
6	Marigona Pajaziti	Municipal Councillor	Shtime
7	Adelina Beqaj	Municipal Councillor	Shtime
8	Arbresha Syla	Municipal Councillor	Shtime
9	Isak Muslija	Municipal Councillor	Shtime
10	Vehbi Rama	Municipal Councillor	Viti
11	Remzi Salihu	Municipal Councillor	Viti
12	Migjen Shala	Municipal Councillor	Prishtina
13	Agim Bregaj	Municipal Councillor	Vushtrri

14	Arbër Zaimi	Political Advisor of the Second Deputy Prime Minister	Office of the Prime Minister of the Republic of Kosovo - OPM
15	Rozeta Hajdari	Minister	MEPTINIS
16	Emin Kabashi	Steering Council National Library	MCYS
17	Ismet Azemi	Steering Council of the National Theatre	Ministry of Culture, Youth and Sports - MCYS
18	Adil Olluri	Steering Council of the National Theatre	Ministry of Culture, Youth and Sports - MCYS
19	Sanije Rexha	Acting Director of the Department of Families of Martyrs and War Invalids	MEPTINIS
20	Liridon Sadrija	Consul	Ministry of Foreign Affairs and Diaspora
21	Zana Rudi	Head of the Department for NATO and Security Policy	Ministry of Foreign Affairs and Diaspora
22	Lulzim Ejupi	Secretary General of the Ministry of Internal Affairs and	Ministry of Internal Affairs and Public Administration
23	Gentiana Azemi	Political advisor	Ministry of Internal Affairs and Public Administration
24	Gëzim Kasapolli	Ambassador	Ministry of Foreign Affairs and Diaspora
25	Blerim Canaj	Adviser Minister	Ministry of Foreign Affairs and Diaspora
26	Venera Gjuka	Director	University Clinical Centre of Kosovo
27	Qendresa Bllata	Procurement manager	General Hospital Vushtrri
28	Abedin Mehmeti	Director of the Department for Document Production	Ministry of Internal Affairs and Public Administration
29	Arben Mustafa	Chief Inspector of the ARC Inspectorate	Ministry of Internal Affairs and Public Administration
30	Gëzim Pozhegu	Judge of the Basic Court (DKR, JD)	
31	Sabit Rama	Judge of the Basic Court (MOD)	
32	Bekim Jupa	Municipal Councillor	Gjakova
33	Valon Krasniqi	Municipal Councillor	Malisheva
34	Shkelqim Osmanaj	Member of the Board of Directors	Kosovo Railway Infrastructure "INFRAKOS" J.S.C.
35	Driton Pruthi	Procurement	Trepça J.S.C.
36	Besim Baraliu	Chief Executive Officer	RWC "Hidroregjioni Jugor" J.S.C, Prizren
37	Faton Isufi	Technical Director	Telekom of Kosovo J.S.C.
38	Teuta Asllani	Acting Head of the Department of Internal Support	Public Housing Enterprise JSC Prishtina

Annex IV: Table 14

Table 14. Officials who have been investigated for non-compliance with the deadline when taking office and after dismissal from office 2021

No.	Name and Surname	Position	Institution
1	Egzonit Jakupi	Political advisor	Office of the Prime Minister

2	Semo Odovic	Political advisor	Office of the Prime Minister
3	Skender Kandic	Political advisor	Office of the Prime Minister
4	Bejtush Fetija	Political advisor	Office of the Prime Minister
5	Laszlo Domjan	Political advisor	Office of the Prime Minister
6	Furtuna Sheremeti	Political advisor	Office of the Prime Minister
7	Armend Smajli	Member of the Steering Council	Ministry of Culture, Youth and Sports
8	Ben Apolloni	Member of the Steering Council	Ministry of Culture, Youth and Sports
9	Lulezon Jagxhiu	Political advisor	Office of the Prime Minister
10	Erim Berisha	Political advisor	Ministry of Regional Development
11	Burbuqe Krasniqi	Board Member	Regional Waste Management Company "Pastrimi"
12	Kajtaç Berisha	Municipal Councillor	Municipality of Rahovec
13	Arjola Caka	Third Secretary	Ministry of Foreign Affairs and Diaspora
14	Enkeleda Lulaj	Member of the Steering Council	University of Peja "Haxhi Zeka"
15	Ibadete Leka	Municipal Councillor	Ministry of Defence
16	Genc Rama	Board Member	Post of Kosovo
17	Bekim Gashi	Third Secretary	Ministry of Foreign Affairs and Diaspora
18	Dukagjin Bukleta	Certifying Director	University of Peja "Haxhi Zeka"
19	Luan Dalipi	Political advisor	Office of the Prime Minister
20	Kreshnik Alkijaj	Member of the Steering Council	Ministry of Culture, Youth and Sports
21	Albana Xharra	Political advisor	Ministry of Education, Science and Technology
22	Edita Pozhegu	Political advisor	Ministry of Economy
23	Dzenita Sabani	Political advisor	Office of the Prime Minister
24	Agim Mazreku	Political advisor	Ministry of Economy
25	Enis Osmani	Political advisor	Ministry of Agriculture, Forestry and Rural Development
26	Sharr Jakupi	Political advisor	Ministry of Foreign Affairs and Diaspora
27	Liza Gashi	Deputy Minister	Ministry of Foreign Affairs and Diaspora
28	Eljesi Surdulli	Political advisor	Ministry of Environment and Spatial Planning
29	Ajmane Veseli	Consul	Ministry of Foreign Affairs and Diaspora
30	Shkurte Aliu	Member of the Steering Council	Ministry of Culture, Youth and Sports
31	Frederick Artesani	Board Member	Kosovo Pension Savings Fund
32	Teuta Ukshini	Board Member	Regional Water Company "Mitrovica"
33	Kumrije Kelmendi Aliu	Board Member	Regional Water Company "Mitrovica"
34	Fehmi Sylejmani	Municipal Councillor	Municipality of Gjilan
35	Vjosa Sheholli	Third Secretary	Ministry of Foreign Affairs and Diaspora
36	Rexhep Gjergji	Political advisor	Ministry of Foreign Affairs and Diaspora
37	Fitore Metbala	Political advisor	Ministry of Internal Affairs
38	Merdiana Leci	Third Secretary	Ministry of Foreign Affairs and Diaspora
39	Hajrije Morina	Board Member	Public Enterprise "Ibër-Lepenc"
40	Naxhe Sadiku	Director of the Legal Office	Public Enterprise "Ibër-Lepenc"
41	Qendersa Velu Beqa	Director of Human Resources	Public Enterprise "Ibër-Lepenc"
42	Musa Misini	Chairperson of the Board	Kosovo Energy Corporation
43	Fatmir Bekolli	Board Member	Local Public Enterprise "Sport Marketing"
44	Mirsad Duraku	Board Member	Regional Irrigation Company "Gjakova"
45	Shqipe Bruqi	Director of the Department	Ministry of Education, Science and Technology
46	Nimon Bricori	Political advisor	Ministry of Justice

47	Gani Berisha	Acting Head of Authority	Ministry of Environment and Spatial Planning
48	Fadil Hoxha	Board Member	Kosovo Energy Corporation
49	Muhamet Lama	Board Member	Kosovo Energy Corporation
50	Fatime Grajqevi	Board Member	Kosovo Energy Corporation
51	Cuneyd Ustaibo	Board Member	Local Public Enterprise "Pallati i Rinisë"
52	Lulzim Zeneli	Pro-Rector	Public University of Gjakova
53	Astrit Gjocaj	Office for the Coordination of the Process of Legal Protection	Ministry of Justice
54	Mensur Gllareva	Deputy Head of the Procurement Office	Municipality of Drenas
55	Besim Shyti	Board Member	Regional Water Company "Mitrovica"
56	Drinor Zymberi	Member of the Steering Council	Ministry of Culture, Youth and Sports
57	Ibrahim Makolli	Head of the Delegation for Negotiations on Missing Persons	Office of the Prime Minister
58	Burim Shala	Board Chairperson	Regional Irrigation Company "Gjakova"
59	Alban Krasniqi	Board Member	Regional Waste Management Company "Pastrimi"
60	Vilson Dura	Board Member	Regional Irrigation Company "Gjakova"
61	Abetare Kurti	Board Member	Regional Irrigation Company "Bifurkacioni"
62	Reshat Maliqi	Director	Kosovo Police
63	Nazim Sahiti	Director	Kosovo Police
64	Fitnete Meqikukiqi	Acting Director of Marketing	Local Public Enterprise "Pallati i Rinisë"
65	Ujkan Kameraj	Board Member	Post of Kosovo
66	Fadil Aliu	Board Member	Post of Kosovo
67	Bahri Kalludra	Board Chairperson	Regional Irrigation Company "Mitrovica"

[Annex V: Table 15](#)

Within the meaning of Article 29 paragraph 3 of the Law No. 06/L-085 on Protection of Whistleblowers, the ACA publishes the General Annual Report on whistleblowing for 2021.

Table 15. Annual reports related to whistleblowing by Public Institutions

No.	Name of the Institution	Number of reports and disclosures in the public interest	Actions taken
1.	Assembly of the Republic of Kosovo	No case	
2.	Office of the Prime Minister of the Republic of Kosovo	Three cases	<p>Case I has been treated in cooperation with the official responsible for the protection of whistleblowers within the Secretary of Security Council of Kosovo - Situation Centre, is completed, the entire documentation has been delivered to the office of SCK - SC for further treatment.</p> <p>Case II has been admitted for treatment, however despite insisting through calls for</p>

			meeting and case treatment, there was no response from the submitting party to continue further with the procedures, and the case remained incomplete. Case III is in procedure of administrative investigation.
2.	Agency for Gender Equality	No case	
3.	State Agency of Archives	No case	
4.	Secretary of Kosovo Security Council	One case	Is treated within the time frame
5.	Kosovo Institute for Public Administration	No case	
6.	Ministry of Local Government Administration	No case	
7.	Ministry of Education, Science and Technology	No case	
8.	Agency for Vocational Education and Training and Adult Education	No case	
9.	History Institute "Ali Hadri" Prishtina	No case	
10.	University "Hasan Prishtina" Prishtina	No case	
11.	University "Ukshin Hoti" Prizren	One case	Case is closed, recommendation has been given.
12.	University "Isa Boletini" Mitrovica	No case	
13.	University "Kadi Zeka" Gjilan	No case	
14.	University "Fehmi Agani" Gjakova	No case	
15.	University of Applied Sciences Ferizaj	No case	
16.	Ministry of Agriculture, Forestry and Rural Development	Four requests	None of the requests is approved on the grounds that they were to be addressed to other institutions, whereas the whistleblower is recommended to address to the responsible official of his institution.
17.	Kosovo Forestry Agency	No case	
18.	Ministry of Justice	Seven cases	Three cases are rejected due to the lack of competence and material scope of LPW; Two cases have been admitted as reports of public interest, however during the administrative investigation it has been assessed that they do not meet the legal conditions to be treated under LPW; One case is investigated and completed and is concluded that it pertains the violation of public interest. The whistleblower, employer and component body have been informed in this regard; One case is partially admitted and is in the stage of administrative investigation.
19.	Agency for Administration of Sequestered or Confiscated Assets	No case	
20.	Kosovo Correctional Service	No case	

21.	Ministry of Finances, Labour and Transfers	No case	
22.	Tax Administration of Kosovo	No case	
23.	Kosovo Customs	No case	
24.	Kosovo Treasury	No case	
25.	Financial Intelligence Unit	No case	
26.	Central Procurement agency	No case	
27.	Ministry of Economy	No case	
28.	Ministry of Defence	No case	
29.	Ministry of Communities and Return	No case	
30.	National Song and Dance Ensemble - Shota	No case	
31.	Kosovo Environment Protection Agency	No case	
32.	Labour Inspectorate	No case	
33.	Ministry of Internal Affairs	Two cases	Case I is treated; Case II is in process of investigation
34.	Emergency Management Agency	No case	
35.	Kosovo Police	No case	
36.	Police Inspectorate of Kosovo	No case	
37.	Kosovo Academy for Public Safety	No case	
38.	Ministry of Regional Development	No case	
39.	Ministry of Health	Two cases	Whistleblowing presented were sustainable, NAO has taken the necessary measures in line with the LPW, taking immediate measures to prevent and hinder the continuance of harmful consequences from the actions and practices used according to the factual whistleblowing information.
40.	Agency for Medical Products and Equipment	No case	
41.	National Institute of Public Health	No case	
42.	Ministry of Environment Spatial Planning and Infrastructure	No case	
43.	Ministry of Industry, Entrepreneurship and Trade	Three cases	Not competent for treatment
44.	Kosovo Investment and Enterprise Support Agency	No case	
45.	Market Inspectorate	No case	
46.	Kosovo Council for Cultural Heritage	One case	Case has been submitted to the competent institution
47.	Kosovo Memorial Complex Management Agency	No case	
48.	Free Legal Aid Agency	No case	
49.	Independent Commission for Mines and Minerals	No case	
50.	Kosovo Property Comparison and Verification Agency	No case	
51.	Privatization Agency of Kosovo	One case	The whistleblowing is found to be grounded. The allegations of the whistleblower have

			been verified; PAK has taken preventive measures regarding the addressed violations
52.	Civil Aviation Authority	No case	
53.	Kosovo Pension Savings Trust	No case	
54.	Information Society Agency	No case	
55.	Air Navigation Service Agency	No case	
56.	Secretariat of the Kosovo Prosecutorial Council	One case	The case submitter was requested additional information regarding his allegations in order to proceed further treating the case, however the same did not respond regarding this case.
57.	Secretariat of the Kosovo Judicial Council	No case	
58.	Basic Court Ferizaj	No case	
59.	Basic Court Ferizaj - Branch Shtërpçë	No case	
60.	Anti-Corruption Agency	No case	
61.	National Audit Office	No case	
62.	Procurement Review Body	No case	
63.	Public Procurement Regulatory Commission	No case	
64.	Independent Media Commission	No case	
65.	Justice Academy	No case	
66.	Ombudsperson Institution	No case	
67.	Central Bank of Kosovo	No case	
68.	Electronic and Postal Communications Regulatory Authority	No case	
69.	Kosovo Intelligence Agency	No case	
70.	Energy Regulatory Office	No case	
71.	Water Services Regulatory Authority	No case	
72.	Kosovo Competition Authority	No case	
73.	Information and Privacy Agency	No case	
74.	Railway Regulatory Authority	No case	
75.	Radio Television of Kosovo	No case	
76.	Municipality of Dragash	No case	
77.	Municipality of Gjakova	No case	
78.	Municipality of Gjilan	No case	
79.	Municipality of Drenas	No case	
80.	Municipality of Graçanica	No case	
81.	Municipality of Hani i Elezit	No case	
82.	Municipality of Junik	No case	
83.	Municipality of Kamenica	No case	
84.	Municipality of Kaçanik	No case	
85.	Municipality of Klina	No case	
86.	Municipality of Leposaviqit	No case	
87.	Municipality of Mamusha	No case	
88.	Municipality of Mitrovica	No case	
89.	Municipality of Novoberda	No case	
90.	Municipality of Obiliq	No case	
91.	Municipality of Peja	No case	
92.	Municipality of Podujeva	No case	

93.	Municipality of Prishtina	No case	
94.	Municipality of Rahovec	No case	
95.	Municipality of Shterpce	No case	
96.	Municipality of Shtime	No case	
97.	Municipality of Skenderaj	No case	
98.	Municipality of Suhareka	No case	
99.	Municipality of Vushtrri	No case	
100.	Municipality of Zveçan	No case	
101.	Kosovo Electricity Corporation	Nine cases	Nine cases of whistleblowing are presented for which nine reports are prepared by the official responsible for whistleblowing information, as well as reports prepared by ZAB and ZEPIO. These reports provide recommendations on upgrading the working process, initiating the disciplinary measure, as well as some of these cases are being reviewed because it needs to be assessed whether there are elements for minor offence, in order to proceed further to responsible bodies.
102.	Transmission System and Market Operator	Three cases	<p>Case I is finalized; final report is submitted to ACA as well;</p> <p>Case II, where the former official responsible for whistleblowing information has requested the Chief Executive Officer to order professional inspection for the said case be reviewed and accurate conclusions be drawn upon.</p> <p>Case III, where the former official responsible for whistleblowing information has forwarded to competent person to whom it has been address the submission KE and BD, but there are no feedback on this case yet.</p>
103.	Telecommunication of Kosovo-Vala	No case	
104.	NP Trainkos J.S.C	No case	
105.	NP Infrakos J.S.C	No case	
106.	Central Public Enterprise Ibër Lepenci	No case	
107.	Irrigation company Drini i Bardhë	No case	
108.	Regional Water Company-Prishtina	No case	
109.	Regional Water Company Hidrodrini - Peja	No case	
110.	Regional Water Company- Hidroregjioni Jugor-sh.a. Prizren	No case	
111.	Regional Water Company Mitrovica	No case	
112.	Regional Water Company Gjakova	No case	
113.	Regional Waste Management Company - Çabrati-Gjakovë	No case	
114.	Public Housing Enterprise -Prishtina	No case	

115.	Regional Waste Management Company-Eko- Regjion, Prizren	No case	
116.	Public Enterprise Horticulture - Prishtina	No case	
117.	Public Enterprise-Bus Station Pejë	No case	
118.	Public Enterprise-Bus Station Gjakovë	No case	
119.	Public Enterprise-Bus Station Mitrovicë	No case	
120.	Public Enterprise Urban Traffic Prishtina	No case	

[Annex VI: Table 16](#)

Table 16. Annual Reports related to whistleblowing by Privat Entities

No.	Name of the Institution	Number of reports and disclosures in the public interest	Actions taken
1.	Turkiye Is Bankasi A.S. Branch in Kosovë	No case	
2.	Teb Bank	No case	
3.	Banana OP in Istog	No case	

[Annex VII: Table 17](#)

Table 17. Report related to Public Institutions that did not present Annual Report to ACA

No.	Name of Institution
1.	Presidency of the Republic of Kosovo
2.	Food and Veterinary Agency
3.	Kosovo Agency of Statistics
4.	Kosovo Pedagogical Institute
5.	Albanological Institute of Prishtina
6.	University "Haxhi Zeka" Peja
7.	Student Centre
8.	Agency for Agricultural Development
9.	Kosovo Agriculture Institute
10.	Kosovo Probation Service
11.	Kosovo Geological Service
12.	Ministry of Culture, Youth and Sports
13.	Kosovo National Theatre
14.	Kosovo Museum
15.	Monument Protection Institute
16.	Kosovo Cadastral Agency
17.	Employment Agency of the Republic of Kosovo
18.	Civil Registration Agency
19.	Kosovo Forensics Agency
20.	Ministry of Foreign Affairs and Diaspora
21.	University Clinical Centre of Kosovo
22.	University Dentistry Clinical Centre of Kosovo

23.	Health Insurance Fund
24.	Kosovo Business Registration Agency
25.	Kosovo Meteorology Agency
26.	Forensic Institute
27.	Constitutional Court of Kosovo
28.	Basic Court Ferizaj -Branch Kaçanik
29.	Basic Court Gjakovë
30.	Central Elections Commission
31.	Independent Oversight Board of the Kosovo Civil Service
32.	Municipality of Deçan
33.	Municipality of Ferizaj
34.	Municipality of Fushe Kosova
35.	Municipality of Istog
36.	Municipality of Klllokot
37.	Municipality of Lipjan
38.	Municipality of Malisheva
39.	Municipality of Partesh
40.	Municipality of Prizren
41.	Municipality of Ranilluk
42.	Municipality of Vitia
43.	Municipality of Zubin Potok
44.	Trepça enterprise administered by the KPA
45.	Post of Kosovo
46.	Landfill Management Company
47.	Irrigation Company Radoniqi-Dukagjini-Gjakova
48.	KRU Hidromorava - Gjilan
49.	Termokos City Heating-Prishtina
50.	City Heating - Gjakova
51.	Regional Water Company Bifurkacion-Ferizaj
52.	Public Enterprise -TREGU-Mitrovica
53.	Regional Waste Management Company-Pastrimi, Prishtina
54.	Regional Waste Management Company-Ambienti-Peja
55.	Regional Waste Management Company Pastërtia-Ferizaj
56.	Regional Waste Management Company-Uniteti-Mitrovica
57.	Public Enterprise-Bus Station Prishtina
58.	Public Enterprise-Bus Station Gjilan
59.	Public Enterprise-Bus Station Ferizaj
60.	Public Enterprise-Bus Station Prizren
61.	Public Enterprise Pallati i Rinisë Prishtina

Table no.3 presents Public Institutions for which the ACA has information that has appointed the official responsible for whistleblowing information, which have been notified by the ACA for the legal obligation to annually report related to whistleblowing, however, despite this, they did not send an Annual Report to the ACA.

Annex VIII: Table 18

Table 18. Coverage of trainings delivered in 2021

No.	Type of training	Organized by	Place	Date	No. of Officials
1.	Drafting concept documents and techniques of legislation	KIPA	Prishtina	22-23.02.2021	2
2.	Ex-post assessment of Kosovo legislation	KIPA	Online	01-02.03.2021	1
3.	Leadership and management in public administration	KIPA	Online	16-17.03.2021	1
4.	Recruitment and Career Development (RCD) in civil service	European Union	Online	27.03.-01.04.2021	1
5.	Strategic planning and management of the institution	KIPA	Prishtina	07-08-04-2021	1
6.	Project preparation, management and monitoring	KIPA	Online	27-29.04.2021	1
7.	Strengthening Integrity in the Security Sector	RAI	Online	05-06.05.2021	2
8.	Assessing the budgetary impact of new Government initiatives	KIPA	Prishtine	17-21.05.2021	1
9.	Problem solving and managerial decision making	KIPA	Online	20-21.05.2021	1
10.	Personal data protection system and Access to public documents	KIPA	Online	25-26.05.2021	2
11.	Contract management through e-procurement	KIPA	Prishtine	24-27.05.2021	1
12.	The role of extra-institutional actors in democratic systems	KDI	Durres	27-28.05.2021	1
	Exposure to risks arising from public capital investment	KDI	Durres	04-05.09.2021	1
13.	Drafting Integrity Plans	UNDP	Prizren	21-23.09.2021	10
14.	Training of Trainers	KIPA	Tirana	20-21.10.2021	2
15.	Approaches to Public Sector Innovation (ISP)	GIZ	Online	21.10.2021	1
16.	Protection of Whistleblowers		Vermice	26-28.10.2021	1
17.	Training of Trainers	PECKII	Prishtina	26-28.10.2021	1
18.	Legislation for Public Officials-Institute for Administrative Justice	KIPA		26-27.11.2021	1
19.	Criminal misuse of legal entities and legal agreements - Identification of Beneficiary Property	PECK II	Peja	08-10.12.2021	4
20.	Addressing Gender Discrimination in the Workplace - <i>Implementing the policy against sexual harassment in public administration bodies</i>	KIPA	Prishtina	17.12.2021	1